

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 10, inclusive, answered orally.

Departmental Properties

11. **Deputy Michael Moynihan** asked the Minister for Public Expenditure and Reform the way he intends to ensure that greater cooperation is achieved across State agencies in the use of State owned land and buildings; and if he will make a statement on the matter. [43406/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Government's Public Service Reform Plan sets out commitments relating to Property Asset Management to drive public service wide efficiency and ensure that optimal value for money is achieved in the management of the State's property portfolio.

The Office of Public Works chairs a Steering Group drawn from public service property interests to promote greater efficiencies and develop a property management plan with particular focus on office accommodation. The Government's rationalisation programme of state bodies and the reduction in public service numbers generally has resulted in reduced requirement for office space. Addressing these changes will involve a comprehensive review of public service accommodation policies particularly in relation to space norms, open plan accommodation and efficiency drivers. A cross-disciplinary committee in OPW is currently developing a set of standards for office accommodation and space norms in accordance with international practice.

The OPW is also defining a map-based Public Service property inventory and web portal for State property to facilitate data sharing. This web application will be used to integrate property data generated by a variety of public bodies to manage the State's property assets more effectively across the service.

In relation to energy consumption, Deputies will be aware of the "*Optimising Power @ Work*" initiative which began in 2008. This was introduced to raise awareness with employees on the importance of conserving energy. Over the past number of years the OPW has installed energy-logging equipment in all large State buildings. Expanding energy performance measurement and raising awareness of the importance of reducing energy consumption across the public sector will continue.

National Procurement Service Framework Agreements

12. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform the im-

pact on small local enterprises from the centralisation of procurement within the public service; and if he will make a statement on the matter. [43394/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In light of the need to accelerate the reform agenda, late last year my Department published the Public Service Reform Plan. This plan identified procurement reform as a key instrument that can assist the public service to deliver services in an efficient manner.

The National Procurement Service (NPS) has put in place a number of national arrangements designed to secure better value for money from leveraging the public service's buying power in relation to a range of goods and services that are commonly purchased across the public service. These national arrangements have benefits that include: cash savings; administrative savings from reduced duplication of tendering; greater purchasing expertise; improved consistency; and enhanced service levels. In some instances the take up of the NPS arrangements has been low. In order to increase the usage of the NPS arrangements and thereby secure best value for money, the Government decided that it should be mandatory for public service bodies to use specified national procurement arrangements.

My Department recently issued Circular 06/12 that implements the Government decision by making it a mandatory requirement that public service bodies avail of specified national arrangements put in place by the NPS. The list of categories subject to national procurement arrangements includes: electricity; natural gas; stationery and office supplies; paper; ICT consumables; managed print services; print media advertising; and motor vehicles. These national arrangements will secure best value for money and facilitate contracting authorities to maintain the delivery of services in the context of tighter budgetary constraints.

The Government recently agreed to the establishment of a National Procurement Office under the aegis of my Department. This Office will integrate procurement policy, strategy, training, and operations in one office. The primary objectives of the Office will be to improve public procurement capacity across the public service and to deliver increased value for money.

In order to encourage greater SME participation in public procurement as outlined in Circular 10/10, the National Procurement Service (NPS) recently established a Working Group on Small & Medium Enterprises to respond to public procurement issues arising for SMEs. The Working Group consists of representatives from the NPS, the Health Service Executive, the Irish Business and Employers Federation, the Irish Small and Medium Enterprises Association, Chambers Ireland, and the Small Firms Association. The Working Group will develop measures to highlight the scope that contracting authorities have under Circular 10/10 to encourage SME participation in public procurement processes. The National Procurement Service, as part of its education and development remit, also has an active programme to assist SMEs in how to participate effectively in the public service procurement process. To date the NPS has facilitated workshops and presented at seminars to over 3,000 SMEs nationwide. The next event in this programme will be a major 'Meet the Buyer' event in Kilkenny in November at which it is anticipated more than 400 SMEs will attend.

While a number of the categories of goods and services mandated under the Circular are suited to single supplier national arrangements – for example the supply of energy or gas - it should not be taken that single supplier frameworks are to be accepted as the norm. The greater use where appropriate of multi-supplier frameworks – for example the supply of managed print services- can address local supplier issues while also ensuring ongoing cost competitiveness of the framework itself. Such multi-supplier frameworks may also offer SMEs the opportunity to participate in national level contracts, thereby offering valuable reference work when competing for public procurement contracts in other jurisdictions.

Departmental Properties

13. **Deputy Mick Wallace** asked the Minister for Public Expenditure and Reform the number and location of empty buildings owned by the State; the cost to the Exchequer per annum of each of these buildings; and if he will make a statement on the matter. [43385/12]

30. **Deputy Mick Wallace** asked the Minister for Public Expenditure and Reform the cost to the State per annum of unused buildings owned by the State in terms of maintenance, security, insurance and any other relevant costs; and if he will make a statement on the matter. [43384/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 13 and 30 together.

The property portfolio of the State covers lands and buildings owned or leased by a wide variety of organisations, including local authorities, organisations such as the Health Services Executive and non-commercial State bodies such as the Industrial Development Authority and SFADCo. It would be necessary for the Deputy to obtain the information he requires from the different organisations concerned.

However, in regard to the civil service, I can inform the Deputy that the Office of Public Works' property portfolio consists of approximately 2,200 buildings, of which some 60% are State owned and the remainder leased. The contraction in numbers employed in the public service generally has resulted in reduced accommodation requirements over the past number of years. This factor, along with the policy of the Garda authorities to close selected Garda Stations throughout the country, has resulted in a significant increase in the number of vacant buildings in the portfolio.

Currently, there are approximately 100 vacant State owned buildings in the Office of Public Works' portfolio. Of these, 47 are former Garda Stations and the rest comprise mainly former custom posts and coastguard stations. These properties are currently being considered for alternate State use. If no such requirement arises they will be included in a disposal programme. Proposals for community use will be considered on a case by case basis. The Office of Public Works is, in fact, already engaging with the community in relation to these types of properties, as is evidenced by the recent licensing of the former Garda Station in Finglas to a community creche.

In the time available, it has not been possible to collate data on the cost of maintenance, security etc. for the individual vacant buildings in the Office of Public Works' portfolio. However, if the Deputy had particular queries in relation to any specific building, the Office would seek to facilitate him in that regard.

Public Sector Staff Grades Review

14. **Deputy Brian Stanley** asked the Minister for Public Expenditure and Reform his plans to include senior civil pay scales in his review of the grading structure of the civil service and public service. [43493/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under the Public Service Reform Plan my Department is reviewing the grading structure of the Civil Service. The Review will examine the number and distribution of management grades across the Civil Service, the percentage of the pay bill accounted for by such grades and taking account

of organisational needs and best practice, assess the scope to reduce the number of management grades. In line with the commitment in the Public Service Reform Plan, this review will be completed by end June 2013. Preliminary work has been commenced on the Review with a view to completing the assessment in conformity with the Reform Plan timetable. Review of the grading structures in other sectors of the Public Service is a matter for the relevant parent Department in each case.

Pay rates at senior levels in the public service have already been reduced by up to 15% and an additional progressive pension related reduction applied through the Financial Emergency Measures in the Public Interest Acts of 2009. Pay rates for senior civil and public service employees, as for salary rates for all public servants will continue to be addressed as part of the Government's overall public service pay policy. In line with this policy, the Government adopted my proposal in June 2011 for the introduction of:-

- a general pay ceiling of €200,000 for future appointments to higher positions across the public service; and

- a general pay ceiling of €250,000 for future appointments to CEO posts within Commercial State Companies.

Following the outcome to the referendum on remuneration for the Judiciary the Financial Emergency Measures in the Public Interest (Amendment) Act, 2011 was enacted. This Act provided for the application of the pay reduction and the pension levy to serving members of the judiciary and provided for reduced remuneration rates for newly appointed members of the judiciary with effect from 1 January 2012. The Act also made provision to bring certain Office holders (Comptroller and Auditor General and Chairperson of An Bord Pleanála) within the public service pay ceiling and for the reduction of remuneration for future appointees as President and the Office of Ombudsman. This legislation also formally provides for the reduction in the salary rates for members of the Government. Ongoing arrangements are being made on an administrative basis to implement the pay ceiling for future appointments where that is appropriate, for example within the Civil Service and the Heads of four Universities.

Performance Management and Development System

15. **Deputy Willie O'Dea** asked the Minister for Public Expenditure and Reform if he will subject the reformed Performance Management and Development System within the Civil Service to ongoing external monitoring and review; and if he will make a statement on the matter. [43411/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): My Department is engaged in the ongoing review and reform of the Performance Management and Development System (PMDS) in the Civil Service.

A major external review of PMDS was carried out in 2005 by Mercer Human Resource Consulting (Mercer). Using best practice in the review and design of performance management systems, the *Review of PMDS* was a comprehensive evaluation that provided baseline information on how PMDS was working in 2005. The evaluation comprised feedback from a system-wide PMDS survey and a series of focus groups, interviews and workshops.

Since the Mercer evaluation, my Department reviews PMDS on an ongoing and comprehensive basis using both the survey instrument designed by Mercer and other methods of evaluation.

My Department ran a survey again in 2010, using the instrument designed by Mercer, across all staff in the Civil Service and the results of this survey - *The Evaluation of PMDS Survey 2010* - are available on the Department's website.

Other monitoring carried out by my Department on an ongoing basis includes:

- a review of the annual compliance with PMDS and the distribution of performance ratings across the Civil Service – also available on my Department's website;
- feedback from the Secretaries General and HR managers on their perceptions of PMDS;
- focus groups and workshops on aspects of performance management including the management of underperformance.

The analysis of the results from *The Evaluation of PMDS Survey 2010* and other reviews carried out by my Department identified that there are serious deficiencies in the approach taken to performance management in the Civil Service. In general, PMDS is not seen as an effective tool in the management of performance. It is seen as overly bureaucratic, with an emphasis on form-filling, lacking in fairness and consistency, with too many staff getting high ratings. The feedback also highlights that there is a widespread belief across the system that underperformance is not being managed.

The operation of the PMDS system has very recently been subject to independent scrutiny by the Comptroller and Auditor General and the 2010 Report contained a Chapter on Performance Management and Development in the Civil Service. The C&AG's audit highlighted issues such as the consistency and quality of the PMDS assessment process; the extent of timely compliance with PMDS; whether increments are effectively linked to appraisal results and how well the system is contributing to competency development and performance improvement.

The conclusions of the C&AG were in line with the findings of my Department's analysis of the failings of performance management in the Civil Service. I have on previous occasions stated that PMDS is not working well but that we are addressing the issues in a structured and coherent way. My Department has used the findings from *The Evaluation of PMDS Survey 2010* and the C&AG's Report to improve the design and operation of PMDS. Significant changes to PMDS have now been agreed between management in the Civil Service and the unions under the Croke Park Agreement.

In 2011, an initial phase of changes was introduced aimed at improving the operation of PMDS. This involved streamlining the paperwork associated with PMDS primarily to create space for more discussion about performance between staff and managers. Critically we have also increased manager accountability for managing performance by giving a low rating to managers who do not manage the performance of their staff proactively.

In July of this year, my Department, alongside management of the Civil Service and unions, agreed further changes to address the more fundamental issues that were identified in both *The Evaluation of PMDS Survey 2010* and the C&AG Report in 2010 and, in particular, a perceived lack of fairness and consistency in the application of the system. These changes are:

- a new grade-based Competency Framework;
- a revised rating scale with improved descriptions of performance levels;
- reviews of performance will be decided by a process of calibration. This process is commonly used in many public and private sector organizations to assist managers in delivering a realistic and consistent approach to the assessment of performance;

- a more comprehensive process of internal review of ratings, with access to external review;
- a rating of 'Fully Achieved Expectations' will be required for the award of an increment.

A key challenge is for senior leadership across the Civil Service to demonstrate their own commitment to delivering a high performance culture and to fully engage line managers in the management and improvement of performance. My Department will continue to review how we manage performance in the Civil Service and on the basis of this we will continue to make changes aimed at improving PMDS as it is the primary tool for managing performance in the Civil Service.

Public Sector Reform Review

16. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if, as part of a wider programme of public service reform, he will confirm that a detailed and rigorous analysis has been undertaken or is underway to identify redundant processes across the service in terms of achieving both staffing efficiencies and service provision efficiencies; if so, if he will describe the analysis in detail; if he will provide details of the results or expected results; and if he will make a statement on the matter. [43243/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government is making good progress on achieving all of our targets and priorities, as set out in the Programme for Government. We are bringing public expenditure back to sustainable levels and driving forward the public service reform agenda to ensure that efficiencies and reformed work practices play a full part in contributing to the overall budgetary consolidation effort.

As part of the Comprehensive Review of Expenditure (CRE), conducted in 2011, each Department, including my own, undertook an in-depth analysis of their spending programmes. The purpose of the CRE was to identify: expenditure programme savings; scope for savings arising from efficiency and other reforms; redundant and obsolete processes; proposals for reducing and/or merging of agencies; and associated reductions in staff numbers. The detailed reports of each Department as well as the final Comprehensive Expenditure Report 2012-2014 have been published, in line with Programme for Government commitments, on my Department's website.

This fundamental re-assessment of spending priorities forms a key platform for the Government's overall Public Service Reform agenda.

The Government has set a target of reducing public service staff numbers to 282,500 by end-2014. As of mid 2012, Public Service numbers stood at 292,000, which is 28,000 below the peak numbers level of 320,000 in 2008 and is comparable to the 2005 staffing levels. Service levels have been largely maintained notwithstanding these considerable staff reductions due to increased productivity/workplace flexibilities. The estimated reduction in the pay bill cost from 2009 to 2015 is €3.8 billion.

As the Deputy will be aware, this Government is committed to far reaching reform of the Public Service and providing better value for money in service delivery. The Government's Public Service Reform Plan, which was published last November, outlines the priority actions and timelines for reform.

Implementation of this Reform Plan is being co-ordinated and monitored by the Reform and Delivery Office in my Department. Good progress has been made and last month I published a Progress Report setting out the achievements made to date against the major elements of the

Public Service Reform Plan. I will be meeting the Public Accounts Committee tomorrow to discuss progress and will also be meeting the Committee of Finance, Public Expenditure and Reform in the coming weeks in this regard.

Major initiatives in the Reform Plan that are contributing to the achievement of efficiencies in both staffing and service provision include the increased use of shared services in all sectors which will mean that fewer staff and financial resources are required to perform those business functions as duplication is eliminated. Progress is being made on the consolidation of ICT across the Public Service, including a programme of data centre consolidation as set out in the Cloud Computing Strategy for the Public Service published in July.

In addition, we are in the process of examining activities which may be suitable for external service delivery, which has the potential to deliver more efficient and flexible services and to lower costs. The reform of the central procurement function, through the establishment of a National Procurement Office to be led by a Chief Procurement Officer, the recruitment process for which is underway, has the potential to yield savings in the range of €249 million to €637 million over a three year period depending on the approach taken.

Central to the delivery of the objectives of the Reform Plan is a strong focus on implementation and delivery. Government Departments and major Offices have produced Integrated Reform Delivery Plans, which place centrally driven initiatives in the context of organisational and sectoral reforms. Each sector is responsible for the delivery of their Sectoral Plans and progress made on these plans is being overseen by the Reform and Delivery Office, which is also driving an increased capacity and capability for change, both centrally and across the various sectors of the Public Service, to ensure that the focus is firmly on implementation and delivery.

National Lottery Licence Sale

17. **Deputy John Browne** asked the Minister for Public Expenditure and Reform the number of initial expressions of interest in the National Lottery licence that have been received; the date on which the contract for advisors is expected to be signed; the prospective date on which the awarding process will be completed; and if he will make a statement on the matter. [43420/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, I announced on 4th April 2012 that the Government has decided to hold a competition for the next National Lottery licence and that the licence will be for a 20 year period.

In July, my Department published a Request for Tenders (RFT) for Financial and Commercial Advice to the Department in relation to the next National Lottery Licence. The process of evaluating the tenders is now complete and a contract with the preferred tenderer should be finalised in the next few days.

When the advisors are in place, my officials will be working with them to establish the precise nature of the competitive process for the licence and the associated timelines. Developments in this regard will be made known to the market.

With respect to potential bidders for the licence, my officials have held initial meetings with a number of parties who may be interested in bidding for the next National Lottery licence. It would not be prudent of me to indicate at this time the precise number of parties who have expressed an interest in the next licence.

Departmental Staff Career Breaks

18. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform his views on the incentivised career break for civil servants in 2009 which finished in June 2012 in view of the fact that many of the staff have now been told that they will not be re-employed within their Departments for a period of up to twelve months but because of the PRSI contributions paid while they were out, they will not receive any social welfare either. [43238/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, the Special Civil Service Incentive Career Break Scheme was introduced as a once-off measure that was included in the Supplementary Budget on 7 April, 2009.

A copy of the relevant Circular, 13/2009, can be viewed at the following link: <http://circulars.gov.ie/pdf/circular/finance/2009/13.pdf>

It is clear from the Circular that an officer who took a career break under this Scheme may have to wait up to 12 months following the end of the career break before being reassigned and that during that time the individual should contact the Department of Social and Family Affairs to ascertain whether they are entitled to any benefits.

The following paragraphs from the Circular deal specifically with the matter of civil servants returning to duty after the three year period.

Paragraph 20: *An officer, who indicates s/he wishes to resume duty, will be assigned to the next appropriate vacancy to be filled following the expiry of the career break, with a guarantee of re-employment in a relevant grade (not necessarily in his/her existing Department) within twelve months of the expiry of the career break. An appropriate vacancy, for these purposes, is a fillable vacancy, in the officer's grade and Department, in the location in which he/she was serving immediately prior to commencing the career break. In the context of this Circular, "location" means geographic area, with the Dublin area being treated as one such location (save any change to such arrangements made in accordance with a collective agreement negotiated with the staff side).*

Paragraph 22: *Where an appropriate vacancy does not exist, the parent Department should contact the officer at once to notify him/her of the position, indicating, where possible, when it is likely that a suitable vacancy may arise. Where it is likely that the officer may be reassigned to another Department, his/her parent Department should alert him/her to that possibility. Officers, who are waiting to resume duty at the end of their career break, should be advised to contact the Department of Social and Family Affairs to ascertain whether or not they have any entitlements to jobseekers or any other benefits.*

The Circular also advised civil servants to check out their own individual situations with the then Department of Social and Family Affairs prior to commencing a career break (paragraph 31 of Circular refers) and to check periodically as to the up-to-date position.

To ensure that staff were absolutely clear on the terms and conditions of this Scheme, anyone who took a career break under the Scheme was required to sign a Form of Undertaking, acknowledging that they understood the conditions of the career break as set out in Circular 13/2009 and that particular attention had been drawn to the paragraphs dealing with return to duty following the expiry of the career break.

As participants in the Scheme were not at work, I can confirm that no PRSI contribution was paid by them during the three year period of the Incentivised Career Break Scheme and it follows that no reckonable contribution was added to their record for that period. From the

perspective of the Department of Social Protection, I understand that this does not preclude a person applying for Jobseekers Allowance.

In addition, there is no preclusion on civil servants seeking employment elsewhere while awaiting resumption of duty, subject to the avoidance of any conflict of interest between such employment and the person's continuing status as a civil servant.

Departmental Legal Costs

19. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [43391/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The expected total legal costs to be incurred by my Department in 2012 are estimated to be in the region of €88,600.00

In order to reduce the costs incurred where possible legal advice is sourced through the Attorney General's office and the Chief State Solicitors Office.

The Deputy may also be interested in the fact that officials in my Department are undertaking a review of public expenditure on legal services. As a major consumer of legal services, it is essential to ensure that the State is both achieving maximum value for money for its own expenditure and is not acting to distort the wider market for legal services. The recently established Irish Government Economic and Evaluation Service is in the process of reviewing this area in order to identify scope to enhance value for money in the procurement of legal services. The review will also consider best international practice in this regard and potential reforms in the case of Ireland. The review is expected to be completed by the end of 2012.

Departmental Expenditure

20. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform the measures he is putting in place to deal with departmental spending overruns in 2012; and if he will make a statement on the matter. [43416/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware we are currently going through very challenging economic and fiscal conditions. During this period officials in my Department are rigorously monitoring all current and capital spending on a month by month basis to identify potential overruns.

The end-September, 2012, issues figures indicate that there are some pressures, most notably in the Social Protection and Health group of Votes. The pressures relate to the cyclical nature of the largely demand led expenditure of these Departments as well as the reclassification of PRSI receipts by Revenue at the beginning of the year.

It remains a matter for each Minister and their Departments to ensure that the Vote-level allocations are adhered to.

Estimates Publication

21. **Deputy Charlie McConalogue** asked the Minister for Public Expenditure and Reform the revised procedures he is putting in place for the 2013 estimates; if he intends that they would be referred to Oireachtas committees in advance; if details of proposed expenditure measures have been submitted to the EU/IMF and the European Commission; if he plans to maintain the confidentiality of these until such time as they are presented to the Oireachtas; and if he will make a statement on the matter. [43401/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The *Comprehensive Expenditure Report 2012-2014*, published in December 2011, introduced a range of reforms to the processes for settling the annual Estimates of expenditure. In particular I introduced a *Medium Term Expenditure Framework (MTEF)*, with fixed multi-annual current expenditure ceilings clearly set out for each Ministerial Vote Group. The expenditure ceilings introduce greater certainty into medium-term expenditure planning. To underpin the *Medium Term Expenditure Framework* the Government published the *Ministers and Secretaries (Amendment) Bill 2012* on 28th September 2012.

This Bill puts the Ministerial expenditure ceilings on a statutory footing. I look forward to discussing and debating this measure before the House in coming weeks.

The *Comprehensive Expenditure Report* also provided for a new “whole-of-year” budgetary process, whereby the 2013 Ministerial expenditure allocations would be open for scrutiny and discussion before the relevant Oireachtas Committees, well in advance of the detailed Estimates allocations being settled this autumn. Indeed I wrote to the Chairperson of all relevant committees in January of this year, inviting them to avail of this opportunity for *ex-ante* engagement. I understand that the practical issues involved are currently being considered by the various committees.

As regards the 2013 Estimates themselves, these are still under consideration by the Government. Once finalised by the Government in due course, the Estimates will be presented to the Dáil in the normal way. While discussions take place around broad policy options with the EU/IMF programme partners, the question of maintaining confidentiality in regard to the detailed Estimates decisions does not arise in this context.

Public Sector Allowances Review

22. **Deputy Micheál Martin** asked the Minister for Public Expenditure and Reform the length of time it will take to realise the saving in respect of the annual value in allowances that will not be paid to new beneficiaries which he has stated as being in the region of €475m; and if he will make a statement on the matter. [43398/12]

23. **Deputy John Browne** asked the Minister for Public Expenditure and Reform if he will outline the breakdown by Department and allowance category of the savings of €3m in allowances in 2012; and if he will make a statement on the matter. [43421/12]

41. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform if he intends to conduct a further review of public sector allowances in 2013 to ensure that the current target savings are achieved; and if he will make a statement on the matter. [43405/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 22, 23 and 41 together.

The immediate savings arising from the recently announced reforms in 2012 are expected to be in the order of €3.5 million. Of this amount, Government Departments identified savings of some €1.5 million, the majority of which is related to the abolition of qualification allowances in Education.

Further to this, the Department of Public Expenditure and Reform identified allowances which it considers not to have a valid business case, and which will not now be paid to new beneficiaries. The immediate abolition of these allowances is expected to generate savings of €2m in 2012. The largest classes of allowance responsible for these savings are rent allowances. There are also savings expected in Education and Defence through the abolition of allowances relating to living in Gaeltacht regions, on islands, and for teaching through Irish.

Significant medium term savings are achievable by precluding the payment of unjustified allowances to new beneficiaries, with the cost of allowances reducing as those in receipt of them leave, or by each public service sector reviewing the allowances paid to ensure that sufficient value is achieved from them.

In the interests of bringing these savings to the paybill forward, my Department has written to sectoral management instructing them to immediately engage with staff interests with a view to securing their early agreement to the elimination of those Departmental allowances payable to current beneficiaries, where no business cases exists to pay those allowances to new beneficiaries. In addition, Departments have been asked to identify other allowances, including legacy allowances, for elimination from current beneficiaries.

It is intended that, rather than conduct a further central review, these sectoral discussions will result in further improvements in procedures, extract greater value from those allowances that continue to be paid, and the elimination of a number of allowances for which no business case exists, leading to further savings for the Exchequer.

Pension Provisions

24. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform the number of pension schemes taking part in the pensions insolvency scheme; his plans for the future development of the scheme; the amount of State resources that are available to support it; and if he will make a statement on the matter. [43403/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Two pension schemes are taking part in the Pensions Insolvency Payment Scheme (PIPS). These are the Waterford Crystal Staff and the Waterford Crystal Factory schemes. The trustees of the two schemes paid €40.8 million in total to participate in PIPS.

The State has now taken over responsibility for making future pension payments to those persons who were already pensioners of the two Waterford schemes at the time the company wound-up. The price paid to enter PIPS is intended to cover all future payments to these pensioners and also the administration costs of the scheme. Pricing was carried out by the National Treasury Management Agency on a basis that is cost-neutral to the Exchequer. No additional State resources are therefore needed to support the PIPS scheme.

Under PIPS the Exchequer has been able to provide pensions at a lower cost than would a commercial enterprise. As a result PIPS will reduce the pensions shortfall facing the deferred pensioners of the two Waterford schemes while being cost neutral to the Exchequer.

A review of the operation of PIPS will be carried out by early 2013.

Capital Programme Expenditure

25. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform the measures he is taking to address the under spend in the Exchequer capital in 2012; and if he will make a statement on the matter. [43419/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The actual roll-out of capital expenditure is a matter for line Departments, operating within the delegated sanction arrangements issued by my Department that cover not only capital investment this year but contractual commitments for the next three years.

The end-September Exchequer returns show that capital expenditure by line Departments is running at 13.6% behind profile overall so far this year. This compares with 11.5% at end-September 2011. A variance of between 10% and 12% is not unusual. Departments have indicated that they do not expect any significant savings by year end and so I expect a return to profile at that stage.

As the Deputy will be aware, capital spending has general characteristics which influence the allocation drawdown pattern. Expenditure on capital projects typically occurs in large tranches at fixed milestones, unlike current expenditure which is generally continuous throughout the year. Obviously, this affects the phasing and profiling of capital expenditure.

In addition, public financial rules require that payments are only made on foot of matured liabilities, so payments made in the later parts of the year are made on foot of work that has already been satisfactorily completed. The trend is therefore that the bulk of capital expenditure takes place in the final quarter of the year.

Legislative Programme

26. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform the steps he intends to take to review the valuation process in relation to business rates, with particular reference to enhancing the appeals process which prevents a business which has been assessed in error from being reviewed, if the original applicant did not appeal it in the first instance. [41289/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The matter to which the Deputy refers is provided for in the Valuation (Amendment) (No. 2) Bill, 2012 which was approved for publication by the Government on 3rd August and the primary purpose of which is to introduce amendments to the legislation which underpins the rateable valuation system on which commercial rates are collected.

Among the new features in the Bill, the circumstances outlined by the Deputy are addressed in a provision that where a revision manager decides not to revise a valuation on the basis that a material change of circumstances which warrants the carrying out of a revision has not occurred, the occupier has a right to make representations to the Commissioner of Valuation within 40 days of the revision manager's decision and the Commissioner may, depending on the particular circumstances, amend the valuation or any other detail appearing on the list that in the opinion of the Commissioner is inaccurate.

Public Sector Staff Issues

27. **Deputy John Halligan** asked the Minister for Public Expenditure and Reform his plans to maintain frontline services in view of his plans for targeted voluntary redundancies in the public sector; and if he will make a statement on the matter. [43500/12]

29. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform his plans to maintain frontline services in view of his plans for targeted voluntary redundancies in the public sector; and if he will make a statement on the matter. [43422/12]

34. **Deputy Joe Higgins** asked the Minister for Public Expenditure and Reform his views on reports that he intends to seek a further 10,000 redundancies by 2014; and if he will make a statement on the matter. [43361/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 27, 29 and 34 together.

The Government is committed to reducing the size of the Public Service and to creating, leaner more efficient Public Service. At mid 2012 Public Service numbers were around 292,000. This is 28,000 below the peak numbers level of 320,000 in 2008 and is comparable to the 2005 staffing levels. Service levels have been largely maintained, and in fact increased in some areas, notwithstanding these considerable staff reductions due to increased productivity/workplace flexibilities.

The Government agreed last July in order to maximise paybill savings to accelerate the programme of staff reductions. It was also noted at that time that where staff surpluses are identified a targeted voluntary redundancy (VR) scheme would be implemented. The Government decision of the 2nd of October confirmed that a Voluntary Redundancy Scheme would be made available for targeted areas throughout the Public Service.

Identification of staff surpluses is under way. My Ministerial colleagues are actively examining particular works areas, bodies, locations or grades at which voluntary redundancy can be targeted. Of course there will be full regard for the skills needs and priorities of Departments now and into the future during this process. I would stress that there will be no automatic right to redundancy and all applications will be subject to ongoing business needs. Final decisions on numbers reductions to be achieved in each sector will take account of the surpluses identified by Ministers in respect of their portfolios and of expected rates of retirements in those sectors over the next few years. The reports that the Government intends to seek 10,000 redundancies are incorrect and are not helpful.

Public Sector Staff Remuneration

28. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform the anticipated total cost to the Exchequer of public sector pay increments in 2013; the amount of this figure that applies to public servants currently earning €50,000 to €60,000; the amount of this figure that applies to public servants currently earning €60,000 to €70,000; the amount of this figure that applies to public servants currently earning €70,000 to €80,000; the amount of this figure that applies to public servants currently earning €80,000 to €90,000; the amount of this figure that applies to public servants currently earning €90,000 to €100,000; the amount of this figure applies to public servants currently earning €100,000 to €120,000; the amount of this figure that applies to public servants currently earning €120,000 to €140,000; the amount of this figure that applies to public servants currently earning in excess of €140,000; and if he

will make a statement on the matter. [43241/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The estimated full year cost of increments for 2013 in the public service (excluding the Local Authority sector) is some €170m.

The following information was provided under Standing Order 40A

I refer to my reply to Question No. 32625/12 of 4 July 2012.

Question No. 29 answered with Question No. 27.

Question No. 30 answered with Question No. 13.

Public Sector Pensions Issues

31. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his plans to reduce pensions paid to former office holders. [43486/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): A number of reforms have been introduced in relation to Public Service pension entitlements which affect Ministerial pensions. Under the Public Service Superannuation (Miscellaneous Provisions) Act 2004, Ministerial pensions are not payable to new Oireachtas Members (as defined in the Act) before 65 years of age and, under the Oireachtas (Allowances to Members) and Ministerial and Parliamentary Offices Act 2009, Ministerial pensions are no longer payable to sitting Members of the Oireachtas following the last general election, or to Members of the European Parliament following the next elections to the Parliament.

Public Service pensions for former Ministers who retire after February 2012 will be reduced in line with the substantial pay reductions applied under the Financial Emergency Measures in the Public Interest (FEMPI) Acts, and for those who retired before the end of February the Public Service Pension Reduction (PSPR) applies. I provided for an increase in the rate of PSPR that applies to pensions in excess of €100,000 to 20% of the excess amount, effective from 1 January of this year.

Furthermore, the Public Service Pensions (Single Scheme and Other Provisions) Act 2012 introduced a new Single Public Service Pension Scheme with a new minimum pension age of 66, rising in due course with the age at which the State Pension (Contributory) will become payable. This will apply to all new Members of the Oireachtas, including new entrant Ministers, as defined in the Act. This Act also provides that pensions for all Public Servants who are subject to the Act will be based on career average earnings, as opposed to the current final salary basis.

It is important to point out that legal advice from the Attorney General says that it is possible to apply proportionate reductions to existing pensions, as has been done to date in the FEMPI legislation. However, account must be taken of the fact that pension benefits are considered to be property rights, which limits the action that can be taken.

Public Sector Staff Grades Review

32. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform if he will provide an update on his review of the grading structure of the civil service and public service; and if he intends to reduce the number of management grades. [43492/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under the Public Service Reform Plan my Department is reviewing the grading structure of the Civil Service. The review will examine the number and distribution of management grades across the Civil Service, the percentage of the pay bill accounted for by such grades and taking account of organisational needs and best practice, assess the scope to reduce the number of management grades. Preliminary work has been commenced on the review and, in line with the Reform Plan, it will be completed by end June 2013.

The review of the grading structure in other sectors of the Public Service is a matter for the relevant parent Department in each case.

Croke Park Agreement Issues

33. **Deputy Joe Higgins** asked the Minister for Public Expenditure and Reform if he will report on any recent discussions he has had with the social partners. [43029/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Following the publication of the Second Annual Report from the Public Service (Croke Park) Agreement Implementation Body in June last, together with the Taoiseach I met with the Body on 11 July. The Deputy will be aware the Body's membership includes representatives from the Public Services Committee of ICTU.

We took the opportunity to emphasise the need to accelerate the implementation of the various initiatives under the Public Service Agreement and to fully utilise the provisions of the Agreement to secure efficiencies and reforms.

I also hold periodic meetings with trade union leaders and officials of my Department meet with stakeholders including representatives of public service trade unions on a regular basis as part of routine consultation in the context of the implementation of the Agreement and the broader public service reform agenda.

In recent weeks the Government requested further proposals for savings and reforms from Ministers under the Agreement and those proposals are currently being examined. In this context the Taoiseach and I will be meeting with the Implementation Body again shortly as part of that process.

Question No. 34 answered with Question No. 27.

Public Sector Pensions Expenditure

35. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform if any currently serving secretaries general retain TLAC terms with regards to their pension provisions; if he will provide a list of those secretaries general; if he will provide the total expected cost to the Exchequer of the pension pots to be paid out to the former on their retirement broken down by annual pension payment for each, lump sum payment on retirement and the additional special severance payment of half a year's salary. [43488/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, in October 2011 the Government significantly revised the TLAC terms to apply to Secretaries General newly appointed thereafter. The terms in place prior to that revision still apply to currently serving Secretaries General who were appointed under those terms. As I said in previous replies on this matter, the advice of the Office of the Attorney General is that the

Government does not have discretion to change those earlier terms where such terms form part of an individual's terms of employment.

Officers appointed since October 2011 and subject to the revised terms are as follows:

Mr Seán Ó Foghlú, Education and Skills

Mr John Murphy, Jobs, Enterprise and Innovation

Mr John Moran, Finance

Mr Ambrose McLaughlin, Health

Mr Pádraig Dalton, CSO

Serving officers to whom the former TLAC terms continue to apply are as follows:

Mr Tom Moran, Agriculture, Food and the Marine

Mr Joe Hamill, Arts, Heritage and the Gaeltacht

Mr Liam O'Daly, Attorney-General's Office

Mr Jim Breslin, Children and Youth Affairs

Mr Aidan Dunning, Communications, Energy and Natural Resources

Mr Michael Howard, Defence

Ms Geraldine Tallon, Environment, Community and Local Government

Mr David Cooney, Foreign Affairs

Mr Brian Purcell, Justice and Equality

Ms Clare McGrath, Office of Public Works

Ms Josephine Feehily, Office of the Revenue Commissioners

Mr Robert Watt, Public Expenditure and Reform

Mr Adrian O'Neill, President's Establishment

Ms Niamh O'Donoghue, Social Protection

Mr Martin Fraser, Taoiseach

Mr Tom O'Mahony, Transport, Tourism and Sport

It is not possible to provide the cost to the Exchequer of the pension entitlements of the individuals concerned as the definitive information necessary to make those calculations (e.g. service history, age and salary rate) will only be available at the actual time of retirement.

Legislative Programme

36. **Deputy Martin Ferris** asked the Minister for Public Expenditure and Reform if he will include a definition of good faith in the Protected Disclosures in the Public Interest Act; and if the legislation will be introduced before the year end. [43496/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Protected Disclosures in the Public Interest Bill 2012 is included in the Government's Legislation Programme with an expected publication date early in 2013.

The specific definitions to be included in the proposed legislation are currently being considered by my Department in consultation with the Office of the Parliamentary Counsel taking into account submissions made on the legislation and observations received on the General Scheme from the Oireachtas Committee on Finance, Public Expenditure and Reform.

Flood Relief Schemes Applications

37. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the steps he is taking to address the summer flooding in the Shannon Basin; and if he will make a statement on the matter. [43240/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I continue to monitor very closely, the on-going progress in respect of the River Shannon Catchment Flood Risk Assessment & Management Study. The Deputy will be well aware of the many meetings I have held over the summer period with local elected representatives, local stakeholders and senior representatives of both Waterways Ireland and the ESB to discuss the situation.

I met again with Waterways Ireland and the ESB, on 19 September, 2012 to review operational control protocols for water flows and levels on the Shannon. It was agreed at that meeting, in the light of stakeholder requests, to carry out a water level monitoring exercise, involving controlled raising and lowering of weir boards at selected locations. The carrying out of this exercise is contingent on favourable hydrological conditions and for this reason it has not been possible to date to undertake the exercise. It is intended to carry out the exercise as soon as conditions permit.

I also met with the representatives of the Inland Waterways Association of Ireland (IWAI), and the Irish Boat Rental Association (IBRA) on 27 September, 2012 to discuss their concerns regarding operational controls on the Shannon. These concerns have been passed to Jacobs Engineering for active consideration in the context of its Catchment Flood Risk Assessment & Management (CFRAM) Study for the River Shannon, as part of the national CFRAM programme.

Further, a briefing of the Irish Farmers Association by Jacobs Engineering on the latter's Report on a Review of Operational Control of Water Levels on the River Shannon has been arranged for 24th October 2012.

I can assure you that I will maintain the close interest and involvement in this matter that I have demonstrated to date.

It is my intention to ensure that constructive dialogue continues with all the main stakeholders and that progress can be made towards achieving a balanced and fair solution where the water in the Shannon and its lakes is maintained at levels which meets the needs of business, navigation, power generation and the welfare of those living and farming directly adjacent to the main river channel.

Questions - Written Answers
Teachers' Remuneration

38. **Deputy Jonathan O'Brien** asked the Minister for Public Expenditure and Reform the way he intends to deal with the pay gap that has emerged between new entrant teachers and those appointed prior to his decision to withdraw all allowances. [43489/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government policy on the payment of qualifications allowances to new entrant teachers arises because of the need to constrain public service pay costs in face of the extremely difficult national financial position.

It should be noted however that the Government has decided that new entrant teachers who will no longer be in receipt of qualifications allowances will commence on a salary of €30,702, which is equivalent to the 4th 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.

Office of the Ombudsman Remit

39. **Deputy Peadar Kirby** asked the Minister for Public Expenditure and Reform the reason for his decision to exclude an additional 50 agencies from the Ombudsman's remit despite his Programme for Government commitment to ensure that all statutory bodies and all bodies significantly funded from the public purse will be covered by the legislation. [43491/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The main purpose of the Ombudsman Amendment Bill is to extend the remit of the Ombudsman to an additional 140 bodies. As the Deputy will be aware there are a number of specific categories of public bodies which are of longstanding exclusion from the Ombudsman's jurisdiction on account of the specific characteristics of the bodies within these categories and the assessment following consultation with the Ombudsman that they do not warrant inclusion under the Act. The general principle that has guided this assessment is whether the individual citizen's interest is served from inclusion of the public body or otherwise. In particular, it has been a priority to ensure that as much as possible public bodies who in their day-to-day activities and administration have significant engagement and interaction with large numbers of citizens and have the potential through their administration and decision-making to give rise to an adverse effect for individual citizens are included. Consequently in general public bodies within the following categories of public body will remain exempt from review:-

- commercial State bodies,
- economic sectoral regulators
- bodies involved in the criminal justice and legal system
- research and advisory bodies with little or no interface with the general public.

In addition, while it has not proved possible in the time available to carry out a detailed comparison of the public bodies currently exempted from review by the Ombudsman and those largely drawn from the above categories which it is now proposed to exempt.

This reflects the process carried out by my Department with other Departments and in con-

sultation with the Office of the Ombudsman to seek to ensure that all public bodies are listed either as reviewable or exempt agencies under the Bill, given that previously a significant number of public bodies were neither. As I indicated in the course of the Committee Stage debate on this Bill in the Seanad the process will secure the extension of the Ombudsman's power to review administrative decision-making to 140 public bodies which are currently excluded. Following the enactment of the Bill the Ombudsman will have the legal authority to carry out administrative review on well over 300 public bodies.

Public Procurement Contracts Expenditure

40. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the steps that he is taking to assist small business to obtain public contracts; and if he will make a statement on the matter. [43239/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am very aware that public procurement can be an important source of business for local enterprises. Current guidelines (Circular 10/10) issued by my Department require public bodies to promote participation of small and medium-sized enterprises in the award of public contracts. These guidelines set out positive measures that contracting authorities are to take to promote SME involvement in a manner that is consistent with the principles and rules of the existing public procurement regulatory regime. The guidance also highlights practices that are to be avoided because they can unjustifiably hinder small businesses in competing for public contracts. The key provisions of the guidance include:

- supplies and general services contracts with an estimated value of €25,000 or more to be advertised on the www.etenders.gov.ie website;
- less use of "restrictive" tendering procedures and greater use of "open" tendering;
- ensuring that the levels set by contracting authorities for suitability criteria are justified and proportionate to the needs of the contract;
- sub-dividing larger requirements into lots where this is practical and can be done without compromising efficiency and value for money.

Circular 10/10 has been in place for just over two years. It is clear that there is a need to ensure greater consistency in relation to the implementation of this circular. In this regard, the National Procurement Service (NPS) recently established a Working Group on Small & Medium Enterprises to respond to public procurement issues arising for SMEs. The Working Group consists of representatives from the NPS, the Health Service Executive, the Irish Business and Employers Federation, the Irish Small and Medium Enterprises Association, Chambers Ireland, and the Small Firms Association. The Working Group will develop measures to highlight the scope that contracting authorities have under circular 10/10 to encourage SME participation in public procurement processes.

Question No. 41 answered with Question No. 22.

Public Sector Pensions Expenditure

42. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his plans to reduce excessive pensions paid to former senior civil servants. [43487/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Several measures have been taken in recent years which serve to reduce pension awards and pensions in payment to retired public servants, including retired senior civil servants.

The pensions of former civil and public servants who retire or have retired from February 2012 onward are reduced in line with the substantial pay reductions applied under the Financial Emergency Measures in the Public Interest (FEMPI) Acts.

For public servants who retired up to the end of February 2012, the Public Service Pension Reduction (PSPR) applies. I provided for an increase in the rate of PSPR that applies to pensions in excess of €100,000 to 20% of the excess amount, effective from 1 January of this year.

In June 2011 the Government agreed with my proposal to apply a general pay ceiling of €200,000 for future appointments to higher posts across the public service. Revised salary rates in line with that ceiling are now in place for future Secretaries General, who, in addition, can no longer get notional added years or immediate pensions before preserved pension age. These retrenchments in respect of salary and exit terms will ultimately reduce Exchequer pension costs in respect of senior civil servants.

Looking further ahead, the recently enacted Public Service Pensions (Single Scheme and Other Provisions) Act 2012 provides for a new Single Public Service Pension Scheme. This scheme will apply to all new-joiner public servants and will ultimately deliver significant Exchequer savings through reduced public service pensions. These long-term savings will derive from key features of the Single Scheme, principally an increase in pension age, inflation linkage of benefits and career-average accrual. The career-average component of the Single Scheme, in particular, is expected to have a marked impact in moderating the pensions paid to persons retiring from senior civil service posts.

It is important to point out that legal advice from the Attorney General says that it is possible to apply proportionate reductions to existing pensions, as has been done to date in the FEMPI legislation. However, account must be taken of the fact that pension benefits are generally regarded as vested property rights, which must be considered in the public interest when taking action.

Public Sector Reform Review

43. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform if he will identify in detail the areas of the public service where redundant processes can be eliminated through the expanded use of IT equipment, through the amalgamation and consolidation of shared services; if he can identify where this has taken place; his plans to address deficiencies in service provision on a geographical basis through this method; and if he will make a statement on the matter. [43242/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In November 2011, the Government published its comprehensive Public Service Reform Plan, which outlined key commitments for change across the Public Service. By end 2014, we expect to have reduced the number of staff in the Public Service to 282,500, compared with 320,000 in 2008. In this context, a key aspect of the Reform programme is that it will enable us to continue to provide important public services, notwithstanding the substantial reduction in Public Service numbers and resources.

The actions set out in the Reform Plan are accompanied by specified timescales for completion and Departments and major Offices have also devised their own high level Integrated Re-

form Delivery Plans dealing with all aspects of service provision. My Department takes the lead on key cross-cutting initiatives and each sector is responsible for the delivery of their sectoral plans.

Strong governance arrangements and processes to oversee implementation have been put in place. The Reform Programme is being driven by the Cabinet Committee on Public Service Reform, and a number of other key groups are in place to support that. Implementation is being coordinated and monitored by the Reform and Delivery Office in my Department. Individual Departments and major Offices have also established Change Delivery Teams, which are working closely with the Reform and Delivery Office on their own reform plans.

The recent Progress Report on the implementation of the Reform Plan, published last month, highlights the progress that has been made over the last nine months, including in areas such as shared services, eGovernment, procurement reform, external service delivery and the programme of political reform.

eGovernment 2012-2015, approved by Government and published in early April, sets out a new approach to eGovernment for the Irish Public Service and is based on the recognition in the Programme for Government and the Public Service Reform Plan that Information and Communications Technologies (ICT) are key enablers to delivering improved public services.

This strategy was developed by the Department of Public Expenditure and Reform in conjunction with the Public Service Chief Information Officer (CIO) Council. The CIO Council is a representative forum for senior managers with responsibility for ICT and/or eGovernment from across the Civil and Public Service to discuss key issues in these areas, and to provide expert input to decisions and actions to maximise the positive impact of ICT and eGovernment on public service modernisation and customer service.

Following on from the eGovernment Strategy, the Government published, in July, its Cloud Computing Strategy for the Public Service. Cloud computing is a radically new approach to the delivery of ICT services. Accordingly, it is a significant reform of how we design, develop, procure and operate our ICT environment and services.

Good progress is being made in meeting the aggressive timelines for progressing Shared Services set out in the Public Service Reform Plan. Together with my colleagues in Government, I am committed to the delivery of this significant transformation initiative in a planned way and on the basis of international best practice. To this end, a dedicated Shared Service Transformation Unit has been established within my Department. In addition to leading Shared Services efforts across the Civil Service, the Unit is also working with nominated senior officials to ensure that ambitious and robust plans are developed and implemented across all Public Service sectors.

The business case for a Civil Service HR Shared Service was approved by Government earlier this year. A new Shared Services Centre, known as PeoplePoint, will be established in Clonskeagh in Dublin. I expect the first transitions to this new centre to commence in March of next year with all in scope bodies being transitioned by the end of 2014. It is estimated that the establishment of this centre will reduce the annual cost of HR services for the Civil Service by 26%, while the number of staff involved in currently delivering these services will reduce by a minimum of 17%.

The Civil Service Pensions Administration Shared Services has been advanced well beyond our original target of 2014. I would now hope to have this service transition in 2013 in tandem with our new HR Shared Services Centre.

The baselining of Civil Service payroll arrangements has been completed. A dedicated Project Team within my Department is now overseeing the production of a business case for a Civil Service Payroll Shared Service which I expect to bring to Government early next year. In addition, officials within my Department are finalising their assessment of tenders for external assistance in carrying out a baselining and possible feasibility study relating to Financial Management and Banking Shared Services.

Departmental Expenditure

44. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which his programme of savings throughout the public sector to date remains on target with particular reference to the dual and sometimes conflicting needs to cut expenditure and maintain services; if he will set out those areas which to date have achieved the best results in this regard; the areas and or sectors which require further attention; if he remains satisfied that the twin objectives of reducing public expenditure in line with budgetary and Troika requirements as entered into by his predecessors and the need to maintain frontline services continue to be achievable; and if he will make a statement on the matter. [43386/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government is making good progress on achieving all of our targets and priorities. We are bringing public expenditure back to a sustainable level and driving forward the public service reform agenda to ensure that efficiencies and reformed work practices play a full part in contributing to the overall budgetary consolidation effort. In determining policy, the Government has to take account of a wide range of often competing considerations and policy priorities while living up to its commitments by delivering on all the conditions and targets in the EU/IMF Programme by the required deadlines.

Expenditure in 2012 is being kept under close scrutiny and control, including in the context of monitoring and reporting arrangements under the EU/IMF agreement. Ireland is committed under the EU-IMF programme to reducing the overall size and costs of the public service. All Government Departments and agencies simply have to deliver better value to the public in order to reduce the deficit and protect frontline services.

This Government's commitment to reforming our entire public service while protecting front-line services can be exemplified in the publication of the Public Service Reform Plan which highlights a range of specific and time bound commitments which involve a freeing up of administrative resources, and a reprioritisation of resources generally, to ensure that services can continue to be delivered to the public in as cost effective a way as possible.

Public Sector Allowances Review

45. **Deputy Micheál Martin** asked the Minister for Public Expenditure and Reform if he has attended any meetings with Department Secretaries General in relation to allowances; and if he will make a statement on the matter. [42657/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I did not attend any meeting with Secretaries General of Departments, other than with the Secretary General of my own Department, in relation to the review of allowances. Interaction between all Departments and my own Department in relation to the allowances review was at official level.

Foreign Conflicts

46. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade in view of the increasingly uneven nature of fighting between the Assad regime and opposition forces, the alternative methods of intervention he will consider in order to help defend those oppressed by the Assad regime which is becoming increasingly more militarily sophisticated; the way he intends to address this imbalance through advocating non-military intervention while simultaneously calling for a complete arms embargo; if he has considered calling for an enforced no-fly zone as proposed by the French Government; and if he will make a statement on the matter. [43761/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As I said in my address to the UN General Assembly on 28 September, what is happening now in Syria is an affront to humanity. The violence is indiscriminate and on an appalling scale; and it is not confined to one side. I also said that what is needed above all to stop the violence is a strong UN Security Council resolution which will authorise targeted sanctions. This must include a comprehensive arms embargo, in order to halt the flow of arms to all sides in Syria and to compel those responsible for the violence which is violating the human rights of the Syrian people to stop their reprehensible actions. That is what the Syrian people want from us, and what they have a right to expect.

There also needs to be accountability for the serious human rights abuses which are being perpetrated in Syria. To prevent further atrocities and to save lives, we need to demonstrate clearly that these abuses will not go unpunished. Ireland fully supports, therefore, the calls which have been made for the situation in Syria to be referred by the Security Council to the International Criminal Court.

UN Secretary General Ban Ki Moon has warned about the risks of further militarization of the conflict in Syria, particularly in light of last week's appalling attack on the Turkish border town of Akcakale. I do not believe that external intervention in any form at the moment will assist those suffering under Assad's oppressive rule or necessarily bring closer that ceasefire and end to the conflict which is so urgently needed.

Similarly, I continue to have strong doubts and concerns about proposals to establish humanitarian corridors or safe zones within Syria, given the continuing divisions within the Security Council on Syria and the absence of any Security Council resolution authorising action on behalf of the international community. Such proposals would require the deployment of large-scale resources, including enforcement mechanisms for which there is no consensus at the moment. There is also the risk that ongoing humanitarian operations would be severely compromised by attempts to establish safe zones or humanitarian corridors.

The priority for now must be to lend strong support to the mediation efforts of the UN/Arab league Joint Special Representative, Lakhdar Brahimi, in his mission to negotiate a ceasefire and to launch a political process facilitating the transition which is urgently needed in Syria. The international community must also concentrate on mobilising increased resources to deal with the worsening humanitarian situation within Syria and the region; some 1.5 million Syrians are internally displaced and an estimated 300,000 refugees have fled the violence to neighbouring countries. Ireland has already committed some €2.45 million in humanitarian assistance in response to the crisis.

Increased international pressure also needs to be applied to the Assad regime to end the violence and repression which it is inflicting on the Syrian people. The EU has been to the forefront in imposing targeted sanctions on the Assad regime and those who provide it with support.

I anticipate that a further round of targeted EU sanctions may be agreed at the Foreign Affairs Council which I will attend next week in Luxembourg.

Departmental Legal Costs

47. **Deputy Barry Cowen** asked the Tánaiste and Minister for Foreign Affairs and Trade the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44067/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): It is not possible to predict legal costs with certainty in advance. However, the Department has made budgetary provision for the following:

Account Code	2012 Budgetary Provision for the department
Legal Expenses (lawyers' fees incurred at Headquarters and at Missions abroad)	€105,500
Settlement Costs to cover matters such as personal injuries awards (excluding lawyers' fees)	€475,000
Premises legal fees to cover property-related legal costs at HQ and at Missions	€50,000

It is anticipated that a similar level of budgetary provision will be made for 2013, but actual expenditure may differ considerably depending on events and outcomes of proceedings. The allocation for these costs is kept under review on an ongoing basis.

Litigation is dealt with on my Department's behalf by the Chief State Solicitor's Office and the State Claims Agency who engage lawyers to act for the Department where necessary in relation to personal injuries claims and other matters.

Legal advice on contractual and other matters arising from time to time is initially sought from the Chief State Solicitor's Office and/or the Office of the Attorney General, and the use of external legal advisors for such requirements is kept to a minimum. Missions abroad may have to engage local legal advisers from time to time and in such cases Missions are under instruction to procure such services by competitive process in accordance with Guidelines issued by the Department of Public Expenditure and Reform.

Customs and Excise Controls

48. **Deputy Michael Healy-Rae** asked the Minister for Finance the number of sniffer dogs that customs and excise officers have at their disposal; and if he will make a statement on the matter. [43499/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that their Customs Service currently deploys 13 detector dog teams at strategic locations throughout the country. Each team comprises a detector dog and handler. The dogs are used in the detection of drugs, tobacco and cash. Passive dogs are used as this allows for the screening of passengers as well as merchandise and baggage. The detector dog teams play an important

role in delivering on Revenue's commitments to the Supply Reduction Pillar of the Government's National Drugs Strategy. In keeping with its commitment to the National Drug Strategy, Revenue has considerably enhanced its drug detection capability on a number of fronts and in this regard, the number of detector dog teams was increased substantially in recent years.

While the teams are primarily deployed within their Region of assignment, they are also available for deployment elsewhere, as appropriate. Revenue also ensures that its detector dog teams maintain a high public visibility at the ports, airports, postal depots and freight forwarders' premises in which they routinely operate. The Customs detector dog teams also assist in operations carried out by An Garda Síochána, whenever requested to do so.

Approval has been given for the assignment of two additional detector dog teams, trained to scent tobacco and tobacco/cash. These additional teams are currently in training and they are expected to be operational in December 2012.

Tax Forms

49. **Deputy Jack Wall** asked the Minister for Finance the position regarding a P45 form in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [43513/12]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that a Form P60, rather than form P45, has issued to the person concerned for 2011 in respect of the relevant employment. The Revenue Commissioners have contacted the person concerned, who has confirmed that he has the P60, and explained to him that the P60 is sufficient for Social Protection and Revenue purposes.

Liquor Licensing Laws

50. **Deputy Michael Healy-Rae** asked the Minister for Finance the reason there is a standardised price for a wine licence whether the store is large or very small; and if he will make a statement on the matter. [43547/12]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware the rate of excise duty on off-licences was reviewed in the context of the 2008 and 2009 Budgets. The annual excise duty payable on each off-licence was increased from €250 to €500. An off-licence for a shop selling only wine costs €500. An off-licence selling the full range of alcohol products require three licences - spirits, beer and wine. Consequently, outlets who wish to sell wine, beer and spirits must obtain Retailers Off Licences which cost €1,500 per annum. It is the general practice that excise duty on licences to trade are set at one rate and do not differentiate based on the volume or quantity of activity undertaken by the holder of the licence, except in the case of licences for public houses.

Mortgage Interest Rates Issues

51. **Deputy Michael Healy-Rae** asked the Minister for Finance in view of the fact that Allied Irish Bank have received more than €20 billion from the State and in effect is owned by the people and now the bank has increased its mortgage rates not once, but twice in recent times, and 70,000 AIB variable rate customers must pay a further 0.5 percent on their mortgages, if he will intervene in view of the fact that one tenth of AIB mortgage customers are already 90 days

or more behind on their repayments; and if he will make a statement on the matter. [43580/12]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that the Bank's policy in relation to interest rates is a matter for the management and board of the institution. I have no role in the day-to-day commercial and operational decisions of the banks, which include these matters. These decisions are taken by the board and management of the institution. Notwithstanding the fact that the State is a significant shareholder in the institution, 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 per the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF.

However, the Government is aware of the significant difficulties some homeowners are facing in meeting their mortgage obligations and it is committed to advancing appropriate measures to assist those mortgage holders who are experiencing real and genuine difficulty. In this regard, the Government is now actively implementing the main recommendations contained in the report of the Inter-Departmental Working Group on Mortgage Arrears.

A number of significant milestones have now been achieved:

- The Personal Insolvency Bill was approved by Government and published last June and the Committee stage of the Bill was passed by the Dáil last month;
- The Minister for Housing and Planning has formally launched the "mortgage to rent" scheme on a nationwide basis;
- Lenders have now provided details to the Central Bank on their proposed forbearance and loan modification options and some forbearance measures have been introduced on a pilot basis with a further roll out later in the year;
- Also an extensive independent mortgage advice framework has now been put in place by the Minister of Social Protection comprising (i) an enhanced website www.keepingyourhome.ie, (ii) a Mortgage Arrears information helpline, and (iii) the provision of free independent 'one-to-one' professional financial advice to borrowers when considering a long term forbearance/resolution offer from their lender. The list of accountants providing this service is located on the www.keepingyourhome.ie website.

The Government remains very committed to progressing these measures, which are in addition to existing supports such as the protections afforded by the Central Bank Code of Conduct on Mortgage Arrears, to assist genuine mortgage holders in difficulty and the Government sub-committee on mortgage arrears, which is chaired by An Taoiseach, continues to meet to ensure this receives priority attention across relevant Departments and agencies.

Tax Code

52. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will respond to the queries raised in correspondence (details supplied); and if he will make a statement on the matter. [43595/12]

Minister for Finance (Deputy Michael Noonan): As I indicated in my reply to the Deputy's Question No. 40466/12 of 25 September 2012, the Finance Act 2011 provides for the taxation of bets that remote bookmakers enter into with persons in the State: the existing betting duty of 1 per cent of turnover will apply to such bets. The Act also provides for the taxation of betting exchanges at a rate of 15 per cent on the commission charged by exchanges to custom-

ers. In addition, excise duties are being applied to the granting and renewal of remote bookmakers' and remote betting intermediaries' licences. Bringing remote operators within the betting tax net represents significant progress in creating a more level playing field in the sector. In relation to the question concerning named betting exchanges, the Deputy should be aware that the Revenue Commissioners do not comment on the tax affairs of individual taxpayers. However, I am advised by the Revenue Commissioners that currently the commission charged to customers by betting exchanges established in the State is subject to VAT at the standard rate of 23%.

The Finance Act 2011 provides for an exemption from VAT for activities subject to betting intermediary duty. Currently, bets that are subject to excise duty imposed by section 67 of the Finance Act 2002 are exempt from VAT. These provisions are compatible with Article 135(1) (i) of the VAT Directive (2006/112/EC).

The coming into operation of betting intermediary duty and the exemption from VAT are subject to Ministerial Commencement orders. The making of those orders will follow the enactment of the proposed Betting (Amendment) Bill.

Universal Social Charge Payments

53. **Deputy Éamon Ó Cuív** asked the Minister for Finance if the universal social charge was deductible in 2011 from all income; if there is an exemption from USC in 2012 if a person's income is under €10,036; and if he will make a statement on the matter. [43664/12]

Minister for Finance (Deputy Michael Noonan): The Universal Social Charge (USC) was introduced in Budget 2011 and came into effect on 1 January 2011. It replaced the Income Levy and Health Levy. It is a charge payable on gross income, including notional pay, after any relief for certain trading losses and capital allowances but before pensions contributions.

An individual whose total income does not exceed €10,036 in 2012 (€4,004 in 2011) is exempt from USC. Furthermore, Department of Social Protection (DSP) payments are also exempt along with income already subjected to Deposit Interest Retention Tax (DIRT).

Where an individual's total income exceeds the annual threshold of €10,036 per annum, all income is subject to USC. In this way the rates of USC are progressive.

It should be noted that a lower rate of USC applies to individuals aged 70 years or over and also to full medical cards holders. This is a transitional measure which will be in place until end 2014, after which the standard rates of USC will apply to those aged 70 years or over and also to full medical card holders. Full details regarding the USC can be obtained on the Revenue Commissioners website at the following link <http://www.revenue.ie/en/tax/usc/index.html>

NAMA Transactions

54. **Deputy Pearse Doherty** asked the Minister for Finance in respect of a site at 66, 68 and 70 Dublin street, Balbriggan, North County Dublin if the National Asset Management Agency has been contacted by the Minister for Health or his Department or his representatives or the Health Service Executive, and if there has been such contact on the subject of this site, the date of the contract or contacts; the identity of the person or persons making the contact or contacts and the nature of the contact or contacts. [43749/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the National Asset Management Agency (NAMA) that information relating to its debtors and properties within

their control is, within the meaning of Sections 99 and 202 of the NAMA Act 2009, confidential and that it is therefore precluded from discussing such matters.

NAMA Code of Conduct

55. **Deputy Pearse Doherty** asked the Minister for Finance if, pursuant to the anti-lobbying rules set out in Section 221 of the National Asset Management Agency Act 2009, NAMA would be duty-bound to report to An Garda Síochána contact from a Minister or his Department or his representatives, which sought to promote a property subject to a loan from NAMA or contact which sought to influence a decision by NAMA. [43750/12]

Minister for Finance (Deputy Michael Noonan): Under Section 221 of the National Asset Management Act (NAMA), it is an offence to communicate with NAMA with the intention of influencing the making of a decision in relation to the performance of its functions. If such an attempt were to be made, the Act imposes an obligation on an officer or Board member of NAMA to report it to a member of the Garda Síochána. I am satisfied that NAMA officers and Board members would fulfil their legal obligations in the event that they were subject to representations which were in breach of Section 221.

NAMA Debtor Agreements

56. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm that details of loans managed by the National Asset Management Agency and its debtors are confidential, and that in relation to any specific NAMA debtor, details of the sums outstanding on loans and the value of collateral and specifically if the sums outstanding on loans are greater than the value of collateral, are not details that are publicly available, or which would be provided by NAMA to a Minister. [43751/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the National Asset Management Agency (NAMA) that information relating to its debtors and to properties within their control is, within the meaning of Sections 99 and 202 of the NAMA Act 2009, confidential and that it is therefore precluded from disclosing such information to third parties. In the case of property under the control of debtors, NAMA is precluded, under Section 202 of the NAMA Act, from disclosing confidential information.

Confidential information is specifically defined to include information relating to debtors. Furthermore, Section 99 of the Act provides that, on acquisition of a loan, NAMA takes over the obligations of the participating institutions under the loan, one of which is the contractual duty of confidentiality which the debtor enjoyed while still a customer of the participating institution. Information about debtors or their properties is also protected against disclosure by the Data Protection Act, which NAMA must comply with as data controller.

Departmental Legal Costs

57. **Deputy Barry Cowen** asked the Minister for Finance the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44066/12]

Minister for Finance (Deputy Michael Noonan): My Department has a budget of €6.6m for Consultancy & Other Costs in 2012, which includes costs relating to the provision of legal

advice. The actual outturn is expected to be substantially less than this figure because of the ongoing focus on managing these contracts, negotiating reductions and ensuring value for money. Current expectations are that the year end cost of legal services/advice will be in the region of €4.2m. Every effort is made to minimise these costs but the requirement for specialist advice will be dictated by issues arising in the market and costs will vary accordingly.

FÁS Training Programmes

58. **Deputy Dara Calleary** asked the Minister for Education and Skills the level of FAS funding, if any, available to unemployed persons enrolling on City and Guild approved courses; the criteria used in the application process; and if he will make a statement on the matter. [43555/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): FÁS Training Services provides training courses that are accredited by various bodies, including City and Guilds.

However, “FÁS” Employment Services which is under the remit of the Department of Social Protection does make grants available to unemployed persons to enrol on courses. One such grant is the Technical Employment Support Grant and the Department of Social Protection would be best placed to advise on the application process as this particular grant is under their remit.

Youthreach Programme

59. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if a person who is working for Youthreach moves from a part time contract to full time should they be classified as a new entrant for the purpose of the full time contract; and if he will make a statement on the matter. [43567/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): As part of Budget 2011 the Government applied a 10% reduction in the pay rates applicable to persons recruited to certain direct entry grades in the Public Service with effect from 1 January 2011.

This applies to all direct entry grades where the person has not served in an analogous grade, role or position in a previous public service employment before 1 January 2011, whether that employment was permanent or temporary.

If the person referred to by the Deputy is being appointed to a direct entry grade and has not previously served in an analogous grade then they must be classified as a new entrant for this post.

Further Education and Training Programmes Eligibility

60. **Deputy Peter Mathews** asked the Minister for Education and Skills if a person (details supplied) in Dublin 16 is eligible for the spring board programme; and if he will make a statement on the matter. [43583/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Springboard is a specific

initiative that strategically targets funding of free part time higher education courses for unemployed people in areas where there are identified labour market skills shortages or employment opportunities.

To be eligible for a place on a Springboard course a person must be unemployed, actively seeking employment, and be in receipt of one of the qualifying payments from the Department of Social Protection or be signing for credits or be previously self employed. A person in employment at the time a Springboard course commences is not eligible for support under the scheme.

Students who wish to undertake higher education courses of study on a part time basis outside of the Springboard programme may be eligible for tax relief on their tuition fees. Information on available tax reliefs for tuition fees can be accessed on www.revenue.ie. It is also open to any individual to apply for a place on a full time undergraduate or postgraduate programme in the publicly funded higher education sector and, depending on their previous level of educational attainment and personal circumstances, they may be eligible for support under the Free Fees Scheme or the Student Grant Scheme. Full details of the supports available to students who wish to return to education are available at www.studentfinance.ie.

The person in question may also wish to consider contacting her local FÁS Employment Services Office to discuss the possible training and further education options available to her. In addition she may wish to consider contacting Skillnets who provide training opportunities to unemployed people as well as those in employment. Further information is available on www.skillnets.ie.

Broadband Services Provision

61. **Deputy Dominic Hannigan** asked the Minister for Education and Skills when a school (details supplied) can expect to have their new dsl line installed; and if he will make a statement on the matter. [43535/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the Schools Broadband Access Programme the Department provides for the supply of internet connectivity for all primary schools that wish to avail of this service. All contracts under the Schools Broadband Access Programme were recently re-tendered. As a result of this the number of service providers has been expanded from 6 to 13 and this should lead to improvements in the quality of services available to schools. These contracts were signed in the last two months and the migration of schools onto the new services is currently under way.

The DSL order for Scoil Náisiúnta Ultain Naofa 17203I was placed on the 5th of October, it is expected that the connection will be in place by the 18th of October.

Departmental Properties

62. **Deputy Michael McGrath** asked the Minister for Education and Skills his plans for the future use of a former school building (details supplied) in County Cork; if he will clarify the current ownership arrangements stating the role of the Catholic diocese and his Department; his plans to sign over the building to the diocese; and if he will make a statement on the matter. [43542/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy

that my Department is in receipt of a request from the Catholic Diocese to divest my interest in the property to which he refers. My officials have been in contact with the Patron's office in relation to this request and a response to the request will issue in due course.

Further Education and Training Programmes Eligibility

63. **Deputy Robert Dowds** asked the Minister for Education and Skills if persons in receipt of partial capacity benefit are entitled to register for courses on the springboard programme and if they are not, if he will consider changing this. [43558/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Springboard is a specific initiative that strategically targets funding of free part time higher education courses for unemployed people in areas where there are identified labour market skills shortages or employment opportunities. To be eligible for a place on a Springboard course a person must be unemployed, actively seeking employment, and be in receipt of one of the qualifying payments from the Department of Social Protection or be signing for credits or be previously self employed. Partial Capacity Benefit is not one of the qualifying payments for the Springboard programme. I understand from the Department of Social Protection that in order to be eligible to receive Partial Capacity Benefit a person must be in employment. The Springboard programme is specifically targeted at unemployed people and there are no plans to open the scheme to those in employment.

Vocational Education Committees Staff

64. **Deputy Dara Calleary** asked the Minister for Education and Skills the criteria used by him to determine the categorisation of the proposed Mayo/Sligo/Leitrim Education Training Board as a category 2 ETB; if he has considered correspondence and data sent to him by Mayo Vocational Educational Committee; if he will respond to that correspondence and data; and if he will make a statement on the matter. [43575/12]

Minister for Education and Skills (Deputy Ruairí Quinn): On 19 June last, my Department published Circular 0024/2012 which detailed the categorisation of the new Education and Training Boards (ETBs), once established, for the purposes of the pay scales applicable to Chief Executive Officers of these Boards. The categorisation of each ETB, including the Board encompassing Counties Mayo, Sligo and Leitrim, is based on a proposal set out by the Labour Relations Commission (LRC). It would not be appropriate for me to speculate on the criteria used by the LRC in formulating its proposal, or on how such criteria may have been applied in the case of the Mayo, Sligo and Leitrim ETB. However, I am also aware of a perception that suggests these categorisations are an attempt to 'downgrade' some ETBs.

I can confirm unequivocally that this categorisation relates only to determining the salary scale applicable to the Chief Executive Officer of each of the new ETBs. The categorisation laid out in the Circular has no role whatsoever in determining staffing numbers or structures in individual ETBs. I have given some consideration to the correspondence and data sent to me by the CEO of Co Mayo VEC and I will shortly be responding to the CEO on the matter.

Public Sector Allowances Eligibility

65. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills if a person who

started teaching on an off-shore island this year is entitled to the Island Allowance; and if he will make a statement on the matter. [43577/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Island allowance, in common with the Gaeltacht and teaching through Irish allowances, is not payable to new beneficiaries as of 1 February 2012 on foot of the recent review of allowances across the public sector.

Site Acquisitions

66. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills if the site under consideration for a school (details supplied) in County Kildare will be capable of accommodating an extended education campus, should he decide, in accordance with policies, to pursue such a development; and if he will make a statement on the matter. [43601/12]

97. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills if his active consideration of a site for a school (details supplied) in county Kildare includes contact having been made with the landowner and price negotiations being underway; and if he will make a statement on the matter. [43668/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 66 and 97 together.

I wish to advise the Deputy that in light of the scale of the demand on the finite capital resources of my Department that my Department will be prioritising the acquisition of a site suitable for a permanent building for the post primary school to which he refers rather than an educational campus. As the Deputy will be aware, my Department is working closely with the relevant Local Authority in relation to identifying and acquiring a suitable site in this regard. Due to commercial sensitivities attaching to site acquisitions generally, I am not in a position to comment further at this time.

Institutes of Technology Expenditure

67. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills the action he is taking in relation to the spending by Waterford Institute of Technology as reported in the media (details supplied) on, Friday 28 September; and if he will make a statement on the matter. [43605/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The issues that have emerged in relation to past spending by the Office of the President in Waterford Institute of Technology are of serious concern. It is incumbent on all public sector organisations to ensure that public funds are expended in an appropriate manner. An external review commissioned by Waterford Institute of Technology to ascertain the extent of spending by the Office of the President is nearing completion, and I understand that the Higher Education Authority hope to receive that report shortly. I have also asked my Department, in consultation with the Higher Education Authority, to consider what further steps may need to be taken and I await that advice.

Schools Building Projects Applications

68. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills in view of the

fact that a school (details supplied) in County Kildare has now embarked on co-education, if capital funding will be made available to provide additional, essential toilet facilities; and if he will make a statement on the matter. [43606/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project at the school referred to by the Deputy was included in the 5 year construction programme announced in March and is scheduled to commence construction in 2015/2016. A design team has recently been appointed and the school authority has been instructed how to proceed to commence the project. My Department has been in contact with the school authority regarding the question of additional toilet facilities. The main project will deal with this issue in the medium to long term and the school has been informed that it may apply for small scale funding for an interim solution should that be necessary.

School Accommodation

69. **Deputy Michael Creed** asked the Minister for Education and Skills the current level and status of classroom accommodation at a school (details supplied), in County Cork; the projected enrolment for this school; his views on whether this projected enrolment will necessitate a further classroom teacher and the provision of additional temporary classroom accommodation; if he will indicate the cost being paid in respect of temporary classroom accommodation at the school and the way this might increase with increased enrolment; and if he satisfied that his Department's proposal in respect of the proposed capital works at this school for resource rooms as already sanctioned represents the best value for money in view of the level of envisaged enrolment and prefabricated classroom accommodation required; and if he will make a statement on the matter. [43608/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The three teacher school to which the Deputy refers is not situated in an area of high demographic growth. Enrolments at schools in the area are expected to remain at current levels or show some decline. The Department is not currently funding any temporary rental costs for this school.

In March last my Department approved grant aid for the provision of two resource rooms. A condition of the grant is that the school draw down 70% of funding by the end of September. No funding has been drawn down to date. The school appealed the level of this devolved grant and have submitted a proposal for a major extension to the school building. This is currently being considered and a response will issue to the school in due course.

School Staffing

70. **Deputy Clare Daly** asked the Minister for Education and Skills the way he can justify the cutback in guidance and counselling services to students in a college (details supplied) in County Dublin in the context of the economic downturn and the severe pressures that are on young people to-day. [43614/12]

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 schools in DEIS, including the school referred to by the Deputy, 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 social, 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.

Digital Schools Award Criteria

71. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on the digital school award in primary schools; his plans to enable all schools to achieve this award; and if he will make a statement on the matter. [43627/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Digital Schools Award is a worthwhile initiative which recognises excellence in a school's approach to the integration of ICT in learning and teaching. This award aims to build on the progress already made by schools in ICT integration and to encourage them to strive for further progression and improvement. To achieve a Digital Schools Award, each participating school must fulfil identified criteria which are applied as part of the validation process. The criteria are organised under the following headings:

- Leadership & Vision;
- ICT in the Curriculum;
- School ICT Culture;
- Professional Development;
- Resources & Infrastructure;

To assist in this process, participating schools use a self-evaluation tool based on the Digital Schools' criteria, to identify areas which may meet the criteria and those that require improvement. Successful schools retain their Digital School status for a period of two school years, at which time they may reapply.

The Digital Schools Award is now managed by Dublin West Education Centre working closely with the PDST Technology in Education (formerly the NCTE) and other partners including the Irish Primary Principals Network (IPPN), Irish National Teachers Organisation (INTO) and the Computer Education Society of Ireland (CESI).

Since its launch the Digital Schools Award has grown steadily. In total 264 schools have registered to participate in the Award, of which 91 have achieved Digital School Status to date. A further five have already achieved the award in 2012 to date and two more are being scheduled for validation shortly. I am keen for this project to develop and arrangements are in place for its promotion and ongoing review.

Information and Communications Technology Issues

72. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the total amount from his Department's budget that is projected to be spent on ICT in primary schools in 2012; and if he will make a statement on the matter. [43628/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The ICT in Schools Programme has an allocation of €13.7 million for 2012. A breakdown by primary and post primary spend is not readily available. This allocation covers all aspects of the programme for primary and post primary schools including teacher professional development in ICT, deployment of curriculum-relevant digital content, software and ICT infrastructure deployment in schools and internet access for schools. These components are essential for an integrated approach to ICT in teaching and learning. Continuous professional development in the pedagogical/curricular use of ICT by teachers is essential to ensure that ICT is embedded in teaching and the PDST – which now incorporates the functions of the National Centre for Technology in Education provides a comprehensive training programme for teachers. The percentage breakdown of training places in 2010 and 2011 shows that approximately 73% of the training places were taken up by primary teachers.

The ICT in Schools Programme, through the PDST delivers a wide range of digital content

through the Scoilnet.ie portal. The number of resources available has increased year on year. The PDST pursues collaborative strategies to develop appropriate digital content to match the Irish curriculum. Between November 2009 and November 2010, my Department distributed €46m directly to primary schools under the national ICT Infrastructure Grant Scheme. The main priority under this scheme is the equipping of each classroom with a teaching computer and digital projector. Once the baseline is in place schools can allocate any remaining funding under the scheme to other ICT equipment and software for educational use. A number of key support measures were taken to help schools get best value in the use of these devolved grants - in particular, the inclusion of schools in national purchasing frameworks for desktops, laptops, digital projectors and printers, the delivery of a national series of elearning seminars for school leaders, and the provision of extensive guidance and training on the use of ICT in the classroom.

I am keen to assess the impact of the funding in primary schools, and in that context it is planned to carry out a comprehensive census of ICT integration in schools before the end of the year. In order to maximise the technology and digital content available to schools broadband access is key and under the Schools Broadband Access Programme my Department provides for the supply of internet connectivity for all primary schools that wish to avail of this service. All contracts under the Schools Broadband Access Programme were recently re-tendered. As a result of this the number of service providers has been expanded from 6 to 13 and this should lead to improvements in the quality of services available to schools. These contracts were signed in July and August 2012 and the migration of schools onto the new services is currently under way.

Following completion of the census referred to above work will commence on a new ICT Strategy which will address the new policy challenges and opportunities arising from major developments in curricular reform, digital publishing, digital content dissemination tools generally, cloud services, portable computing and student devices.

Croke Park Agreement Implementation

73. Deputy Charlie McConalogue asked the Minister for Education and Skills if he will provide details of changes in work practices negotiated under the terms of the Croke Park Agreement with the schools inspectorate through their union; the date on which such changes were implemented; the savings that resulted from any changes; and if he will make a statement on the matter. [43629/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the Croke Park agreement, inspectors in my Department have implemented a significant programme of reforms to inspection procedures. The reforms have achieved efficiencies through a reduction in the inspection resources required for whole-school evaluations and other inspections in primary and post-primary schools. The reforms also involved improving the reports arising from inspections and introducing questionnaires for parents and students, thus giving them a greater voice in commenting on school quality. A much greater proportion of inspectors' time in evaluations is now spent on the observation of practice in classrooms and in the provision of feedback to teachers.

Overall, across the main categories of inspection activity, the Inspectorate's outputs for 2011 were ahead of the previous year by around 15%. The reforms to inspection have enabled output to increase despite a significant reduction in staff numbers in the Inspectorate from 154 staff in 2009 to 123 inspectors at the end of September 2012.

Croke Park Agreement Implementation

74. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will provide the details of any work practices negotiated under the terms of the Croke Park Agreement with the National Educational Psychological Service psychologists through their union; the date on which such changes were implemented; the savings that resulted from any changes; and if he will make a statement on the matter. [43630/12]

Minister for Education and Skills (Deputy Ruairí Quinn): When the National Educational Psychological Service (NEPS) was established in 1999 it had a ten region structure and it was envisaged that these regions would be managed by a Regional Director.

In mid 2010 there were four vacancies at Regional Director level at the service and my Department entered into discussions with the NEPS IMPACT branch with a view to filling the vacant regional director posts and revising the regional structure of the Service with a view to in future operating out of an eight rather than ten region structure in order to realise savings.

Agreement to this effect was reached with IMPACT in November 2010 which resulted in two regional director posts in effect being suppressed. NEPS Management entered into discussions with the Regional Directors of the service which culminated in agreement being reached for a redistribution of schools to reflect the new structure.

The estimated savings amounts to approximately €200,000 per annum based on the average salary for the posts concerned. My Department is committed to seeking opportunities for further savings and enhanced service delivery during the lifetime of the Public Service Agreement.

Croke Park Agreement Implementation

75. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will provide the details of any work practices negotiated under the terms of the Croke Park Agreement with special educational needs organisers through their union; the date on which such changes were implemented; the savings that resulted from any changes; and if he will make a statement on the matter. [43631/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy the Croke Park Agreement is a framework for public service reform centrally agreed between the Government and the Public Service Unions. The NCSE has published its agreed Action Plan under the Croke Park Agreement. A key challenge for the NCSE has been to ensure the maintenance of its national service for all schools and students with special educational needs, within a reduced staff and budget provision. In this regard, changes in work practices are under ongoing development within NCSE in discussion with staff through normal industrial relations channels and managerial processes.

Under the Croke Park Agreement and the Employment Control Framework, authorised NCSE staffing numbers have been reduced from 107 in 2011 to 103 by end 2012. It is estimated that this will result in annual pay savings of the order of €250,000. In addition, efficiency savings of the order of €25,000 per annum are being delivered through shared services and alterations in telecommunication arrangements.

School Enrolments

76. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of students in the primary school system for 2012/2013; the projected increase for the ten years from 2012/2013 on a yearly basis; and if he will make a statement on the matter. [43633/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The latest data available on the number of pupils in the primary school system relate to 2011/2012. In 2011/2012 there were 516,460 pupils enrolled in primary level, including 7,420 pupils in Special Schools.

Data on the number of primary school pupils for 2012/2013 will not be available until 2013, after the Annual Census of Primary Schools 2012 is processed by my Department.

The latest projections of primary school enrolment by my Department were published in June 2012, and are available to view on my Department's website at <http://www.education.ie/en/Publications/Statistics/Projections-of-full-time-enrolment-Primary-and-Second-Level-2012-2030.pdf>. Page 7 of the report outlines the latest projected figures for primary level.

Health and Safety Regulations

77. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the steps he has taken to advise the boards of management and principals of primary schools on the procedures they must undertake to ensure the schools are fully compliant with the statutory health and safety requirements in the workplace; and if he will make a statement on the matter. [43634/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The body which has statutory responsibility for ensuring that health and safety requirements are met by all employers, including schools, is the Health and Safety Authority (HSA). The Authority also provides information and advice to organisations, including schools, to assist them in ensuring that their responsibilities in respect of health and safety in the workplace are met.

The HSA has published a number of resources specifically for schools to support them in managing health and safety in the school environment. It also provides a number of online training courses specifically for the school sector. Further details on the advice, resources and training courses available from the HSA can be obtained from the HSA's website www.hsa.ie.

Teachers' Remuneration

78. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of part time teachers in special schools that have not yet been placed on the appropriate pay rate and therefore have arrears owing to them since the implementation of the Protection of Employees (Part Time Work Act) 2001; and if he will make a statement on the matter. [43635/12]

79. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the amount owing in arrears to part time teachers in special schools who have not yet been placed on the appropriate pay rate since the implementation of the Protection of Employees (Part Time Work Act) 2001; and if he will make a statement on the matter. [43636/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 78 and 79 together.

The part-time teachers referred to by the Deputy were employed and paid by the managerial authorities of primary schools until December 2010. Prior to placement of the teachers on the payroll operated by my Department the managerial authorities were requested to submit details of the teachers employment records in the schools. The teachers in the schools that submitted the data were placed on the appropriate point of the incremental scale. Any arrears owed in respect of service given by these teachers prior to them being placed on the payroll are being determined and the payments are issuing to the teachers on an ongoing basis.

School Staffing

80. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 2012 in each county; and if he will make a statement on the matter. [43637/12]

81. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 2012 in each county that was covered by a qualified primary teacher; and if he will make a statement on the matter. [43638/12]

82. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 202 in each county that were covered by a person who was paid at the untrained rate of pay; and if he will make a statement on the matter. [43639/12]

83. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 2012 in each county that were covered by a retired qualified primary teacher; and if he will make a statement on the matter. [43640/12]

84. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 2012 in each county that were covered by a teacher who graduated in 2012; and if he will make a statement on the matter. [43641/12]

85. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teacher absences during the month of September 2012 in each county that were covered by a teacher who graduated in 2011; and if he will make a statement on the matter. [43642/12]

86. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary schools in each county where a teacher absence in the month of September 2012 was covered by a person with no teaching qualification that have been contacted by his Department in relation to the employment of a person with no qualification; and if he will make a statement on the matter. [43643/12]

87. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary schools in each county where a teacher was absent in the month of September 2012 for six days or more and the number of those schools in each county where those absences were covered by a person with no teaching qualification; and if he will make a statement on the matter. [43644/12]

88. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county; and if he will make a statement on the matter. [43645/12]

89. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county that were covered by a qualified primary teacher; and if he will make a statement on the matter. [43646/12]

90. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county that were covered by a person who was paid at the untrained rate of pay; and if he will make a statement on the matter. [43647/12]

91. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county that were covered by a retired qualified primary teacher; and if he will make a statement on the matter. [43648/12]

92. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county that were covered by a teacher who graduated in 2012; and if he will make a statement on the matter. [43649/12]

93. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level teacher absences during the month of September 2012 in each county that were covered by a teacher who graduated in 2011; and if he will make a statement on the matter. [43650/12]

94. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level schools in each county where a teacher absence during the month of September 2012 was covered by a person with no teaching qualification that have been contacted by his Department in relation to the employment of a person with no qualification; and if he will make a statement on the matter. [43651/12]

95. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of second level schools in each county where a teacher was absent in the month of September 2012 for six days or more and the number of those schools in each county where those absences were covered by a person with no teaching qualification; and if he will make a statement on the matter. [43652/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 80 to 95, inclusive, together.

Details of absences and substitution are not available in the format requested by the Deputy. Figures for absences are not held on a monthly basis or on a county basis. Absences are entered by individual school authorities for each payroll period and submitted online to my Department databases. The absences include absences on all types of leave such as paid and unpaid maternity, leave in lieu of maternity leave, sick leave, bereavement leave etc.

There were 8,519 absences of less than 6 days and 2,687 absences of 6 or more days in the primary sector for the period 28th August to 10 October. In that time 3,393 individual primary substitutes were paid the qualified rate and 928 individual substitutes were paid at the unqualified rate. 140 retired teachers were employed during that period. Substitute teachers may be qualified but awaiting confirmation of registration with the Teaching Council and until registration is finalised, teachers are regarded as unqualified for payroll purposes.

There were 5,408 absences of less than 6 days and 1,246 absences of 6 days or more in the post primary sector for the period 4th September to 1st October 2012.

949 individual post primary substitutes were employed during the period 4th September to 1st October 2012. 31 retired teachers were also employed during that period. It is not possible at this time to give a breakdown of qualified and unqualified substitutes in the post primary sector until changes indicated in the review of allowances are completed. In common with the primary sector, teachers may be qualified but awaiting confirmation of registration with the Teaching Council and until registration is finalised, teachers are regarded as unqualified for payroll purposes.

Schools Recognition

96. **Deputy Pat Breen** asked the Minister for Education and Skills the position regarding permanent recognition in respect of a school (details supplied) in County Clare; and if he will make a statement on the matter. [43653/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Provisional recognition was initially awarded in 2008 to the school referred to by the Deputy and has been extended each year since. The school is seeking to have permanent recognition granted and a process is in place under which the issue of recognition is being assessed. This process is based on undertakings committed to by the school's Patron in 2007. My Department has arranged to meet with the school authorities to discuss the school's current position in relation to the undertakings supplied.

Question No. 97 answered with Question No. 66.

School Transport Provision

98. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if consideration will be given to those children who have been denied school transport because they are not attending their nearest school for reason beyond their control, such as bullying issues or their nearest school not being able to offer the support that the child might need; and if he will make a statement on the matter. [43673/12]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the terms of my Department's School Transport Schemes children are eligible for transport where they meet the distance eligibility criterion and are attending their nearest school as determined by my Department/Bus Éireann, having regard to ethos and language. Children who are not eligible for school transport may apply for transport on a concessionary basis only in accordance with the terms of the schemes.

In relation to the issue of bullying, responsibility for tackling bullying falls to the level of the individual school.

Under the Education (Welfare) Act 2000, all schools are required to have in place a Code of Behaviour and this code must be drawn up in accordance with the guidelines of the National Educational Welfare Board (NEWB). The NEWB guidelines make it clear that each school must have policies to prevent or address bullying and harassment and schools must make clear in their code of behaviour that bullying is unacceptable. The guidelines further state that as well as making explicit that bullying is prohibited in the school, and having an anti-bullying policy, the code of behaviour should indicate what action the school will take in relation to alleged breaches of the school's bullying policy.

Third Level Funding

99. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills if his attention has been drawn to the fact that the student assistant fund, which currently helps students in hardship situations and is part funded by the European Union, is due to be wound down in 2013; if preparations are being made for a replacement fund to be established which will safeguard student welfare; and if he will make a statement on the matter. [43677/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Third Level Access Measure provides support for disadvantaged students through two sub-priorities: the Student Assistance Fund and the Fund for Students with Disabilities.

The objective of the Student Assistance Fund is to assist students in a sensitive and compassionate manner who might otherwise, due to their financial circumstances, be unable to continue their third level studies. The fund is managed by the Higher Education Authority on behalf of my Department and is funded under the National Development Plan, with assistance from the European Social Fund.

The management of the Third Level Access Measures Fund rests with the Higher Education Authority and the allocation of funding for the various access measures, one of which is the Student Assistance Fund, is a matter for that authority. Some €13.2m is available in the Third Level Access Measure Fund overall in the 2012/13 academic year.

The Deputy will be aware that the Student Assistance Fund is complementary to the student grant scheme and, in this regard, students on particularly low incomes continue to receive a top-up in the special rate of student grant and have their fees or student contribution paid on their behalf.

I have no plans at present to discontinue the Student Assistance Fund.

Technological Universities

100. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will outline the developments made to date in relation to the possible establishment of a technological university or technological universities; when this process is likely to be completed; and if he will make a statement on the matter. [43767/12]

Minister for Education and Skills (Deputy Ruairí Quinn): In the document, *Towards a Future Higher Education Landscape*, published by the HEA in February last, a clear four stage process and criteria was laid out for institutes of technology who wish to apply for designation as a technological university. The first stage of the process is currently in train and Institutes of Technology wishing to merge to apply for designation as a technological university were required to submit expressions of interest to the HEA by the end of July this year. The drafting of legislative proposals to provide for the amalgamation of Institutes of Technology and the establishment of Technological universities will be advanced in tandem with the designation process as part of the work which is underway on implementing the higher education strategy.

School Curriculum

101. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding the Leaving Certificate art curriculum which has not been updated for approximately

40 years; his plans to update the Leaving Certificate art curriculum; and if he will make a statement on the matter. [43810/12]

Minister for Education and Skills (Deputy Ruairí Quinn): A revised Leaving Certificate Art Syllabus was forwarded to the Department from the National Council for Curriculum and Assessment. However, implementation of a revised Leaving Certificate Art Syllabus would require significant investment in professional development for teachers and also equipment. Resources for this are not available at the current time in the context of my overall priorities.

The major priorities for the present Government are to proceed with the Maths reform at both Junior and Senior cycles which are under way, to strengthen literacy and numeracy and to implement the recommendations in the Literacy and Numeracy Strategy which I published last year, and also to reform junior cycle provision, based on the Framework document that I published last week which should allow for greater creativity and innovation, embedding key skills and addressing curriculum overload.

State Examinations Reviews

102. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills if he will report on his recent proposals to reform the Junior Certificate exam and the timetable for their introduction; and if he will make a statement on the matter. [43813/12]

Minister for Education and Skills (Deputy Ruairí Quinn): I published A Framework for Junior Cycle on 4 October 2012. This document contains details of my plans to reform the junior cycle in post-primary schools. A Framework for Junior Cycle builds upon proposals developed by the National Council for Curriculum and Assessment and published in November 2011 under the title, Towards a Framework for Junior Cycle - Innovation and Identity. My Framework adopts many of the curricular changes proposed by the NCCA but it also contains more radical changes in relation to how students' progress and learning are assessed at junior cycle.

A clear timetable for implementation which will be carried out on a phased basis up to 2020, is set out in the document. Implementation will begin in schools for those students entering first year in 2014, with English and some short courses. An extensive programme of continuing professional development will be made available to teachers to support implementation. This will begin in 2013. I have arranged that a copy of my Framework document will be given to all members of the Oireachtas so that you are fully aware of its details and timetable.

Third Level Staff Remuneration

103. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the expenses that the head of each university and Institute of Technology here claimed in each year over the past four years to date in 2012 in addition to their salaries; and if he will make a statement on the matter. [43820/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not readily available in my Department. Officials of my Department have asked the Higher Education Authority to contact each University and Institute of Technology seeking a response and I will forward the available data to you as soon as possible.

Departmental Legal Costs

104. **Deputy Barry Cowen** asked the Minister for Education and Skills the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44064/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Information relevant to the Deputy's question is currently being compiled. A further reply will issue to the Deputy as soon as possible.

Public Sector Staff Issues

105. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform with regard to the voluntary redundancy programme for public servants, the date on which it will open and close; the number of public servants that he hopes will avail of this offer; the amount the severance package will cost; the savings that will be achieved; and if he will make a statement on the matter. [43548/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Government is committed to reducing the size of the Public Service and to creating a leaner more efficient Public Service. At mid 2012 Public Service numbers were 292,000. This is 28,000 below the peak numbers level of 320,000 in 2008 and is comparable to the 2005 staffing levels. Service levels have been largely maintained, and in fact increased in some areas, notwithstanding these considerable staff reductions due to increased productivity/workplace flexibilities. The Government have agreed to accelerate the programme of staff reductions in order to maximise paybill savings. Where staff surpluses are identified a targeted voluntary redundancy (VR) scheme would be made available for selected areas throughout the Public Service.

Identification of staff surpluses is underway. My Ministerial colleagues are actively examining particular work areas, bodies, locations or grades at which voluntary redundancy can be targeted because of changes to work configuration or service delivery models, for example. Of course there will be full regard for the skills needs and priorities of Departments now and into the future during this process. I would stress that there will be no automatic right to redundancy and all applications will be subject to ongoing business needs. This will ensure that critical frontline services will be maintained. Details of the scheme are being finalised and will be announced in due course.

Final decisions on numbers reductions to be achieved in each sector will take account of the surpluses identified by Ministers in respect of their portfolios and of expected rates of retirements in those sectors over the next few years. A full cost benefit analysis will of course be required as part of this assessment. When this assessment has been completed further details of this scheme will be made available by my Department.

Public Sector Staff Remuneration

106. **Deputy Michael Creed** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 221 of 2 October 2012, if he will provide a breakdown of the €810 million reduction in the public sector pay bill for the first two years under the Croke Park agreement; if he will outline the amount of this wage reduction that was achieved by way of reduction of pay in the public service prior to the commencement of the Croke Park agreement;

if he will provide further information regarding the increase in the public sector pay bill for employees remaining within the public service for the duration of the Croke Park agreement when the reductions due to voluntary redundancy and the embargo on recruitment are factored out; and if he will make a statement on the matter. [43607/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under Paragraph 1.16 of the Public Service Agreement, the Implementation Body is required to undertake an annual review of the sustainable savings generated from the implementation of the Agreement and of the agreements in each sector. Two such reviews have been carried out to date. In the course of these two annual reviews, the Implementation Body has found that €810m in sustainable savings have been achieved in the first two years of the Agreement. This comprises €289m in respect of the first year of the Agreement and €521m in respect of the second year. Full details of these figures, as well as a breakdown by sector, are available in the two Annual Progress Reports published by the Body to date. These reports are available on its website at www.implementationbody.gov.ie/publications.

The pay bill savings reported by the Body are calculated on average annualised savings per employee arising from the reduction in public service staff numbers during the relevant review period. It encompasses savings due to numbers reductions and other reductions in the cost of the public service pay bill (e.g. in overtime, allowances etc). Accordingly, the €810m relates to savings that have been achieved during the lifetime of the Public Service Agreement. There has been no increase in the public sector pay bill since the commencement of the Agreement.

Flood Risk Assessments

107. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the actions, if any, he has taken on foot of the recommendations in the report by the Joint Committee on Environment, Culture and the Gaeltacht entitled Eight proposals urgently required to tackle flooding on the River Shannon, its tributaries and the waters feeding into it; and if he will make a statement on the matter. [43610/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I welcome the report of the Joint Committee on Environment, Culture and the Gaeltacht entitled “Eight proposals urgently required to tackle flooding on the river Shannon, its tributaries and the waters feeding into it”. While not all the matters raised in the Committee Report come within the remit of the Office of Public Works, the general scope of the Report has relevance to OPW’s present engagement with matters on the Shannon catchment. In response to the Committee Report, I brought the recent report carried out by Jacobs Engineering on the River Shannon Level Operation Review to the attention of the Committee and offered to facilitate a briefing on this report to Committee members.

The Deputy will be aware that the Catchment Flood Risk Assessment and Management Study for the River Shannon is being carried out by Jacobs Engineering. The study also involves a very widespread public and stakeholder consultation process to better inform the assessment of flood risks. In that context I have forwarded the Committee’s Report to Jacobs Engineering for incorporation into its analysis and development of option recommendations under the Flood Risk Management Plan which is due for completion by end 2015.

In advance of the completion of that Plan, the OPW will, in conjunction with the ESB and Waterways Ireland, continue to monitor the position on the management of water levels along the Shannon. I can assure you that I will maintain the close interest and involvement in this matter that I have demonstrated to date. I recently met again with Waterways Ireland and the

ESB to review operational control protocols for water flows and levels on the Shannon. It was agreed at that meeting, in the light of stakeholder requests, to carry out a water level monitoring exercise, involving controlled raising and lowering of weir boards at selected locations. The carrying out of this exercise is contingent on favourable hydrological conditions and for this reason it has not been possible to date to undertake the exercise

I also met recently with the representatives of the Inland Waterways Association of Ireland (IWAI), and the Irish Boat Rental Association (IBRA) to discuss their concerns regarding operational controls on the Shannon. These concerns have been passed to Jacobs Engineering for active consideration in the context of its Catchment Flood Risk Assessment & Management (CFRAM) Study for the River Shannon, as part of the national CFRAM programme. It is my intention to ensure that constructive dialogue continues with all the main stakeholders and that progress can be made towards achieving a balanced and fair solution where the water in the Shannon and its lakes is maintained at levels which meets the needs of business, navigation, power generation and the welfare of those farming and living directly adjacent to the main river channel.

Exchequer Savings

108. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the net saving to the Exchequer from the reduction in public sector worker numbers since March 2011 taking into account pensions paid out to retirees and the loss of pension related contributions to the Exchequer. [43615/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Public Service pay peaked in 2009 at €17.5bn and is estimated to be at €15.37 by the end of this year, a gross saving of €2.1bn. This saving was achieved through the implementation of a number of ongoing cost saving measures across the public service. The pay and pensions savings from 2009 to 2015 are set out below.

Pay and Pension Savings 2009-2015

.	2009	2010	2011	2012	2013	2014	2015	2009-2015 reduction net of PRD
.	€bn	€bn	€bn	€bn	€bn	€bn	€bn	.
Exchequer Pay Bill - Gross	17.5	15.9	15.6	15.37	15.0	14.7	14.6	.
Pension Related Deduction (PRD)	0.837	0.945	0.950	0.930	0.916	0.911	0.911	.

.	2009	2010	2011	2012	2013	2014	2015	2009-2015 reduction net of PRD
Exchequer Pay Bill Net of PRD	16.7	15.0	14.7	14.45	14.1	13.8	13.7	3.8
.	2009-2015 increase
Exchequer Pension Bill - Gross	2.6	2.7	2.7	3.0	3.0	3.1	3.1	.
Increase over previous year		0.175	0.020	0.285	-0.059	0.120	0	0.5

The Gross pay bill peaked at €17.5bn in 2009 and is estimated to fall to €13.7bn net of Pension Related Deduction (PRD) in 2015. Taking into account the affect of the PRD, the estimated reduction in the pay bill cost from 2009 to 2015 is €3.8bn. The pension bill is expected to increase from €2.6bn in 2009 to €3.1bn in 2015, which is an increase of approximately €0.5bn. Offsetting the pension bill increase against the Gross pay bill reduction will see the overall Exchequer Pay and Pensions Bill fall by approximately €3.3bn by 2015.

Cross-Border Co-operation

109. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he has given due regard to commitments in the Good Friday Agreement to make efficiencies in the delivery of public services through cross-border co operation and harmonisation services; and if any cost analysis has been undertaken as to the way in which this cooperation could provide savings for the State's budgetary calculations. [43752/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I remain committed to implementing the elements within the Good Friday Agreement that further North South cooperation and I continue to pursue areas of collaboration that could deliver cost savings during bilateral contacts with Northern Ministers and through NSMC meetings.

At meetings of the North South Ministerial Council (NSMC), Ministers North and South have re-iterated their commitment to practical and mutually beneficial cooperation, and to exploring areas where cost savings might be achieved. Opportunities for achieving economies of scale by working together to deliver cost savings have also been discussed by Government officials North and South. Some areas that have potential in achieving efficiency and mutually beneficial savings on a North South basis include the development of common procurement strategies and joint awareness-raising campaigns. Additionally, there is some scope for efficiency gains in long term infrastructure planning on an all-island basis. In order to advance this

matter, my officials have previously made proposals to their Northern Ireland counterparts and these are being pursued.

I would also like to state that North South Bodies have had to make efficiency savings of at least 3% cumulative per annum since 2009 in accordance with guidance issued by my Department and the Department of Finance and Personnel, Northern Ireland.

Capital Expenditure Programme Issues

110. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 210 of 2 October 2012, if he will estimate the number of new jobs that would have been created if the 2012 infrastructure and capital spend budget, which to the end of August 2012 was underspent by €120m compared with profile, and to the end of September 2012 was underspent by €268m compared with profile, had in fact been spent according to profile. [43753/12]

113. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the consideration given to the creation of employment when the 2012 infrastructure and capital spend budget was profiled at the start of 2012 in order that 45% of the total annual budget, amounting to €1.65bn out of an annual budget of €3.6bn, was to be spent in the last 25% of the year. [43756/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 110 and 113 together.

The profiling of capital expenditure is carried out by individual Departments on the basis of the likely timing of payments related to capital projects and programmes which they deliver. Job creation is not a factor in the profiling exercise. Queries in relation to the profiling of capital allocations are a matter for individual Ministers and their Departments. In responding to the Deputy's question however, I feel it is important to point out that a variance of around 12% in capital expenditure is not unusual. Despite such variances, over the last five years capital expenditure at end December has generally been back on profile with a variance of less than 2%.

While my Department is not responsible for the profiling of capital expenditure it does set the overall expenditure allocations of Departments which includes setting the five year multi-annual capital envelopes. The present five year envelope was outlined in the "Infrastructure and Capital Investment 2012-2016: Medium Term Exchequer Framework" which was published last November following a Government-wide review of the public capital programme.

There will, of course, be direct employment benefits in the delivery of the infrastructure proposed in the Investment Framework; however, it is important to note that the most important contribution capital investment can now make is in providing the capacity for the economy to grow, which will in turn create employment. In this context, the review made a point of protecting supports to the enterprise sector primarily through agencies such as Enterprise Ireland and the IDA. The unprecedented level of investment over the past few years and in 2012 delivered through the Enterprise Development Agencies can foster sustainable and valuable employment in the exporting sectors of the economy which will be critical to recovery.

Capital Programme Expenditure

111. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform further

to Parliamentary Question No. 210 on 2 October 2012, if he has produced plans with the objective of cutting the actual amount spent under the 2012 infrastructure and capital spend budget. [43754/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The five year capital Exchequer framework was published in “Infrastructure and Capital Investment 2012-2016: Medium Term Exchequer Framework” last November. There are presently no plans to revise the capital Framework further.

The actual roll-out of capital expenditure is a matter for line Departments, operating within the delegated sanction arrangements issued by my Department that cover not only capital investment this year but contractual commitments for the next three years.

While capital expenditure was 13.6% behind profile at the end of September this is not unusual as, unlike current, capital expenditure tends to occur in large tranches at fixed milestones. Departments have not indicated any significant savings by year end and so I expect capital expenditure to fall generally within profile by that time.

Capital Programme Expenditure

112. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will quantify the amount from the €2.25bn stimulus package announced on 17 July 2012, that has been spent and accounted for in the Exchequer statement at the end of September 2012. [43755/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): On 17 July 2012, the Government announced its plans for an additional €2.25 billion investment in public infrastructure projects in Ireland. The stimulus package comprises a new Public Private Partnership (PPP) programme which includes projects from the education, health, transport and justice sectors, and also additional Exchequer capital projects and other commercial and publicly needed projects.

As the Deputy will be aware €850 million of this funding is predicated on the receipts of the sale of State assets and the new licensing arrangements for the National Lottery. These funds are likely to be available in 2013 and 2014 onwards.

My Department and the NDFA are closely engaged with the relevant line Departments and their agencies to ensure that PPP projects are progressed promptly. It is expected that tenders will issue across the sectors in 2013 and 2014. There has been no Exchequer spend to date. Spend will occur as projects are rolled out with some project preparation spend expected in 2013. The bulk of funding for the PPP Programme will come from the private sector as private financing is a key component of the PPP procurement model.

Further information about the stimulus package and about the PPP projects is available on the website www.ppp.gov.ie.

Question No. 113 answered with Question No. 110.

Public Sector Staff Increment Payments

114. **Deputy Eoghan Murphy** asked the Minister for Public Expenditure and Reform the total amount of money to be paid out in increments in 2013 to all those entitled to them; if he

will provide a breakdown of this amount per sector; if he will provide a breakdown of this amount per salary band; and if he will provide a breakdown of this amount per sector and salary band. [43763/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer to my reply to Question No. 1 of 4 July 2012.

The estimated full year cost of increments for 2013 in the public service (excluding the Local Authority sector) is some €170 million.

Departmental Expenditure

115. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform his targets in terms of savings for each Government Department and any subordinate bodies thereunder for the coming year; the degree to which he expects these targets to be met in full; and if he will make a statement on the matter. [43772/12]

116. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he has in mind particular or specific proposals to incentivise reform and the making of savings in the context of the achievement of various savings targets applicable for the coming year; and if he will make a statement on the matter. [43773/12]

117. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will be in a position to reward by way of other concessions particular Government Departments or subordinate bodies that have achieved savings or reforms resulting in savings on or in excess of target; and if he will make a statement on the matter. [43774/12]

119. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will outline the Departments, bodies or agencies that have achieved the least progress in achieving the targets set and agreed by his predecessors in the Memorandum of Understanding; the extent to which he may be in a position to offer incentives in such circumstances; and if he will make a statement on the matter. [43776/12]

122. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which the elimination of waste has been achieved throughout the public sector; and if he will make a statement on the matter. [43779/12]

123. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will set out those Departments, bodies or agencies that have incurred cost overruns in the current year to date in 2012; the extent to which he expects to be able to encourage such Departments to operate within budget in the coming year; and if he will make a statement on the matter. [43780/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 115 to 117, inclusive, 119, 122 and 123 together.

As the Deputy will be aware a Comprehensive Review of Expenditure (CRE) exercise was carried out by all Departments in 2011 to identify ways of reducing expenditure, in line with commitments under the Joint EU/IMF Programme of Financial Support for Ireland, while minimising the impact on service delivery.

The levels of consolidation up to 2015, along with Departmental ceilings for current expenditure up to 2014 were set out in the December 2011 publication of the *Comprehensive*

Expenditure Report 2012 - 2014, however, the precise composition of the 2013 budgetary consolidation is a matter for Government, the details of which will be announced at Budget time.

Now more than ever it is essential that the Government keeps a tight reign on all areas of spending and from my perspective I have introduced a range of measures to address the economic and budgetary challenges which we are facing, the latest of which was the publication on the 28th September of legislation to establish the *Medium Term Expenditure Framework* (MTEF).

The purpose of the MTEF is to provide for medium-term expenditure management through the provision of multi-annual Government expenditure ceilings and multi-annual Ministerial expenditure ceilings.

As regards the question of incentives for those sectors that under or over perform in meeting their budgetary and reform commitments, it is relevant to note that the Medium Term Expenditure Framework envisages a new “carryover” facility for Departments that manage their allocations within budget in any year, so that they can use these savings in the following year. Those Departments that are proactive in driving reform, innovation and structural planning will naturally be best-placed to avail of this facility into the future. The consequence on Departments who exceed their current expenditure ceiling in any given year will be the assimilation of an offsetting adjustment in their envelope for the following year, and they will be required to devise appropriate policy measures to live within the reduced allocation.

The end-September, 2012 issues figures indicate that there are some pressures, most notably in the Social Protection and Health group of Votes. The pressures relate to the cyclical nature of the largely demand led expenditure of these Departments as well as the reclassification of PRSI receipts by Revenue at the beginning of the year.

While good progress has been made on delivering savings and implementing change, it remains a matter for each Minister and their Departments to ensure that the Vote-level allocations are adhered to and at the same time ensure that they continue to provide essential front-line services and respond to increasing demands.

Departmental Staff Numbers

118. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which he has by way of natural retirement achieved savings and or staff reductions required to meet targets set in the Memorandum of Understanding entered into by his predecessors; and if he will make a statement on the matter. [43775/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am pleased to inform the Deputy that this Government has already surpassed the number target of 294,700 set out in the Memorandum of Understanding. The 28,000 staff reduction achieved since 2008 has been largely delivered through natural retirements and normal staff turnover. The Government is committed to reducing public service numbers to 282,500 by the end of 2014 as part of its Reform Agenda. The overriding objective is to have a more customer focused, leaner, more efficient and better integrated public service which delivers maximum value for money.

The table below sets out public service numbers from the peak in 2008 to Quarter 2 2012. This information is available on my Departments website <http://databank.per.gov.ie/>

2008	2009	2010	2011	Q2 2012
320,000	310,300	305,500	296,900	292,000

Question No. 119 answered with Question No. 115.

Public Sector Reform Implementation

120. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which the working of extra hours has been used as a means to achieve savings through reform throughout the State and semi-State sector; and if he will make a statement on the matter. [43777/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The extent to which the working of extra hours has been used in the State and semi-State sector, as well as any savings arising, is a matter for each relevant Minister and their Departments in the context of progressing their reform agendas.

As such, details in respect of any specific sector should be sought from the relevant Minister and their Departments.

Sale of State Assets

121. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which the sale of State assets is proposed as a means of achieving budgetary targets in the coming year; and if he will make a statement on the matter. [43778/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): None of the potential receipts from the State assets disposal programme are to be used as a means of achieving the budgetary targets set for the coming year. Instead, as the House will be aware, it has been agreed with the Troika that all of the Government's proceeds from the programme will be available, in one shape or another, to support job creating initiatives in the economy. Half of the proceeds will be available to fund employment enhancing projects of a commercial nature. The other half, while destined eventually to pay-down debt, will, in the first instance, be constituted as a fund to underpin additional lending into Ireland, for example by the EIB, in support of further investment in job-creating initiatives.

Questions Nos. 122 and 123 answered with Question No. 115.

Departmental Expenditure

124. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which insurance and procurement costs will be adjusted in order to maximise benefit to the Exchequer in the context of budgetary savings required in the coming year; the extent of the achievement in these areas in each of the past four years to date; and if he will make a statement on the matter. [43781/12]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I fully agree that Departments and Offices should do all in their power to contain and reduce all administrative costs including both insurance and procurement costs. This is in keeping with Govern-

ment's overall reform and efficiency agenda. In light of the need to accelerate the reform agenda, my Department published the Public Service Reform Plan in November 2011. This plan identified procurement reform as a key instrument that can assist the public service to deliver services in an efficient manner.

The reform plan includes specific measures to ensure that:

1. aggregated procurement arrangements are utilised across the public service;
2. public bodies have appropriately trained staff to implement reform and to ensure the State is getting value for money; and
3. greater emphasis will be placed on analysing what the State purchases in order to assess other savings that can be made through more efficient procurement methods.

Since its establishment in 2009, the National Procurement Service (NPS) has put in place a number of national arrangements designed to secure better value for money from leveraging the public service's buying power in relation to a range of goods and services that are commonly purchased across the public service. These national arrangements have benefits that include: cash savings; administrative savings from reduced duplication of tendering; greater purchasing expertise; improved consistency; and enhanced service levels. In some instances the take up of the NPS arrangements has been low. In order to increase the usage of the NPS arrangements and thereby secure best value for money, the Government decided that it should be mandatory for public service bodies to use specified national procurement arrangements.

The NPS has reported estimated procurement savings to the end of 2012 under its frameworks of €127m, comprising of €14m in 2010 and a further €35m in 2011 and projected savings of €78m for 2012. In addition the NPS e-Tenders website generates estimated administrative savings of on average €10m per annum. A breakdown of these procurement savings is not readily available by sector. The NPS has established a Working Group to develop the saving methodologies and reporting of procurement savings in the future.

Circular 06/12 implements the Government decision by making it a mandatory requirement that public service bodies avail of specified national arrangements put in place by the NPS. The list of categories subject to national procurement arrangements includes: electricity; natural gas; stationery and office supplies; paper; ICT consumables; managed print services; print media advertising; and, motor vehicles. These national arrangements will secure best value for money and facilitate contracting authorities to deliver services within their budgetary constraints.

The purpose of Circular 6/12 is to enable the State to do more with less by aggregating procurement to secure better value for money. While a number of the categories of goods and services mandated under the Circular are suited to single supplier national arrangements, it should not be taken that single supplier frameworks are to be accepted as the norm. The greater use, where appropriate, of multi-supplier frameworks can address local supplier issues while also ensuring ongoing cost competitiveness of the framework itself. Such multi-supplier frameworks may also offer SMEs the opportunity to participate in national level contracts, thereby offering valuable reference work when competing for public procurement contracts in other jurisdictions.

It is estimated that €9 billion is spent by public bodies annually on the public procurement of supplies and services. This is a very significant portion of overall spending and it is essential that the Public Service is achieving maximum value for money and operational efficiency in its approach to public procurement. It is for this reason that public procurement is one of the major pillars of key strategic importance under the Government's Public Service Reform Plan.

In order to ensure that the necessary elements are in place to implement these ambitious reforms, my Department engaged Accenture to undertake a capacity and capability review of the central procurement function to identify the actions required to realise substantial savings in public procurement in the short and medium term. Of the estimated €9 billion annual spend on public procurement of supplies and services, there is a procurement addressable spend of approximately €7 billion. The review estimates that implementation of its recommendations, over a three-year period, could yield potential annual savings in the range of €249 million to €637 million, depending on the approach taken. The final report on this review is available on my Department's website.

Following the review, proposals were recently submitted to Government. These proposals represent a new consolidated and integrated approach to public procurement that includes:

- integrating procurement policy, strategy and operations in one office through the establishment of a National Procurement Office (under the aegis of my Department) which will be headed by a Chief Procurement Officer, this position was recently advertised;

- strengthening spend analytics and data management;
- examining the specifications set out for goods and services;
- evaluating demand levels to assess how demand (volume) can be reduced; and,
- strengthening vendor and category management.

These proposals have now been agreed by Government.

These reforms will lead to reductions in the cost of goods and services; better procurement services at lower cost; introduction of technical standardisation; greater attention to contract management and better problem resolution; greater levels of professionalism among staff responsible for procurement; and better performance management of the central procurement function.

Departmental Expenditure

125. Deputy Michael Healy-Rae asked the Minister for Jobs, Enterprise and Innovation the way that he can stand over a situation whereby €69 million, which was earmarked for job creation here, was not actually spent on job creation. [43576/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Department and its Agencies are extremely diligent and careful in their management and allocation of taxpayer monies in the support of different enterprise objective. The drawdown of exchequer monies through the Enterprise Development Agencies of my Department is based on commitments made in a given year and projected draw-downs against those commitments in the year in question. It must be remembered that drawdown of exchequer financial support by companies or other bodies (e.g. Competency Centres) is demand-led and can only take place if the company or body in question has progressed a given project in line with the agreement entered into with the State at the time of the financial commitment.

Due to this demand-led nature of grant payments and issues relating to the timing of expenditure, the bulk of an allocation is often drawn down in the last quarter of the year. It is expected therefore, that the snapshot figure referred to in the Question, will not be reflected in the end of year figure. One example is the new Microfinance Scheme that I launched on 27 September,

which is now open for business and will have an associated Exchequer expenditure of €10m before year end.

In addition, there are other timing issues around finalising legal agreements with the private sector when setting up funds, for example under the Innovation Fund initiative, which means that while drawdown will take place, it may be pushed back by some months, thereby showing up as an “underspend” in a particular accounting period.

Despite the very difficult domestic and external economic environment, we are beginning to see the positive impact of the Government’s policies. 2011 saw an increase of 6,000 jobs in IDA-supported companies, compared with net losses of 15,000 jobs between 2008 and 2010. So far this year, the IDA has announced investments with the potential to create more than 6,000 further jobs as these projects come on stream. IDA allocation for Capital Grants for the year 2012 is €85m. The IDA has assured me that they will draw down their entire grant allocation before the end of 2012.

Jobs in Enterprise Ireland companies started to grow again in 2011, for the first time in three years. In the first eight months of 2012, a total of 4,669 job commitments over the next three years, linked to Enterprise Ireland approvals to client companies, have been secured. Yesterday, the Kerry Group announced the establishment of an industry-leading Global Technology and Innovation Centre in Ireland. This €100m investment will create 800 jobs over the next four years, as well as 400 jobs in the construction phase, which will be part-funded by my Department through Enterprise Ireland. Job creation is at the core of this Government’s policies and the evidence to date in 2012, despite a challenging external environment, is that it will be a strong year for agency outputs in terms of job creation and exports.

Departmental Legal Costs

126. **Deputy Barry Cowen** asked the Minister for Jobs, Enterprise and Innovation the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44069/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I can advise the Deputy that, in so far as it is possible to give an estimate at this point of the amount that will be incurred by my Department and its offices by way of legal costs in 2012, this is likely to be in the region of €1m. This is based on current knowledge and does not include, for instance, any legal proceedings that might be instigated between now and year end 2012, any awards of costs in any cases arising, the timing of payments or any alteration in fees further to any references and examination by legal cost accountants, etc.

I should emphasize also that the estimated costs are inclusive of legal costs incurred by the offices under my Department’s aegis, principally the Companies Registration office (CRO), the Office of the Director of Corporate Enforcement (ODCE), the Employment Appeals Tribunal (EAT) and the National Employment Rights Authority (NERA), in the normal conduct of the enforcement, judicial and regulatory functions carried out by those offices.

In responding to the Deputy’s question, a very broad interpretation of the term legal costs has been assumed. The services that make up the estimated total cost cover a very wide range of legal services including the bill of costs in legal cases taken against the Minister/Department, legal settlements, the provision of legal advices across a wide range of issues in the Department/offices, the servicing of documentation e.g. signing of affidavits, the prosecution of cases including court appearances and representation.

My Department seeks, where possible, to minimise legal costs and has adopted a number of measures to achieve this. The Department/offices avails of the services of the Chief State Solicitors office and the Attorney General's office in terms of the provision of legal advice and in terms of representation of the Department/offices in Court cases. In the case of the ODCE for instance and in line with overall Government policy, the ODCE obtained a reduction of 8% in legal fees. The services of legal cost accountants are availed of where fees demanded appear to be high. Additionally, my Department has recently completed a tendering process for prosecution and civil debt enforcement services in the case of the pursuance of employment rights cases on behalf of individuals which is expected should reduce further the Department's legal costs in 2013 provided the number of cases to be prosecuted does not increase significantly.

Defined Pension Benefit Scheme Issues

127. **Deputy Brendan Griffin** asked the Minister for Social Protection her views on a matter regarding defined benefit pension schemes (details supplied); and if she will make a statement on the matter. [43624/12]

Minister for Social Protection (Deputy Joan Burton): I am very aware of the serious funding challenge facing pension schemes. It is acknowledged that the fundamental problem is that pensions are significantly more expensive due to increasing life expectancy and lower than expected investment returns which are reflected in increased annuity rates.

The Pensions Regulator suspended the Funding Standard four years ago, following the downturn in the 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. The re-introduction 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. Among the measures introduced at that time was provision for Sovereign Annuities. Sovereign Annuity products are now available and it is expected that the range of products will grow over the coming months.

The Funding Standard provides a benchmark against which the "health" of a scheme can be tested. 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 requirement for a risk reserve is also 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 the scheme can consider in meeting this requirement by 2023. This guidance is being kept under review.

Reference has been made to the easing of the solvency regime in a number of other countries. It should be noted that the solvency regime even after those changes is still more onerous than the current Irish regime. 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 Pensions Board recently announced that the timeframe for pension schemes to submit funding proposals has been extended to 30 June 2013. This extension will give schemes addi-

tional time to help them address the issues they are facing.

Overall, the changes made to defined benefit schemes are intended to lessen schemes' exposure to risks and bring increased stability for pension scheme members so that they receive the pension promises in the future.

Social Welfare Benefits Eligibility

128. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a contributory pension will be issued in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [43531/12]

Minister for Social Protection (Deputy Joan Burton): According to the records of the Department, the application was disallowed as the person concerned does not have sufficient paid social insurance contributions. This case has been referred to a Social Welfare Inspector to further investigate the employment record and, on receipt of this report, the case will be reviewed and the outcome communicated to the person without delay.

Carer's Allowance Applications

129. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an application for carer's allowance will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [43533/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department is in receipt of an application for carer's allowance from the person in question on 17 September 2012. The medical evidence that was received has been forwarded to the Department's medical assessor for consideration and the application will be processed as quickly as possible. When a decision is made the person concerned will be notified directly of the outcome. In the meantime, if the person in question has insufficient means to meet her needs she should apply for a means tested supplementary welfare allowance from her local community welfare officer.

Illness Benefit Appeals

130. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Roscommon will receive a decision on their application for illness benefit; and if she will make a statement on the matter. [43538/12]

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 18 January 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 6 September 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

Back to Work Allowance Payments

131. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when back to work allowance will be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [43550/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was requested to contact County Kildare Leader Partnership for an assessment of the viability of his business venture. When the Partnership have provided the assessment a decision will be made on his application for the back to work allowance.

Invalidity Pension Appeals

132. **Deputy Noel Harrington** asked the Minister for Social Protection the position regarding an appeal for invalidity pension in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [43552/12]

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 13 April 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 25 July 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Jobseeker's Allowance Applications

133. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a claim for jobseeker's allowance can be reopened in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [43554/12]

Minister for Social Protection (Deputy Joan Burton): The jobseeker's allowance application of the person concerned was closed as the deciding officer was not satisfied that she resided at the address provided on her application.

If she wishes to re-open her application she should call to her local social welfare office with proof of residency.

Family Income Supplement Waiting Times

134. **Deputy Michael Lowry** asked the Minister for Social Protection if her attention has been drawn to the delay by her Department in processing reviews of family income supplement payments and the impact this is having on low income families that are already stretched to the last (details supplied); her plan to address this issue; and if she will make a statement on the matter. [43568/12]

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

The average waiting time for new family income supplement (FIS) claims at the end of August is 18 weeks and for renewal claims is 16 weeks. At the end of August, there were 7,137 new FIS applications and 7,511 renewal applications awaiting approval. The volume of FIS claims on hands and the delays in processing are a consequence of continued strong claim intake. An integral part of the FIS scheme is that once the level of payment is determined, it continues to be payable at that rate for a period of 52 weeks, provided that the person remains in full time employment.

Claimants must apply to have their payment renewed if they wish to receive payment for a further 52 weeks. At present, application forms for renewal of the payment of FIS for a further 52 weeks are issued one month in advance of the expiry of the current payment and are processed in order of the date of expiry of the current payment and not by the date of receipt of a completed renewal form. This is designed to facilitate the collection of the most up-to-date customer information to ensure the fairest calculation of entitlement for the next 52 week payment period of FIS.

An in-depth business process improvement (BPI) project has recently commenced for the FIS scheme. This project will focus on optimising output and customer service and the reduction of backlogs. Part of the project will be detailed examination of workloads and a full assessment of existing capacity within the area and what capacity is needed in order to process the volumes of claims, both new and renewal, being received.

Following the assessment phase of this BPI project, a plan will be devised and implemented which will allow the normal weekly new claim intake to be processed without delay and the backlog to be ring-fenced and eliminated over a specified target period. It is expected that the assessment phase of the project will be completed very shortly.

Employment Support Services

135. **Deputy Arthur Spring** asked the Minister for Social Protection with reference to Page 20 Section 42 of the Pathways to Work strategy, her plans for contracting with the private sector; and if any cuts to existing local employment services are envisaged. [43590/12]

Minister for Social Protection (Deputy Joan Burton): The Department is currently engaged in a procurement process from which it intends to appoint expert advisor(s) to assist with the design and delivery of employment service provision, on a contracted basis with external providers, as envisaged under the Pathways to Work strategy. Given the urgent need to address unemployment, the intention is to enhance employment services at local level and not reduce such services. It is expected that the initial design will be completed in the first quarter of 2013.

Carer's Allowance Applications

136. **Deputy Gerry Adams** asked the Minister for Social Protection when will a decision will issue on an application for carer's allowance in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [43591/12]

Minister for Social Protection (Deputy Joan Burton): I can confirm that the application

is with a deciding officer for a decision. It will be processed as quickly as possible and the person concerned will be notified directly of the outcome.

Redundancy Payments

137. **Deputy John Browne** asked the Minister for Social Protection when an application for redundancy payment will issue in respect of a person (details supplied) in County Wexford. [43598/12]

Minister for Social Protection (Deputy Joan Burton): A redundancy lump sum application in relation to the person concerned has recently been awarded. Payment will shortly be issued to the person's chosen bank account.

Redundancy Payments

138. **Deputy Patrick O'Donovan** asked the Minister for Social Protection further to Parliamentary Question No. 814 of 18 September 2012, the position regarding a redundancy claim in respect of a person (details supplied) in County Wexford; when payment will issue; and if she will make a statement on the matter. [43623/12]

Minister for Social Protection (Deputy Joan Burton): An application for a redundancy lump sum payment in respect of the person concerned was received in the Department in August 2012. It is expected that the claim will be finalised in the coming weeks.

Social Welfare Appeals Status

139. **Deputy Michael Creed** asked the Minister for Social Protection if a decision will be expedited on a State non contributory pension appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [43659/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 3rd April 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on the 13th June 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

Insolvency Payments Scheme Payments

140. **Deputy Joe Higgins** asked the Minister for Social Protection in view of the ongoing difficulty that workers are having in securing their holiday entitlements from the administrator (details supplied) if she will intervene and resolve the issue as a matter of urgency. [43661/12]

Minister for Social Protection (Deputy Joan Burton): On 27 June 2011 the High Court

in the UK appointed joint administrators to the company to which the Deputy refers. Subsequently, in May 2012, liquidators were appointed. Another organisation, also UK based, has been appointed to act as an agent with respect to submitting claims under the insolvency payments scheme.

To date, insolvency claims have been paid in respect of 83 former employees of the company concerned. These represent all of the claims that have been correctly submitted under the scheme to date.

However, there are a number of other claims where additional information is required before they can be processed. The Department is in ongoing contact with the agent organisation in order to get these outstanding issues addressed. Once all of the required information is received these remaining claims will be processed and paid.

Back to Education Allowance Eligibility

141. **Deputy Dominic Hannigan** asked the Minister for Social Protection is there any consideration being given to applicants of the back to education allowance who have had to change careers due the downturn in the industry that were trained in to follow a new career and who now might not be eligible for the BTEA because they already have a qualification higher than the one for which they are applying; and if she will make a statement on the matter. [43671/12]

Minister for Social Protection (Deputy Joan Burton): The back to education allowance (BTEA) is a second chance education opportunities scheme designed to remove the barriers to participation in second and third level education by enabling those in receipt of certain social welfare payments to continue to receive a payment while pursuing an approved full-time education course that leads to a higher qualification than that already held. A person wishing to pursue the back to education allowance will have to satisfy a number of conditions such as being a certain age, in receipt of a prescribed social welfare payment for a specified time period, pursuing a full time course of study leading to a recognised qualification in a recognised college and progressing in the level of education held by the client with reference to the national framework of qualifications among others.

Progression in education is a condition which is not unique to BTEA, indeed State support for education purposes is grounded on a student progressing from one qualification level to a higher one. This is necessary to ensure displacement does not occur, in that courses could be offered to students who are not progressing at the cost of students progressing from a lower education level. BTEA guidelines are, in the main, in line with the mechanisms in place for similar student supports administered by the Department of Education and Skills and require student progression from one qualification level to a higher one. Furthermore, the BTEA scheme is not intended to be an alternative form of funding for people entering or re-entering the third level education system.

My Department is currently reviewing a wide range of activation supports available to DSP customers, including BTEA, and it is my intention to canvass the views of stakeholders as part of the implementation process resulting from the review.

Social Welfare Appeals Status

142. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Kildare; and if she will make a state-

ment on the matter. [43766/12]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of the appeal of the person concerned took place on 23rd July 2012 and the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer decision when the appeal has been determined.

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

Social Welfare Appeals Status

143. **Deputy Jack Wall** asked the Minister for Social Protection when an appeal by a person (details supplied) in County Kildare will be heard; and if she will make a statement on the matter. [43768/12]

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 10th May 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 4th October 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.

Money Advice and Budgeting Service Issues

144. **Deputy Seán Kyne** asked the Minister for Social Protection in view of the excellent service which Money Advice and Budgeting Service provides if a new MABS office will be opened in an area (details supplied) which would serve the needs of the wider district and particularly on account of the areas distance from existing MABS offices. [43769/12]

Minister for Social Protection (Deputy Joan Burton): South Galway Money Advice & Budgeting Service (MABS) is funded through the Citizens Information Board, to assist people living in Galway city and environs, including the area in question, who are over-indebted and need help and advice in coping with debt problems.

The main office for South Galway MABS is located in Galway city and there are two sub-offices – one in Loughrea and since July 2011, a sub-office in Carraroe, together with outreach facilities in a number of locations. The Carraroe sub-office provides a dedicated MABS service on a bilingual basis to the people of West Galway, Connemara and the islands.

I am satisfied that South Galway MABS provides a high quality service to assist people in overcoming their indebtedness and managing their finance.

Social Welfare Payments Waiting Times

145. **Deputy Pearse Doherty** asked the Minister for Social Protection the current turn-around times for processing claims for all social welfare payment types in her Department; if she will provide in tabular form the average processing times for the various claims since May 2012; if she will provide information on the percentage of the various applications submitted to her Department that take longer than the average processing time; and if she will make a statement on the matter. [43799/12]

Minister for Social Protection (Deputy Joan Burton): The Department is committed to ensuring that claims are processed as expeditiously as possible. Processing times vary across schemes, depending on the differing qualification criteria. As can be seen from the data in the table below, schemes that require a high level of documentary evidence from the customer, particularly in the case of illness-related schemes, can take longer to process. Similarly, means-tested payments can also require more detailed investigation and interaction with the applicant, thereby lengthening the decision making process.

As part of the Department's programme of service delivery modernisation, a range of initiatives aimed at streamlining the processing of claims, supported by modern technology, have been implemented in recent years. Operational processes, procedures and the organisation of work are continually reviewed to ensure that processing capability is maximised.

In addition, the staffing needs of the Department are regularly reviewed, having regard to workloads and the competing demands arising, to ensure that the best use is made of all available resources. The Department will continue to source available staff to fill critical vacancies by way of redeployment, or transfer from within the Department and other Government Departments, taking account of the employment control framework (ECF) target, as determined by the Department of Public Expenditure and Reform.

I wish to assure the Deputy that prompt processing of claims remains a priority for me.

Table: Claim processing performance, May to August 2012:

Average weeks to award

Scheme	May	June	July	August
State Pension (contributory)	4	5	8	7
State Pension (transition)	6	6	6	7
State pension (non-contributory)	12	12	11	13
Widow(er)'s Pension (contributory)	2	2	2	3
Widow(er)'s Pension (non-contributory) pension & one parent family payment (widow)	9	7	11	9
One Parent Family	17	15	14	12
Household Benefits	1	2	1	2
Bereavement Grant	1	1	1	1
Invalidity Pension	38	32	31	33
Family Income Supplement - New Claims	17	16	17	18
Disability Allowance	28*	17*	17*	17*
Carer's Benefit	11	11	10	9
Carer's Allowance	28*	28*	28*	28*

Scheme	May	June	July	August
Jobseeker's Benefit	2	2	2	2
Jobseeker's Allowance	5	4	4	4
Illness Benefit	1	1	1	1
Maternity Benefit	2	2	2	2
Child Benefit - Domestic	3	2	3	3
Domiciliary Care Allowance	7	7	7	9
Back to Education Allowance				Applicants for BTEA are already in receipt of another social welfare payment before a decision is made on their entitlement to the Allowance.

*Estimated for schemes which have recently been transferred to new IT platform

Departmental Legal Costs

146. **Deputy Barry Cowen** asked the Minister for Social Protection the expected total legal costs to be incurred in her Department in 2012; her proposals to reduce these costs; and if she will make a statement on the matter. [44072/12]

Minister for Social Protection (Deputy Joan Burton): The Department records expenditure on legal and compensation costs and fees under a single heading. The elements of these payments relating solely to legal fees are not recorded separately. The total expenditure on legal and compensation costs-fees from 1 January 2012 to 9 October 2012 was €202,092. As it is not possible to predict what settlements will be made in the future, a figure for total expected legal costs for 2012 is not available.

Costs relating to prosecutions arising from fraudulent claims made to the Department are borne by the Chief State Solicitor's Office.

Public Sector Management Remuneration

147. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if he will confirm the details of the payments made to a person (details supplied) who recently retired as Secretary General of his Department. [43617/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I am advised that, on retirement in May 2011, the person referred to by the Deputy received a lump sum payment of €332,896 and severance pay of €110,964. The person is currently in receipt of a pension of €100,889 per annum.

Flood Prevention Measures

148. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the actions, if any, he has taken on foot of the recommendations in the report by the Joint Committee on Environment, Culture and the Gaeltacht entitled Eight proposals urgently required to tackle flooding on the River Shannon, its tributaries and the waters feeding into it; and if he

will make a statement on the matter. [43613/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I can advise the Deputy that I have received the report by the Joint Committee on Environment, Culture, and the Gaeltacht on the management and protection of the Shannon. My Department is considering relevant recommendations in the Report and, when this process is completed, will provide its views and observations to the Joint Committee.

Departmental Legal Costs

149. **Deputy Barry Cowen** asked the Minister for Arts, Heritage and the Gaeltacht the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44060/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I assume the Deputy is referring to costs for legal fees or legal advice incurred by my Department. The total of such costs to date this year are €12,695.44. No further costs are expected to be incurred in 2012. My Department is aware of the need to minimise such costs and, in general, avails of legal services and advice from the Attorney General's Office and the Chief State Solicitor's Office.

Broadband Services Provision

150. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources the way he intends to monitor the progress of the new national broadband plan; if he has contingency plans in the event of difficulties achieving targets; and if he will make a statement on the matter. [43510/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The National Broadband Plan (NBP) is a comprehensive strategy to deliver high speed broadband across Ireland and covers a wide range of policy actions. While the primary focus is directed towards the national mapping exercise that will determine the exact position in relation to existing and planned broadband investment throughout the country, there are also a range of other policy initiatives in the following areas:

- Publication of a National Digital Strategy aimed at stimulating greater adoption rates (for broadband-internet) among businesses and citizens;
- Reviewing-modernising national radio spectrum policy;
- Clarifying precise role that State-owned assets/infrastructure can play in deployment of broadband services;
- Examination of current regulatory framework to ensure that it can effectively support commercial investment in high speed broadband and,
- Significant review of processes and procedures around planning issues for telecommunications infrastructure (with the main objective of introducing greater consistency at Local Authority level in terms of how planning issues are dealt with and levied).

A High Level Implementation Group, chaired by my Department, is being established to oversee the implementation of the full range of deliverables identified in the NBP. This will

include senior representatives from relevant Government Departments and agencies who will be tasked with driving the delivery of actions. This Group will report regularly to the Cabinet Committee on Economic Infrastructure on progress being made.

Television Reception

151. **Deputy Paudie Coffey** asked the Minister for Communications, Energy and Natural Resources his plans to ensure the roll out of SaorView to black spot areas in County Waterford; and if he will make a statement on the matter. [43560/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): RTÉ has built, owns and controls the SAORVIEW TV network and is responsible for the roll-out, coverage and operation of that network. This includes information on transmitter sites being used. This is in accordance with Part 8 of the Broadcasting Act 2009, which provides that the development of the RTÉ network is an operational matter for RTÉ.

Section 130 of the Broadcasting Act 2009 Act provides that RTÉ must roll out a national digital TV network to the same extent as its existing analogue network. In this regard, I understand from RTÉ that their analogue network covers 98% of the population and the Saorview network will also provide 98% population coverage. It is impossible to cover 100% of the population by terrestrial means.

The SAORVIEW network is largely completed. Regarding Waterford, I have been informed by RTÉ Networks Limited that as well as having five of the sixty four SAORVIEW transmission sites located in County Waterford (Dungarvan, Kilmacthomas, Ferrypoint, Clonmel (the transmitter site is just inside County Waterford) and Gallows Hill) large parts of County Waterford are covered by transmission sites in other counties (Mount Leinster – Carlow, Suir Valley – Kilkenny, Mullaghanish, Spur Hill and Mitchelstown – Cork and Cahir - Tipperary).

Analogue Terrestrial Television Coverage in County Waterford was as follows: RTÉ One c. 88%; RTÉ Two c. 88%; TG4 c. 82%; TV3 c. 60%.

SAORVIEW coverage in County Waterford gives the following improvements over the old analogue network - an improvement in terrestrial availability of 10% for RTÉ One and RTÉ Two; an improvement in terrestrial availability of 16% for TG4; an improvement in terrestrial availability of 38% for TV3.

In addition to SAORVIEW, RTÉ has developed SAORSAT, a new free-to-air satellite service unique to Ireland to ensure the RTÉ television services are available to the remaining 2% of the population. SAORSAT launched in March 2012. Currently, SAORSAT provides access to the RTÉ channels including the new RTÉ channels developed for SAORVIEW and TG4. TV3 has not yet made a decision regarding SAORSAT. SAORVIEW and SAORSAT coverage and reception information is available on www.saorview.ie and www.rtenl.ie

Television Reception

152. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources in view of the fact that large areas of County Kerry will lose television reception after 24 October 2012 if he will ensure that existing TV transmission masts will be upgraded to ensure that some technical solution will be found for the problems that are continuing to exist; and if he will make a statement on the matter. [43579/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): RTÉ has built, owns and controls the SAORVIEW TV network and is responsible for the roll-out, coverage and operation of that network. This includes information on transmitter sites being used. This is in accordance with Part 8 of the Broadcasting Act 2009, which provides that the development of the RTÉ network is an operational matter for RTÉ.

Section 130 of the Broadcasting Act 2009 Act provides that RTÉ must roll out a national digital TV network to the same extent as its existing analogue network. In this regard, I understand from RTÉ that its analogue network covers 98% of the population and the SAORVIEW network will also provide 98% population coverage.

The SAORVIEW network is largely completed. The remaining thirteen sites, including Dingle in Kerry have been on air since 1 October and will provide increased coverage in the relevant areas. It must be understood that it is simply not possible to provide 100% coverage by terrestrial means. Reasons for this include, for example, local topography.

In addition to SAORVIEW, RTÉ has developed SAORSAT, a new free-to-air satellite service unique to Ireland to ensure the RTÉ television services are available to the remaining 2% of the population. SAORSAT launched in March 2012. Currently, SAORSAT provides access to the RTÉ channels, including the new RTÉ channels developed for SAORVIEW, and TG4. TV3 has not yet made a decision regarding carriage on SAORSAT. SAORVIEW and SAORSAT coverage and reception information is available on www.saorview.ie and www.rtenl.ie.

Specifically in relation to Kerry, as I explained to the Deputy in a parliamentary question reply of 26 September, according to RTÉ Networks Limited (RTÉNL) six of the sixty four SAORVIEW transmission sites are located in County Kerry (Mullaghanish – Cork/Kerry border, Kilkeaveragh, Maamclasagh, Dingle, Knockmoyle, Cnoc An Oir). Additionally, parts of County Kerry are covered by transmission sites in other counties (Castletownbere, Bantry – Cork, Maghera – Clare).

Furthermore, as also explained to the Deputy, I have been informed by RTÉNL that SAORVIEW has delivered a significant improvement in terrestrial coverage in both geographical and population coverage in County Kerry as set out in the following tables:

Geographical

Channel	Analogue Coverage	SAORVIEW Coverage	Increase
RTÉ One	75 % area	87%	12%
RTÉ Two	75% area	87%	12%
TV3	40% area	87%	47%
TG4	64% area	87%	23%

Population

Channel	Analogue Coverage	SAORVIEW Coverage	Increase
RTÉ One	90% population	95%	5%
RTÉ Two	90% population	95%	5%
TV3	44% population	95%	51%
TG4	75% population	95%	20%

Flood Prevention Measures

153. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the actions, if any, he has taken on foot of the recommendations in the report by the Joint Committee on Environment, Culture and the Gaeltacht entitled Eight proposals urgently required to tackle flooding on the River Shannon, its tributaries and the waters feeding into it; and if he will make a statement on the matter. [43611/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have received the Report of the Joint Committee on Environment, Culture and the Gaeltacht entitled, 'Eight proposals urgently required to tackle flooding on the river Shannon, its tributaries and the waters feeding into it'.

I have, as requested, forwarded copies to the relevant agencies under my remit and asked them to respond directly to the Joint Committee itself. I am aware that those agencies have responded. I would hope that those responses will be of use to deliberations on this issue and will contribute to future plans to alleviate the recurring problem of flooding on the Shannon.

Post Office Network

154. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources his view regarding expanding the role of post offices (details supplied); and if he will make a statement on the matter. [43625/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Matters relating to the post office network, including the development of commercial strategies, are an operational matter for the management and Board of An Post and one in which I have no statutory function.

Nonetheless, it is Government policy that An Post remains a strong and viable State company, providing high quality services on a nationwide basis. In this context, the Government supports the maintenance of the maximum number of economically viable post offices.

An Post has many strengths and has the largest retail presence in the country. I have impressed on the Company the need to further exploit its unique position in this regard.

In the context of public sector transformation, I have stressed to my Government colleagues that the increased use of the post office network should be considered by public sector bodies where this is appropriate, and An Post has met public sector bodies in connection with the outsourcing element of the public sector transformation agenda.

As a commercial State body An Post may bid for business from both public and private organisations in a competitive market. The nature and volume of business that An Post conducts with Government Departments and Public Sector Agencies is, however, in the first instance, a matter for the company and the respective Government Departments and Agencies.

Radio Spectrum Management

155. **Deputy Pearse Doherty** asked the Minister for Communications, Energy and Natural Resources if the State plans to auction the analog band after the State makes the digital switchover; and if he will estimate what this auction could achieve. [43757/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The management of the radio spectrum is a statutory function of the Commission for Communications Regulation (ComReg) under the Communications Regulation Act, 2002 as amended.

I am advised by ComReg that the 800MHz spectrum currently allocated for use in broadcasting analogue television signals, until 24 October 2012, is included in ComReg's current Multi-Band Spectrum Award.

The level of spectrum fees that will be generated by the Multi-Band Spectrum Award process will be determined by the eventual level of demand expressed in the auction.

I would, however, draw attention to section 2.2.5 of the ComReg's Information Memorandum (Document 12/52) which provides, amongst other things, for the following reserve prices for spectrum lots being made available in the auction:

€10.81 million for each lot in the 800 MHz and 900 MHz bands across both "time slices" (noting that 13 such lots are being made available); and

€5.4 million for each lot in the 1800 MHz band across both time slices (noting that 15 such lots are being made available).

Renewable Energy Incentives

156. **Deputy Joe Higgins** asked the Minister for Communications, Energy and Natural Resources noting Ireland's potential deliverable renewable energy resource identified by Sustainable Energy Ireland and referred to again by the private sector Irish Wind Energy Association in the context of the potential for the creation of 30,000 jobs in this sector, his views on whether this resource did not require prospecting or drilling costs with associated tax concessions and other surrender of publicly owned resources to attract private sector companies; and his plans to enable the State sector including the ESB to develop the offshore wind industry using European Investment Bank funding. [43801/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The number of long-term sustainable jobs that new renewable energy projects can deliver depends on a variety of factors. The figures quoted are estimates based on a variety of assumptions. A 2009 report by the Irish Wind Energy Association (IWEA) entitled "Jobs and Investment in Irish wind energy" estimated that the wind energy sector in Ireland can support 1.5 jobs per MW installed. At the end of 2011, 17.6% of Ireland's electricity was from renewable sources, with approximately 1900MW installed.

At an EU level, the European Wind Energy Association (EWEA) analysis found that there are 15 jobs created per MW - wind turbine and component manufacturing provide the majority of employment opportunities at circa 59% of direct employment. These elements represent 12.5 of the 15.1 jobs created in the EU for every MW installed. Ireland's ability to harness a high level of employment from renewable energy projects would depend, to a large extent, on related industry such as turbine and cable manufacturing industry relocating to Ireland.

The development of renewable energy in Ireland is being pursued in line with our obligations under the Renewable Energy Directive, that 16% of all energy consumed in the State must be from renewable sources by 2020.

This is a legally binding obligation introduced by the EU to ensure that our climate and energy goals of reducing CO₂ emissions and increasing security of energy supply can be achieved

by 2020. In the event that Member States fall short of their national renewable targets, the Directive provides that they will be obliged to purchase renewable energy credits from other Member States that have exceeded their targets, at a price that is not yet known.

In the electricity sector, 17.6% of electricity consumed was from renewables in 2011, in the transport sector 3.6% of energy consumed was biofuels and in the heating sector 5% of energy consumed was from renewable sources (mainly biomass and shallow geothermal.) The total of the renewable energy consumed in 2011 across the three sectors amounted to 6.5% of all energy. The objectives, in order to meet our 2020 binding targets are to increase renewable energy consumption in those sectors to 40% in the electricity sector, 10% in the transport sector and 12% in the heating sector, which together will mean the 16% overall target can be reached.

Onshore wind rather than offshore wind will be the major mechanism towards the meeting of our 2020 target. This is because the cost per MW for offshore wind is significantly higher than onshore wind and a higher feed in tariff (REFIT) for offshore wind would have had to be provided, funded through the PSO levy.

The potential for export of renewable electricity was outlined in the Strategy for Renewable Energy 2012-2020 which I published earlier in the year. The mechanisms by which renewable energy can be exported or traded with another country are provided for under the Renewable Energy Directive in Articles 6-12 on co-operation mechanisms. Countries can agree statistical transfer, which involves the purchase of renewable credits by the importing country in order to meet their target or they can agree joint projects which involves identifying specific projects for the purpose of renewable trading and agreeing how the projects will be financed and how the renewable value will be counted towards each country's renewable target under the Directive.

The use of these co-operation mechanisms under the Directive requires formal agreement between two or more Governments. I have had a number of bilateral discussions with my UK counterpart in this regard as well as some discussion under the auspices of the British Irish Council. We are actively exploring the possibility of trade in renewable energy between the two jurisdictions, with a view to reaching an agreement that would provide for that.

It will be necessary to ensure that Irish consumers do not have to foot the bill for renewable electricity that is exported to the UK and that there are real benefits from renewable trade accruing to the Irish State and Irish consumers. Renewable developers will only pursue an investment if they can finance the investment and usually this involves a guaranteed minimum price for 15 or 20 years over which time they can repay the loan for the capital outlay.

In the event that renewable power was being exported to the UK, for example, it would be necessary to ensure that the costs associated with new transmission infrastructure to export the power and the cost of a support scheme for renewable developers is paid for by UK consumers, rather than Irish consumers who would not be benefitting from either the power or the renewable value of the electricity.

The current market price for electricity in the SEM is approximately €65MWh. The capital costs of offshore wind are high. Offshore wind developers would need a significantly higher guaranteed price more than the current market price for electricity in order to finance an offshore wind project and to finance new transmission infrastructure to transport the electricity generated by such a project to the marketplace.

A loan to finance a project is only helpful insofar as the project has a reasonable prospect of earning sufficient revenue from the project to pay off the loan over time. The current market prices in Ireland and the UK would be insufficient in the case of an offshore wind project. If the UK or another market wanted to import power from an offshore wind project under the

cooperation mechanisms in the Directive, so that they could count some or all of the output towards their target, they would need to be willing to offer a sufficient support price to the project developer over a defined period to make the investment viable. This is an area that the UK Government is currently examining as part of their market reform.

If the Irish Government decides to enter an Inter-Governmental agreement under the Directive with the UK or another Government, it will have to ensure sufficient return to the State from such projects. This might include a share of the renewable value or the imposition of a royalty of some type.

The Irish State Companies, notably ESB and BGE already have a significant presence in the onshore wind energy sector. Further investment in wind energy would be a matter for the companies themselves, taking full account of their commercial remit.

Renewable Energy Incentives

157. **Deputy Joe Higgins** asked the Minister for Communications, Energy and Natural Resources his views on whether the basis for the development of our renewable energy resource has been funded by the Irish State through the Sustainable Energy Ireland, the Department of the Marine, the Marine Institute, the HMRC in UCC and the ESB; his views on whether his Departments present plans for the development of the resources will enable multinational energy corporations including those based in Ireland to extract large profits from the development of this resource with no payback to the Irish taxpayer for their investment in this resource over decades. [43802/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Energy use comprises electricity, heating and transport. In 2011, 6.5% of all energy we consumed in the State was from renewable sources. The development of renewable energy in Ireland is being pursued in line with our obligations under the Renewable Energy Directive, to have 16% of all energy consumed in the State to be from renewable sources by 2020. This is a legally binding obligation introduced by the EU to ensure that our climate and energy goals of reducing CO₂ emissions and increasing security of energy supply can be achieved by 2020. In the event that Member States fall short of their national renewable targets, the Directive provides that they will be obliged to purchase renewable energy credits from other Member States that have exceeded their targets, at a price that is not yet known.

In the electricity sector, 17.6% of electricity consumed was from renewables in 2011, in the transport sector 3.6% of energy consumed was biofuels and in the heating sector 5% of energy consumed was from renewable sources (mainly biomass and shallow geothermal). The total of the renewable energy consumed in 2011 across the three sectors amounted to 6.5% of all energy. Our intention, in order to meet our 2020 binding targets is to increase renewable energy consumption in those sectors to 40% in the electricity sector, 10% in the transport sector and 12% in the heating sector, which together will mean our 16% overall target can be reached.

In the electricity sector, which makes the greatest contribution to our renewable energy consumption, Ireland has approximately 1900MW of renewable generation connected to the electricity grid. This consists of existing large hydro plants such as Ardnacrusha, as well as wind and biomass sourced generation. Six tender competitions were run from the mid 1990s to the mid 2000s through a scheme known as AER (Alternative Energy Requirement) to incentivise renewable generation across different technologies. This guaranteed the winning tenders 10 or 15 years of support at the winning price. Under the AER schemes, 532MW of renewable generation was built out.

In 2006 a new scheme known as REFIT was introduced. REFIT operates by guaranteeing a minimum floor price for renewable energy generation over a 15 year period. The original REFIT scheme was to cater for 1450MW of wind sourced generation, small hydro, landfill gas and biomass generated electricity. Two new REFIT schemes were introduced in 2012 – one to encourage biomass sourced generation including anaerobic digestion and combined heat and power and one to encourage wind sourced generation, small hydro and landfill gas. The REFIT and AER schemes are funded through the PSO levy that is funded by all electricity consumers.

The above is the basis for our renewable energy development to date. Separate to the above, there has been a certain level of public funding allocated to the wave and tidal energy sector in recent years. Ocean Energy was recently identified as a priority area in the research prioritisation exercise undertaken by the Department of Jobs, Enterprise and Innovation, given its potential for the development of a future industrial sector here. The development of ocean energy has been pursued in line with the 2006 Ocean Energy Strategy published by my Department.

This wave and tidal sector is still at the research and development phase and is not yet commercially viable. The Hydraulics and Maritime Research Centre (HMRC) in Cork has a wave test tank where early stage devices can be tested and has developed a systematic protocol for the scaling up and testing of wave technology. Certain third level institutions are engaged in ocean energy research across the Irish university system.

SEAI's ocean energy development unit has been engaged in a series of tasks to encourage the ocean energy sector, including through the administration of a prototype development fund of grants whereby up to 50% co-funding for scale testing and other research in the ocean area has been provided to industry. ESB has been involved in the Westwave project, which has had as a goal to install and operate wave energy converters capable of generating 5MW of clean electricity by 2015. SEAI together with the Marine Institute has been involved in the development of a wave test site in Galway Bay, where quarter scale prototypes can be tested and the Marine Institute, together with IBM has been involved in the SmartBay project, creating ICT links with the development of ocean energy.

The public funding for ocean energy to date has been focussed on research, development and demonstration as technologies in this area are not commercially viable. The public funding in this area is in anticipation of potential for a future ocean energy industrial sector and the maximisation of benefits to the Irish State and citizens in that regard in the event that the sector becomes commercially viable.

Energy Conservation

158. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if he will report on the progress of the better energy national upgrade programme in improving the energy efficiency of housing; and if he will make a statement on the matter. [43804/12]

159. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources his plans for a retrofit programme to be targeted at public buildings here which would not only reduce energy costs and increase efficiency but would also provide employment; and if he will make a statement on the matter. [43805/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 158 and 159 together.

The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Pro-

gramme, which includes Better Energy Homes, Warmer Homes and Workplaces.

Exchequer funding of €76.146 million has been allocated to the Better Energy Programme in 2012, which is projected to deliver 567GWh in energy savings this year, equivalent to energy spend of €34 million.

Better Energy Homes provides financial assistance to householders who wish to improve the energy performance of their homes. Fixed grants are provided towards the cost of a range of measures including attic insulation, wall insulation, heating systems upgrades, solar thermal panels and accompanying BER. Since the scheme commenced in March 2009 the SEAI has disbursed almost €143m in grants and supported the installation of over 333,000 such measures in 131,850 homes.

Better Energy Warmer Homes delivers a range of energy efficiency measures to households that are vulnerable to energy poverty. The scheme is managed by the SEAI and delivered through a range of Community Based Organisations (CBOs), augmented by a panel of private contractors in order to ensure national coverage. Since the commencement of the Programme in 2000 energy efficiency upgrades have been delivered to 86,302 homes amounting to €87 million in Exchequer funding.

Better Energy Workplaces evaluates new approaches for implementing sustainable energy upgrades to existing facilities in the public, commercial, industrial and community sectors. By accelerating the scale and depth of retrofit across these sectors the programme aims to create energy efficiency exemplar projects. The scheme disbursed €11 million in grants in 2011, co-financed 85 projects and supported 250 jobs. This year the Better Energy Workplaces Fund has offered support to 145 projects – 44 of which are in the public sector. This scheme has developed public sector and market competence and capacity for pay-as-you-save type models.

My Department and the SEAI have also established a comprehensive monitoring and reporting system whereby all energy usage in the Public Sector will be accounted for and progress will be systematically recorded. Last month I wrote to the head of each of the public bodies, reminding them of their obligation to report annually their energy usage to SEAI. Enclosed with each letter was the SEAI report: 'Energy Use in the Public Sector', which outlines savings achieved to date across the public sector to end-2010 amount to 650 GWh.

The public sector is estimated to spend more than €500 million per annum on energy. Achieving our 33% savings target for the public sector would save €150 million each year in expenditure. This Government remains firmly committed to meeting this target. This year SEAI has targeted the top 135 public bodies, which account for over 95% of public sector energy consumption. These organisations will submit detailed energy and activity data to SEAI. From this data detailed progress scorecards will be produced for each organisation. From 2013 on, an SEAI online energy data system will facilitate all public bodies and schools to report detailed energy data and allow SEAI to prepare detailed scorecards for all public bodies.

Finally, the recently adopted Energy Efficiency Directive will translate elements of the European Efficiency Plan into binding measures on Member States, including an annual rate of renovation for central Government buildings of 3%; an inventory of central Government buildings with a total useful floor area over certain thresholds; and an obligation on public bodies to procure products, services and buildings with high energy efficient performance. The 3% renovation target for central Government buildings represents a challenge for the Office of Public Works (OPW), however the energy savings will greatly outweigh the costs of renovation. We will work closely with the OPW over the coming months to prepare a plan for the realisation of this target.

Departmental Legal Costs

160. **Deputy Barry Cowen** asked the Minister for Communications, Energy and Natural Resources the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44062/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Provision of approximately €200,000 is made in the administrative budget of my Department to cover legal costs in 2012. Expenditure of €99,000 has been incurred from this provision to the end of September 2012.

Other legal costs can arise that are funded from the relevant programme areas within my Vote. In the time available, it was not possible to gather information on these costs. My Department is in the process of identifying and assembling the information and I will revert to the Deputy as soon as possible.

Household Charge Exemptions

161. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the position regarding the non principal private residence and household charge in respect of a person (details supplied) in County Louth; and if he will make a statement on the matter. [43662/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Household Charge) Act 2011 provides the legislative basis for the household charge. Under the Act, an owner of a residential property on the liability date of 1 January 2012 is liable to pay the household charge, unless otherwise exempted or entitled to claim a waiver. The household charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he or she has a liability and, if so, to declare that liability and pay the household charge. The household charge applies to residential property generally, including those properties that are liable to the €200 charge on non-principal private residences.

The payment date for payment of the household charge was 31 March 2012. The penalties for late payment are proportionate to the level of the household charge and are similar to the provisions that apply under Revenue legislation in respect of the late filing and payment of certain taxes. Failure to pay by the due date results in late payment interest and late payment fees.

The Local Government (Charges) Act 2009, as amended, introduced a charge on non-principal private residences. The charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties. Payment of the charge for 2012 was due on or before the 30th June 2012. However, the charge has been in place since 2009 and therefore substantial payment and late payment fees may be owed from previous years. Under the Act, it is a function of a local authority to collect non-principal private residence charges and late payment fees due to it, and all charges and late payment fees imposed and payable to a local authority are under the care and management of the local authority concerned. In this regard, application of the legislation in particular circumstances is a matter for the relevant local authority.

It should be noted that failure to declare a liability in respect of, or to fail to pay, the household charge and/or the charge on non-principal private residences, are offences. I would urge all liable parties who have not paid the household charge and/or the charge on non-principal private residences to contact their local authority as a matter of urgency. Property owners who

are unsure of their liability should, in the first instance, contact their local authority.

Local Government Reform

162. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the reason the amalgamation of South and North Tipperary county councils is being progressed, when the reality is that the savings targets will not be met and when the only reform will be less services at more cost; the savings targets that he expects; and if he will make a statement on the matter. [43587/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Work on the amalgamation of North Tipperary and South Tipperary County Councils is proceeding on foot of a Government decision in July 2011 that a unified council would be established to replace the existing local authorities by mid-2014. An Implementation Group was established in September 2011 to oversee planning, preparatory work and initial implementation of the reorganisation process. The Group submitted an Implementation Plan in June 2012, which is available on my Department's website at www.envron.ie.

The Implementation Group identified estimated savings of €6.15m per annum arising from amalgamation. The Implementation Plan proposes estimated once - off costs of €1.79m and annual costs of €0.56m arising from harmonisation of rates across both Councils. The Implementation Plan proposes that savings be thoroughly reviewed during the implementation phase and I have asked that the potential to maximise savings be examined in that context, including scope for new arrangements, efficiencies and economies of scale in the context of the unified authority.

The Implementation Plan also sets out details of a new service delivery model for a unified council which involves the streamlining of functions, while also addressing issues such as the duplication of services, maintaining local service delivery and improving council/customer interaction. I am satisfied that the amalgamation of authorities in Tipperary will provide for a more effective and coherent delivery of services, reduced administrative costs and overheads and, most importantly, stronger and more efficient local government in the county.

Water Meters Installation

163. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the number of water meters that will be installed in homes in 2014; and if he will make a statement on the matter. [43497/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Government has decided that Irish Water, a new State-owned water company to be established as an independent subsidiary within the Bord Gáis Éireann Group, will be responsible for the metering programme. In addition, the Government has recently approved the preparation of legislation to assign the necessary powers to allow Irish Water to undertake the metering programme. The objective is to have the Bill enacted by the end of this year. Pending enactment, my Department will be working with the local authorities to progress aspects of the metering programme including the carrying out of surveys of domestic connections and will also be progressing the tender documentation for elements of the meter infrastructure.

Local Authority Housing Provision

164. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding capital housing allocations in respect of County Kerry (details supplied); and if he will make a statement on the matter. [43563/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): This year I allocated some €8.643 million to Kerry County Council in respect of the various measures supported under my Department’s Social Housing Investment Programme (SHIP). In addition to this I allocated €2.606 million in respect of the Housing Adaptation Grant Schemes for Older People and People with a Disability. I recently allocated a further €420,000 to the Council for the construction of rural houses over the period 2012 – 2014. Having regard to the existing high level of commitments under the SHIP, I am not in a position to approve additional funding for Kerry County Council at this time.

Details of the amounts allocated under the various housing measures together with details of the amounts recouped to the Council by my Department are set out in the following table:

Measure	2012 Allocation	Amount Recouped*
Regeneration	€4,500,000	€1,540,932
Housing Construction	€1,480,000	€0
Capital Assistance Scheme	€1,617,250	€28,096
Energy Efficiency	€637,500	€143,586
Housing Adaptation Grants	€2,606,292	€1,716,017
IWILs/Extensions	€195,832	€0
Remedial Works	€190,000	€47,696
Travellers	€23,429	€17,067

*Recoupment period 1 January 2012 – 30 September 2012.

Local Authority Housing Issues

165. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if he will consider relaxing the rules on sub-letting properties in respect of persons who received mortgages from local authorities via the Housing Finance Agency and who are experiencing mortgage difficulties and are in negative equity. [43592/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): While the terms and conditions governing local authority loans do not prohibit an affordable home owner from renting a spare room in his/her home, a local authority may attach conditions to the contract with the purchaser pertaining to subletting of the unit and its use by the purchaser as his/her normal place of residence. A breach of contract conditions would be a matter for a local authority to pursue as it considers appropriate given the particular circumstances involved. The administration of the various affordable housing schemes is a matter entirely for local authorities.

Mortgage Resolution Processes

166. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if he will consider allowing persons who received mortgages from local authori-

ties via the Housing Finance Agency and who are experiencing mortgage difficulties and are in negative equity to take part in long-term leasing of their homes back to local authorities, as is an option for some home owners with mortgages from private institutions. [43593/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Local authorities have long been the lenders of last resort servicing the housing loans needs of less affluent members of society. In the present economic circumstances it is to be anticipated that the ability of some borrowers to service housing loans may become restricted and that a number of loans may fall into arrears. Section 34 of the Housing (Miscellaneous Provisions) Act 2009 provides local authorities with powers to deal flexibly with distressed borrowers, and they have demonstrated sensitivity over the years in dealing with such cases. In March 2010 my Department issued guidelines to local authorities, based on the Central Bank’s first Code of Conduct on Mortgage Arrears, which continued the tradition of handling arrears in a manner that is sympathetic to the needs of the particular household, while also protecting the position of the local authority concerned.

To reflect the content of the Central Bank’s revised Code of Conduct – which replaced the previous code from 1 January 2011 and was informed by the deliberations of the Expert Group on Mortgage Arrears and Personal Debt – my Department issued updated guidance in July 2012 to local authorities in consultation with the County and City Managers Association. This will further enable local authorities to provide a range of flexible repayment options for households in difficulty.

In particular, the introduction of a Mortgage Arrears Resolution Process (MARP), which closely mirrors the suite of options available in the commercial sector, will present borrowers in difficulty with a range of alternative payment agreements, which can be accessed to ease the particular circumstances of each case. This process will feature a standard set of options including, in cases of certain unsustainable mortgages, the facility of mortgage-to-rent. Local authorities have been restructuring loans for some time using their own internal practices. The introduction of these revised guidelines will standardise the approach across the whole sector, introduce a systematic structure to this area and provide borrowers with a transparent and accessible model for arrears resolution. I expect that the adoption of these revised guidelines will serve simultaneously to help resolve mortgage difficulties for both local authorities and their borrowers.

Flood Prevention Measures

167. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government the actions, if any, he has taken on foot of the recommendations in the report by the Joint Committee on Environment, Culture and the Gaeltacht entitled “Eight proposals urgently required to tackle flooding on the River Shannon, its tributaries and the waters feeding into it”; and if he will make a statement on the matter. [43612/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The recently published report of the Joint Committee on the Environment, Culture and the Gaeltacht contains a number of proposals on the issue of flooding on the river Shannon and its tributaries. The majority of the proposals come within the remit of other Departments and agencies. In relation to proposal 6, in so far as it addresses emergency management, progress has been made in recent years in addressing the specific issues mentioned in the report i.e. forecasting and communications. My Department published The Report on the Review of the Response to Exceptional Severe Weather Events of 2009-2010 in August 2011. The Report is available on my Department’s website at www.environ.ie. It describes the response to the exceptional

severe weather events of 2009-2010 and made recommendations to improve preparedness for, and resilience to, future severe weather events. Implementation of the recommendations, some of which have been completed and some which are ongoing, is coordinated and monitored by the Government Task Force on Emergency Planning.

My Department's National Directorate for Fire and Emergency Management co-ordinates the response at national level to severe weather emergencies. At local level, the Principal Response Agencies (An Garda Síochána, the HSE and Local Authorities) operate under their own Major Emergency Plans and co-ordinate their response to flooding in accordance with the 2006 Framework for Emergency Management. The Framework requires local authorities to prepare severe weather plans and flood emergency plans, as sub-plans of their Major Emergency Plan. I understand that all local authorities have Severe Weather Plans in place and, where appropriate in accordance with local risk assessment, Flood Emergency Plans. Local authorities are provided with information from a number of systems including the Public Service Weather Warnings from Met Éireann and river and coastal flood warning systems where these are in place.

Departmental Reports

168. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government when the Thornhill Teport will be published and made available to the public. [43667/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): 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 has 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 details of implementation taking into account the modalities involved including the publication of relevant material. The Government has decided that the local property tax will be collected and administered by the Revenue Commissioners.

Departmental Legal Costs

169. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44065/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Legal costs incurred by my Department arise primarily as a result of the process and outcome of litigation; there are, therefore, significant uncertainties involved in estimating such costs. Within this context, every effort is made by my Department to keep costs to a minimum through, inter alia, proper management of legal cases, use of dedicated expertise in other public bodies (Attorney General's Office (Advisory Counsel), Chief State Solicitor's Office, State Claims Agency) and competitive tendering for external legal services where these are required. It is estimated that legal costs in 2012 may be of the order of €1.7m, excluding costs associated with the Planning Tribunal.

Garda Training

170. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will confirm that 220 Gardai will be sent forward for training to operate the 22 additional evidential station based machines and if therefore 10 Gardai will be trained for each machine; the number of Gardai that will be attending the two day training course in MBRS on 16 October 2012; the date on which all others will be trained; his views on the statement that although in accordance with international standards it is recommended that there be no fewer than fifteen trained Gardai for each machine to allow for different roistering shifts that approximately 10 Gardai per machine are being forward for training to operate the additional 22 new machines in stations; and if he will make a statement on the matter. [43811/12]

Minister for Justice and Equality (Deputy Alan Shatter): In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

Garda Resources

171. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the number of sniffer dogs that the Gardaí have at their disposal; and if he will make a statement on the matter. [43498/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Garda authorities that there are currently twenty-four dogs attached to the Garda Dog Unit which undertakes a wide range of tasks, including drugs and explosives detection, victim location and search duties.

Citizenship Applications

172. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding an Irish passport in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43539/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person referred to by the Deputy in June, 2012.

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.

If the applicant is granted a certificate of naturalisation then he can make an application for an Irish passport to the Passport Office.

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.

Garda Resources

173. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his views on whether the Gardaí are under resourced to deal with the problem of gun violence on our streets; and if he will make a statement on the matter. [43571/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am in ongoing contact with the Garda Commissioner about all aspects of serious crime and the Gardaí will continue to bear down heavily on the activities of those involved in armed and gangland crime. That is clear from the extent of the Garda operations launched against gangs as well as the many drug seizures that have taken place in recent months and weeks.

I should also mention the more recently released recorded crime statistics, which show that most categories of crime are in fact falling, which also reflects well on the work of An Garda Síochána. These figures showed that in the 12 month period to end June, murder had decreased by 8% and assault offences were down by 9.7%.

We should not underestimate the difficulties the Gardaí face in trying to prevent gangland killings and related crimes and in bringing the perpetrators to justice. These crimes are carefully planned and are carried out by people who are very familiar with criminal and forensic investigation techniques. Moreover, even where members of gangs are clearly at risk not only will they generally not cooperate with Gardaí but, in fact, they will do everything they can to avoid Garda attention.

Despite the difficulties which they encounter, we should remember that week in week out the Gardaí are successfully bringing people involved in gangland activities before the Courts, disrupting their activities, making seizures and securing convictions. Thanks to these operations a substantial number are presently serving sentences in prison.

It is misleading to characterise this as a question of resources. There has been gang and gun violence for some time in Ireland, and the number of murders was in fact higher when Garda numbers were higher than they are now. Despite the constraints on public finances, substantial Garda resources remain in place and these must be seen in the context of the programme of real reform which is being delivered in An Garda Síochána under the Croke Park Agreement. The Garda Commissioner and the members of the Force have my full support in continuing to confront gangland violence and criminality and in bringing those involved to justice.

Garda Operations

174. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the steps the Gardaí in a town (details supplied) in County Meath are taking to reduce the levels of burglaries; and if he will make a statement on the matter. [43584/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the area referred to is within the Dunboyne Garda Sub-District, which forms

part of the Ashbourne Garda District.

The Deputy will be aware that the Garda Commissioner has put Operation Fiacla in place in order to address incidents of burglary, aggravated burglaries and related offences throughout the country. Operation Fiacla is intelligence driven and specific burglary initiatives have been implemented in each Garda Region to target suspect offenders. I am informed that over 1,700 persons have been arrested and that almost 1,000 persons have been charged in the first six months of the Operation, reflecting the substantial efforts being made by the Gardaí to tackle those involved in burglary and property crimes in all parts of the country.

I am further informed that the area referred to by the Deputy is subject to patrols by local and district uniform and plain clothes personnel, supplemented as necessary by Divisional plain clothes personnel, the Divisional Traffic Corps and Regional Support Units. Local Garda management closely monitors such patrols, and other operational strategies in place, in conjunction with crime trends and policing needs of the communities in the area to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public.

An Garda Síochána also places great emphasis on the importance of the partnership between An Garda Síochána and the community in preventing and detecting crime, and maintaining a safe environment for everyone. In this regard, the Garda Commissioner recently launched the second national public awareness week this year under the ‘Garda Supporting Safer Communities Campaign’. This important campaign highlights a range of key issues, in particular burglary prevention information and advice, to operate alongside targeted policing responses to burglary.

I am further advised that, while the situation is being kept under review, Garda management is satisfied that a comprehensive policing service is being delivered to the residents of the area referred to.

Garda Investigations

175. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality the action the State is taking in response to the action of a person (details supplied) who placed himself beyond the reach of Gardaí by getting residential status in Brazil; and if he will make a statement on the matter. [43602/12]

176. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality if he will seek a bilateral extradition treaty with Brazil; and if he will make a statement on the matter. [43603/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 175 and 176 together.

I am informed by the Garda authorities that a comprehensive investigation file in relation to this matter was forwarded to the Director of Public Prosecutions (DPP).

I am further informed that investigating Gardaí continue to liaise with the DPP and this investigation remains ongoing.

It will be appreciated that it is not the practice to comment publicly on actions being taken or which are contemplated to secure the return of persons in relation to criminal proceedings as to do so could be counterproductive.

Asylum Seeker Accommodation

177. **Deputy Michael McNamara** asked the Minister for Justice and Equality the number of asylum seekers that have died while living in direct provision centres over the past 12 years; the year in which each died; their respective ages at the time of their deaths and the respective cause of their deaths; and if he will make a statement on the matter. [43669/12]

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

The collation of statistics on deaths of all asylum seekers living in direct provision commenced only in 2002. During the period 2002 to date, there have been 53 deaths of asylum seekers who were residing in direct provision accommodation prior to their deaths.

While RIA may have general knowledge of the cause of death - perhaps by way of information arising from the specified medical needs of the resident concerned prior to his or her death - it does not, indeed cannot, hold or have access to death certificates. In most cases, the deaths would have occurred outside the asylum centres themselves e.g. in hospitals. If the HSE or a Coroner were to raise an issue relating to the accommodation in which a deceased person lived prior to their death - and this has never happened - then RIA would respond accordingly. Where information is provided to centre managers by relatives or friends of the deceased, this is recorded by RIA and indicates that the causes of death ranged from cancers, heart conditions to traffic accidents and, in the case of deaths of children under the age of five, it is believed that a number were suspected cot deaths and still births. Given previous misinterpretations of statistics provided in this respect, it is important to say that only one of these deaths can with certainty be said to be a suicide and that involved a newly arrived asylum seeker taking his own life in 2008 while in hospital.

The number of asylum seekers who died while being provided with accommodation by RIA in direct provision centres and an age breakdown for those persons are set out as follows.

Year	Number of deaths	Age Range	Number
2002	6	0 - 5 yrs	13
2003	8	6 - 10 yrs	0
2004	3	11 - 15 yrs	0
2005	6	16 - 20 yrs	4
2006	4	21 - 25 yrs	3
2007	8	26 - 30 yrs	6
2008	7	31 - 35 yrs	9
2009	1	36 - 40 yrs	5
2010	6	41 - 45 yrs	3
2011	1	46 - 50 yrs	5
2012 *	3	51 - 55 yrs	3
Total	53	56 - 60 yrs	2
		Total	53

* To date in 2012

While all of these deaths are, of course, tragic, RIA has provided accommodation for over

50,000 persons over the course of the twelve years the direct provision policy has been in place, and the numbers of deaths need to be viewed proportionately and against this background.

It needs to be recorded that the above relates only to asylum seekers living in the Direct Provision system. Some asylum seekers choose not to avail of the Direct Provision system and stay with friends or relatives. It is possible that, during the period in question, there could have been deaths among this cohort but such data is not available to RIA.

Deportation Orders

178. **Deputy Michael McNamara** asked the Minister for Justice and Equality the number of Irish citizen minors that accompanied parents or other family members on deportation flights; the years in which those deportations took place; the number per year; and if he will make a statement on the matter. [43670/12]

179. **Deputy Michael McNamara** asked the Minister for Justice and Equality the number of Irish citizen minors who accompanied parents on deportation flights who still reside outside of Ireland; the countries in which they reside; the numbers in any country; if his officials are aware of the educational facilities of which they may avail; and if he will make a statement on the matter. [43675/12]

180. **Deputy Michael McNamara** asked the Minister for Justice and Equality the number of Irish citizens minors who accompanied parents on deportation flights who have since died; the country in which they died and their cause of death; and if he will make a statement on the matter. [43676/12]

182. **Deputy Michael McNamara** asked the Minister for Justice and Equality if persons were forcibly restrained, handcuffed or otherwise bound on deportation flights which left Ireland on which Irish citizens' minors travelled; the years in which those deportations took place; the numbers of flights on which this occurred in any year; the destination of the Irish citizens on board; and if he will make a statement on the matter. [43782/12]

183. **Deputy Michael McNamara** asked the Minister for Justice and Equality if any Irish citizens minors were forcibly restrained, handcuffed or otherwise bound on deportation flights which left Ireland; the years in which those deportations took place; the number of such incidences in any year in which it occurred; the destination of the Irish citizens on board; and if he will make a statement on the matter. [43783/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 178 to 180, inclusive, 182 and 183 together.

I am advised by the Irish Naturalisation and Immigration Service (INIS) that the records that are readily available and accessible indicated that in the period 2008 to 2012, a total of 672 persons were deported from the State in accordance with law on deportation flights. 198 of these were minors who in all cases were accompanied by their parents or guardians. It is not possible to indicate how many of these were Irish citizen children; however the likelihood is that the number was small. It is also important to note that Deportation Orders are not issued in respect of Irish citizen children and that when they leave the State they do so in the company of their parents and/or guardians. These flights are either charter flights arranged by INIS or through shared arrangements organised through the FRONTEX network which is an EU organisation established to coordinate repatriation activities between EU countries to ensure that humanitarian standards are met and to maximise efficiency and cost-effectiveness in joint return operations. Destination countries include Nigeria, Dr. Congo, Pakistan, Sierra Leone,

Georgia, Russia and Ghana. Other statistics and information of the nature sought by the Deputy are not maintained by my Department. In any event, my Department would not be aware of the circumstances of persons once they have been repatriated to their country of origin.

Enforcement of the law in relation to deportations is an operational matter for An Garda Síochána and is exercised by the Garda National Immigration Bureau (GNIB). I am advised that the GNIB operate a policy of zero restraint on all persons being deported and that the question of restraining persons only arises in the context of maintaining public safety, is always proportional and is a relatively rare event. The safety of all persons in these situations is of paramount importance and in this regard I would be anxious to hear from the Deputy if he has any specific situation in mind.

I might add that persons who are illegally in the State are required by law to remove themselves. Many persons/families comply with the law and opt for voluntary return. In these circumstances, every effort is made to assist the persons involved including support offered through the International Organisation for Migration (IOM) such as payment of travel costs and a contribution to enable the person or family get resettled in their native country.

Garda Transport Expenditure

181. **Deputy Robert Troy** asked the Minister for Justice and Equality if he will identify the money his Department has spent on refurbishing patrol cars in the past 18 months and the life span that was remaining on each patrol car that was refurbished. [43681/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Commissioner is the Accounting Officer for the Garda Vote. In that context I am advised by the Garda authorities that expenditure on the maintenance of the Garda fleet over the last 18 months amounted to approximately €14 million. I am further advised that the information requested in relation to the remaining life span of each vehicle which underwent maintenance work is not readily available and that the extraction of such data would require the use of a disproportionate amount of Garda resources which are required for other purposes.

Questions Nos. 182 and 183 answered with Question No. 178.

Garda Vetting of Personnel

184. **Deputy John Browne** asked the Minister for Justice and Equality the number of vetting applications received by the Garda Central Vetting Unit from sports organisations receiving funding for the Irish Sports Council for 2010, 2011 and to date in 2012; and if he will make a statement on the matter. [43789/12]

185. **Deputy John Browne** asked the Minister for Justice and Equality the number of sporting organisations in receipt of funding for the Irish Sports Council that are availing of vetting services for the Garda Central Vetting Unit; and if he will make a statement on the matter. [43790/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 184 and 185 together.

The Deputy may wish to note that the Garda Central Vetting Unit (GCVU) provides a vet-

ting service for sporting organisations including the GAA, FAI, IRFU, SWIM Ireland, Irish Athletics Association, Irish Boxing Association, The Irish Pony Club and Basketball Ireland. However, the GCVU is not in a position to comment on which of these organisations receives funding from the Irish Sports Council as it is not in possession of such information.

Courts Service Issues

186. **Deputy Pat Deering** asked the Minister for Justice and Equality when will a new Court Messenger be appointed in Carlow. [43806/12]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions and court messengers are members of staff of the Courts Service. However, in order to be of assistance to the Deputy, I have made enquiries and the Courts Service has informed me that following a review of current structures and receipt of sanction from the Department of Public Expenditure and Reform to fill a number of posts, a competition is in progress to appoint a Court Messenger who will cover Wexford and Carlow. The Courts Service expects an appointment to be made in the near future.

Road Traffic Offences

187. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality since the new lower drink driving limit was introduced in October 2011, the number of drivers, having failed the preliminary roadside breathalyser test at Garda checkpoints or having failed after being involved in a fatal or serious crash, and taken to a Garda station for the second test were not tested there using the new evidential machines because no Garda on duty trained in operating this machine; if he will provide a breakdown by district in this regard; the number of occasions on which a doctor was requested to attend a station to take a blood or urine sample in each of these cases; the number of occasions on which a doctor was unavailable to attend the station and the name of stations where this occurred; the number of occasions on which a doctor did attend but could not conduct a test within the three hour time limit and the name of the stations involved; the number of drivers having failed the preliminary roadside test left the station untested and the name of the stations involved; the number of tests carried out by doctors in stations that were forwarded to MBRS on a station basis; and if he will make a statement on the matter. [43809/12]

Minister for Justice and Equality (Deputy Alan Shatter): In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will be in contact with the Deputy when the information is to hand.

Garda Deployment

188. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of divisions currently without a Garda Crime Prevention Officer; the length of time each position has been vacant; and if he will make a statement on the matter. [43821/12]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that the Commissioner is responsible for the detailed allocation of resources, including personnel,

throughout the organisation and I have no direct function in the matter. This allocation of resources is constantly monitored in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

I have been informed by the Garda Commissioner that the Crime Prevention Officer positions in the Tipperary and Kilkenny Divisions have been vacant since 2010 and the positions in the Dublin Metropolitan Region East and Kerry Garda Divisions are vacant since earlier this year. As pointed out above, the matter is kept under constant review by the Commissioner.

Drug Seizures

189. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will provide details of the number of drug seizures in Dublin for the years 2010, 2011 and to date in 2012; the quantity, type and value of drug seizures involved; and if he will make a statement on the matter. [43822/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that it is not possible to provide data of the detail being sought in the time available for reply.

I have requested the Garda authorities to provide data as requested as soon as it becomes available and I will arrange for all available information to be forwarded to the Deputy upon receipt.

Garda Resources

190. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he has received any request from the Garda Commissioner regarding funding to purchase additional boats for the Garda Water Unit; and if he will make a statement on the matter. [43823/12]

Minister for Justice and Equality (Deputy Alan Shatter): The provision of Garda equipment, including boats, is a matter for the Garda Commissioner in the light of his identified operational requirements. I have no direct function in this area.

Garda management closely monitors the allocation of resources to ensure that they are deployed to best advantage. In that context the Garda authorities have advised me that currently they have no plans to purchase additional boats for the Garda Water Unit which has a total of twelve boats at present.

Departmental Legal Costs

191. **Deputy Barry Cowen** asked the Minister for Justice and Equality the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44070/12]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that the total cost incurred by my Department for legal services from 1 January to 30 September 2012 is approximately €4,740,000. It is not possible to predict the expected total outlay for the remainder of 2012 as legal costs have still to be decided by the courts or submitted for payment.

As the Deputy is aware, a drive to reduce expenditure and increase efficiency across all government Departments is being led by my colleague Minister Brendan Howlin in the Department of Public Expenditure and Reform. The Government has decided to undertake a comprehensive review of the level of public spending on legal services, and the manner in which public bodies procure those services. This review covers both direct employment of solicitors, engaging solicitors or barristers for particular cases and other related items of expenditure that arise from time to time. The review is currently underway and is being led by the Department of Public Expenditure and Reform.

The Legal Services Regulation Bill currently before the Oireachtas, makes provision, mainly in Part 9, for a new legal costs regime which will bring greater transparency to how legal costs are charged with greater balance between the interests of legal practitioners and those clients who avail of their services - including Government departments. The Bill also sets out, for the first time in legislation, a series of Legal Costs Principles. These are contained in Schedule 1 and enumerate the various matters that may be taken into account if disputed costs are submitted for adjudication. For the first time, these cost transparency measures will apply to barristers as well as to solicitors.

Under the Bill it will no longer be permissible to set fees as a specified percentage or proportion of damages payable to a client from contentious business. It will no longer be permissible to charge Junior Counsel fees as a specified percentage or proportion of Senior Counsel fees. Legal practitioners will now be obliged to provide more detailed information about legal costs from the outset of their dealings with clients. This will be in the form of a Notice which must be provided when a legal practitioner takes instructions. Among other things, it must disclose the costs involved, or, where this is not practicable, the basis upon which costs are to be calculated with a cooling-off period for consideration by the client. When there are any significant developments in a case which give rise to further costs the client must be duly updated and given the option of whether or not to proceed with the case in question.

The Bill also provides that a new Office of the Legal Costs Adjudicator will deal with disputes about legal costs – at present these are dealt with by the Office of the Taxing-Master. The new Office, headed by a Chief Legal Costs Adjudicator, will modernise the way disputed legal costs are adjudicated. The Office will be empowered to prepare Legal Costs Guidelines for the guidance of Legal Costs Adjudicators, legal practitioners and the public and these will be published. It will establish and maintain a Register of Determinations which will include the outcomes and reasons for its determinations about disputed legal costs and these will be made public.

I am confident that both the outcome of the comprehensive review of the level of public spending on legal service, currently underway in the Department of Expenditure and Reform, and the relevant provisions contained in the Legal Services Regulation Bill, will establish the general framework wherein legal services can be procured by the State at best value as well as the transparency required to facilitate the ongoing management and control of legal costs by my Department and, indeed, the State.

Defence Forces Operations

192. **Deputy Michael Healy-Rae** asked the Minister for Defence the number of sniffer dogs the army has at their disposal.; and if he will make a statement on the matter. [43519/12]

Minister for Defence (Deputy Alan Shatter): I am informed by the military authorities that the Defence Forces do not have any sniffer dogs at their disposal.

Defence Forces Personnel

193. **Deputy Michael Healy-Rae** asked the Minister for Defence his views on the fact that the PDFORRE, the representative association for soldiers, sailors, and aircrew, has recently outlined their opposition to further cuts to their members in view of the fact that their pay has already been reduced by 20 percent due to cuts in the past couple of years; and if he will make a statement on the matter. [43549/12]

Minister for Defence (Deputy Alan Shatter): Robust systems are in place within the Defence Organisation to ensure that issues of concern to members of the Defence Forces, including PDFORRA members, are brought to my attention, as appropriate. My officials meet regularly with PDFORRA in relation to Croke Park implementation. They also meet regularly in various committee and council meetings under the Defence Forces Conciliation and Arbitration Scheme. At these meetings PDFORRA raise issues of concern to their members, including that of pay. I am regularly briefed by my officials and by the military authorities including on ongoing progress on the modernisation agenda and the issues and concerns of PDFORRA. I wish to acknowledge the robust, positive and constructive engagement of PDFORRA, on behalf of their members, under the provisions of the Croke Park Agreement and to advise that PDFORRA also clearly articulated such concerns at their recent ADC at which the Minister of State for Defence, Mr. Paul Kehoe, T.D, and officials of my Department were present.

Defence Forces Retirement Scheme

194. **Deputy Thomas P. Broughan** asked the Minister for Defence the number of Defence Forces Personnel by rank that have retired to date in 2012; the number of personnel by rank that have indicated that they will retire before end of 2012; and if he will make a statement on the matter. [43818/12]

Minister for Defence (Deputy Alan Shatter): The number of personnel who left the Defence Forces in the period 1 January 2012 to 8 October 2012 was 682. A detailed breakdown of these personnel by rank is contained in the table below. One Captain and 1 Lt. Colonel have indicated that they intend to leave the Defence Forces before the end of 2012.

Defence Forces Discharges by Rank 1 January to 8 October 2012

Rank	Count
Maj Gen	
Brig Gen	2
Col	8
Lt Col	13
Comdt	29
Capt	9
Lt	1
Total Officers	62
Sgt Maj	6
BQMS	2
CS	34
CQMS	34
Sgt	110

Rank	Count
Cpl	107
Pte	325
Total Enlisted Personnel	618
Cadets	2
Total Discharges	682

Departmental Legal Costs

195. **Deputy Barry Cowen** asked the Minister for Defence the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44063/12]

Minister for Defence (Deputy Alan Shatter): The main requirement for legal services in my Department is in the context of litigation, usually in the form of judicial review and personal injury proceedings. The Chief State Solicitor's Office is responsible for the costs of the State's legal teams in cases that it manages on behalf of the Department. External legal costs incurred by the State Claims Agency arising from the defence of any claims managed by the Agency for the Department are refunded to the Agency by the Department. In addition, the Department may pay plaintiffs legal costs as part of awards and settlements.

Many of the factors that determine the amount or timing of legal costs that fall for payment lie outside of the control of the Department. These include the timing of court hearings, the progress of cases, and the number, value and timing of awards and settlements.

The expenditure on legal costs to date in 2012 amounts to €2.3 million. As the amount and timing of legal costs falling for payment is often determined by factors outside of the Department's direct control, it is not possible at this point to accurately forecast total expenditure for the year.

Afforestation Programme

196. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if forestry grants for the plantation of trees will continue into the future; and if he will make a statement on the matter. [43517/12]

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. 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.

Disadvantaged Areas Scheme Applications

197. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding an area based payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43518/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An applica-

tion under the 2012 Disadvantaged Areas Scheme was received from the person named on 10 April 2012, processing of which has recently been completed. Payment will, therefore, issue shortly to the nominated bank account of the person named.

Agriculture Schemes Appeals

198. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine if a review was requested in respect of a single farm penalty appeal on behalf of a person (details supplied) in County Tipperary; and if so, the outcome of this review; and if he will make a statement on the matter. [43540/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named requested a review of a decision to impose a 3% penalty arising from a contravention of the Nitrates Regulations. The outcome of the review was to uphold the original decision which was notified to the person concerned on 8 February 2012. The person was also informed of the right to appeal the outcome of the review to the Independent Agriculture Appeals Office within 3 months of the date of the review. My Department understands that an appeal has not been received by the Agriculture Appeals Office.

If the Director of Appeals considers that there are exceptional circumstances, a late appeal may be accepted for consideration. Accordingly, if the person concerned wishes to pursue this avenue, an application should be made to the Director of Appeals, Agriculture Appeals Office, Kilminchy Court, Portlaoise, (www.agriappeals.gov.ie) outlining the circumstances and enclosing all relevant documentation. The outcome of this process can be appealed to the Office of the Ombudsman.

Disadvantaged Areas Scheme Payments

199. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if a disadvantaged payment was issued to a person (details supplied) in County Kerry. [43541/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment issued to the nominated bank account of the person named on 26 September 2012.

Agri-Environment Options Scheme Conditions

200. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if grant aid will continue into the future for environmental programmes for hedge planting and tree planting (details supplied); and if he will make a statement on the matter. [43566/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have decided that the re-opened Agri-Environment Options Scheme will operate largely on the same basis as in previous years and that the same measures and rates of payment will be available, including the measures providing for hedgerow and tree planting.

Agriculture Schemes Payments

201. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine

his views on the fact that it has been estimated that farmers face an extra €120 million bill because of bad weather this summer; his further views on whether the bringing forward of payments to farmers that they were already entitled to is not a solution to the major deficit the farmers will see in their income; and if he will make a statement on the matter. [43573/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am conscious of the significant problems and pressures that this summer's heavy rainfall has caused for farmers. I am conscious that farmers need money in their hands because of the poor summer and because of cash flow problems some of them are experiencing at the moment. I am responding to these pressures within the funds available to me. I recently announced the reopening of the Agri-Environment Options Scheme, AEOS, to new entrants. I am providing €20 million for AEOS, which will open shortly for applications. The scheme will build on the success of the Rural Environment Protection Scheme (REPS) and both AEOS 1 and 2 in delivering an annual income to farmers in return for farming to high environmental standards. A maximum payment of €4,000 per annum will apply to individual applicants under the reopened scheme. As the average payment in the past has been lower than the maximum payment, I am confident that up to 6,000 new participants can be accepted into the scheme. I have received EU approval for the advance payment of the 2012 Single Farm Payment. This will enable payment to issue immediately following 15 October and will represent the early payment of some €600 million to farmers.

I fully appreciate the value and importance of the other scheme payments to farmers. I remain committed to ensuring the maximum numbers are paid at the earliest possible date, mindful of the overriding necessity to ensure compliance with the governing EU requirements. Payments worth €161 million under the Disadvantaged Area Scheme began on 26 September last. This funding will provide a boost to the rural economy and will benefit all areas of the country. It is too early to estimate at this stage the level of total payments which will be made under this scheme in 2012 because an issue relating to qualification criteria is working through the system. REPS payments are up to date. A total of €64 million has been paid out to date. I envisage that a further €121 million will be spent by the end of 2012. AEOS payments are well advanced and continue to issue as quickly as possible. Some €23 million has been paid to date. I expect that a further €34 million will be paid out before the end of 2012. My intention is to ensure that payments in respect of 2012 are made on the earliest possible date. Teagasc has been very active in providing advice and assistance for farmers affected by the bad weather. All Teagasc offices are taking calls from concerned farmers. A series of public meetings were held across the country in September to address fodder, financial and social aspects of weather crisis. Weather clinics were also held in all Teagasc offices. Newsletters and media articles were prepared to outline the options open to farmers who are facing difficulties.

Agriculture Schemes Payments

202. **Deputy Áine Collins** asked the Minister for Agriculture, Food and the Marine when disadvantaged payments and first instalment of single payment will be made to a person (details supplied) in County Cork [43657/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2012 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 11 May 2012, processing of which is now complete. Payment under the Disadvantaged Areas Scheme will, therefore, issue shortly. Payment of the 50% advance under the 2012 Single Payment Scheme is due to commence on 16 October, with balancing payments scheduled to begin on 1 December. The person named is scheduled to be included with the

initial tranche of advance payments.

Disadvantaged Areas Scheme Payments

203. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Galway has not received their disadvantaged area scheme payment; the reason for the delay; and if he will make a statement on the matter. [43680/12]

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 10 May 2012, processing of which has recently been completed. Payment has issued on 9 October directly 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 when a payment (details supplied) in County Galway will be paid their disadvantaged area payment; the reason for the delay; and if he will make a statement on the matter. [43682/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment issued on 9 October to the nominated bank account of the person named.

Disadvantaged Areas Scheme Payments

205. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will receive their disadvantaged area scheme payment; the reason for the delay; and if he will make a statement on the matter. [43683/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment issued on 9 October to the nominated bank account of the person named.

Disadvantaged Areas Scheme Payments

206. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will receive their disadvantaged area scheme payment; the reason for the delay; and if he will make a statement on the matter. [43684/12]

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.

Disadvantaged Areas Scheme Payments

207. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be granted their 2012 disadvantaged area based payment; and if he will make a statement on the matter. [43759/12]

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 14 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.

Departmental Staff Numbers

208. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine in view of the suspension in 2009 in accepting new applications to many farm schemes including REP scheme, installation aid and early retirement scheme, the reductions in administrative and inspection staff in the years 2010 and 2011. [43764/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department manages staff numbers and their assignment on an on-going basis to ensure the most effective and efficient delivery of services. Restructuring has been a feature of my Department since early 2005 and overall staff numbers have reduced by some 1,500 full time equivalent (FTE) staff in that period. Assessments of needs and the assignment of resources take account of a range of factors such as the workload under existing schemes and services, including those schemes that may be closed to new applicants, the implementation of new schemes, the level of inspections required under EU regulations, food safety and other regulatory obligations and, in recent years, the changes in staff levels and work practices arising from the rationalisation of local offices. The Department must also have regard to the moratorium on recruitment and promotion and the constraints imposed by overall staff numbers as set out in the employment control framework.

Staff numbers in the Department fell by 249 and 107 in 2010 and 2011 respectively.

Coillte Teoranta Lands

209. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the position regarding the future of Donadea Forest Park, County Kildare with particular reference to the locally supported and preferred options for the development of the park and its historical buildings as an amenity; and if he will make a statement on the matter. [43771/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am aware that Donadea Forest Park is an important recreational amenity in North Kildare. The park is owned by Coillte which is cognisant of the important resource that the park provides for the local community and visitors to the area. Coillte Teoranta was established as a private commercial company under the Forestry Act, 1988 and day-to-day operational matters, such as mentioned by the Deputy, are the responsibility of the company.

I have however made enquiries with Coillte on the matter and I understand that Coillte has

had informal discussions with local community representatives about further potential developments in Donadea Forest Park. However, Coillte has not had any formal proposal from local representatives in relation to these potential developments.

Fur Farming

210. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine if either he or the Minister for State have met representatives from the fur farming industry; if so, the date on which the meeting took place; and the outcome of that meeting. [43795/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I met briefly with some fur farmers whilst on a visit to the North West and Minister of State, Mr Shane McEntee TD, had another meeting at the request of an Oireachtas member where the farmers put forward their case for the retention of the fur industry in Ireland. Separately, my officials would have met with a number of parties and individuals in preparation of the report on fur farming.

Agri-Environment Options Scheme Payments

211. **Deputy Patrick O’Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding an agri environment option scheme application in respect of a person (details supplied) in County Limerick. [43803/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1st September 2011 and has received full payment totalling €1,308.32 in respect of 2011.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check of all applications, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. This process is well advanced in respect of the 2012 scheme year and I expect that payments will commence before the end of the year.

Disadvantaged Areas Scheme Payments

212. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine the reason a reduced amount was paid to a person (details supplied) in County Tipperary under the disadvantaged area scheme; and if he will make a statement on the matter. [43808/12]

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.

A reduced payment issued to the nominated bank account of the person named on 26 September 2012, as a result of the application of the differential rate of aid. Following clarification regarding the location of the farm hub on the holding, the case is being further processed with a view to a balancing payment issuing as soon as possible.

Single Payment Scheme Eligibility

213. **Deputy John Deasy** asked the Minister for Agriculture, Food and the Marine if he will detail the way the calculation is made for determining the area base for persons with mountain acreage for the purpose of the single farm payment. [43826/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As a general principle, under the Single Payment Scheme, the general rules for determining eligible areas, which are set out below, apply also to mountain acreage.

In order for farmers to draw down payment in respect of their SPS entitlements, they are required to have an “eligible hectare” to accompany each payment entitlement held by them. The conditions governing the eligibility of land are outlined clearly by my Department in the Terms and Condition of the Scheme. In this context, an “eligible hectare” is land that is used for an agricultural activity and includes land used to grow cereals, oilseeds, short rotation coppice, miscanthus sinensis, protein crops, sugar beet, maize, fodder beet, turnips, mangolds, kale, vegetables, potatoes, grass for silage or hay or grazing. REPS areas such as newly created habitats under option 4a of REPS 3 and REPS 4, areas under linnet and riparian zones are also eligible for SPS.

For land to be eligible, a number of further conditions have to be complied with, namely:

- The land must be used and managed by the applicant. The land must be suitable for and compatible with the farming enterprise;
- There must be independent and suitable access for animals and/or machinery. Independent access means access by public or private roadway or by a defined right of way. Access over adjoining landowners land, or over land which is subject to a lease or rental agreement to another person, is not acceptable;
- There must be appropriate fencing for the farming enterprise. Appropriate fencing means stockproof fencing that will control the applicant’s animals and also the neighbouring farmer’s animals. In mountain/hill areas this generally means sheep fencing;
- There must be defined external boundaries except in the case of commonage;
- If at inspection the applicant claims to be farming the land with animals then the type of animals must be appropriate to the land and there must be appropriate handling facilities available to meet the animals’ welfare requirements.
- The releasing of animals onto a parcel without conducting the normal husbandry and welfare practices throughout the year does not satisfy the requirement of an agricultural activity and will be deemed to be in breach of Article 30 of Council Regulation 73/2009
- There must be evidence of an agricultural activity being conducted throughout the parcel, otherwise the unused part of the parcel may be found to be ineligible. This can arise where the stocking rate is too low.

Departmental Legal Costs

214. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44059/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The provision in the Department's Vote for legal costs in 2012 is €3.536 million. Considering the wide range of activities and services that the Department is involved in, it is prudent management to make budgetary provision for such costs. The level of expenditure actually incurred under this heading in any one year is largely outside of the Department's control. My Department endeavours to minimise costs by defending any actions brought against it. In addition, where the Department loses a case, the legal costs awarded against it are carefully assessed by the cost accountants in the Chief State Solicitors' Office or sent for taxation before the taxing master.

Croke Park Agreement Implementation

215. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she will provide the details of any work practices negotiated under the terms of the Croke Park Agreement with welfare officers through their union; the date on which such changes were implemented; the savings that resulted from any changes; and if she will make a statement on the matter. [43632/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The National Educational Welfare Board (NEWB), which operates under the auspices of my Department, has a statutory remit to ensure that '*each child attends a recognised school or otherwise receives a certain minimum education*'. The Education Welfare Service, and its network of Education Welfare Officers (EWOs), is a key resource for the Board in delivering on this statutory remit.

The Board's remit was extended by Government in 2009 to include strategic and operational responsibility for the School Completion Programme and the Home School Community Liaison Scheme. Under this extended remit the Board was tasked with developing a single strategic approach to attendance, participation and retention in the education system. In working to deliver this integrated approach to school support services the Board is committed to the principle of "*One Child, One Team, One Plan*". This integration process is a core element of the NEWB work practice reforms being negotiated under the Croke Park Implementation Plan.

I am advised by the Board that the integration project itself involves a large scale change management process, a formalised structured project management approach and the development of a model of integrated work practice for all of the services, including the Education Welfare Service. The project is being progressed towards implementation in consultation with all relevant stakeholders including staff-side representatives.

I am further advised by the Board that as a new model of integrated working is rolled out over 2012/2013, it will lead to operational efficiencies and it will take a significant step forward in realising the Board's goal for an integrated delivery of service to support improved educational outcomes for children.

Inter-Country Adoptions

216. **Deputy Shane Ross** asked the Minister for Children and Youth Affairs if she will provide an update on the stage of negotiations regarding the Russian bilateral; and if she will make a statement on the matter. [43792/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Adoptions from Russia, effected under the transitional arrangements provided for in the Adoption Act 2010, are ongoing and are currently being examined, and recognised, by the Adoption Authority of

Ireland (AAI). Under the provisions of the legislation, such adoptions may take place up to the end of October 2013.

As regards adoptions thereafter, Russia has not ratified the Hague Convention; therefore, future adoptions from Russia, beyond those provided for under the transitional arrangements, may only be possible under a bilateral agreement. The negotiation of bilateral agreements on intercountry adoption with states who have not ratified the Hague Convention is governed by Section 73 of the Adoption Act 2010. Any bilateral arrangements which might be entered into would be required by law to meet the minimum standards set out in the Hague Convention.

It is the role of the Adoption Authority to make an assessment of whether the intercountry adoption legislation and practices in a non-contracting state, in this case Russia, are in compliance with both Irish legislation and the principles of the Hague Convention. As part of this assessment the Adoption Authority has reviewed a draft bilateral agreement presented to it during previous discussions with its Russian counterparts and has provided me with an initial assessment in this regard. I have asked the Adoption Authority to have further exploratory talks with the Russian authorities focussing on areas of concern in order that the Authority may progress its assessment of the situation and provide a definitive recommendation to me on the feasibility of formally opening discussion with the Russian Federation under Section 73 of the Adoption Act 2010.

Further information on intercountry adoption from Russia can be found on the Adoption Authority website (www.aai.gov.ie).

Child Care Services

217. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs if she will list the residential child care centres in Health Service Executive Dublin North East; the number of young persons in each of these centres; and if she will make a statement on the matter. [43819/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service issue, I have asked the Health Service Executive to provide me with the information sought. I will respond to the Deputy on receipt of this information.

Departmental Legal Costs

218. **Deputy Barry Cowen** asked the Minister for Children and Youth Affairs the expected total legal costs to be incurred in her Department in 2012; her proposals to reduce these costs [44061/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Expenditure incurred by my Department on legal costs to date in 2012 amounts to €78,000. Such costs relate to settlements in respect of legal actions involving the Department, and the provision of legal advice. It is not anticipated that further significant legal costs will arise in 2012. However if notified of any such costs my Department will endeavour to settle same from within current resources.

Medical Card Appeals

219. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card review in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43520/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Card Applications

220. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43521/12]

Minister of State at the Department of Health (Deputy Alex White): 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

221. **Deputy Michael McGrath** asked the Minister for Health if he will provide a detailed history of the Health Service Executive's plan to develop a primary care centre in Carrigaline, County Cork, including details of the original ranking of Carrigaline on the HSE's priority list; and if the ranking changed when the criteria for the selection of primary care centre locations was amended. [43511/12]

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.

Medical Card Applications

222. **Deputy Pat Deering** asked the Minister for Health when persons (details supplied) in County Carlow will receive a decision on their medical card application; and if he expedite a response [43512/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Card Eligibility

223. **Deputy Tom Fleming** asked the Minister for Health if persons who are eligible for medical cards/general practitioner visit cards and through no fault of their own incurred medical costs which should have been covered by the medical card/GP visit card scheme, are now entitled to claim a refund for medical expenses incurred due to a Health Service Executive delay or mix up; the process for making a claim; and if he will make a statement on the matter. [43516/12]

Minister of State at the Department of Health (Deputy Alex White): Since 1 July 2011,

the Primary Care Reimbursement Service (PCRS) is responsible for the national administration of the Medical Card/GP Visit Card schemes. If persons feel they have an entitlement to a refund, they should submit all relevant receipts to the Customer Relations Management Unit, Primary Care Reimbursement Service, HSE. Claims for refunds are processed on a case by case basis. If persons had eligibility and, through no fault of their own incurred medical costs which should have been covered by the GMS scheme, they are reimbursed that amount.

HSE Governance

224. **Deputy Billy Kelleher** asked the Minister for Health the reason the contract between the Health Service Executive and a company (details supplied) was extended for another four years; and if he will make a statement on the matter. [43522/12]

Minister for Health (Deputy James Reilly): As these are service matters, they have been referred to the Health Service Executive for direct reply.

Hospital Waiting Lists

225. **Deputy Billy Kelleher** asked the Minister for Health if he or the Health Service Executive have information collated on the number of people who are on out patient lists who when contacted will no longer require or need the appointment; and if he will make a statement on the matter. [43523/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Ministerial Meetings

226. **Deputy Billy Kelleher** asked the Minister for Health if he has met Health Information and Quality Authority recently and if they had particular areas of concern; and if he will make a statement on the matter. [43525/12]

Minister for Health (Deputy James Reilly): I last met with the Chairperson and the Chief Executive Officer of the Health Information and Quality Authority (HIQA) on 20th July 2012. I would expect to have a further meeting before the end of the year. A range of important issues, which are of mutual concern, are discussed at these meetings. Outside of my formal meetings with HIQA, my officials are in regular contact with HIQA to deal with and progress the range of issues that arise.

Ministerial Meetings

227. **Deputy Billy Kelleher** asked the Minister for Health if he has met the cancer registry recently; and if he will make a statement on the matter. [43526/12]

Minister for Health (Deputy James Reilly): I have not met with the National Cancer Registry recently, but officials of my Department have a regular and positive working relationship with the Director of the Registry and his staff. I would be happy to meet with the Registry should the occasion arise.

Accident and Emergency Departments Waiting Times

228. **Deputy Billy Kelleher** asked the Minister for Health if the waiting times on trollies in accident and emergency departments are based on average waiting times; if he will outline the waiting time actually calculated; and if he will make a statement on the matter. [43527/12]

Minister for Health (Deputy James Reilly): The number of patients on trolleys is reported as the aggregate number of such patients, as counted by the INMO, at 8 a.m. from Monday to Friday, excluding bank holidays. Separately, SDU collates the number of patients waiting 0-6 hours, 6-9 hours, 9-18 hours and over 18 hours, in order to allow detailed analysis of patient attendance and admittance patterns in Emergency Departments. These detailed figures are collected three times daily, 7 days per week, and shared with hospitals on an operational basis.

The waiting times are calculated from the time a decision to admit the patient is made in the ED to the time the patient is admitted to the hospital. This method of calculation has been used by the INMO since 2005. In line with SDU recommendations, hospitals are moving to measurement of Patient Experience Time (PET), which calculates waiting time from the time a patient registers in the Emergency Department.

Hospital Waiting Lists

229. **Deputy Billy Kelleher** asked the Minister for Health if he will outline the number of patients treated from the elective waiting in patient lists in 2011 and in 2012 and also to include numbers treated from the in patient waiting lists in 2010; and if he will make a statement on the matter. [43528/12]

Minister for Health (Deputy James Reilly): As this is a service issue, it has been referred to the HSE for direct reply.

Hospital Accommodation Provision

230. **Deputy Billy Kelleher** asked the Minister for Health the actions he is taking on the hospitals that have the longest length of stay for patients; and if he will make a statement on the matter. [43529/12]

Minister for Health (Deputy James Reilly): It is important to note that across the acute hospital sector as a whole, reduction in costs will come from greater efficiencies where possible, including shorter Average Length of Stay (AvLOS) which is key to the delivery of agreed activity levels with fewer beds, and therefore less staffing. This in turn reduces the number of bed days needed. This year, general AvLOS has been reduced from 7.2 days to the HSE Target Plan of 5.8 days. In particular, implementation of the HSE's Acute Medicine Clinical Care Programme has saved 121,000 bed days to date in 2012. The HSE transitional care initiative is also instrumental in shortening unduly lengthy and inappropriate stays in acute beds for patients, by putting in place 190 transitional care beds and 150 rehabilitation beds this year to which patients can move when appropriate. In terms of surgery, the realignment of services away from inpatient and towards day-case services is in line with international best practice: 2012 has, for the first time, seen agreed targets with all specialties in relation to AvLOS and day case rates for surgical care. The continued implementation of these Programmes and Initiatives

is improving access to services, quality of care and the cost-effectiveness of the service provision.

The funding pressures now being experienced in the health services mean that the acute sector must reduce its costs in order to deliver the agreed level of activity within the resources available to it. This means that we must concentrate on maximising efficiency and getting the best possible services for patients from the budgets available to us. However, this on its own is not sufficient. Activity levels in our acute hospitals have been running ahead of the levels set in the approved HSE Service Plan and therefore it is inevitable that activity levels must also be reduced. This will be a significant challenge, and in meeting it we must be flexible and responsive to service needs, in order to ensure that essential services are protected and that patient safety and quality remain paramount.

During 2012, as part of its performance improvement role, the SDU committed limited funds for short periods of time to facilitate the reduction of numbers waiting on trolleys in Emergency Departments, where these numbers were determined to be exceptionally high. Some of the funding provided was directed towards measures for patients whose length of stay had been prolonged due to lack of immediately available assistance and/or accommodation in order to facilitate an appropriate discharge. The types of measures utilised include temporary funding of nursing home beds, purchase of temporary home care or assisted discharge packages, increased access to diagnostic facilities and additional staffing for weekend and holiday periods. The Department of Health continues to work with the HSE to ensure that the contingency plans are operating satisfactorily and that all critical front line services continue to be delivered across all regions. This includes using the provision of the Public Service Agreement to bring about greater flexibilities in work practices and rosters, and maximising redeployment to achieve more efficient delivery of services. Staff resources will continue to be allocated to areas of greatest priority.

Health Services Staff Sick Leave

231. **Deputy Billy Kelleher** asked the Minister for Health the actions that are being taken in areas in the health service that have higher than normal sick leave; and if he will make a statement on the matter. [43530/12]

Minister for Health (Deputy James Reilly): The health sector, as with other public service employers, has sick leave schemes for staff when they are absent from work through illness.

The HSE has strengthened its policies and procedures on attendance management in light of the 3.5% target in its 2012 National Service Plan, including:

- Action plans for all sites for the management of absence over 3.5%
- Analysis of certified and uncertified absence on each hospital site and community care area
- Monitoring adherence to Attendance Management Policies such as return to work interviews, counselling, referral to Occupational Health
- Use of disciplinary processes where appropriate

A greater focus has been placed on early intervention and attendance management training is being provided to line managers. In addition, HR and Occupational Health support is available for line managers to assist in managing attendance more effectively. The overall rate of sick leave is 4.9% to July 2012 and almost 90% of this is certified.

The Public Service Reform Programme contained a commitment to review sick leave policies in the Civil and Public Service with a view to improving productivity and reducing absences. The Labour Court recently issued recommendations which will lead to the introduction of reformed sick leave rules for the Irish public service. This included a halving of permitted self-certified sick leave to a maximum of seven days in a rolling two-year period. Certified sick-leave for circumstances other than critical illness will be halved from 2014 to a maximum of 3 months on full pay followed by 3 months on half pay in any rolling 4 year period.

Long-Term Illness Scheme Applications

232. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the position regarding a long term illness card in respect of a person (details supplied) in County Dublin [43534/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Respite Care Services

233. **Deputy Nicky McFadden** asked the Minister for Health when a decision on the application for the respite care grant scheme through National Lottery grant scheme funding can be expected in respect of an organisation (details supplied) in County Westmeath; and if he will make a statement on the matter. [43545/12]

Minister for Health (Deputy James Reilly): My Department has received an application for funding from the 2012 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department, and the Deputy will be informed of the outcome of the application as soon as a decision has been made.

Medical Aids and Appliances Applications

234. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a hearing aid in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43551/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the HSE for direct reply.

HSE Expenditure

235. **Deputy Denis Naughten** asked the Minister for Health the total spend in the last available 12 month period in each primary community and continuing care area on home nursing care for children with life limiting conditions; the number of children who availed of the service in each area; and if he will make a statement on the matter. [43557/12]

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.

Medical Card Drugs

236. **Deputy Brendan Griffin** asked the Minister for Health his view regarding coeliac products and a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [43561/12]

Minister of State at the Department of Health (Deputy Alex White): In the current financial environment the Health Service Executive (HSE) is facing a challenge to deliver services in a way that will minimise any adverse impact on patients and continue to protect, as far as possible, the most vulnerable citizens. Unfortunately, it has become necessary for the HSE to suspend certain products from its list of reimbursable items. This includes gluten-free products.

Gluten-free products have become more widely available in supermarkets in recent years and tend to be significantly cheaper than products sold through community pharmacies. A Supplementary Welfare Allowance Adult Diet Supplement may be awarded by the Department of Social Protection to eligible persons. Persons wishing to apply for this allowance can do so by completing an application form which can be downloaded at the following link: <http://www.welfare.ie/EN/Forms/Documents/swa9.pdf>. Separate application forms are available for children. For persons who are not awarded a Diet Supplement, monies spent on gluten-free foods can be taken into account for tax purposes.

As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

237. **Deputy Patrick Nulty** asked the Minister for Health if he will investigate the case of a person (details supplied) in Dublin 9 who has been attending Beaumont Hospital, Dublin; and if he will make a statement on the matter. [43565/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Hospital Services

238. **Deputy Michael Healy-Rae** asked the Minister for Health if he will provide an breakdown of the cuts that have been imposed in neurosurgical services outside of Dublin, in the past three months; and if he will make a statement on the matter. [43572/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Card Eligibility

239. **Deputy Michael Lowry** asked the Minister for Health when the decision was made not to automatically qualify cancer patients for a medical card (details supplied); if he will advise the Health Service Executive consultants of this change; and if he will make a statement on the matter. [43578/12]

Minister of State at the Department of Health (Deputy Alex White): Medical cards

are not awarded to any particular group of patients on the basis of a specific medical condition. Under the provisions of the Health Act 1970, eligibility for health services in Ireland is based primarily on residency and means. There are currently two categories of eligibility for all persons ordinarily resident in Ireland i.e. full eligibility (medical card) and limited eligibility (all others). Full eligibility is determined mainly by reference to income limits, and is granted to persons who, in the opinion of the Health Service Executive, are unable to provide general practitioner, medical and surgical services to themselves and their dependants without undue hardship. There is no automatic entitlement to a medical card for persons who have cancer.

There is a provision for discretion to grant a card in cases of “undue hardship” where the income guidelines are exceeded. The HSE recently set up a clinical panel to assist in the processing of applications for discretionary medical cards where there are difficult personal circumstances. There is an emergency process for a person who is terminally ill, or in urgent need of medical attention and cannot afford to pay for it, that provides a card within 24 hours while the normal application process is completed. Once a letter from the patient’s GP or consultant is received, stating that the person is terminally ill, and the required personal details are provided an emergency card is issued to that person for a six-month period.

Ambulance Service Provision

240. **Deputy Emmet Stagg** asked the Minister for Health the number and location of 24 hour, seven days a week ambulance stations throughout the State on 1 October 2011 and 1 October 2012. [43594/12]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Supplementary Welfare Allowance Eligibility

241. **Deputy John Browne** asked the Minister for Health if he will request the Health Service Executive to restore the special food requirements to persons in receipt of medical cards; and if he will make a statement on the matter. [43600/12]

Minister of State at the Department of Health (Deputy Alex White): I assume the Deputy is referring to the suspension of gluten-free products from the HSE’s list of reimbursable items. In the current financial environment the Health Service Executive (HSE) is facing a challenge to deliver services in a way that will minimise any adverse impact on patients and continue to protect, as far as possible, the most vulnerable citizens. Unfortunately, it has become necessary for the HSE to suspend certain products from its list of reimbursable items. This includes gluten-free products.

Gluten-free products have become more widely available in supermarkets in recent years and tend to be significantly cheaper than products sold through community pharmacies. A Supplementary Welfare Allowance Adult Diet Supplement may be awarded by the Department of Social Protection to eligible persons. Persons wishing to apply for this allowance can do so by completing an application form which can be downloaded at the following link: <http://www.welfare.ie/EN/Forms/Documents/swa9.pdf>. Separate application forms are available for children.

For persons who are not awarded a Diet Supplement, monies spent on gluten-free foods can be taken into account for tax purposes.

Vaccination Programme

242. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if pregnant women are to be offered a whooping cough vaccine to protect babies from a surge in infections from the disease; and if he will make a statement on the matter. [43604/12]

Minister for Health (Deputy James Reilly): The immunisation programme in Ireland is implemented by the Health Service Executive through its National Immunisation Office. The immunisation schedule is based on the advice of the National Immunisation Advisory Committee (NIAC). My Department has requested the NIAC to examine this issue and provide a recommendation in this regard. The result of their deliberation is expected shortly.

Primary Care Centres Provision

243. **Deputy Gerry Adams** asked the Minister for Health the position that Dundalk, County Louth, held on the list of 200 centres which were identified for proposed primary care centres by officials based on a scoring system based on deprivation levels, their assessment of service priorities in an area and on assessment of available accommodation; the reason Dundalk was not one of the 35 sites announced for primary care centres by him in July 2012; his reason for removing Dundalk from the list; and if he will make a statement on the matter. [43609/12]

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.

Dental Services Provision

244. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will restore the children's dental service at Athy Health Centre, County Kildare; and if he will make a statement on the matter. [43616/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the HSE for direct reply.

Primary Care Centres Provision

245. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the details, number and location of the list of intended locations for the provision of primary healthcare centres by direct State capital funding; the projected commencement date for works to begin at the said locations; when he expects that they will be commissioned; and if he will make a statement on the matter. [43618/12]

Minister for Health (Deputy James Reilly): Approval has been recently received for HSE capital expenditure in 2012. The HSE will shortly publish details of the 2012-2016 Capital Plan on its website.

In relation to future developments, the HSE is required to prioritise capital infrastructure projects within its overall capital funding allocation taking into account the existing capital commitments and costs to completion over the period. Work on the draft Capital Plan for the next multi-annual period 2013-2017 will begin shortly and will be submitted to my Department

in due course. My Department will then review the proposals and follow up with the HSE where further details may be required. The draft Capital Plan 2013-2017 will then require my approval with the consent of the Minister for Public Expenditure and Reform.

Food Safety Standards Regulation

246. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the position regarding the review of the role and responsibilities of Safefood; when a report will issue; if he anticipates that Safefood's long standing function in relation to food safety, diet and nutrition will be re-confirmed; and if he will make a statement on the matter. [43619/12]

Minister for Health (Deputy James Reilly): In order to explore ways of achieving greater efficiencies, avoiding duplication and thus improving value for money, the Department of Health, Social Services and Public Safety in Northern Ireland is reviewing the roles and responsibilities of organisations working in the food safety, diet and nutrition areas. That review is being finalised and it is hoped that it will issue to Minister Poots for consideration very shortly. My Department will await the outcome of that review before concluding its own review. While I am reluctant to pre-empt the conclusions of the reviews, I am satisfied that they will help clarify the role to be undertaken by the Food Safety Promotion Board (Safefood). I can also confirm that the Food Safety Promotion Board's statutory functions under the British-Irish Agreement Act, 1999 in relation to the provision of food safety advice (including advice on the nutritional aspects of various foods) will remain.

Respite Care Services

247. **Deputy Brian Stanley** asked the Minister for Health if his attention has been drawn to the curtailment in respite services for children with an intellectual disability in County Laois, that this service has been reduced by more than 50% for residential respite and that as an alternative parents are being asked to use a share a break respite service provided by unqualified adults; and if he is satisfied that this type of service is safe for vulnerable children and adults. [43620/12]

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.

Primary Care Centres Provision

248. **Deputy Gerry Adams** asked the Minister for Health if he will provide the list of 200 sites that were identified for proposed primary care centres in order of the priority determined by officials based on a scoring system based on deprivation levels, their assessment of service priorities in an area and an assessment of available accommodation [43621/12]

Minister for Health (Deputy James Reilly): The list of 200 locations referred to in media reports represented the situation at a given point in time. However, the prioritisation exercise is a dynamic process, constantly evolving to take account of changing circumstances, including the feasibility of implementation. There are more than two hundred locations under consideration for progression and the list of locations requires further work and objective analysis by my Department and the HSE, particularly with regard to the feasibility of implementation. Ac-

cordingly, it is not proposed to publish the list at this time.

General Medical Services Scheme Administration

249. **Deputy Michael Lowry** asked the Minister for Health if his attention has been drawn to the fact that some general practitioners are now charging individuals for issuing letters which are required to confirm their medical conditions when applying for a social welfare payment; her views on whether she considers this a fair practice on the part of some G.P.s; if she will intervene to place a cap on such charges in view of the fact that these are persons applying for a social welfare payment; and if he will make a statement on the matter. [43663/12]

Minister of State at the Department of Health (Deputy Alex White): Section 11 of the General Medical Services (GMS) General Practitioner (GP) Capitation Contract, which was introduced in 1989, provides that the medical practitioner shall provide for eligible persons, on behalf of the Health Service Executive, all proper and necessary treatment of a kind usually undertaken by a general practitioner and not requiring special skill or experience of a degree or kind which general practitioners cannot reasonably be expected to possess. GPs who hold GMS contracts with the HSE must not seek or accept money from medical card or GP visit card holders for services covered under the GMS contract.

The GMS contract also stipulates that fees are not paid to GPs by the HSE in respect of certain medical certificates which may be required, for example, “under the Social Welfare Acts or for the purposes of insurance or assurance policies or for the issue of driving licences”. Consultation fees charged by general practitioners to private patients and to GMS patients outside the terms of the GMS contract are a matter of private contract between the clinicians and the patients. While the Minister for Health has no role in relation to such fees, it would be expected that clinicians would have regard to the overall economic situation in setting their fees.

Ambulance Service Provision

250. **Deputy Regina Doherty** asked the Minister for Health the ambulance service that is available to the population of Dublin North East; the modes of transport the service uses; the number of sub districts served, or in operation; the number of staff employed in the ambulance service in this region; and if he will make a statement on the matter. [43665/12]

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 Eligibility

251. **Deputy Dominic Hannigan** asked the Minister for Health when will long term illness benefit recipients be entitled to a full medical card; and if he will make a statement on the matter. [43674/12]

Minister of State at the Department of Health (Deputy Alex White): The Programme for Government commits to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this, the Government is committed to introducing, on a phased basis, GP care without fees within its first term of office. Primary legislation is required to give effect to the Government commitment to introduce a universal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP services without fees to persons with prescribed illnesses is currently being drafted by this Department and the Office of the Attorney General and will be published shortly. Implementation dates and application details will be announced in due course.

Health Services Allowances

252. **Deputy Robert Troy** asked the Minister for Health the reason a gratuity payment is still pending in respect of a person (details supplied) in County Longford. [43678/12]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services Staff Issues

253. **Deputy Regina Doherty** asked the Minister for Health if the Health Service Executive is currently granting career breaks to nursing staff; and if he will make a statement on the matter. [43785/12]

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

254. **Deputy Maureen O'Sullivan** asked the Minister for Health the reason for the delay in the Health Service Executive progressing the situation of a person (details supplied) in Dublin 8. [43796/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Services Provision

255. **Deputy Paul J. Connaughton** asked the Minister for Health the position regarding the lack of both a dental clinic and an eye clinic for children in the Ballinasloe area of County Galway; when it is envisaged that these services will be restored; the options available for parents in the Ballinasloe area; and if he will make a statement on the matter. [43797/12]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the HSE for direct reply.

Ministerial Meetings

256. **Deputy Thomas P. Broughan** asked the Minister for Health the number of times he has visited Beaumont Hospital, Dublin 9 to date in 2012; the date and purpose of each visit; and if he will make a statement on the matter. [43824/12]

Minister for Health (Deputy James Reilly): I have visited Beaumont Hospital twice this

year. The first time was for a general visit on 27th February. The second time was for the opening of the National Cancer Control Programme Radiation Facility on 12th March.

Hospital Staff

257. **Deputy Thomas P. Broughan** asked the Minister for Health if he will provide a month by month breakdown in tabular form of the number of exemptions granted to the recruitment embargo for Beaumont Hospital, Dublin 9 since April 2011; the number that were refused; the reason for the refusal; and if he will make a statement on the matter. [43825/12]

Minister for Health (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Legal Costs

258. **Deputy Barry Cowen** asked the Minister for Health the expected total legal costs to be incurred in his Department in 2012; his proposals to reduce these costs; and if he will make a statement on the matter. [44068/12]

Minister for Health (Deputy James Reilly): The information requested by the Deputy is currently being collated and will be forwarded to him as soon as it is available.

Pilot Training Courses

259. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the lodging of registration papers for a pilot training college (details supplied) operating out of the same address as Pilot Training College Ireland Ltd which closed recently leaving many students stranded in Florida, USA having paid very large tuitions; if this in fact the same company under another name; and if he will make a statement on the matter. [43569/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The subject matter of this particular question, i.e. pilot training, is the responsibility of the Irish Aviation Authority, and I have referred the question to them for direct reply. I would ask the Deputy to contact my office if a reply has not been received within 10 working days.

Taxi Licences Renewals

260. **Deputy Ciarán Lynch** asked the Minister for Transport, Tourism and Sport if he will resolve the anomaly in the procedures for renewing a taxi licence (details supplied); and if he will make a statement on the matter. [43654/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The regulation of the small public service vehicle (SPSV) industry, including the renewal of vehicle licences, is a matter for the National Transport Authority (NTA) under the Taxi Regulation Act, 2003. I have referred your question to the NTA for direct reply. Please advise my private office if you do not receive a response within 10 working days.

Taxi Regulations

261. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he will reverse the decision that was made to disallow existing taxi drivers from selling or transferring their taxi plate when they retire, thus depriving parents of the opportunity to pass on their plate to their children and preventing taxi drivers from being able to get back the money the spent on the plate originally; and if he will make a statement on the matter. [43786/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The regulation of the taxi industry, including issues pertaining to the renewal and transfer of vehicle licences, is a matter for the National Transport Authority (NTA) under the provisions of the Public Transport Regulation Act 2009.

As set out in the Taxi Regulation Review Report 2011, it was considered by the Review Group that it was necessary to move away from a system whereby a licence will have value in itself - a licence should determine a person's suitability to carry out a function and it should not have monetary value or be traded on the open market. Action 14 of the Review Report proposes the introduction of a prohibition on the transferability of taxi vehicle licences such that all taxi vehicle licences will be unique to the person to whom the licence has been issued and cannot be transferred or sold to another individual.

I understand that the NTA has given notice to the industry concerning the introduction of the prohibition on transferring an SPSV licence from January 2013 and that the NTA is still considering whether or not, after 2013, the continuation of a taxi business by the next-of-kin can be facilitated following the death of a licence holder. A decision is expected shortly.

Road Network

262. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport if he will accede to the request of Monaghan County Council for €1.5 million funding to progress the design to a preferred route status for the proposed road scheme on the N2 from Clontibret to the border; and if he will make a statement on the matter. [43798/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Taxi Regulation Review Report Implementation

263. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will report on the recent new reforms introduced for the taxi sector and if he will indicate the timetable for introducing these new proposals; and if he will make a statement on the matter. [43814/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the Taxi Regulation Act, 2003, and is also the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report. I understand from the NTA that work is progressing on all 46 Actions proposed and ten of the actions have been implemented to date.

The timetable for implementation of the remaining actions is set out in the Review Report and updates regarding the implementation of the Actions can be obtained under the taxi section on the NTA website.

Dublin Bus Services

264. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the number of buses in the Dublin Bus Fleet as of 30 September 2012; if this number will be increased by year end; and if he will make a statement on the matter. [43815/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This is an operational matter for Dublin Bus and I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Bus Éireann Services

265. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the number of buses in the Bus Éireann Fleet as of 30 September 2012; if this number will be increased by year end; and if he will make a statement on the matter. [43816/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): This is an operational matter for Bus Éireann and I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Light Rail Project

266. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the current position on the Luas F1 to Lucan; and if he will make a statement on the matter. [43817/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Given the constraints on the public finances, a number of projects, including the extension of the LUAS to Lucan, have been deferred under the Government's 5-year capital programme, *Infrastructure & Capital Investment Programme 2012-2016 - Medium Term Exchequer Framework*, published in November 2011. This project will be considered again in 2015 in advance of the next capital programme.