

## Written Answers.

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

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*Questions Nos. 1 to 8, inclusive, answered orally.*

*Questions Nos. 9 to 99, inclusive, resubmitted.*

*Questions Nos. 100 to 106, inclusive, answered orally.*

### Child Benefit Payments

107. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the options she is currently considering regarding child benefit including, the way and which vulnerable families would be compensated for any cut to the universal payment; if she is considering a top-up via qualified child increase, family income supplement and domicilliary care allowance or if a new means-test and income threshold will be introduced for the purposes of child benefit alone. [49837/12]

128. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if her attention has been drawn to the fact that persons in households with children are almost three times as likely to be in debt arising from ordinary living expenses compared with those living in households without children; if she has investigated the impact that any cut to child benefit would have on the level of debt amongst households with children; if so, her findings and if not, if she will arrange for this research to be conducted. [49835/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Question Nos. 107 and 128 together.

Family and child income support payments assist parents in contributing to the costs associated with raising children and play a very important role in the objective of reducing child poverty. It should be noted that expenditure this year on child benefit, qualified child increases on primary social welfare payments, the family income supplement and the back to school clothing and footwear allowance is estimated to be just over €3 billion as outlined in the table.

Year	Child Benefit	Family Income Supplement	Qualified Child Increases	BTSCFA	Total spending
	€million	€million	€million	€million	€million
2012(Esti-mated)	2,078.6	199.5	698.0	63.7	3,040

The Government is conscious that these payments are an important source of income for families, particularly during a time of recession and unemployment. Any plans to change the amount paid in respect of such payments will be a matter to be decided in a budgetary context and announced on Budget day. I do not therefore propose to speculate on any possible approaches to child benefit payment rates changes, on whether it should be income-tested or on any question of compensating vulnerable families through increases in other payments at this time.

As part of the budget process, my Department conducts extensive analysis of the impacts of possible budgetary decisions and in particular of the likely impact on poverty outcomes. The financial impact of proposals on various family types is also examined.

In relation to the question on ‘debt arising from ordinary living expenses’, I have assumed that the statistics quoted in the question relate to the recently published CSO report entitled “Survey of Income and Living Conditions (SILC): Thematic Report on Children 2004 – 2010”.

The publication does show that among several indicators of household deprivation, the indicator for those reporting that they are in debt from ordinary living expenses is higher in households with children (at 17.9%) than in households without children (at 6.5%). I would point out that the social protection system already plays a very significant role in protecting vulnerable families from the problems associated with low-income including indebtedness. For instance, the SILC data also show that the “at risk of poverty rate” for people living in households with children in 2010 decreased from 49.4 per cent when all social transfers were excluded to 18.7 per cent when all social transfers were included: a reduction of nearly 31 percentage points. This clearly demonstrates the role that social transfers play in protecting people in households with children from poverty. *Question No. 108 answered with Question No. 106.*

**109. Deputy Dara Calleary** asked the Minister for Social Protection if she will consider introducing flexibility to casual workers receiving social welfare benefit in budget 2013 with a hours based rather than days based system; and if she will make a statement on the matter. [49885/12]

**Minister for Social Protection (Deputy Joan Burton):** The current total of 421,490 persons on the Live Register includes over 80,000 casual workers in receipt of jobseeker’s allowance or jobseeker’s benefit. It is recognised that a changing labour market has resulted in a move away from the more traditional work patterns, with a consequent increase in the number of casual workers. In tandem many large employers currently have significant numbers of part time workers who are also being paid by the Department. In acknowledgement of this trend, the Department has commenced work on the consideration of the future structure of the jobseeker schemes. In this regard my Department’s work is being informed by the Joint Oireachtas Committee on Jobs, Social Protection and Education report, *A Review of the Status of Casual Workers in Ireland*. This report recommended increasing the flexibility of the existing jobseeker schemes by moving from the current days based system to a system of entitlement based on hours.

However, increasing flexibility in the system could potentially, depending on the behavioural response, increase the number of people claiming a jobseeker’s payment thereby increasing the total cost of the scheme to the Exchequer.

Other issues which are under active consideration are, aligning the jobseeker’s week to the calendar week and compensating for the loss of employment only or stated availability, whichever is the lesser.

This work is complex and is taking place in the context of other social welfare reforms including the recognition of Sunday working for jobseekers, the current economic situation, and the considerable administrative change that implementation of reform to the jobseeker's schemes will require.

### **Child Benefit Rates**

110. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will ensure that multiple birth families including twins and triplets will not be subject to further cuts in budget 2013; and if she will make a statement on the matter. [49772/12]

119. **Deputy Michael Colreavy** asked the Minister for Social Protection if she will arrange for a poverty and gender impact assessment to be conducted on all budget proposals relevant to her Department in advance of the announcement of budget 2013. [49858/12]

120. **Deputy Mary Lou McDonald** asked the Minister for Social Protection if her attention has been drawn to the report by the Society of St. Vincent de Paul, *The Human Face of Austerity*; and her views on their assertion that those who depend on social welfare income supports must be protected from further cutbacks. [49838/12]

126. **Deputy Brian Stanley** asked the Minister for Social Protection if her attention has been drawn to the call by Barnardos for pre-budget audits that examine the impact of proposals holistically and across Departments to ensure that they do not continue to erode family incomes to be conducted in advance of the finalisation of budget decision; and if she will engage with others in the conduct of same. [49857/12]

137. **Deputy Clare Daly** asked the Minister for Social Protection if she will ensure that there are no further cutbacks in budget 2013 in payment benefits or allowances to elderly citizens and that the cutbacks in the last two budgets for this category be reversed. [49912/12]

138. **Deputy Bernard J. Durkan** asked the Minister for Social Protection having regard to the Estimates prepared by her Department and the likely competing demand arising, if she is satisfied that she can meet the needs of those with disabilities and others who are vulnerable in our society arising from the situation she inherited from her predecessors; and if she will make a statement on the matter. [49860/12]

338. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if her attention has been drawn to the Society of St. Vincent de Paul, *The Human Face of Austerity*; and her view on the assertion that those who depend on social welfare income supports must be protected from further cutbacks. [49978/12]

383. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection her response to the appeal by nine leading disability organisations issued on 17 September 2012 calling on her to halt reductions in basic living standards for persons with disabilities who depend on social welfare supports [48969/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 110, 119, 120, 126, 137, 138, 338 and 383 together.

The Revised Estimates for my Department provide for expenditure in 2012 of nearly €20.55 billion. This includes expenditure of €2.08 billion on child benefit, some €6.26 billion on pensions and €3.44 billion on illness, disability and caring schemes. In total, expenditure on these areas amounts to over 57% of the total expenditure of my Department.

The Government is considering the appropriate level of expenditure on the wide variety and schemes and services operated by my Department in 2013 in the context of the forthcoming Budget. The outcome will be announced on Budget Day.

I recognise that managing expenditure in 2013 and beyond will be extremely difficult and requires a critical analysis of all expenditure items. In this regard, I held a pre-Budget forum on Friday 12th October which was attended by thirty community and voluntary groups, including the Society of St. Vincent de Paul and groups representing people with disabilities. I listened carefully to the groups' views and proposals in relation to the forthcoming Budget and I am considering all submissions made to me in that regard, including written submissions made by Barnardos and the Society of St Vincent de Paul, and the report recently published by the Society of St Vincent de Paul, *The Human Face of Austerity*.

As part of the Budgetary deliberative process, the Department will analyse, in so far as possible, the distributive and poverty impact of possible welfare changes to all welfare recipients including different family types including those with children and male/female poverty impacts. Finally, the Department will prepare a similar analysis of the overall Budget 2013 tax and welfare packages when they are finalised.

### **Carer's Allowance Eligibility**

111. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will consider extending to 19.5 hours the number of hours a recipient of carer's allowance can work outside the home. [49846/12]

**Minister for Social Protection (Deputy Joan Burton):** A fundamental qualification condition for carer's allowance, carer's benefit and the respite care grant is that the applicant provide full time care and attention to a person who needs such care. To support their social inclusion and continued attachment to the work force, carers may engage in some limited employment, education or training, while still being regarded as being in a position to provide full time care. From June 2006, the number of hours a person can engage in employment, self-employment, training or education outside the home and still satisfy the qualifying conditions, was increased from 10 to 15 hours per week.

There are no plans at present for a further increase in the hours as this could have a negative impact on the person in need of full time care and attention. The Department will continue to support carers and the people they care for within the resources available as set out in Government's National Carers' Strategy.

### **Pension Provisions**

112. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the steps she will take in response to the finding contained in her Department's report on pension charges that the private pensions industry is taking up to a third of the value of persons' retirement savings in charges. [49831/12]

**Minister for Social Protection (Deputy Joan Burton):** The Report on Pension Charges 2012 was undertaken by my Department with support from the Central Bank and Pensions Board. The primary objective of the report was to gather information on the level of pension charges levied, to assess whether these charges are reasonable and transparent, to report on the findings and to make recommendations. The report highlights a wide range of issues in relation

to pension charges and identifies a number of serious problems. It is fully recognised that the provision of pension schemes cannot be cost free. However, there are major challenges to be addressed in the two main areas of reasonableness and transparency of charges.

In recent years a number of initiatives have been progressed at Irish and EU level which focused on the area of disclosure and transparency of pension charges. These initiatives included the publication of the revised Consumer Protection Code by the Central Bank in 2012 and the recent consultation paper by the Pensions Board on pension simplification. At EU level, my department will be monitoring development across a range of proposals which are currently under consideration and will be progressed during 2013. The outcome of these developments will inform a review of relevant regulatory framework in Ireland.

The report is a fact finding report, comments from interested parties and stakeholders are being invited over a 3 month period (i.e. by the end of January 2013). These responses will be considered and a further policy and regulatory response, if necessary, will be brought to Government.

### **National Advocacy Service**

113. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection her views on whether advocates working in the National Advocacy Service have no power to obtain information or attend meetings or consultations and can only operate on the basis of voluntary co-operation of service providers as shortcomings especially considering this co-operation is not always forthcoming and the steps she will take to extend the powers of the National Advocacy Service accordingly. [49844/12]

**Minister for Social Protection (Deputy Joan Burton):** The National Advocacy Service was established under the Citizens Information Board in January 2011, to provide an independent, confidential and free, representative advocacy service to vulnerable people with disabilities who cannot self advocate, while supporting others to use mainstream services. The Budget assigned to the National Advocacy Service in 2012 is €3.2m. During 2011 the service was established across the country. The service is managed by five Citizens Information Services in Dublin (Clondalkin), Westmeath, Offaly, Waterford and Leitrim and staffed by five Managers, 35 advocates (full-time equivalents) and five administrators.

The aim of the National Advisory Service is to ensure that the voices of people with disabilities are heard and their rights safeguarded. The Service has a particular remit for people with disabilities who cannot self-refer, who are isolated in the community, or living in residential institutions. It offers an independent advocacy service to help protect their rights, help them gain their entitlements, obtain a fair hearing and make positive changes in their quality of life. The experience to date is that in the majority of cases the co-operation of disability services providers is forthcoming and in cases where advocates have experienced some difficulties they continue to work with these providers to seek the best outcomes for their clients.

As the National Advocacy Service has been in operation for almost two years, an independent review of the service is currently underway. The review will encompass all aspects of the service, including whether consideration should be given to the provision of statutory powers for advocates or whether alternative approaches could be used to support the service assist people with disabilities to secure their rights and entitlements. The review is due to be completed in early 2013.

### Free Travel Scheme Administration

114. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will extend the companion travel pass for persons in receipt of disability allowance to cover a companion on the portion of the round trip during which the disabled person may not be present. [49847/12]

**Minister for Social Protection (Deputy Joan Burton):** The free travel scheme is currently available to all people living in the State aged 66 years or over, to carers and to customers under 66 who are in receipt of certain disability type payments. The scheme permits customers to travel for free on most CIE public transport services, LUAS and a range of services offered by up to 90 private operators in various parts of the country. Expenditure on this scheme has been frozen at €77 million since 2010. Certain customers, for medical reasons, may get a companion pass which allows any person over age 16 years to accompany them for free. Some 750,000 people have a free travel pass, including 86,000 with companion passes.

The proposal that companions should be able to travel for free without the qualifying person would add additional costs and would also be extremely difficult to control. I have no proposals to extend this scheme in this manner.

### Community Employment Schemes Funding

115. **Deputy Willie O’Dea** asked the Minister for Social Protection the impact of community employment scheme cutbacks in 2012; the number of schemes closed or that had hours reduced; and if she will make a statement on the matter. [49876/12]

337. **Deputy Willie O’Dea** asked the Minister for Social Protection her plans for community employment schemes in budget 2013; and if she will make a statement on the matter. [49976/12]

359. **Deputy Mary Lou McDonald** asked the Minister for Social Protection if she will give a commitment that current budget levels for community employment schemes will not face further cuts in 2013. [49640/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 115, 337 and 359 together.

Community Employment (CE) is the largest employment programme administered by the Department of Social Protection and forms an important pillar in the strategy of returning long-term unemployed people back to the open labour market. There are currently 23,300 places (including supervisory positions) available on CE and the revised budget for 2012 is circa €340m.

The programme addresses the multiple needs of people who are often far from employment ready and experiencing a range of social and economic problems by operating within local and community contexts and responding to the needs identified by a variety of community groups.

The Department is committed to reforming CE to ensure delivery of service, value for money and the progression of the individual. The broad policy direction for CE in 2013 and future years will be based on the main action points coming from the CE Financial Review which has recently been completed and published by the Department. Officials are currently formulating business plans to address these action points. The Department is also currently finalising a report on the various activation programmes administered by it. This work will take place in the context of the Government’s activation strategy, most recently stated in *Pathways to Work*.

With regard to the impact of Budget 2012 changes, the Department secured savings of approximately €9m for materials and training expenditure while maintaining CE activity at 2011 levels. There has been no reduction in the number of CE places for 2012 or in the hours of participation by CE participants and Supervisors on schemes as a result of the review. It should also be noted that no scheme has closed as a result of the changes made to the materials and training budget for 2012.

### **Home-makers Scheme**

116. **Deputy Seán Crowe** asked the Minister for Social Protection if her attention has been drawn to SIPTU's call for the home-makers scheme to be backdated from 1994 to 1964; if she will make arrangements to backdate it as suggested; the estimated cost of doing so; and the likely number of women who would benefit. [49848/12]

124. **Deputy Clare Daly** asked the Minister for Social Protection if she will provide in Budget 2013 for a backdating of the home-makers scheme from 1994 back to 1964 in order to ensure that workers with and interrupted PRSI record do not lose out on their contributory State pension. [49913/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 116 and 124 together.

The State pension is a very valuable benefit and is the bedrock of the Irish pension system. Therefore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives.

The homemaker's scheme makes qualification for the State pension (contributory) easier by disregarding time spent out of the workforce for caring duties. The scheme was introduced in and took effect from 1994. Eligibility for the homemaker's scheme is conditional on firstly meeting the standard qualifying conditions for State pension.

Backdating the scheme to 1964 would involve considerable costs. An analysis undertaken in the 2007 Green Paper on Pensions identified that to back-date the homemaker's scheme to 1953, the year when the unified system of social insurance was introduced in Ireland, would cost the Exchequer in the region of €160m and to 1973/73, an estimated €150m. Costs in relation to this scheme under the current rules, are expected to increase in the coming years due to the increase in female employment rates since 1994.

It should be noted that women who do not qualify for a full rate pension may, if their spouse is in receipt of a State pension contributory, receive a qualified adult payment at a higher rate where they satisfy a means test. A State pension non-contributory pension, which is a means tested payment, may also be payable.

Time taken out of the workforce for homemaking and caring duties will continue to be protected by the current disregard. While my Department will keep the homemaker's scheme under review, any improvements which could result in further costs for the Exchequer could only be considered in a budgetary context.

### **Social Welfare Appeals Status**

117. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if she will ensure that the option of a review in advance of an appeal is given greater prominence and explanation

in letters sent out turning down applications with a view to reducing the number of cases that go forward to the more costly and time consuming appeals process. [49852/12]

139. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will take legislative or other steps to ensure that the decisions of social welfare appeals officers are implemented by her Department promptly and in full, including recommendations that the appeals officers may make with regard to the recoupment of past overpayments. [49843/12]

146. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if she will direct that deciding officers that are considering turning down an application for social welfare should make a telephone call to the applicant before finalising their decision during which basic things such as the absence of documentation or misunderstandings would come to light and these could be rectified in advance of the decision with a view to reducing the number of cases that go forward to the costly and time consuming appeals process. [49853/12]

147. **Deputy Dessie Ellis** asked the Minister for Social Protection if she will direct that all unsuccessful applicants for social welfare payments be given their complete file, including comments of deciding officers automatically, to aid in their appeals, thereby avoiding the expense and inconvenience of having to go through the freedom of information procedure. [49854/12]

152. **Deputy Martin Ferris** asked the Minister for Social Protection her plans to shorten the time period that it takes to implement decisions of appeals officers. [49851/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 117, 139, 146, 147 and 152 together.

Decisions on statutory social welfare schemes are made by statutorily appointed deciding officers. The rules of natural justice and fair procedures are applied by deciding officers when making decisions that could have an adverse effect on the person concerned. The deciding officer must satisfy him/herself that the person: is aware of all the information that could adversely affect his/her entitlement; was notified that his/her entitlement was under review; was given an opportunity to comment and to submit any facts or information to correct any inaccuracy or incompleteness in the information; and any comments made by the person are clearly and fully considered before a decision is made.

Deciding officers and others involved in the process will assist claimants as far as possible in making their applications but, as a matter of law, the burden of providing evidence to support a claim rests with claimants.

Disqualifications and disallowances are issued to the customer in writing and include an explanation of the reason/s for the decision. The disallowance/disqualification grounds, and reason/s for same, are outlined clearly and are sufficient to enable the appellant to lodge an appeal.

It is considered that issuing copies of claimants' files or telephoning applicants prior to making a decision would place an unnecessary and unreasonable burden on resources in the Department and would impact on operating costs and processing times. Persons wishing to access their files are facilitated individually as requests are made.

Persons are advised, in decision letters, of their right to seek a Departmental review of the initial decision and are advised as to how to lodge an appeal to the Social Welfare Appeals Office (SWAO). Where a review is sought, the deciding officer re-examines the case and, taking account of any new facts or evidence, may revise his/ her decision. In 2011, 42% of favourable decisions made following lodgement of appeal applications, were as a result of deciding officers revising their original decisions, which obviated the need for claimants to go through

the full appeals process. These revised decisions arose as a result, in most cases, of new facts or fresh evidence produced by the claimant after the original decision on his /her claim. The figures illustrate that the review process is well understood and utilised.

Decisions regarding the recoupment of overpayments are administrative in nature and do not fall within the remit of the SWAO. However, before a recovery plan is put in place, the views of the customer are sought and taken into consideration. The customer may also seek a review of the recovery plan.

Deciding officers are reminded through ongoing training, guidelines and circulars that the decision of the appeals officer should be implemented without delay. In a very small number of cases, changes in circumstances may come to light in the short period between the appeals officer making his/ her decision and its implementation, which would require revision of the appeals officer's decision e.g. cases where evidence of fraud is discovered. There are also a very limited number of cases where the Chief Appeals Officer may be asked to review the appeals officer's decision. The vast majority of appeals officers' decisions are implemented on receipt of the decision.

### **Social Welfare Appeals Issues**

118. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will take legislative steps to introduce a public appointments procedure involving the publication of selection criteria and an open recruitment competition. [49842/12]

144. **Deputy Sandra McLellan** asked the Minister for Social Protection if her attention has been drawn to the findings of the FLAC report, Not Fair Enough, making the case for reform of the social welfare appeals system; if she has discussed the findings with the social welfare appeals office; her response to the findings and the steps she will take on foot of the report. [49841/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 118 and 144 together.

I welcome this report from FLAC as a valuable analysis of the Social Welfare Appeals Service from a human rights perspective. The recommendations made in the report are now being examined in the Department and in the Social Welfare Appeals Office (SWAO).

One of the recommendations relates to the independence of the SWAO. The SWAO is a separate executive office with its own premises and staff which operates independently of the Department and the Minister. The appeals process has a statutory basis in both primary and secondary legislation and Appeals Officers are quasi-judicial officers who are required to be free and unrestricted in discharging their functions. As far back as 1958, the Supreme Court found that Appeals Officers are required to be free and unrestricted in the performance of their duties. The high level of appeals allowed (42% in 2011) is evidence of the independence of the process. There are no plans to take legislative steps to change the method by which Appeals Officers are appointed.

The report also criticises the delays being experienced by appellants. As Deputies are aware there was a rapid and sustained increase in the number of appeals from 2009 to date which has placed extraordinary pressure on the SWAO. Significant resources and efforts have been put into reducing backlogs and improving processing times for appellants, including the assignment of 15 additional Appeals Officers, retraining retired experienced officers for 18 months ending December 2011, improving business processes and implementing a new operating model.

As a result of these measures, there has been significant increase in the number of appeals finalised from an average of 13,500 to 34,027 in 2011 and that the processing times reduced by an overall 10.2 weeks in the nine months to September 2012 as the oral hearing time is down by 12.5 weeks and the summary decision time is up by 2.3 weeks. Of course, further improvement is needed. In that regard, the Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012; there is a major programme of process redesign and modernisation currently underway in relation to many scheme areas which will reduce backlogs and will also reduce the time taken for the Department to respond to requests from the SWAO for submissions in relation to appeals; and it is planned to recruit 8 additional Medical Assessors in 2013. All these measures together will reduce the waiting time for appellants.

Concern was expressed in the report that the higher number of summary decisions in 2011 indicated a move away from oral hearings. I am assured by the Chief Appeals Officer that the increases in the number of summary decisions in 2010 and 2011 was a result of having eight very experienced retired appeals officers working exclusively on summary decisions which had the effect of front loading summary decisions. The percentage of summary decisions was 69% in 2010 and 65% in 2011, the two years for which the retired officers were retained, and has since dropped to 56% in 2012.

In relation to consistency and transparency in decision making, this is addressed in a number of ways by the Department through training and communication and in relation specifically to the SWAO it is the statutory responsibility of the Chief Appeals Officer to convene meetings of Appeals Officers for the purpose of ensuring consistency.

The Department provides funding to a number of agencies involved in providing advocacy and information services to persons regarding their social welfare rights and how to process its systems.

*Questions Nos. 119 and 120 answered with Question No. 110.*

### **Sick Pay Scheme Expenditure**

121. **Deputy Barry Cowen** asked the Minister for Social Protection the steps that she has taken to reform the sick pay scheme; and if she will make a statement on the matter. [49893/12]

**Minister for Social Protection (Deputy Joan Burton):** The position remains that the range of complex issues associated with the possible introduction of a scheme of statutory sick pay, including such matters as the provision of possible compensatory mechanisms for particularly vulnerable employers, the extent of coverage of such a scheme, the appropriate rate of payment involved and how a scheme would be enforced, continue to be examined in the Department. As I have made clear previously, all of these issues need to be addressed to the satisfaction of the Government before any decision could be taken on the possible introduction of a statutory sick pay scheme.

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

122. **Deputy Robert Troy** asked the Minister for Social Protection the steps she has taken to address waiting times in social welfare payments and appeals; and if she will make a statement on the matter. [49911/12]

**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. 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. For example, ten additional staff are being assigned to deal specifically with a backlog in the carers claims area. 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.

In relation to appeals, there are ongoing efforts to reduce the processing times. The Department has appointed 15 additional Appeals Officers since 2010. In addition, a further 10 Appeals Officers, formerly employed by the Community Welfare Services (CWS) of the Health Services Executive joined the Office as part of the integration of the CWS appeals services into the Social Welfare Appeals Office, bringing the total number of Appeals Officers now serving in the Office to 41. The Office has also improved its business processes and IT supports.

I am assured by the Chief Appeals Officer that she is keeping the methods of operation by which the Social Welfare Appeals Office conducts its business under constant review, and that the processes are continuously being enhanced to reduce the backlogs in the Office and, overall, to reduce the processing times for dealing with appeals.

### Social Welfare Code Review

123. **Deputy John McGuinness** asked the Minister for Social Protection her plans to address lone parent family distress in budget 2013; and if she will make a statement on the matter. [49891/12]

**Minister for Social Protection (Deputy Joan Burton):** The number of one-parent family payment (OFP) recipients stood at 88,620 in September, 2012. This year the cost of the OFP scheme is estimated to be €1.06 billion. The Government will consider the level of expenditure on all my Department's schemes, including OFP, for 2013 in the context of the forthcoming Budget. The OFP has played an important role in providing income support to lone parents. Changes have been made to the payment since its introduction in 1991, reflecting the changes taking place in society, the labour market and the expectations and realities of parents' lives, and particularly of mothers, in terms of work and care.

The aim of the reforms to the OFP scheme, which are currently underway are to prevent long-term dependence on social welfare support and facilitate financial independence among parents; recognise parental choice with regard to the care of young children, but with the expectation that parents will not remain outside of the labour force indefinitely.

The Government recognises that the best route out of poverty for lone parents is through

paid employment. The reforms underway to the OFP scheme will allow lone parents to access the supports and services provided by the Department through INTREO. Through this service clients will be offered an integrated service with access to activation supports. The service is based on a case management approach that leads the client through a continuum of interventions with the ultimate objective of assisting the client to find sustainable employment.

*Question No. 124 answered with Question No. 116.*

*Question No. 125 answered with Question No. 106.*

*Question No. 126 answered with Question No. 110.*

### **Rent Supplement Scheme Eligibility**

127. **Deputy Billy Kelleher** asked the Minister for Social Protection her plans for the future of rent supplement in budget 2013; its future operation and in particular its relationship with local authorities; and if she will make a statement on the matter. [49905/12]

130. **Deputy Sandra McLellan** asked the Minister for Social Protection if she will bring forward her rent limits review scheduled to take place in June 2013 in view of reports of increases in rents since the start of 2012. [49839/12]

145. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection the reason she does not introduce rent controls and legal penalties on landlords who discriminate against tenants in receipt of rent allowance in view of (details supplied); if she will achieve her stated aim of reducing rents; and if she will make a statement on the matter. [49918/12]

150. **Deputy Thomas Pringle** asked the Minister for Social Protection the reason she does not introduce rent controls and legal penalties on landlords who discriminate against tenants in receipt of rent allowance in view of (details supplied); if she will achieve her stated aim of reducing rents; and if she will make a statement on the matter. [49919/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 127, 130, 145 and 150 together.

There are currently approximately 89,000 rent supplement recipients for which the Government has provided €436 million for the scheme in 2012.

Revised maximum rent limits came into force on 1 January 2012 and are in place until June 2013. These limits were set after an analysis of the most up to date market data available. It is essential that rents are allowed to stabilise from a natural balance of supply and demand, rather than as a result of a rent control funded by the taxpayer.

The Equal Status Acts 2000-2011 prohibit discrimination in the provision of services that are generally available to the public whether provided by the state or the private sector. Refusal by landlords to accept rent supplement tenants does not, however, fall within the area of discrimination as provided for under the equality legislation.

The fact that approximately 89,000 people are currently in receipt of rent supplement of which 42,000 have been awarded during 2012 shows that a significant number of landlords are accommodating applicants of the scheme and that rent supplement recipients are able to access accommodation within the current limits, which is in operation since 2004, and the new Housing Policy Initiative. In March 2012, the Government approved in principle to transfer responsibility for the provision of rental assistance to persons with a long term housing need from

the Department of Social Protection, currently provided through rent supplement, to housing authorities using a new Housing Assistance Payment (HAP).

A multi-agency steering group chaired by the Department of the Environment, Community and Local Government has been established to develop proposals to give effect to this transfer. It is planned that pilot testing of HAP arrangements will commence during the second half of 2013 with general roll out and commencement of transfers from January 2014.

The Department will continue to monitor the impact of the rent limits throughout the country but at this stage I have no plans to alter the current approach, in terms of introducing legislation to impose rent controls on residential properties or to bring forward the rent limit review. The Government will consider the appropriate level of expenditure on rent supplement in 2013 in the context of the forthcoming Budget.

*Question No. 128 answered with Question No. 107.*

### **Disability Allowance Payments**

129. **Deputy Seán Crowe** asked the Minister for Social Protection if she will arrange for a review of all agency arrangements for all persons in receipt of disability allowance living in residential care in view of concerns raised by Inclusion Ireland. [49849/12]

**Minister for Social Protection (Deputy Joan Burton):** I am aware that, in their pre-budget submission, Inclusion Ireland calls for a review of agency arrangements for all persons in receipt of disability allowance living in residential care and to implement the revised Regulations governing agency arrangements set out in Statutory Instrument Number 378 of 2009. These Regulations provide for the payment of social welfare benefits and pensions to a person other than the claimant or beneficiary. A person may be either nominated by the claimant or beneficiary to act as agent and receive the payment on his or her behalf or be appointed by the Minister. The Regulations specify the circumstances in which the Minister may appoint an agent and also set out the duties and responsibilities of the appointed person.

In relation to the disability allowance scheme specifically, the Regulations as set in Statutory Instrument Number 378 of 2009 and previous legislation governing agency arrangements are fully implemented. In May 2012 a letter issued to the agents of these customers who reside in approximately 75 residential care centres reminding them of their responsibilities and duties under the above Regulations.

Issues with the agency arrangements are raised with the Department from time to time and the Department endeavours to resolve them having regard to the best interest of the customer.

If the Deputy or Inclusion Ireland have concerns about any specific case, cases or residential institution, they should forward the details to my Office and I will arrange to have it investigated by the Department.

*Question No. 130 answered with Question No. 127.*

*Question No. 131 answered with Question No. 106.*

### **Child Benefit Payments**

132. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the per-

centage of child benefit recipients not in receipt of any means-tested social welfare payment. [49836/12]

**Minister for Social Protection (Deputy Joan Burton):** There were 597,333 families in receipt of child benefit on 31st December 2011. At that time, there were 213,784 families in receipt of qualified child increases across the various means tested schemes administered by the Department of Social Protection. A table is attached detailing the number of families in receipt of a qualified child increase by means tested scheme. These data show that some 64% of families who receive Child Benefit are not in receipt of a social welfare means tested payment. That percentage falls to approximately 60% if the 28,876 people on Family Income Supplement on 31st December 2011 are included from the calculation.

Means Tested Social Welfare Schemes	Total Families With Children
State Pension (Non-Contributory)	384
Jobseeker's Allowance	71,465
One-Parent Family Payment	90,177
Supplementary Welfare Allowance	10,420
Farm Assist	4,359
Pre-Retirement Allowance	223
Back to Work Allowance	56
Back to Work Enterprise Allowance	4,421
Back to Education Allowance	5,336
Disability Allowance	12,781
Blind Pension	209
Carer's Allowance	13,953
Totals	213,784

### Rent Supplement Scheme Eligibility

133. **Deputy Brian Stanley** asked the Minister for Social Protection if her attention has been drawn to concerns raised by the National Advocacy Service that community welfare officers are not willing to pay rent supplement to persons with disabilities who are leaving residential care; her views on whether this is making independent living impossible for some; and her response to same. [49856/12]

**Minister for Social Protection (Deputy Joan Burton):** There are currently approximately 89,000 persons in receipt of rent supplement, with €436 million provided by the Government for 2012. I am aware of the comment made by the National Advocacy Service. There are no specific exemptions to qualification for rent supplement for persons with disabilities with all customers being treated equally. Entitlement to rent supplement is subject to a number of qualifying conditions, one of which is that at the time of application for a rent supplement a claimant must:

- have been residing in private rented accommodation, accommodation for homeless persons or in an institution for 6 months within the preceding 12 months of the date of claim, or have had an assessment of housing need carried out within the 12 months preceding the date of claim and have been deemed by a housing authority to be eligible for and in need of social housing support.

Rent supplement is payable where a person has left institutional care and satisfies the conditions of the scheme. If the person concerned requires specialised housing due to the nature

of their condition Department officials are empowered to pay rent supplement in excess of the prescribed rent limits, thereby fully supporting independent living.

There have been instances where applications for rent supplement have been made where the applicants have either remained in institutional care or have moved from one institution to another. Rent supplement is not payable where an applicant is resident in an institution. An institution is defined as a hospital, convalescent home or home for persons suffering from physical or mental disability or accommodation ancillary thereto and any other similar establishment providing residence, maintenance or care for the persons therein.

Under these circumstances, the responsibility for meeting the accommodation needs of the person concerned would be met by the body or organisation which is providing the maintenance and care of the individual.

### **Rent Supplement Scheme Applications**

134. **Deputy Michael Colreavy** asked the Minister for Social Protection if she will re-introduce the freefone number for callers to the central rents unit and allocate case officers to specific geographic regions. [49840/12]

**Minister for Social Protection (Deputy Joan Burton):** We are examining all the communication channels for the Rent Unit with a view to improving customer service. With the introduction of email addresses for the unit, customers now have access to the Rent Units beyond the traditional CWO clinic times (sometimes with public access limited to two and a half hours, three times a week). This means that customers can now email the unit outside of office times at a time that best suits them. Also documents relating to the rent claim can now be attached to the email therefore reducing the expense for the customer and the turnabout time for the claim.

The Department keeps the operational and organisational process of the Unit under review with a view to managing operational efficiency and maximising service to the customer.

### **Social Welfare Code Issues**

135. **Deputy Dessie Ellis** asked the Minister for Social Protection if she will provide an update on any progress made and the nature of negotiations that she has had with energy and other suppliers with a view to receiving greater value under the household benefits package without cutting the scheme. [49855/12]

**Minister for Social Protection (Deputy Joan Burton):** The household benefits package includes a free electricity or gas allowance, a telephone allowance and a free television licence. There are some 400,000 customers in receipt of the household benefits package. Between 2005 and 2011 the number in receipt of the electricity allowance rose by 20%. The cost of the package was almost €370 million in 2011. My Department has engaged in discussions with utility companies and achieved some discounts for the Department in respect of both electricity and telephone payments. However, it is important to note that my Department, in facilitating payment of electricity and telephone bills for certain categories of social welfare recipients, is not procuring the service directly. As my Department's household benefit package only covers a proportion of utility bills, recipients must remain free to choose their own supplier and in this way obtain better value for money. The 400,000 recipients remain individual customers of their respective utility companies, responsible in law for the payment of their bills. This limits the ability of my Department to obtain greater savings.

I appreciate the important role that these schemes play in promoting social inclusion and preventing isolation of older people and people with disabilities. All of the schemes operated by my Department, including the household benefits package were examined in the context of the Comprehensive Review of Expenditure and continue to be kept under review given the on-going need for savings and to target expenditure at those most in need.

### **Child Care Services Provision**

136. **Deputy Mick Wallace** asked the Minister for Social Protection the outcome of her visit to Sweden to examine child care; her plans to progress the model and proposals of the interdepartmental subgroup on school-age child care; and if she will make a statement on the matter. [49914/12]

149. **Deputy Mick Wallace** asked the Minister for Social Protection the progress that has been made to date on the development of her plan for a Scandinavian style child care system; and if she will make a statement on the matter. [49915/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 136 and 149 together.

The role of the Inter-Departmental Group (IDG) on School-Age Child Care is to define the best model for the provision of school-age child care to meet the needs of the customers of the Department, including those of lone parents. The model will seek to address the child care requirements of children aged between 7 and 12 years (inclusive) both during the school term and the school holidays.

Extensive work has been completed by the Group to quantify the level of school-age child care that is required to support the relevant social welfare income support recipients, in particular lone parents, for each year up to and including 2015. An examination has also been carried out of existing child care schemes and of the capital investments already made by the Department of Children and Youth Affairs in this sector. Based on these findings the IDG are engaged in detailed discussions to define an effective school-age childcare model and to determine the level of funding required. Once completed, the proposals will be submitted to Government for their consideration.

I recently visited Sweden to study a number of items of interest to me. I am particularly interested in the Swedish childcare system and what Ireland can learn from that model. There are many aspects of the Swedish childcare system that are very impressive. My visit to a Reggio Emilia-inspired pre-school was one such example. The school is very much a central part of the community and allows parents to avail of work and/or educational opportunities while their children are being cared for.

The Swedish childcare model is a very comprehensive and expensive system. A more detailed examination of this and other international systems would be required to establish the most appropriate model for Ireland.

*Questions Nos. 137 and 138 answered with Question No. 110.*

*Question No. 139 answered with Question No. 117.*

### **Early Retirement Scheme**

140. **Deputy Gerry Adams** asked the Minister for Social Protection her views on the impact that the early retirement scheme has had on the administrative functions of her Department; her plans to sanction the recruitment of additional staff; and if so, when, and the number of same. [49834/12]

**Minister for Social Protection (Deputy Joan Burton):** Since 2009 just over 450 staff in my Department availed of early retirement schemes while other staff left or retired as normal. Obviously, this has had some impact on service delivery in my Department. However, the Department moved very quickly to fill critical vacancies arising from retirement, and since 2009 almost 900 staff have been assigned to my Department to fill these vacancies and additional posts that were approved to deal with the increased volume of claims due to the downturn in the economy. The majority of these staff have been sourced through the redeployment and transfer of staff from other Government Departments. In addition, in order to begin the roll out of the Public Services Card on a nationwide basis, the Department of Public Expenditure and Reform gave sanction to the Department for the provision of up to 150 additional clerical officer posts. The sanction is subject to resources being sourced from redeployment panels in the first instance, and where resources are not available, the temporary recruitment of temporary clerical officers through the Public Appointments Service

The staffing needs for all areas within the Department are continuously reviewed, having regard to workloads, management priorities and the competing demands arising, with a view to providing an efficient service to those who rely on the schemes operated by the Department. I can assure the Deputy that my Department will continue to source staff to fill critical vacancies by way of lateral transfer and redeployment, taking account of the Employment Control Framework target, as determined by the Minister for Public Expenditure and Reform.

*Question No. 141 answered with Question No. 106.*

### **Rent Supplement Scheme Expenditure**

142. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if her attention has been drawn to the hardship and distress caused to applicants for local authority housing who are forced to rely on rent support in respect of private housing and are subject to a maximum rent which is applicable throughout County Kildare notwithstanding the market variations for such rent and in view of the fact that in certain parts of the county rent levels vary dramatically arising from the demand; if she accepts the existence of such variations and the need to adjust the levels of rent support in accordance with the actual market situations wherein some cases rent levels are higher than in many parts of Dublin city and county; and if she will make a statement on the matter. [49859/12]

**Minister for Social Protection (Deputy Joan Burton):** There are currently approximately 89,000 rent supplement recipients for which the Government has provided €436 million for 2012. The aim of rent supplement is to provide short term income assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. The maximum rent limits were set after an analysis of the most up to date market data available. For all counties, major urban population centres were tested as part of the rents review to ensure that rent supplement applicants can access temporary housing arrangements whilst seeking employment opportunities. The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market.

Analysis shows that for County Kildare, there are properties available within the maximum

rent limits for rent supplement recipients. The number of rental properties available in North Kildare is somewhat lower than the numbers available in the rest of the county and therefore impacts on the number of accommodation units available for rent supplement. The purpose of the rent limit review was to ensure availability of accommodation for rent supplement tenancies and not to provide rent supplement tenants with access to all housing in all areas.

Latest figures show that there are approximately 4,300 rent supplement recipients in County Kildare. When compared with Census 2011 household data this shows that 36% of properties rented from private landlords are in receipt of rent supplement in County Kildare showing that it is possible to secure accommodation within the rent limits. The Department will continue to monitor the impact of the rent limits throughout the country.

### **Employment Support Services**

143. **Deputy Martin Ferris** asked the Minister for Social Protection if she will develop a clear strategy to increase awareness of the employment supports available to persons with disabilities; and her plans for further steps regarding same. [49850/12]

**Minister for Social Protection (Deputy Joan Burton):** My Department has a primary role in delivering a wide range of disability related supports, in relation to both income-support schemes and employment services for people with disabilities. These services were provided previously by FÁS and are now delivered through the Department under a new national identity - “*EmployAbility Service* – which is aimed at supporting people with disabilities to avail of employment opportunities. The supports available include for employers workplace equipment adaptation grants and wage subsidies; and for employees with a disability on site job coaches and mentors. As responsibility for these supports now lies with the Department, a review of how best to ensure the effective integration of these supports into the broader suite of measures provided, will be undertaken and the issue of how to increase awareness of employment supports available to people with disabilities will form part of that review.

*Question No. 144 answered with Question No. 118.*

*Question No. 145 answered with Question No. 127.*

*Questions No. 146 and 147 answered with Question No. 117.*

### **Disability Allowance Applications**

148. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she will consider making a liaison or support person available to those who need assistance making applications and appeals with respect to disability-related payments as recommended by Inclusion Ireland. [49845/12]

**Minister for Social Protection (Deputy Joan Burton):** It is the policy of my Department to standardise and simplify application forms. Plain English principles are applied to ensure that they are available in a simple, clear, easy to read format. My Department operates a network of some 125 social welfare local and branch offices throughout the country. Each local office has dedicated information officers providing information on all the Department’s schemes and services and who are available to assist with the completion of application forms where required.

The nationwide network of over 200 Citizens Information Centres also offers a drop-in service where callers can meet information providers face-to-face. Staff in these centres offer

information, advice and advocacy to individuals on a wide range of public and social services, including the Social Welfare Appeals process. In addition the National Advocacy Service, which was established under the Citizens Information Board in January 2011, provides an independent, confidential and free, representative advocacy service to vulnerable people with disabilities who cannot self-advocate, while supporting others to use mainstream services. The aim of the National Advisory Service is to ensure that the voices of people with disabilities are heard and their rights safeguarded.

I am satisfied that the assistance and support available to customers, through my Department's offices, through the Citizens Information Centres and the National Advocacy Service enables them to access my Departments schemes and services, including disability related payments, in a timely and effective manner that best meets their needs.

*Question No. 149 answered with Question No. 136.*

*Question No. 150 answered with Question No. 127.*

### **Carer's Allowance Eligibility**

151. **Deputy Gerry Adams** asked the Minister for Social Protection if she will commence a review of income supports for family carers as recommended by the Carer's Association. [49833/12]

**Minister for Social Protection (Deputy Joan Burton):** In the recently published National Carers' Strategy my Department committed to recognising the needs of carers by the provision of income supports. My Department currently provides a range of supports for family carers including carer's allowance, carer's benefit and the annual respite care grant, as well as secondary benefits such as free travel and household benefits. There are almost 52,000 people in receipt of carer's allowance from my Department at an annual cost of over €500 million. Of these, over 22,000 are getting half-rate carer's allowance in addition to another social welfare payment at an annual cost of some €90 million. There are over 1,600 people in receipt of carer's benefit with an allocation of €23 million in 2012.

In Budget 2012, the basic rate of all income supports for carers was maintained. The means test for carer's allowance is one of the most generous means tests in the social welfare system. The income disregard is €332.50 per week for a single person and €665 per week for a couple. A couple with two children can earn up to €35,400 and qualify for the maximum rate of carer's allowance, as well as the household benefits package and free travel while a couple earning €59,300 can still qualify for the minimum rate of carer's allowance and additional benefits. Carer supports were reviewed as part of the Comprehensive Review of Expenditure and all of my Department's schemes are kept under review as part of the budgetary process. I have no plans to initiate a separate review of carer income supports.

*Question No. 152 answered with Question No. 117.*

### **Departmental Functions**

153. **Deputy Kevin Humphreys** asked the Minister for Social Protection if her attention has been drawn to the delays being experienced within her Department due to the failure to transfer files for appeals quickly when decisions in the negative for entitlements to payments are appealed by a citizen; and if she will make a statement on the matter. [49989/12]

**Minister for Social Protection (Deputy Joan Burton):** Significant resources and effort have been put into reducing backlogs and improving appeals processing times for appellants, including:

The assignment of 15 additional Appeals Officers (AO).

Retaining retired experienced AOs for 18 months ending December 2011.

Improving business processes and implementing a new operating model in SWAO.

Programme of process redesign and system modernisation in scheme areas.

I think it is worth repeating the scale of the increases in social welfare appeals over the last three years. Up to 2009, the average number of appeals received was 15,000 per annum. In 2011 it rose to 32,000. In the same period the number of decisions finalised increased from an average 13,500 to 34,027.

Currently the details of delays in the transfer of files for Appeals are outlined in the table:

Table 1 - Files Awaiting Submission to SWAO as at 5th November 2012

Scheme	Files Awaiting Submission to Appeals
invalidity pension	3,688
jobseekers schemes	1,423
carers	1,131
SWA	892
Other schemes	794
domiciliary care allowance	747
disability allowance	398
child benefit	214
illness benefit	96

The Department continues to examine what further improvements must be made to reduce processing times. When an appeal is received, it is acknowledged, the Department makes a submission to the SWAO on the grounds of appeal put forward by the appellant. Part of this process is a review by the Department of the initial decision in light of new evidences or information submitted as part of the appeal. For example, in the case of schemes which include medical criteria, the time taken by the Department will almost always include a review by a different medical assessor to the one who initially examined the case. In cases where a person's means are the issue, a further visit by a Social Welfare Inspector may be required. All of this adds time to the process.

In effect the Department allows multiple reviews and submissions of fresh evidence to ensure the applicant gets every opportunity to make their case. A number of jurisdictions do not do this and inevitably restrict the opportunities of the applicant. Nonetheless, there is no doubt further improvement is needed and there are plans in place to do so. In relation to the SWAO itself, the Chief Appeals Officer expects to finalise 6,000 more claims in 2013 than will be finalised this year. This will be achieved through the additional capacity generated as the newer Appeals Officers become experienced. As things stand, with turnover of staff and additional new recruits, 25 Appeals Officers have less than 18 months experience.

There is a major programme of process redesign and modernisation currently underway in

relation to many scheme areas which will reduce scheme backlogs and will also reduce the time taken for the Department to respond to requests from the SWAO for submissions in relation to appeals. It is also planned to improve the capacity of the Medical Review and Assessment Service through the recruitment of additional Medical Assessors in 2013. All of these measures taken together will reduce the waiting times for appellants.

### **Departmental Schemes**

154. **Deputy Kevin Humphreys** asked the Minister for Social Protection if her attention has been drawn to the ongoing delays of over six months in the processing of disability, invalidity and carer's allowance applications and the difficulties it is causing for members of the public who have to live with the uncertainty of the status of their entitlements for up to a year in some cases; the action being taken to address the backlog; and if she will make a statement on the matter. [49990/12]

**Minister for Social Protection (Deputy Joan Burton):** There has been a significant increase in the number of new claims received in all these three schemes over the past 3-4 years. A major service delivery modernisation project has been undertaken to improve the efficiency of administration of the three scheme areas in question and to help to deal with the increased volumes. This involves the deployment of information technology solutions and associated business process re-organisation. Full deployment of the new system for invalidity pension (IP) and carer's allowance (CA) is now completed and will be completed for disability allowance (DA) by the end of this month. In tandem with the full implementation of the new system, comprehensive business process improvement exercises were recently completed in both IP and CA areas, the focus of which is to optimise performance and provide improved customer service. New organisational structures were introduced and additional temporary staff were allocated to IP and CA areas to support these initiatives.

I am pleased to say that the number of IP claims awaiting decision has decreased from 7,267 at the end of May 2012 to 4,560 at the end of October 2012 and continues to decrease. The new process and structures were implemented in CA on 3 September 2012. The number of claims awaiting decision there at the end of September was 10,322 and has reduced to 9,517 at the end of October 2012. Furthermore, an additional 10 temporary staff are being assigned to expedite backlog claim clearance in CA. It will take a number of months before the backlog is cleared but the process is continually monitored to ensure backlog eliminated in the shortest possible timeframe.

The current average time taken to process new DA applications is 17 weeks. Following the full deployment of the new system later this month, a similar business process improvement initiative will be commenced and a programme will be put in place to eliminate backlog of new applications. In the meantime, temporary staff have been assigned to DA to support the modernisation project and overtime working is being operated as appropriate. It should be noted that the time required to process a new application in each of the three schemes can vary depending on the complexity of the individual circumstances and the information provided by the claimant. In addition, a request for a review or an appeal by a person adds to length of time taken to deal with the claim.

### **Diplomatic Representation Expenditure**

155. **Deputy Joe McHugh** asked the Taoiseach if he will provide an update on develop-

ments arising from the joint statement on the future relationship between Ireland and Britain made by him and the British Prime Minister, Mr. Cameron, at Downing Street on 12 March 2012. [49391/12]

**The Taoiseach:** The Joint Statement envisages a comprehensive programme of engagement between the two administrations, including close bilateral engagement between respective departments and regular meetings at Secretary General/Permanent Secretary level.

A range of bilateral meetings have taken place across a range of policy areas since the March 2012 Joint Statement. A plenary meeting of Secretaries General and Permanent Secretaries has been scheduled for 16 November in London, to consider progress to date and map out future work, looking ahead to the Annual Review Summit in 2013. This work programme is based on a number of areas as set out in the Joint Statement, including Energy & Climate Change, Economic & Financial Issues and Trade & Investment. The Joint Statement also provides for the preparation of a joint evaluation of the depth of economic relations between Britain and Ireland and of the opportunities for closer collaboration in support of growth to the mutual benefit of both islands.

The project is being overseen by a Steering Group comprising of senior officials from both jurisdictions. A wider consultative group consisting of key lead Departments is also being established and will be engaged throughout the consultancy. An interim report is to be delivered by mid February 2013 and a final report by end March. The Prime Minister and I have committed to meeting together at Annual Summits to review and oversee progress in the broad areas outlined in the Joint Statement. The next summit meeting is expected to take place in March 2013.

### **State Agencies**

156. **Deputy Niall Collins** asked the Taoiseach if he will provide in tabular form the list of quasi-governmental organisations and agencies under his remit; if he will provide a list of quasi-governmental organisations and agencies under his remit that have been abolished since March 2011 or are scheduled to be abolished and the date on which they are due to be abolished; the date on which the body was created; the name of the body; the 2012 budget for the body; the number of employees of the body in 2012; the names of outside consultants hired by the organisation since March 2011; and his future plans for the body. [49392/12]

**The Taoiseach:** The National Economic and Social Development Office (NESDO) is the only State Agency under the aegis of my Department. The NESDO was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC). NESDO has a budget of €2.220m this year and employs 17.2 staff.

NESDO/NESC was one of the organisations to be critically reviewed as part of the programme of rationalisation of State agencies, announced by the Minister for Public Expenditure and Reform on 17 November 2011. My Department carried out the review. The review concluded that the National Economic and Social Development Office (NESDO) was no longer required and should be abolished and that the NESC should be maintained as the statutory body. The review contained a number of other recommendations in relation to the functioning of NESC. My Department is proceeding to implement the recommendations of the Review. The abolition of NESDO as a statutory body will require primary legislation and the timelines for publication of this legislation will depend on the availability of necessary drafting resources.

### Departmental Expenditure

157. **Deputy Sean Fleming** asked the Taoiseach the gross and net additional expenditure savings that his Department is seeking to achieve in 2013; and if he will make a statement on the matter. [49393/12]

**The Taoiseach:** My Department will achieve savings in 2013 in all areas of administrative activity through improvements in procurement processes, greater use of technology and shared services, redeployment of resources and restructuring of processes. However the final 2013 allocation is still under discussion with the Department of Public Expenditure Reform as we need to take account of additional requirements in respect of the Constitutional Convention, Ireland's Presidency of the EU and reductions to my Departments employment control framework in the context of Government policy on public service staff number reductions.

### Departmental Expenditure

158. **Deputy Billy Kelleher** asked the Taoiseach if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49659/12]

**The Taoiseach:** 379 The National Economic and Social Development Office (NESDO) is the only State Agency under the aegis of my Department. The NESDO was established under the NESDO Act 2006 and is the body corporate for the National Economic and Social Council (NESC). The expenditure by NESDO in 2012 to date under the headings requested by the Deputy is included in the following tabular statement:

Communications	Public Relations	Consultancy	Advertising	Human Resources*
Nil	Nil	€122	Nil	€1,300,710

\*This figure represents the salary cost of the staff of NESDO.

### Public Sector Staff Increment Payments

159. **Deputy Mary Lou McDonald** asked the Taoiseach if he will provide in a tabular form the number of public servants in receipt of annual gross public sector pensions of between €0 to €10,000, €10,001 to €20,000, €20,001 to €30,000, €30,001 to €40,000, €40,001 to €50,000, €50,001 to €60,000, €60,001 to €70,000, €70,001 to €80,000, €80,000 to €90,000, €90,000 to €100,000, €100,001 to €110,000, €110,001 to €120,000, €120,001 to €130,000, €130,001 to €140,000, €140,001 to €150,000, €150,001 to €160,000, €160,001 and above; and if these figures include local authorities, vocational educational committees, commercial semi-State companies, non-commercial State agencies and bodies public sector retirees. [49861/12]

**The Taoiseach:** I understand that the Department of Public Expenditure and Reform will provide the information requested in relation to my Department. In relation to the National Economic and Social Development Office, which comes under the aegis of my Department and which includes the National Economic and Social Council (NESC), no staff have retired to date.

### Public Sector Reform Review

160. **Deputy Seán Kyne** asked the Taoiseach if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50648/12]

**The Taoiseach:** My Department values all its staff and the contributions they make in helping to ensure its goals and objectives are achieved as efficiently and effectively as possible. Staff serving in all grades in my Department help formulate and contribute to the reforms being implemented in my Department. In particular, this involves discussion and agreement of reform plans under the Croke Park Agreement through Departmental Council meetings involving all staff associations. In addition, there are regular meetings between senior management and staff at Departmental and divisional level, quarterly meetings of all staff, and formal staff consultation processes in line the Department's Organisation Review Programme Action Plan and HR Strategy.

### **Human Rights Issues**

161. **Deputy John Paul Phelan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has raised with the Chinese Government the issue of alleged human rights violations in China, with particular reference to allegations of organ harvesting and persecution of Falun Gong worshippers; and if he will make a statement on the matter. [49419/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Human rights have been a priority of successive Irish Governments and are a key aspect of Ireland's foreign policy. The Government is concerned about the treatment of Falun Gong practitioners in China. In April of this year, officials from the Department of Foreign Affairs and Trade met with representatives from the Falun Dafa Association of Ireland and discussed the ways in which human rights issues, including those relating to the Falun Gong, are raised with the Chinese authorities both by Ireland and by the European Union.

Freedom of religious belief and expression is an issue which is discussed regularly with the Chinese authorities during both bilateral meetings and at European Union level. At these meetings, the Government re-iterates the great importance Ireland attaches to human rights, fundamental freedoms and the rule of law. Through the formal framework of the EU-China Human Rights Dialogue, which was established in 1995, the EU continues to share with China its experience in the field of human rights protection and promotion, and to urge China to take clear steps to improve the human rights situation. At the most recent session of the EU-China human rights dialogue on 29 May 2012, the EU again raised the issue of restrictions on Falun Gong practitioners. At this meeting, the EU also presented the Chinese side with a list of individual cases of concern, including those of several detained Falun Gong practitioners.

During the Taoiseach's visit to China in March, he agreed a joint statement with Premier Wen Jiabao to establish a Strategic Partnership for Mutually Beneficial Cooperation between Ireland and China. The Strategic Partnership, which is a major step forward in bilateral relations, provides for a strengthened political and economic dialogue between China and Ireland and promotes closer consultation and cooperation between my Department and its Chinese counterpart. The Strategic Partnership reaffirms the commitment of Ireland and China to respect and safeguard human rights. As set out in the joint statement, Ireland and China will conduct exchanges of expertise in governance and rule of law on the basis of equality and mutual respect. We hope that, as China develops, it will be possible for further progress to be made in ensuring that individual rights are enjoyed by all China's citizens. We will continue to address these matters in a frequent and regular dialogue, including the EU human rights dialogue and

also bilaterally, in a spirit of mutual respect and cooperation.

### **State Agencies**

162. **Deputy Billy Kelleher** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49653/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** There are no State agencies under the remit of my Department.

### **International Relations**

163. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will consider placing an Irish presence in Sarajevo for the EU heads of mission meetings as Ireland enters the EU Presidency to facilitate and monitor the peace process in Bosnia and prevent further disintegration of stability; and if he will make a statement on the matter. [49678/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Ireland is a strong supporter of Bosnia and Herzegovina's EU perspective, and closely monitors developments in the country. Ireland's embassy in Slovenia is accredited to Bosnia and Herzegovina. While an Irish diplomatic presence in Sarajevo would be desirable, the considerable financial pressures of recent years have led to further reductions in Ireland's already small diplomatic service. Severe resource and budgetary constraints mean that it will unfortunately not be possible to have a presence on the ground in Sarajevo during our Presidency. However our Ambassador and the Deputy Head of Mission in Ljubljana have travelled to Bosnia and Herzegovina several times in the past year, and will continue to travel regularly, including to attend EU Heads of Missions meetings, and to report on developments there.

I am also pleased that the European External Action Service has built a strong presence in Sarajevo. Under the arrangements of the Lisbon Treaty, it is the EEAS rather than the rotating Presidency that takes the lead on the EU's relationship with Bosnia and Herzegovina. Nevertheless, Ireland will continue to take a strong interest in Bosnia and Herzegovina and we stand ready to support and assist the country in its progress towards its EU perspective, both during our Presidency and beyond.

### **Departmental Staff Redeployment**

164. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of officials by grade in his Department that will be working solely on the Presidency for the remainder of 2012; if redeployment or promotion has occurred; if they will be paid any additional allowances or pay; the way these officials were selected; if the selection procedure gave rise to any complaints; and if he will make a statement on the matter. [50025/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department was given a temporary reprieve for 2012 and 2013 from the impact of the Government's Employment Control Framework and was also allocated 50 temporary additional posts

by the Department of Public Expenditure and Reform, in order to enable it to plan and fulfil its EU Presidency responsibilities and activities in the first half of next year. Most of the temporary additional staff required by the Department for the Presidency are now in situ and have been assigned as appropriate. At headquarters, eight staff have been redeployed to my Department from other Government Departments and Offices to which they are scheduled to return in summer 2013 – 4 Assistant Principal Officers, 3 Higher Executive Officers and one Clerical Officer. Ten Administrative Officers and 8 Clerical Officers have also been recruited on fixed-term contracts through the Public Appointments Service and 8 Interns were recruited on the same basis directly by the Department. One retired officer has been temporarily re-engaged until July 2013.

As regards Missions broad, the majority of Presidency-related posts have been assigned to the Permanent Representation of Ireland to the European Union in Brussels, with smaller numbers allocated to other Missions including the Permanent Missions to the UN in New York and Geneva and those to the OSCE, the IAEA and a number of smaller international organisations in Vienna. The Presidency staffing plan for the Permanent Representation in Brussels was prepared following a carefully coordinated inter-departmental needs evaluation. Overall, the staffing of the Permanent Representation has been temporarily increased by 80 officers in various grades, the majority of whom have been assigned by other Departments and Offices at their own expense and from within their own staffing resources, with some 30 administrative and clerical staff temporarily locally recruited.

The additional staff assigned to the Department for the Presidency are directly engaged in Presidency-related activities in most cases, although most also have other duties and some have been assigned to positions vacated by experienced officers redeployed to Presidency roles. Presidency responsibilities will also impact in varying degrees on the work of a number of the core staff of my Department at home and abroad. Temporary promotions or acting-up allowances have not been a feature of the staffing arrangements for this Presidency. The Department is not aware of any complaints relating to the selection procedures.

### **Election Monitoring Missions**

165. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 60 of 22 March 2012, if this review of the working of the election roster has been completed; the outcomes of the review; and if he will make a statement on the matter. [50037/12]

166. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade the individual cost of each trip taken by persons as part of Ireland's international election monitoring since the beginning of 2012; and if he will make a statement on the matter. [50038/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** I propose to take Questions Nos. 165 and 166 together.

International election monitoring missions play an important role in the promotion of democracy and human rights. The Department of Foreign Affairs and Trade maintains a roster of observers for election monitoring missions. We aim to ensure that, when requested, Ireland is represented at an appropriate level in international observation missions for both elections and constitutional referendums. Irish observers participate primarily in missions organised by the European Union (EU) and the Organisation for Security and Cooperation in Europe (OSCE), but have also been involved in missions organised by the Council of Europe, the United Na-

tions and the Carter Centre. So far in 2012, 57 Irish observers have been involved in missions organised by both the EU and OSCE, across 11 countries.

Observers who participate in missions supported by the Department are entitled to one pre-departure grant of €600 in every twelve month period to cover any costs incurred in preparing for the trip, including vaccinations and other medical expenses. For EU led missions, any additional costs are covered by the European Commission. Observer costs for OSCE-led Missions are met by the participating countries. In Ireland's case, these funds come from the Irish Aid budget.

The election observation programme is subject to continuous monitoring to ensure it is efficient and effective and provides the best possible value for money. A list in tabular form of the costs for each Irish election observer funded by Irish Aid from January 1st 2012 to date is set out below. For obvious reasons, the costs associated with long-term observers (LTO) are higher than those for short-term observers (STO).

There are currently some 300 people on the Election Observation Roster. At present, the roster is not open for new members but I am aware that there are quite a number of individuals interested in joining the roster. I am keen to ensure that members of the roster will have the specific skills requested by the OSCE and the EU, including language skills. As previously stated, I have asked officials to carry out a detailed review of the roster and how it works, and to prepare proposals on future membership. I hope that the review will be completed in the near future.

### **Election Observation Missions 2012 to date**

**(57 observers on 11 missions)**

COUNTRY	ORGANISATION	ROLE	NAME	COST €
January				
Kazakhstan	OSCE	STO	Patricia Barker	3,643
Kazakhstan	OSCE	STO	Paddy Buckenham	3,193
Kazakhstan	OSCE	STO	Paul Cosgrave	3,643
Kazakhstan	OSCE	STO	Michael Humphreys	3,643
Kazakhstan	OSCE	STO	Cecilia Keaveney	3,643
February				
Senegal	EU	LTO	Diarmuid Peavoy	0
Senegal	EU	STO	Aidan O'Shea	0
March				
Russia	OSCE	LTO	Michael Verling	17,029
Russia	OSCE	STO	Grattan Lynch	4,301
Russia	OSCE	STO	Julian Clare	3,756
Russia	OSCE	STO	Noreen Kerins	4,301
Russia	OSCE	STO	Chris Andrews	4,301
May				
Armenia	OSCE	LTO	Sean O'Callaghan	6,967
Armenia	OSCE	STO	Ann Ormonde	3,304

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COUNTRY	ORGANISATION	ROLE	NAME	COST €
Armenia	OSCE	STO	Blaise Treacy	3,304
Armenia	OSCE	STO	Edward Horgan	3,304
Armenia	OSCE	STO	James McNamara	3,304
Armenia	OSCE	STO	Terence Fleming	3,304
Armenia	OSCE	STO	Brian Fagan	3,304
Armenia	OSCE	STO	Eimear Friel	2,717
Serbia I	OSCE	LTO	Orla Cluff	6,827
Serbia II	OSCE	LTO	Peter McMahon	3,685
Algeria	EU	LTO	Dorcha Lee	600
Algeria	EU	STO	Mary Boland	0
Algeria	EU	STO	Peter Ballagh	0
July				
Timor Leste	EU	LTO	Mary O'Shea	0
September				
Belarus	OSCE	LTO	Peter Donovan	8,086
Belarus	OSCE	STO	Noel Brennan	2,775
Belarus	OSCE	STO	Julian Clare	2,230
Belarus	OSCE	STO	Patrick Finneran	2,775
Belarus	OSCE	STO	Finbar O'Sullivan	2,541
Belarus	OSCE	STO	Deirdre Grogan	2,857
Belarus	OSCE	STO	Mark Long	2,857
Belarus	OSCE	STO	Rebecca Moynihan	2,775
Belarus	OSCE	STO	Anne Choiseul	2,775
October				
Georgia	OSCE	LTO	Eithne MacDermott	6,730
Georgia	OSCE	STO	Cecilia Keaveney	3,546
Georgia	OSCE	STO	Eileen McCabe	4,146
Georgia	OSCE	STO	John O'Connor	4,122
Georgia	OSCE	STO	Peter Emerson	4,146
Georgia	OSCE	STO	Conor O'Clery	4,122
Georgia	OSCE	STO	James Mallon	4,122
Georgia	OSCE	STO	Les Allamby	4,122
Georgia	OSCE	STO	Richard McEvoy	4,122
Ukraine	OSCE	LTO	Seamus Martin	11,473
Ukraine	OSCE	LTO	Michael Verling	10,746
Ukraine	OSCE	STO	Eric Byrne	3,258
Ukraine	OSCE	STO	Geraldine Power	3,425
Ukraine	OSCE	STO	Raymond Dunne	3,425
Ukraine	OSCE	STO	Ciaran Kinsella	3,425

COUNTRY	ORGANISATION	ROLE	NAME	COST €
Ukraine	OSCE	STO	Fionnuala Brennan	3,425
Ukraine	OSCE	STO	Kevin Grogan	3,425
Ukraine	OSCE	STO	Julian Clare	2,825
Ukraine	OSCE	STO	Thomas Bellew	2,827
November				
Sierra Leone	EU	LTO	Colm Fahy	600
Sierra Leone	EU	STO	Michael Coyne	600
Sierra Leone	EU	STO	Michael Boyle	600

### Irish Communities Abroad

167. **Deputy Joe McHugh** asked the Tánaiste and Minister for Foreign Affairs and Trade with reference to the assertion in Fresh perspective: A Needs Analysis of the Irish Community in London, October 2012 that 25.8% of the London Irish community suffer poor health and that isolation may contribute to this poor health, the work his Department is undertaking to address causes and results of isolation within the Irish community in London; and if he will make a statement on the matter. [50054/12]

168. **Deputy Joe McHugh** asked the Tánaiste and Minister for Foreign Affairs and Trade with reference to the assertion in Fresh Perspectives: A Needs Analysis of the Irish Community in London, October 2012 that 94.7% of recent Irish migrants to London report poor or moderate levels of perceived social support; the work his Department is undertaking to engage supports for recent migrants. [50063/12]

169. **Deputy Joe McHugh** asked the Tánaiste and Minister for Foreign Affairs and Trade the engagement by his Department with the British social services in respect of vulnerable elderly Irish citizens who live in the greater London area; and if he will make a statement on the matter. [50065/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 167 to 169, inclusive, together.

I am acutely aware of the plight of vulnerable Irish citizens around the world and in Britain in particular. Since 2004 the Emigrant Support Programme (ESP), previously Díon, has provided financial support for frontline welfare services. There is an Irish Abroad Unit in my Department and an Irish Communities Section in the Embassy in London reflecting the importance of this issue. Irish organisations in Britain are the largest recipients of ESP funding and have received grants amounting to over €70million since 2004. The emphasis of the Programme's funding in Britain, as elsewhere, is on supporting frontline welfare services. In 2012, I approved grants of £5,698,400 (just over €7m) in respect of 113 organisations of which £4.485 million (€5.5m) relates to organisations providing welfare and information services to the Irish community, particularly the elderly.

The organisations funded provide a range of services, from informal community networking groups for senior citizens, to outreach services and advice in accessing entitlements. The ESP funds many professional services that provide expert advice and assist Irish people access the relevant supports provided in relation to social, housing and medical needs to name but a few. This support has had a very tangible and positive impact on Irish communities in Britain, in particular on the lives of our vulnerable citizens, a point acknowledged by, amongst others, the

Simon Community and the British-Irish Inter-parliamentary Body.

I welcome the publication of *Fresh Perspectives* – a needs analysis of the Irish Community and am delighted to see both the Federation of Irish Societies and the London Irish Centre working together to improve the lives of Irish people in the UK. The ESP is the lead supporter of both of these organisations who are the largest recipients of ESP funding in Britain receiving £475,000 (€590,000) and £448,500 (€550,000) respectively in 2012.

### **Northern Ireland Issues**

170. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will raise the issues of the continued imprisonment of Marian Price McGlinchey and Martin Corey with the British Prime Minister when next they meet. [45663/12]

173. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade if he raised the continued imprisonment of Marian Price McGlinchey and Martin Corey with the British Prime Minister in any of their recent engagements. [47411/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 170 and 173 together.

As the record of the House will show, I raised the matter of prisoners with former Secretary of State for Northern Ireland Owen Paterson on several occasions, and more recently have raised this issue with the new Secretary of State of Northern Ireland, Theresa Villiers. I know that the Taoiseach also took the opportunity to raise the matter with the Secretary of State Villiers when he met her on 2 October.

I have not raised this matter personally with the Prime Minister but I have no doubt that he is aware of our concerns.

I will continue to raise these issues with the British Government, as appropriate, and to convey my concerns to them and to the relevant Northern Ireland authorities.

### **EU Presidency Expenditure**

171. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade his role with regard to Ireland's Presidency of the Council of the European Union. [45664/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** As Tánaiste and Minister for Foreign Affairs and Trade, I have a broad range of responsibilities for Ireland's forthcoming Presidency of the European Union. In identifying the main priorities of the Presidency, the Taoiseach and I have asked all members of the Government to use the Presidency to focus on the jobs and growth agenda across all policy formations. Tackling unemployment, and particularly youth unemployment, and creating the conditions for sustainable economic growth, will be the core priorities of the Irish Presidency. The General Affairs Council, which I will chair, deals with a broad range of cross-cutting issues including the EU's future financing. During the Presidency I will work to deliver on a complex EU budgetary process. My aim is to ensure that the Union supports a range of programmes and initiatives that can underpin economic recovery, growth and job creation, and promote greater social inclusion and regional cohesion. The future enlargement of the EU will also figure prominently on the General Affairs Council agenda during the Presidency. EU enlargement is good for European stability and peace and, as Chairperson, I will work to make progress in this area.

To stimulate job creation and growth across the EU, the Irish Presidency has already identified key policy areas aimed at making sure that the Single Market, which has delivered so many benefits for consumers and business over the past two decades, is better equipped to deal with the rapidly evolving digital economy. Our Presidency will also place a strong emphasis on promoting greater coordination of, and support for, the Union's research and innovation agenda, to ensure that the EU can become more globally competitive. But Europe also needs to look beyond its own borders to facilitate more exports which can sustain and create employment and economic growth. This is why Ireland, as Presidency, is placing a strong emphasis on moving the EU external trade agenda forward. A meeting of Trade focusing on the on the EU-US trade relationship will take place in April 2013. We hope to deliver a mandate for EU-US trade talks.

The Irish Presidency will support the High Representative for Foreign Affairs and Security Policy, and the European External Action Service in promoting the Union's values of peace, democracy and respect for human rights abroad. These values were explicitly recognised in the awarding of the Nobel Prize to the EU. Much of the Foreign Affairs Council agenda will be taken up with responding to current events, but issues such as the ongoing crisis in Syria, and the Middle East Peace Process are likely to feature prominently on the Council agenda during the Presidency. Ireland places a very strong attachment to development aid, and this is why, as Presidency, we will host a number of events in Dublin including an informal Ministerial meeting and an international conference in Dublin, bringing together the themes of hunger, nutrition and climate justice, working in close cooperation with Mary Robinson Foundation. During our Presidency we will work to advance agreement with partners on the EU approach to the post-2015 framework for international development as we look beyond the 2000 Millennium Development Goals.

Work on preparing for the Presidency is now entering its final weeks. While the agenda is considerable, we look forward to meeting the challenges and seizing the opportunities that the Presidency presents to create a better Europe for citizens in Ireland and across Europe. I will continue to have meetings with partners from other Member States and the institutions. During this month we are hosting visits from several high-level groups and Committees from the European Parliament to discuss our approach to the Presidency and to build on the already constructive working relations that we have with MEPs.

### **Cross-Border Co-operation**

172. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade the work his Department has done in relation to identifying further areas for North-South co-operation. [47230/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Promoting and expanding North/South cooperation is a priority for the Government. At the NSMC Plenary meeting which took place on 2 November 2012 in Armagh, I had the opportunity, together with my colleagues, to review progress across a range of areas of already existing North South cooperation. I have also been working with my Government colleagues in identifying further areas of North/South economic co-operation, and actively supporting them in pursuing these with the Northern Executive. This has been taking place both inside and outside the formal structures of the North South Ministerial Council (NSMC). Particular areas which have been identified include the agri-food sector; higher education; cooperation on reducing duplication which can ease budgetary pressures for both administrations; and conflict resolution. My officials have been working to advance the North West Gateway Initiative, which is of particular importance to that region. Consideration is also being given to working together

to build trade links with Asian economies, especially China and India.

The areas of sport and tourism are further areas where we can seek to expand cooperation. Those two areas dovetail well. Tourism is vital to both economies and it is important to maximise the benefits of major initiatives such as the Titanic centenary, the Gathering 2013, and Derry's City of Culture celebrations.

The Government is fully committed to exploring ways of increasing the level of North/South co-operation across the full range of activities for which we have responsibility and to broadening contact with all relevant organisations and groups in Northern Ireland.

We continue to make a case to our colleagues in the Northern Ireland executive for progress with regard to the Second and Third Terms of Reference of the St. Andrews Review which look to the future of North/South cooperation. In our view, this is now overdue. Most recently, I raised this issue with the Northern Ireland Deputy First Minister when I met him in Belfast on Sunday.

*Question No. 173 answered with Question No. 170.*

### **Scottish Referendum**

174. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has discussed the agreement on Scotland holding a referendum in 2014 with Prime Minister Cameron or Scottish First Minister Alex Salmond; and if he will make a statement on the matter. [46065/12]

175. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on whether the Scottish referendum in 2014 has any implications for the island of Ireland; and if he will make a statement on the matter. [46066/12]

176. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if the Scottish referendum has been discussed at the recent EU Council meeting; and if he will make a statement on the matter. [46067/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 174 to 176, inclusive, together.

The debate on Scottish independence is naturally one that I am following very closely. Any change in the status of Scotland within the United Kingdom would certainly have implications for our relations, both with Scotland and with the United Kingdom.

Of course, the issue of independence is a matter for decision by the people of Scotland. As part of the Edinburgh Agreement of 15 October last, both the Scottish and British Governments have committed to respect the outcome of the referendum, whatever it might be. In terms of process, it has been agreed that the wording of the question to be asked in the referendum, the exact timing of the referendum and the franchise of those eligible to vote in the referendum are all a matter for the Scottish Government.

I am not aware of the Scottish referendum having been discussed by the EU Council.

### **Trade Missions Numbers**

177. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is planning to take part in any forthcoming trade missions; and if he will make a statement on the matter. [45672/12]

179. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to partake in a trade mission in the near future; and if he will make a statement on the matter. [48011/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 177 and 179 together.

As Minister for Foreign Affairs and Trade, I seek to promote Ireland's trade interests wherever possible, whether at targeted events organised by Enterprise Ireland or in the course of broader working visits. Enterprise Ireland is currently preparing proposals for Ministerial Trade Missions in 2013 which will be transmitted both to me and to the Minister for Jobs, Enterprise and Innovation for consideration and approval.

My colleague, the Minister of State for Trade and Development, Joe Costello TD, is also active in promoting Ireland's trade interests overseas and has led a number of Trade Missions during the course of the year. Most recently, he led an EI Trade Mission to Brazil organised in conjunction with the President's visit to Latin America and he participated in Enterprise Ireland trade events and business meetings in Rome. He is currently leading Enterprise Ireland's Trade Mission to South Africa.

### **Foreign Conflicts**

178. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline the EU Council's actions to be taken and Ireland's contribution following the discussion on Syria; and if he will make a statement on the matter. [47589/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The deeply worrying situation in Syria was a key item addressed at the EU Foreign Affairs Council which I attended in Luxembourg on 15th October. The Council adopted strong conclusions which made clear that the EU continues to stand by the Syrian people in their courageous struggle for freedom, dignity and democracy.

The absolute priority remains stopping all violence and ending oppression. The Council expressed its full support for the efforts of the UN/Arab League Joint Special Representative, Lakhdar Brahimi, to secure an early ceasefire and promote an overall political settlement. There was clear agreement within the Council on the necessity for the international community, including the UN Security Council and the main regional powers, to uphold their responsibilities and work alongside Special Envoy Brahimi. While it is regrettable that his call for a pause in the fighting on the occasion of the *Eid al Adha* festival was not observed on the ground, we must continue to support his efforts in pursuit of a peaceful and orderly political transition.

No political solution in Syria will happen without a wide consensus among those opposing Bashar al-Assad's oppressive rule. The Council urged all opposition groups to set aside their differences and agree on a set of values and common objectives towards a genuine political transition.

The Council also expressed deep concern concerning the spill-over effects of the crisis on neighbouring countries. It strongly condemned the shelling by Syrian forces of Turkish territory, including the attack on the border town of Akcakale on 3 October, and warned again about

the dangers of further militarisation of the conflict while calling for the flow of arms to Syria to be curbed.

The rapidly deteriorating humanitarian situation was also discussed. The Council recalled the moral imperative for the international community to step up assistance to all affected populations in Syria and neighbouring countries. Ireland, for its part, is already making a substantial contribution to humanitarian relief efforts, having provided €2.45 million in assistance to date which has been principally channelled through UNHRC, ICRC and WHO. At the end of August, the Minister of State for Development Cooperation, Joe Costello T.D., visited Zatari refugee camp in Jordan in this connection.

The Council also approved a further round of restrictive measures targeted against the Assad regime and its supporters, giving the Syrian Government's continuing failure to end repression and to desist from waging war and inflicting horrendous suffering on its own people.

While EU sanctions have been effective in increasing pressure on the regime, I nonetheless continue to believe that the most effective measure which could be taken now to end the violence in Syria would be the imposition of a comprehensive arms embargo by the UN Security Council.

The European Council, which the Taoiseach attended in Brussels on 18/19 October, also adopted brief Conclusions on Syria which essentially endorsed those adopted by the FAC on 15 October.

*Question No. 179 answered with Question No. 177.*

### **Public Sector Reform Review**

180. **Deputy Seán Kyne** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline the opportunities that persons in lower grades of the public service have been afforded to contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50643/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Public Service Agreement, 2010-2014 (the "Croke Park" Agreement) provides a framework for public service management and staff to work together to reduce the cost of delivery of public services while also maintaining or improving the quality of those services. While Departmental Action Plans are a management responsibility, staff in all grades have been invited to input suggestions into the formulation of my Department's approach to implementation of the Agreement and have been consulted on an ongoing basis on the plans, progress and savings reports which have been submitted to the Croke Park Implementation Body. These important matters are the subject of regular and detailed discussions between Departmental management and staff representatives.

I greatly appreciate the contribution made by the staff of my Department to the design and delivery of the ongoing reforms in our business processes which have yielded substantial and sustained savings in administrative running costs. These reforms are contributing to the effort to meet the challenge of maintaining the range, quality and geographic scope of the policy, programme management, promotional and frontline citizen services provided by the Department with the substantially reduced resources available.

181. **Deputy Gerry Adams** asked the Minister for Finance his plans to introduce legislation to place NewERA on a statutory footing. [49418/12]

**Minister for Finance (Deputy Michael Noonan):** In September 2011 the Government announced the establishment of the New Economy and Recovery Authority (NewERA) within the National Treasury Management Agency (NTMA). NewERA will centralise the management of Government holdings in the commercial semi-state sector (initially the companies within NewERA's remit are ESB, EirGrid, Bord Gáis, Bord na Móna and Coillte ) from a shareholder perspective. This role, based on the Shareholder Executive model already established in a number of developed economies, will involve oversight of activities such as capital expenditure plans, corporate strategy, acquisitions and disposals. NewERA is already working closely with the relevant Government departments and companies in this regard. The Shareholder Executive approach is designed to provide the Government with a portfolio view of investment returns from the sector and with a means of assessing the likely impact of commercial developments in the sector on long-term Government investment plans.

NewERA is also charged with assisting the development and implementation of Government plans for investment in energy, water and next-generation telecommunications with the long-term objective of employment creation and has commenced work with the relevant Government departments in these areas. NewERA is an important element in the Government's strategy to promote economic growth and create jobs. Officials of my Department are liaising with the National Treasury Management Agency in preparing proposals for legislation to put NewERA on a statutory footing and I expect to bring forward those proposals as soon as possible once that work is complete.

### **Banking Sector Remuneration**

182. **Deputy Mary Lou McDonald** asked the Minister for Finance if public servant pension abatement rules are being applied to public interest directors appointed by the Government to the Irish Bank Resolution Corporation, Permanent TSB, Bank of Ireland and Allied Irish Banks; and, if not, if he will confirm the annual pensions paid to these same public interest directors. [49557/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that public servant pension abatement rules do not apply to fees paid to the Public Interest Directors appointed to the boards of Irish Bank Resolution Corporation, Permanent TSB, Bank of Ireland or Allied Irish Bank. The abatement rules could not be applied to these fees as the institutions involved are not within the Public Service. As the issue of public service pensions is a matter for my colleague the Minister for Public Expenditure and Reform I have asked him to forward the information to the Deputy directly.

### **Credit Availability**

183. **Deputy Terence Flanagan** asked the Minister for Finance the support available for Irish small businesses from the banks; and if he will make a statement on the matter. [49578/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the Government has imposed SME lending targets on the two domestic pillar banks for the three calendar years, 2011 to 2013. Both banks were required to sanction lending, including lending for working capital purposes, of at least €3 billion in 2011, €3.5 billion this year and €4 billion in 2013 for new or increased credit facilities to SMEs. Both banks achieved their 2011 targets. The

Head of the Credit Review Office (CRO), Mr John Trethowan, stated in his recently published ninth quarterly report that “€3.5bn of sanctions for each bank is a very challenging target, however the remaining five months typically show more lending activity and I am of the view that, after a slow start to the year, the targets will be a challenge but still may be achieved.” In terms of rejection rates from banks in general, the CRO can review decisions by the pillar banks to refuse, reduce or withdraw credit facilities (including applications for restructured credit facilities) from €1,000 up to €500,000. The Credit Review Office is overturning 55% of the decisions referred to them, supplying over €9.5m of credit, supporting 813 full time and 46 part time jobs in the SME sector.

The Relationship Frameworks provide that “the board of each bank will determine the bank’s strategy and commercial policy..” but I am aware that the banks provide a range of products for Irish SMEs and also support and help SMEs through various initiatives. For example, the banks have implemented common application forms for business credit and worked on developing cash flow planners.

I would encourage all businesses to keep open communications with their bank and to take advantage of the services available to them.

### **Banking Sector Remuneration**

184. **Deputy Olivia Mitchell** asked the Minister for Finance the action that can be taken to curtail pensions paid to some of the former top managers in the covered banks; the way these pensions are funded; if he will assure taxpayers that recapitalisation moneys do not and will not underpin these pensions; and if he will make a statement on the matter. [49404/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware none of the institutions in receipt of State Aid has used State Funds directly to offset deficits in defined benefit pension schemes. This assurance, provided by the banks, would cover the direct transfer of funds provided in State Aid towards the reduction of deficits in the banks pension schemes. The institutions do contribute, as required by law and regulation, to pension schemes in the normal way. Deficits that exist in pension schemes in the institutions are being reduced generally through increased employee contributions and reductions in future benefits. The Deputy will appreciate, however, an institution’s funds are not generally segregated by source for distribution in specific ways. It is very difficult in terms of a banks funding to categorically state that State Aid does not indirectly find its way through normal employee contribution or pre State Aid contractual arrangements into pension funds. However, in terms of the principal at issue I am assured by the institutions that none of the institutions has used State funds directly to offset deficits in defined benefit pension scheme funds.

### **Pension Provisions**

185. **Deputy Olivia Mitchell** asked the Minister for Finance further to Parliamentary Question No. 207 of 16 October 2012, if legislation or new procedures are in place to ensure adequate monitoring and early action by the Central Bank of Ireland to prevent in the future the losses which occurred in the case of Custom House Capital; and if he will make a statement on the matter. [49405/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Central Bank that since becoming aware of information relating to client investments and having substantiated its concerns, it ensured that Custom House Capital Limited advised affected clients and reviewed

the information that was provided. The Central Bank has further advised that in July 2011, it received information, which increased its concerns regarding the integrity of client investments managed by Custom House Capital Limited. The Central Bank then decided to impose further directions on the firm and in July 2011 to seek the appointment of High Court Inspectors to investigate the affairs of the firm.

An independent review of the Regulatory Regime for the Safekeeping of Client Assets was published by the Central Bank earlier this year and is available on the Central Bank website. The Central Bank has fully accepted the specific recommendations contained in this independent review and is in the process of implementing all of the necessary changes required. However, no amount of skilled supervision or enhanced audit can absolutely guarantee that determined or deliberately concealed efforts to misuse client holdings can be prevented.

I can assure the Deputy that there are several existing powers in place and extensive new powers proposed to ensure adequate monitoring and early action by the Central Bank to prevent the loss of client assets as occurred in the case of Custom House Capital.

I have already brought forward a very wide range of statutory powers to enable the Central Bank to deal with such an issue across the financial service sector under the Central Bank Reform Act 2010, the MiFID Regulation 2007, The Central Bank and Credit Institutions (Resolution) Act 2011 (in respect of credit institutions) and the Central Bank (Supervision and Enforcement) Bill 2011, including a substantial number of new proposals for Committee Stage of the Bill.

The Central Bank Reform Act, 2010, sets out a far-reaching regime for the Central Bank to set out and enforce standards of fitness and probity across the financial service sector, including standards of honesty, integrity and ethical judgement, which apply to those in key management positions. The Act provides for sanctions, at the discretion of the Central Bank, of suspension, or even, prohibition orders, following an investigation and due process. In terms of addressing poor management, the code applies similar requirements in respect of skills and experience. Regulated financial service providers who fail to uphold these standards could find themselves subject to administrative sanction, up to and including a €10m fine or suspension/removal of authorisation.

The Central Bank (Supervision and Enforcement) Bill, 2011, also sets out a number of new provisions that are relevant. The fitness and probity provisions are reinforced by the whistleblower protections proposed in the Bill, which place an onus on those performing pre-approval controlled functions to disclose information relating to offences, prescribed contraventions, and breaches of Irish financial services legislation or the destruction of evidence.

The Authorised Officer powers proposed will allow the Central Bank full access to any information it needs, including the ability to question individuals and access premises. The Central Bank will also have, for the first time, the statutory right to attend meetings of regulated financial service providers and related undertakings, where necessary.

The proposed Skilled Person powers under Part 2 of the Bill will allow for independent and objective analysis of issues within a regulated financial service providers or related undertaking, including client asset requirements. This power has been specifically identified as important in the Central Bank's recent internal report on safeguarding client assets.

The Bill will also give the Central Bank far-reaching powers of direction, which can be issued on grounds including where the regulated financial service provider is conducting business in such a manner as to jeopardise or prejudice monies held by or controlled by it on behalf of customers; these directions may also apply where the rights of customers are being prejudiced

or jeopardised. In such cases the Central Bank can issue very strong directions regarding the suspension of business or modifications to practices, among other things. Such directions are enforceable through the High Court if necessary.

Furthermore, the Bill will provide the Central Bank with the power to make regulations setting out the standards to be met, and the procedures, systems and checks to be adopted, by regulated financial service providers for dealing with and holding the assets and money of customers. This includes provisions on the safeguarding of customers' rights, in particular in the event of insolvency; the use to which customers' assets and money may be put; and the management of customer accounts. Again these regulations will be enforceable through the administrative sanction procedure, as enhanced under the Bill.

Committee stage of the Bill as published, will propose further regulation-making powers to the Central Bank which are specifically targeted at enabling the Central Bank to support the protection of client assets including greatly enhanced information gathering powers to allow the Central Bank to ensure that it can demand information from regulated firms. These powers should facilitate investigations on compliance with client assets requirements.

The Bill also proposes a means of restitution, via a Central Bank application to the High Court, where a person has been unjustly enriched or where others have suffered loss or other adverse effects arising from the commission of an offence or a prescribed contravention. This provision is proposed to be further enhanced at Committee Stage in a way which will make it applicable to managers who commit offences or prescribed contraventions.

### **Financial Services Regulation**

186. **Deputy Olivia Mitchell** asked the Minister for Finance if following media coverage (details supplied) of the activities of debt management companies, legislation to control same or bring such companies under Central Bank regulation is being considered,; and if he will make a statement on the matter. [49406/12]

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

### **Pension Provisions**

187. **Deputy Gerry Adams** asked the Minister for Finance the number of persons in receipt of pensions from the Irish Bank Resolution Corporation which are in excess of €100,000; the names of those who are in receipt of the pensions and the sums they receive on an annual basis. [49416/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC that the number of retired employees currently in receipt of a defined benefit pension from the former Anglo Irish Bank and INBS in excess of €100,000 is 8. Due to the Bank's obligations under Data Protection Acts 1988 and 2003 the names of these individuals and the annual sums they receive cannot be disclosed.

It should be noted that all but 1.5% of current IBRC employees are on a defined contribution

pension or no pension scheme as opposed to a defined benefit pension scheme. The future value of their annual pension is therefore not guaranteed.

### **Mortgage Interest Relief Expenditure**

188. **Deputy Éamon Ó Cuív** asked the Minister for Finance the extra cost to the Exchequer in income forgone of granting 30% and 35% mortgage interest relief TRS to all householders who purchased house between 1 January 2000 and 1 January 2012, respectively; and if he will make a statement on the matter. [49424/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that a basis for compiling the estimates requested by the Deputy could not be compiled without carrying out a significant development of the Revenue Commissioners' TRS computer system at a cost which would be prohibitive in terms of the resources required. In addition, as the Deputy will be aware, following the Budget 2010 changes, only interest payable on qualifying home loans taken out on or after 1 January 2004 qualifies for tax relief. Interest payable on loans taken out prior to that date no longer qualifies for tax relief.

Notwithstanding the above, if the proposed rate of 35% as mentioned in the question was extended and confined to those first time buyers who took out their first mortgage in the period 2004 to 2008 for whom the rate of tax relief was increased in Budget 2012, the estimated full year cost to the Exchequer would be of the order of €55 million.

### **Negative Equity Mortgages Numbers**

189. **Deputy Maureen O'Sullivan** asked the Minister for Finance his plans to promote the incentive involving negative equity mortgages offered by Bank of Ireland and other banks whereby a home owner could sell their house and move to a more suitable house, adding their savings to the purchase price and taking the mortgage with them at its existing level; the reason this incentive is not being rolled out on a greater scale to help curb problems with the mortgage arrears crisis here; and if he will make a statement on the matter. [49458/12]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has advised me that some lenders are already offering this product, or about to, but to date none are actively marketing it. Other lenders have committed to reconsidering the issuing of such products. The decision to introduce a negative equity type product is a matter for each mortgage lender. However any institution offering such a mortgage facility may do so only in accordance with criteria set out by and with the prior approval of the Central Bank. The Central Bank also advised me that, following the issue of the report of the Inter-Departmental Mortgage Arrears Working Group in September 2011, which included a recommendation on trade down mortgages, several lenders contacted the Central Bank with regard to offering negative equity mortgages. This included trade up, trade down and trade down where the customer was in arrears. While the provision of negative equity mortgages may facilitate people moving homes and generate transactions in the housing market, it is not expected that there will be a large take up of this product. All sales must comply with the affordability and suitability provisions set out in the Central Bank's Consumer Protection Code.

I expect that the Central Bank will continue to assess the impact of these measures as part of their general oversight of the banks' activities in the mortgage market.

## **Mortgage Resolution Processes**

190. **Deputy Richard Boyd Barrett** asked the Minister for Finance the reason Permanent TSB are not offering the mortgage arrears solutions set out in the Government's personal insolvency initiative, that is, mortgage to rent scheme; and if he will make a statement on the matter. [49463/12]

222. **Deputy Robert Troy** asked the Minister for Finance if he will provide a definitive timeline as to when Permanent TSB will be rolling out the mortgage to rent scheme. [49524/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 190 and 222 together.

The Deputies will be aware that last October the Government published the Report of the Inter-Departmental Working Group on Mortgage Arrears ("Keane Report"). The 'Keane Report' recommended, as one of a range of measures that could be deployed to assist distressed mortgage holders, the introduction of a mortgage to rent scheme for appropriate cases.

The Minister for Housing and Planning formally launched the mortgage to rent scheme on a nationwide basis at the end of June 2012. It is now one of the options available in appropriate cases in the roll-out of the lender's Mortgage Arrears and Resolution Strategies.

Permanent TSB has advised me that the 'Mortgage to Rent' scheme is one of the institution's long term treatment options for distressed home loan customers. It is being piloted with selected customers at present in conjunction with the Housing Agency as part of the implementation of the bank's MARS Strategy with Central Bank oversight. The bank has further advised me that full roll-out of the 'Mortgage to Rent' scheme will commence from January 2013.

## **Banking Sector Remuneration**

191. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Allied Irish Bank, if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49474/12]

192. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the Educational Building Society, if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49475/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 191 and 192 together.

In relation to the public interest directors in EBS, Mr. Anthony Spollen and Ms. Ann Riordan were appointed in January 2009. However, these directors resigned from their positions on 30 June 2011, prior to the acquisition of EBS Building Society by AIB on 1 July 2011. EBS now operates as a subsidiary of AIB. In relation to the public interest directors appointed to AIB since 2008, Mr. Declan Collier and Mr. Dick Spring were appointed in January 2009. However, Mr. Declan Collier resigned from the board with effect from AIB's AGM on 28 June 2012.

Under the terms of the Government's 2009 preference share investment in AIB and the Bank's articles of association, there is currently no set expiry date relating to the public interest directors at AIB.

Information regarding the remuneration of these public interest directors can be found in the table and in the published annual reports of the institutions.

Fee Year	AIB Public Interest Directors*	Fees €	Directors' Remuneration Report
2009	Mr Dick Spring Mr Declan Collier	26,00029,000	From pg 262 of 2009 Annual Report
2010	Mr Dick Spring Mr Declan Collier	47,00040,000	From pg 299 of 2010 Annual Report
2011	Mr Dick Spring Mr Declan Collier	59,00071,000	From pg 380 of 2011 Annual Report

\*Note Dr. Michael Somers is a Government Nominee (not a Public Interest Director) appointed to the AIB board on 14 January 2010 under the terms of NPRFC's investment of €3.5bn in AIB of May 2009.

FeeYear	EBS Public Interest-Directors	Fees€	Directors' Remuneration Report
2009	Mr Anthony Spollen Ms Ann Riordan	37,50037,500	From pg 23 of 2009 Annual Report
2010	Mr Anthony Spollen Ms Ann Riordan	29,00029,000	From pg 24 of 2010 Annual Report
2011	Mr Anthony Spollen Ms Ann Riordan	14,50015,600	From pg 138 of 2011 Annual Report

### Banking Sector Remuneration

193. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Bank of Ireland, if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49476/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware this Government has not appointed any public interest directors to the boards of the Covered Banks since taking office. The details of the public interest directors appointed to Bank of Ireland (BOI) are shown in the table below. Both of the Public Interest Directors in Bank of Ireland were appointed in January 2009. Information regarding the remuneration of directors, including public interest directors, can be found in the Bank's published Annual Reports. There is currently no set expiry date relating to the public interest directors at BOI.

Fee Year	Public Interest Directors	Fees €	Directors' Remuneration Report
2009*	Mr Tom Considine Mr Joe Walsh	79,00080,000	From pgs 123 and 124 of 2009 Annual Report
2010	Mr Tom Considine Mr Joe Walsh	90,00079,000	From pg 176 of 2010 Annual Report
2011	Mr Tom Considine Mr Joe Walsh	90,00079,000	From pg 160 of 2011 Annual Report

\*On Feb 1, 2009 all Non-Executive Directors, the Governor and Deputy Governor took a 25% reduction in salary/fees. Fees include a basic fee and additional fees for Committee membership and Committee Chairmen.

### Banking Sector Remuneration

194. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Irish Nationwide Building Society, if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49477/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC that the following public interest directors were appointed under the terms of the Government Guarantee scheme to the Board of Irish Nationwide Building Society, both of whom have resigned from the Board at this stage.

Director	Date of Appointments	Date of Resignation
Adrian Kearns	23 January 2009	30 June 2011
Rory O’Ferrall	23 January 2009	30 June 2011

Total remuneration for the respective Directors in the period from appointment to June 2011 is outlined in the table.

Director	12 months ended December 2009 (€’000)	12 months ended December 2010 (€’000)	6 months ended June 2011 (€’000)
Adrian Kearns	55	36	18
Rory O’Ferrall	55	36	18

Since nationalisation there are no specific public interest directors on the board of IBRC. However all appointments to the board of the bank are approved by the Minister for Finance under the terms and conditions attaching to the nationalisation of the bank. The Minister for Finance has extensive powers in relation to the appointment and removal of Chairpersons, CEOs and Ordinary Board Members under the Anglo Irish Bank Act 2009.

### Banking Sector Remuneration

195. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Anglo Irish Bank, if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49478/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC that the following public interest directors were appointed under the terms of the Government Guarantee scheme to the Board of Irish Bank Resolution Corporation Limited.

Director	Date of Appointment	Date of Resignation
Frank Daly	18 December 2008	22 December 2009
Alan Dukes*	18 December 2008	

\*Mr. Dukes was appointed as Non-executive Chairman on 14 June 2010.

Non-executive Directors are appointed initially for three years, and subject to satisfactory performance may be re-appointed for additional terms. Mr. Dukes having duly reached the end

of his initial three-year term as a Non-executive Director in December 2011 was re-appointed by the Board for a further three-year period as Non-executive Director as and from that date.

Total remuneration for the respective Directors in the period from appointment to December 2011 is outlined in the table.

Name	15 months ended December 2009 (€'000)	12 months ended December 2010 (€'000)	12 months ended December 2011 (€'000)
Frank Daly	98	-	-
Alan Dukes	102	127	150

The Board of IBRC has agreed that the annual fee payable for the position of Chairman of the Board should be reduced by 15% to €212,500 effective from 1 July 2012, in line with the 15% reduction in fees payable to all non-executive directors. In addition, the Chairman has agreed to take an annual fee of €112,500 effective from 1 July 2012, which is €100,000 lower than the agreed contractual fee.

Since nationalisation there are no specific public interest directors on the board of IBRC. However all appointments to the board of the bank are approved by the Minister for Finance under the terms and conditions attaching to the nationalisation of the bank. The Minister for Finance has extensive powers in relation to the appointment and removal of Chairpersons, CEOs and Ordinary Board Members under the Anglo Irish Bank Act 2009.

### Banking Sector Remuneration

196. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Irish Bank Resolution Corporation, if he will provide a listing of the public interest directors appointed to that bank since 2011; the total remuneration paid to each such director and the date on which their appointments expire. [49479/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that Irish Bank Resolution Corporation Limited has not appointed any public interest directors under the terms of the Government Guarantee Scheme since 2011. All appointments to the board of the bank are approved by the Minister for Finance under the terms and conditions attaching to the nationalisation of the bank. The Minister for Finance has extensive powers in relation to the appointment and removal of Chairpersons, CEOs and Ordinary Board Members under the Anglo Irish Bank Act 2009. As stated in response to PQ 49478/12 Mr. Frank Daly and Mr. Alan Dukes were appointed as public interest directors under the terms of the Government Guarantee Scheme in December 2008. Mr Frank Daly resigned on the 22nd December 2009. Mr Alan Dukes was appointed as non-executive Chairman on the 14th June 2010.

Further details of all directors remuneration is provided in the annual reports.

*[http://www.ibrc.ie/About\\_us/Financial\\_information/Annual\\_Report/Annual\\_Report\\_2011.pdf](http://www.ibrc.ie/About_us/Financial_information/Annual_Report/Annual_Report_2011.pdf)*

### Public Interest Directors

197. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in detail

the responsibilities of public interest directors in the formerly six covered financial institutions and to contrast those responsibilities with the responsibilities of other directors on the boards of those financial institutions. [49480/12]

198. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide an assessment of the performance of each the public interest directors at the six formerly covered financial institutions. [49481/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 197 and 198 together.

As I detailed in the answer to question numbers 167, 168 and 172 which were taken together on 9 October 2012, the legal position is that any director appointed to the board of the covered institutions whether under the Credit Institutions (Financial Support) Scheme 2008 or otherwise is subject to the requirements of company law in relation to the discharge of their responsibilities as a company director. As such, the director is legally bound to act in what he or she believes are the interests of the separate legal entity that is the institution itself. These are the directors so called fiduciary responsibilities. To address the scope for actual and perceived conflicts between the fiduciary duties of the directors of financial institutions under company law and the wider public interest in circumstances where those institutions have received huge financial support from the State, legal clarity, not just to the role of the public interest director but to that of the entire boards of those institutions, was provided under Section 48 of the Credit Institutions (Stabilisation) Act 2010. It provides that the overriding duty of directors of the covered institutions relates to the public interest as set out in the Act.

Accordingly, public interest directors do not have a formal reporting relationship to the Minister or to the Department of Finance. As Minister for Finance, I am strongly committed to ensuring that the boards of the covered institutions act at all times in a manner fully consistent with key public interest objectives for the banking sector.

### **Banking Sector Remuneration**

199. **Deputy Pearse Doherty** asked the Minister for Finance in respect of Irish Life and Permanent if he will provide a listing of the public interest directors appointed to that bank since 2008; the total remuneration paid to each such director and the date on which their appointments expire. [49482/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware Margaret Hayes and Ray MacSharry were appointed to the board of Irish Life & Permanent Group Holdings (now Permanent TSB Group Holdings) on 22 December 2008. Each public interest director was appointed until 30 September 2010 but has remained since that date as a replacement Government guarantee scheme has remained in place since then. The Memorandum and Articles of Association of the company require each director to retire every third year but in practice each public interest director has been subject to re-election by shareholders at each AGM since their appointment. The Deputy will also be aware that the remuneration of each of the directors is laid out in the annual report of the company each year. The relevant annual reports are easily accessible on the company website. <http://www.permanenttsbgroup.ie>

The table summarises the information available from the annual reports for Irish Life & Permanent Group Holdings (now Permanent TSB Group Holdings):

Margaret Hayes:

Year	Fees (rounded to the nearest €1,000)	Directors' Report on Remuneration
2008	€2,000	Page 58 of 2008 Annual Report
2009	€77,000	Page 62 of 2009 Annual Report
2010	€64,000	Page 65 of 2010 Annual Report
2011	€64,000	Page 64 of 2011 Annual Report

Ray MacSharry:

2008	€2,000	Page 58 of 2008 Annual Report
2009	€69,000	Page 62 of 2009 Annual Report
2010	€56,000	Page 65 of 2010 Annual Report
2011	€56,000	Page 64 of 2011 Annual Report

### European Stability Mechanism

200. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €509,504,000 contribution paid by the State to the European Stability Mechanism in October 2012, the interest rate and expected date of receipt that applies to interest receivable on this contribution. [49483/12]

**Minister for Finance (Deputy Michael Noonan):** The ESM Treaty, which was signed by Euro Area Member States on 2 February 2012, entered into force on 27 September 2012. To obtain the highest possible credit rating, the capital structure of the ESM will have a total subscribed capital of €700 billion. Of this amount, €80 billion will be in the form of paid-in capital by the Euro Area Member States. The balance of €620 billion will be callable capital. The contribution key for each Member State is set out in Annex 1 to the Treaty and is based on the ECB capital contribution key. For Ireland the key is 1.5922% of the total paid and committed capital.

Ireland's share of the €80bn in paid-in capital to the ESM will therefore be just above €1.27 billion, and will be paid in five equal instalments of €254.752 million. The first two instalments totalling €509.504 million were paid together on 13th October this year. It is expected that two more will be paid in 2013, with the final one paid in 2014.

Article 8 of the ESM Treaty provides that the authorised capital stock of the ESM shall be divided into seven million shares, each having a value of €100,000 divided according to the subscription key set out at Annex 1 of the Treaty.

Article 22 of the ESM Treaty governs the ESM's investment policy. It provides that the ESM is to have a prudent investment policy, which will operate in accordance with guidelines to be adopted, and reviewed regularly, by its Board of Directors.

Article 23 of the ESM Treaty outlines the ESM's dividend policy. This provides that where the amount of paid-in capital and the reserve fund exceed the level required to maintain its lending capacity, and where proceeds from the investment are not required to avoid a payment shortfall to creditors, a dividend shall, subject to guidelines adopted by and the approval of the Board of Directors, be distributed to the ESM members on a pro rata basis linked to contributions to the paid in capital.

As contributions to the ESM's paid in capital represent a share subscription, interest is not therefore payable in respect of it. A dividend may be paid in accordance with Article 23 of the ESM Treaty.

### **European Stability Mechanism**

201. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €509,504,000 paid by the State to the European Stability Mechanism in October 2012, the treatment of this and other future payments to the ESM in calculating the deficit target as set out in the memorandum of understanding with the IMF-EU-ECB. [49484/12]

234. **Deputy Finian McGrath** asked the Minister for Finance the position regarding the moneys paid to the ESM following ratification of the ESM Treaty; and if he will make a statement on the matter. [49704/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 201 and 234 together.

The capital structure of the European Stability Mechanism (ESM) is set out in the ESM Treaty which was signed by Euro Area Member States on 2 February 2012, and entered into force on 27 September 2012.

To obtain the highest possible credit rating, the capital structure of the ESM will have a total subscribed capital of €700 billion. Of this amount, €80 billion will be in the form of paid-in capital by the Euro Area Member States. The balance of €620 billion will be callable capital. The contribution key for each Member State is set out in Annex 1 to the Treaty and is based on the ECB capital contribution key. For Ireland the key is 1.5922% of the total paid and committed capital.

Ireland's share of the €80 billion in paid-in capital to the ESM will therefore be just above €1.27 billion, and will be paid in five equal instalments of €254.752 million. The first two instalments, totalling €509.504 million, were paid together on 13th October this year. It is expected that two more will be paid in 2013, with the final one paid in 2014.

The ESM has been established as an International Financial Institution and on that basis Ireland's contribution will be treated as a financial transaction and considered as an equity investment for Ireland. This means that while payments towards its paid-in capital will impact on Ireland's Exchequer Borrowing Requirement, they will not impact on its General Government Deficit.

As our fiscal targets under the EU-IMF programme are defined in terms of the General Government Deficit, the capital contribution to the ESM does not impact on these fiscal targets.

If and when the ESM engages in programme funding, it will borrow money on the international financial markets and lend it on to the beneficiary ESM member state. This is how the EFSF operates at present. The capital of the ESM will not be paid out directly to programme

countries. The callable capital will only fall to be called upon in the event that Member States borrowing from the ESM default or that the ESM incurs losses in ESM operations.

### **Economic Data**

202. **Deputy Pearse Doherty** asked the Minister for Finance his latest estimate of nominal Gross Domestic Product in 2012. [49485/12]

203. **Deputy Pearse Doherty** asked the Minister for Finance his latest estimate of the 2012 State deficit which stood at €14,071,652,000 at the end of October 2012. [49486/12]

204. **Deputy Pearse Doherty** asked the Minister for Finance his latest estimate of deficit gross domestic product in 2012 and if it remains the case that the State will meet its target deficit GDP of 8.6% or less in 2012 as set out in the memorandum of understanding with the IMF-EU-ECB. [49487/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 202 to 204, inclusive, together.

In April's Stability Programme Update (SPU), 2012 nominal GDP was forecast at €158,925 million. This represented a growth rate of 1.6 per cent over the 2011 level of nominal GDP, based on the prevailing 2011 GDP estimates from the CSO. In the interim however, the CSO has revised up its estimate of 2011 nominal GDP to €158,993 million which will increase the starting point for my Department's next formal forecast for 2012 nominal GDP, set to be released shortly. On a purely technical basis however, 2012 nominal GDP was estimated at €162,500 million (rounded to the nearest ½ billion) in the recent Maastricht returns by applying the 2012 SPU nominal growth rate to the revised CSO base for 2012.

The €14.1 billion deficit the Deputy refers to is the Exchequer deficit as of end-October 2012 and this is the most up to date assessment of the Exchequer cash position. The most recent estimate of the General Government deficit for 2012 is €13.6 billion or 8.4 per cent of GDP, as set out in the recent Maastricht Returns. This is a significant improvement on the underlying deficit of €16.7 billion or 10.7 per cent of GDP recorded in 2010. Importantly also, this latest 2012 deficit estimate is within the 8.6 per cent of GDP limit set by the ECOFIN Council in December 2010. The eighth quarterly review of the EU/IMF Programme also concluded that it was likely that Ireland would meet its 2012 deficit target.

My Department will be publishing its updated economic and fiscal forecasts shortly.

### **Pension Provisions**

205. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €1.1 billion top-up made by Allied Irish Banks to that Bank's group pension scheme in August 2012, set out the contact or contacts the Bank had with him or his Department regarding to the transaction, specifically the date and nature of the contact or contacts. [49491/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that a Relationship Framework was specified and published in March 2012. This document defines the nature of the relationship and interaction between the Minister for Finance and AIB. I can confirm to the Deputy that as the asset transfer to AIB's pension scheme was required to fund the Bank's Early Retirement and Voluntary Severance Programme, the Department of Finance was consulted on numerous occasions during 2012 in relation to this transaction.

However, I must point out that this transaction was a commercial decision for the Bank. I am informed that this transfer was approved by AIB's Board of Directors and also the Bank's deleveraging committee, which includes non-voting observers from the Department of Finance and the Central Bank of Ireland.

### **Pension Provisions**

206. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €1.1 billion top-up made by Allied Irish Banks to the group pension scheme in August 2012, if he provided approval for this transaction in a bank in which he owns 99.8% of the shares; and if so, the date of the provision of any such approval. [49492/12]

**Minister for Finance (Deputy Michael Noonan):** AIB has confirmed to me that the transfer of €1.1bn (nominal) loan assets to the AIB Defined Benefit Pension Scheme was approved by the AIB Board and the Bank's Deleveraging Committee whose members include the Department of Finance and the Central Bank in observatory capacities. The Deleveraging Committee, of which Department of Finance acts in an observatory capacity only, approved the transaction on 27 March 2012.

### **Pension Provisions**

207. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €1.1 billion top-up made by Allied Irish Banks to the group pension scheme in August 2012, if he will identify in the stress testing undertaken by the Central Bank of Ireland with Barclays Capital, BlackRock and the Boston Consulting Group in early 2011 which resulted in the publication of the financial measures programme on 31 March 2011 where in this work was the €1.1 billion shortfall in the AIB pension fund examined or identified. [49493/12]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has informed me that the Capital Requirements Directive and the Central Bank set the rules around the calculation of the applicable capital base for credit institutions. These rules include reference to defined benefit pension deficits as these can affect the capital base of regulated entities. In a letter from the Financial Regulator to industry in 2005, banks were informed that those applying IAS 19/FRS 17 are allowed to add back to Tier 1 Capital the amount of the defined benefit pension liability that has accrued in relation to Irish pension schemes in their financial statements and to deduct an amount equal to the sum of (i) the Deficit under the Minimum Funding Requirement plus (ii) three years Supplementary Contributions. A subsequent letter issued by the Financial Regulator in 2009 amended the treatment of the Deficit under the Minimum Funding Requirement element such that credit institutions were required to include at least the Minimum Funding Requirement in its calculation of pension risk under Pillar 2 capital calculations.

The draft Capital Requirements Regulation (CRR) requires the removal of most prudential filters, including the Irish DB scheme pension filter detailed above. Article 461 of the draft CRR, relating to transitional provisions, provides for regulated entities to apply a phased approach to filters and deductions "required under national transposition measures for Articles 57, 61, 63, 63a and 66 of Directive 2006/48/EC" with a five year implementation period. The transitional provisions are the subject of on-going negotiation between the European Parliament (EP) and Council.

The capital base and capital requirements of the PCAR banks were assessed under PCAR and included in this assessment was forecast deductions for defined benefit pension deficits

and subsequent capital filters under base and stress scenarios. The FMP report did not disclose details of the assumed levels of deduction for pension deficits. The focus on the PCAR was the forecast income, capital requirements and losses (particularly loan losses) in the three-year period.

The Central Bank included in the PCAR the forecast deduction for defined benefit pension deficits and subsequent capital filters under base and stress scenarios. In addition the Central Bank considered the implications of Basel III (namely CRD IV/ CRR). The PCAR tolerance levels and capital basis were set in accordance with the Central Bank's definition of Core Tier 1 under the prevailing Capital Requirements Directive rules as at end-March 2011.

It is important to note, that the quality of capital in the Irish banking system has increased significantly as a result of lower tier capital buy backs and Government equity contributions. Whilst it is clear that the Basel III rules impose more conservative deductions than is currently the case, following a recapitalisation to levels determined by the 2011 PCAR, the FMP report stated that all four banks should comfortably meet Basel III Common Equity Tier 1 ratio on a phase-in basis under both the base case and stress case scenarios. The combined surplus to the minimum phase-in Common Equity Tier 1 under the PCAR base case under PCAR was estimated at the time as circa 13.3bn and 3.7bn under the stress case. Three of the banks would also meet the full 2019 minimum standard in the 2013 base case scenario.

### **Pension Provisions**

208. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the €1.1billion top-up made by Allied Irish Banks to the group pension scheme in August 2012, if he will estimate the capital value needed by a pension fund in order to make an annual payment of €529,000 to a scheme member, as is reportedly the case with annual payments to the former chief executive officer of AIB, Mr Eugene Sheehy. [49494/12]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that the transfer of assets to the pension fund earlier this year was undertaken in order to facilitate the early retirement component of the voluntary severance program of the bank. Had the transfer of assets not taken place, the early retirement component of the voluntary severance could not have proceeded as it would have required a cash contribution from the bank. The voluntary severance scheme in the bank overall is expected to result in annual savings to AIB in excess of €200m which is a critical component of AIB's return to long term viability. It is highly likely, that in the absence of the early retirement scheme, the bank would have been unable to achieve its target staff departure figures on a voluntary basis which would likely have required the need for significant numbers of compulsory redundancies. AIB informs me that for an employee retiring at age 60 with 40 years pensionable service and an annual pension of €529,000, AIB estimates that the capital value accumulated in a fund to provide this annual figure would be approx. €10.5m.

### **Financial Services Sector Remuneration**

209. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the following financial institutions, Allied Irish Banks, Anglo Irish Bank, Irish Nationwide Building Society, Irish Bank Resolution Corporation, Educational Building Society, Permanent TSB, Irish Life, Irish Life and Permanent, if he will provide in tabular form the annual total of top-ups made to company pension schemes in each of the years 2008, 2009, 2010, 2011; if he will further provide

the total of top-ups made to company pension schemes to date in 2012. [49495/12]

**Minister for Finance (Deputy Michael Noonan):** I have received the following disclosure from the financial institutions of top-ups made to company pension schemes in the years requested:

**AIB/EBS**

	2008	2009	2010	2011	2012 to date
Allied Irish Banks (including EBS)	€3.5m	€2m	€4m	€3m	€1,101m*

\*The 2012 figure for AIB includes one off exceptional contributions made in 2012 as a result of the early retirement program which is required in order to reduce the cost base of the bank by over €200m per year.

AIB (including EBS) during the period in question made contributions to its pension schemes in accordance with agreed actuarial funding plans and as required by regulation. Contributions in excess of these were made to address a combination of unscheduled early retirements including ill health related circumstances and the exercise of contractual early retirement rights.

Separately the Deputy will be aware that AIB has agreed the transfer of €1.1 billion nominal of loan assets to the AIB pension fund earlier in 2012. The purpose of this was to address the deficit created in AIB's pension fund by the early retirement and voluntary redundancy scheme that will see about 2,500 staff leave their jobs.

This transfer was not intended to reduce an existing deficit in the scheme but rather to address the deficit that would arise as a result of the staff departures that would occur as a result of the early retirement and voluntary redundancy scheme.

**Permanent TSB/Irish Life**

As the Deputy will be aware the State first invested in Irish Life & Permanent Group Holdings plc (now Permanent TSB Group Holdings plc) in July 2011 and as a result I am only providing figures for 2011 and 2012 YTD. Permanent TSB and Irish Life have confirmed that there have been no such payments in 2011 or year-to-date in 2012.

**Anglo Irish Bank/Irish Nationwide Building Society/Irish Bank Resolution Corporation**

I have been advised by IBRC that unfortunately it has not been possible to collate this information within the time available. IBRC continue to review the matter and I will forward this information to the Deputy as soon as it is made available to me.

**State Properties Data**

210. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a list detailing the property vested in the State since 8 March 2011 pursuant to section 73 of the Succession Act 1965, showing the name of the deceased and a brief description of the property. [49498/12]

**Minister for Finance (Deputy Michael Noonan):** Section 73 of the Succession Act 1965 provides that, where a person dies intestate and without known next-of-kin, the estate of that person shall be taken by the State as ultimate intestate successor.

Where an estate falls to the State under Section 73, it is administered by the Chief State Solicitor under the direction of the Attorney General. Depending on the extent and nature of the estate, this process may involve the extraction of letters of administration from the High Court and advertising for next-of-kin. When it is established that there are no known next-of-kin, the proceeds of the estate are paid into the Intestate Estates Fund Deposit Account.

No real property i.e. land or buildings has been vested in the State, under the provisions of Section 73 since 8 March 2011. However net amounts totalling €0.28million have been paid into the Intestate Estates Fund Deposit Account, representing the monetary value of estates which were escheated to the State under Section 73. This amount mainly represented the proceeds of savings held by deceased persons.

### Financial Services Sector Remuneration

211. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form, with respect to the Permanent TSB, the number of the staff whose annual salary at 31 December 2011 fell in the following bands €400,000 and above, €300,000 to €399,999, €200,000 to €299,999 and €150,000 to €199,999. [49499/12]

**Minister for Finance (Deputy Michael Noonan):** Permanent TSB has provided me with the following information as at 31 December 2011 in a slightly restricted form to that requested to ensure compliance with legal requirements to staff under Data Protection laws:

Basic Salary €	Number of Employees*
150,000 - 199,999	10
200,000 – 399,999	9
400,000+	0

\*This includes employees who subsequently TUPE'd to Permanent TSB from Irish Life during 2012.

Permanent TSB has made additional appointments to its management team since 31 December 2011 as part of its management renewal program including the appointment of a new CEO whose salary has been disclosed in Parliamentary Questions Nos. 213 to 215, inclusive, as €400,000 per annum. As he was not employed by the bank in December 2011 he is not included in the table.

### Financial Services Sector Remuneration

212. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form, with respect to the Irish Life, the number of the staff whose annual salary at 31 December 2011 fell in the following bands €400,000 and above, €300,000 to €399,999, €200,000 to €299,999 and €150,000 to €199,999. [49500/12]

**Minister for Finance (Deputy Michael Noonan):** Irish Life has provided me with the following information as at 31 December 2011 in a slightly restricted form to that requested to ensure compliance with legal requirements to staff under Data Protection laws:

Basic Salary €	Number of Employees
150,000 - 199,999	27
200,000 – 399,999	9
400,000+	2

While not requested I can confirm that the remuneration of the individuals greater than €400,000 is already publically available in the 2011 annual report for Irish Life & Permanent Group Holdings where they were both executive directors prior to the separation of Irish Life from Permanent TSB in June 2012. The relevant annual report is available at [www.permanenttsbgroup.ie](http://www.permanenttsbgroup.ie).

### Financial Services Sector Remuneration

213. **Deputy Pearse Doherty** asked the Minister for Finance the salary paid to the Chief Executive Officer of Permanent TSB; and if he will provide a listing and quantification of any additional benefits paid, and in respect of any expense allowance; if he will confirm if such allowances are paid only in respect of vouched and receipted expenditure. [49501/12]

214. **Deputy Pearse Doherty** asked the Minister for Finance if the Chief Executive Officer of Permanent TSB is employed on a temporary contract; if so, the date on which this contract was entered into; the termination date of this contract; if he will quantify any termination payments provided for under the contract. [49502/12]

215. **Deputy Pearse Doherty** asked the Minister for Finance if the Chief Executive Officer of Permanent TSB is employed on a continuing or permanent contract; if so, if he will quantify any termination payments provided for under the contract. [49503/12]

**Minister for Finance (Deputy Michael Noonan)(Deputy Michael Noonan):** I propose to take Questions Nos. 213 to 215, inclusive, together.

I am advised by Permanent TSB that the Chief Executive Officer's (CEO's) salary is €400,000 per annum. The employer also contributes 15% of base salary to a defined contribution pension scheme.

I am informed that the CEO also received vouched expenses of €52,034 to compensate him for costs incurred in relocating to Ireland. The CEO has now fully relocated to Ireland. The CEO has no additional allowances but is entitled to reclaim business expenses in respect of vouched expenditure.

I have also been informed that the CEO has a permanent contract and that the employer can terminate the CEO contract by giving 11.5 months notice.

### Financial Services Sector Remuneration

216. **Deputy Pearse Doherty** asked the Minister for Finance if he has contacted Permanent TSB, whose shares are 99.5% owned by him, requesting staff whose annual salary is in excess of €200,000 to waive 15% of their salary or such amount in excess of €200,000 whichever is the lesser; if he has, the date on which he first made this contact; the number of staff whose annual salaries were in excess of €200,000 at that date; the number of staff who acquiesced to the request for the waiver; the number of staff who refused the request for the waiver and the number of staff who have not responded to the request for the waiver. [49504/12]

**Minister for Finance (Deputy Michael Noonan):** I have not asked staff in Permanent TSB whose annual salaries are in excess of €200,000 to waive a portion of their salaries. However the Deputy will be aware that a review of remuneration practices at the Covered Institutions (including Permanent TSB) is currently underway by my Department.

### **Financial Services Sector Remuneration**

217. **Deputy Pearse Doherty** asked the Minister for Finance the salary paid to the Chief Executive Officer of Irish Life; if he will provide a listing and quantification of any additional benefits paid; and in respect of any expenses allowance if he will confirm if such allowances are paid only in respect of vouched and receipted expenditure. [49505/12]

218. **Deputy Pearse Doherty** asked the Minister for Finance if the Chief Executive Officer of Irish Life is employed on a temporary contract; if so, the date on which this contract was entered into; the termination date of this contract; if he will quantify any termination payments provided for under the contract. [49506/12]

219. **Deputy Pearse Doherty** asked the Minister for Finance if the Chief Executive Officer of Irish Life is employed on a continuing or permanent contract; and if so if he will quantify any termination payments provided for under the contract. [49507/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 217 to 219, inclusive, together.

The salary and benefits of the Chief Executive Officer (CEO) were fully disclosed on Page 62 of the 2011 Annual Report of Irish Life & Permanent Group Holdings plc which is available at [www.permanenttsbgroup.ie](http://www.permanenttsbgroup.ie). In summary the CEO of Irish Life & Permanent who has been CEO of Irish Life since its separation in June 2012, received a salary in 2011 of €500,000 and other remuneration of €86,000.

I have been informed that the policy of Irish Life is that CEO expenses are only paid in respect of vouched expenditure and that this is provided for in the CEO's contract. I have also been informed that the CEO has a permanent contract and that no termination payments are provided for in that contract.

The Deputy should also be aware that the current CEO will be retiring shortly and that a search for a new CEO has been ongoing, internally and externally, for several months. Irish Life & Permanent Group Holdings made an announcement in this regard on 26 June 2012.

### **Banking Sector Remuneration**

220. **Deputy Pearse Doherty** asked the Minister for Finance if he has contacted Irish Life, a company wholly owned by him, requesting staff whose annual salary is in excess of €200,000 to waive 15% of their salary or such amount in excess of €200,000 whichever is the lesser; and if he has, the date on which he first made this contact; the number of staff whose annual salaries were in excess of €200,000 at that date; the number of staff who acquiesced to the request for the waiver; the number of staff who refused the request for the waiver and the number of staff who have not responded to the request for the waiver. [49508/12]

**Minister for Finance (Deputy Michael Noonan):** I have not asked staff whose annual salaries are in excess of €200,000, of which there are currently 11, to waive a portion of their salaries. Irish Life is in a different position to the other financial institutions under our control

in that it is profitable and operates in a very different competitive marketplace to the banks in which we have an interest. As the Deputy will be aware, we intend to sell Irish Life as soon as is practicable and in the meantime need to ensure that the board and management of the institution operate in a manner which will maximise the value for the taxpayer at sale.

### **Mortgage Interest Relief Extension**

221. **Deputy Gerald Nash** asked the Minister for Finance if he will consider extending for a year the mortgage relief measures announced in Budget 2012 in view of the fact that we are only just starting to see the beginning of a possible recovery in the property market; and if he will make a statement on the matter. [49513/12]

**Minister for Finance (Deputy Michael Noonan):** The position is, as I stated in my Budget day speech on 6 December 2011, and on many occasions in this House since, that mortgage interest relief for principal private residences will no longer be available to house purchasers who purchase after the end of 2012 and will be fully abolished from 2018. This means that a loan will have to be drawn down on or before 31 December 2012 in order to qualify for this relief. I have no plans to review this decision.

*Question No. 222 answered with Question No. 190.*

### **Tax Code**

223. **Deputy Olivia Mitchell** asked the Minister for Finance if he will consider in the upcoming budget the case of buy to let landlords in circumstances where the formula used to subtract losses from 25% of interest paid to the bank Budget 2011 may result in taxable gain; and if he will make a statement on the matter. [49543/12]

**Minister for Finance (Deputy Michael Noonan):** I am assuming that the question relates to the interest restriction applying to residential lettings, whereby the deductibility of interest in computing taxable rental income from residential property (insofar as it would otherwise be allowable) is limited to 75% of such interest. This restriction was introduced in the April 2009 supplementary budget as part of an urgent revenue-raising package aimed at stabilising the public finances. The reduction in the level at which interest could be claimed for residential rental properties reduced the cost of this relief to the Exchequer by an estimated €95 million in a full year.

The context in which the 2009 measure was introduced, i.e. the need to stabilise public expenditure, still exists. Under the terms of the EU/IMF Programme of Financial Support for Ireland, the State is committed to further substantial reductions in public expenditure.

### **Bank Debt Restructuring**

224. **Deputy Maureen O'Sullivan** asked the Minister for Finance if he will publish a schedule identifying all those financial institutions that have ultimate recourse to the German sovereign exchequer in the event of default which derived a benefit or which were protected from loss by the bank guarantee given by the then Government on behalf of the Irish people on 28 September 2010; if he will publish his estimate of the gain conferred on those institutions by way of the guarantee; and if he will make a statement on the matter. [49573/12]

**Minister for Finance (Deputy Michael Noonan):** I refer the Deputy to a previous answer with respect to our ability to identify bondholders. I confirm again that neither the banks nor the Government have an accurate means of establishing the underlying ownership of securities issued by the banks under the ELG as of a particular point in time. As these securities are freely tradable once issued it is not possible to trace their ultimate ownership. These securities are traded and dealt through market participants and settled by clearing house systems. An issuer does not have any access to the records of the clearing house. At maturity, the Bank will instruct its paying agent to transfer the funds due to the clearing house who will then distribute the funds to the holders of the securities as per their records. Even where the bank is presented with lists alleging to represent names of bondholders I am informed there is no way for the bank or anyone else to completely verify the accuracy of such lists. Unfortunately, this makes it impossible for me to answer your question directly. It is therefore not possible to provide you with a schedule of financial institutions with recourse to the German sovereign exchequer who may have been the holders of such securities.

### **Banking Operations**

225. **Deputy Terence Flanagan** asked the Minister for Finance the measures he and the Irish Bank Resolution Corporation are taking to recover overseas property that was formerly in the name of the Quinn Group; and if he will make a statement on the matter. [49585/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC that in High Court proceedings to recover the debts due to IBRC by the Quinns, the Bank has sought the direction of the Courts to proceed with the appointment of the Alfa Group Consortium, to recover the Russian assets and one Ukrainian asset of the Quinn International Property Group. All other overseas properties of this group have either been secured, or attempts are being made to do so, through the Courts in a range of jurisdictions.

### **Budget 2013**

226. **Deputy Terence Flanagan** asked the Minister for Finance if Budget 2013 will require more cuts and taxes as growth rates have been reduced by his Department for next year; and if he will make a statement on the matter. [49586/12]

**Minister for Finance (Deputy Michael Noonan):** My Department published its most recent 2013 growth forecast in late April, and projected real GDP growth of 2.2% for the year as a whole. Since those forecasts were published, the global economy has worsened and international forecasting agencies have revised down their growth forecasts for 2013 in most of Ireland's trading partners. This is likely to lead to lower-than-previously expected demand for Irish exports, and my Department is likely to revise down its real GDP forecast for 2013. Nonetheless, the outturn for nominal GDP throughout 2012 has been better than expected in April and, broadly speaking, nominal developments drive revenue performance. The achievement of fiscal targets is driven by a range of factors, including overall economic performance as well as specific developments which effect revenue and expenditure patterns in a given year.

Despite likely lower growth this year than originally estimated at budget time, we are on track to meet fiscal targets. A similar situation arose in 2011. Real GDP growth in 2011 was a little lower than originally forecast in December 2010, but we still managed to meet all our fiscal targets without the need for additional consolidation measures during the course of 2011. My Department will publish revised economic and fiscal forecasts in the coming days.

**Tax Collection**

227. **Deputy Joe Higgins** asked the Minister for Finance the number of tax cases in the following bands (details supplied) that are composed of individual earners as opposed to couples. [49623/12]

**Minister for Finance (Deputy Michael Noonan):** Generally speaking the statistics on incomes published by my Department in relation to income tax are based on tax cases. This is clearly stated in publications and in replies to Parliamentary Questions. The vast majority of married income earners choose to be assessed jointly as one tax unit for income tax purposes. While it may be possible, with the assistance of significant development to the existing computer-based databases and costing model, to produce income statistics for income tax based on individual earners, this is problematic for various reasons, in particular given the facility for married couples to transfer credits and, in part, the standard rate band.

It is therefore not possible to provide the Deputy with the information he has sought. The Deputy may, however, wish to refer to the reply to Parliamentary Question No 42354 answered on 3rd October 2012 which sets out the information currently available on the income distribution and tax liabilities of income earners estimated by reference to the income tax year 2012. Again the number of earners shown in the table in the reply counts a married couple who has elected or has been deemed to have elected for joint assessment as one tax unit. In the interests of consistency, I am reluctant to alter the way income tax statistics are currently presented. Furthermore, I am not convinced that presenting income tax statistics in a manner different to the way income tax is actually assessed and collected provides significant additional value.

**Tax Collection Forecasts**

228. **Deputy Joe Higgins** asked the Minister for Finance the current average effective rate of tax including PRSI and universal social charge of persons earning within the bands (details supplied) and the amount of additional revenue that would be collected if the nominal and effective rates were adjusted. [49624/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the full year yield, estimated by reference to 2012 incomes, that would result from increasing the nominal tax rates of income earners as proposed by the Deputy would be of the order of €859 million. A breakdown of the figures, by range of taxable income, is set out in the table.

**Nominal Tax Rates**

Range of Taxable Income	Nominal Rate Proposed	Tax Increase Proposed
€		€m
90,001-100,000	48%	0
100,001-120,000	50%	17.9
120,001-140,000	55%	43.2
140,001-160,000	60%	54.9
160,001-180,000	65%	59.8
180,001-200,000	68%	56.1
200,001-250,000	70%	110.7
250,001-1,000,000	75%	404.9

Range of Taxable Income	Nominal Rate Proposed	Tax Increase Proposed
Over 1,000,000	78%	111.1
TOTAL		858.6

It is assumed that the total existing nominal rate, as is indicated for the income range €90,000 - €100,000, is composed of an aggregate of the top USC rate of 7% and the top income tax rate of 41%. It is assumed PRSI is not taken into account. On that basis the proposed increases in the aggregate nominal rates commencing with income range €100,000 - €120,000 are assumed for the purpose of estimating the Exchequer yields to take the form of an increase in the top income tax rate of 41%, applying as 43% to taxable income range €100,000 - €120,000, as 48% applying to taxable income range €120,000 - €140,000, and successively increasing over the stated ranges to arrive at a rate of 71% applying to taxable income in excess of €1 million.

The results shown in the table for the nominal rate of 75% as proposed for a sequence of income ranges, commencing at €250,000 and concluding at €1,000,000, have of necessity been presented in the table as a single range to reflect the method of estimation by the Revenue tax-forecasting model. I am also advised by the Revenue Commissioners that the full year yield, estimated by reference to 2012 incomes, that would result from increasing the effective tax rates of income earners as proposed by the Deputy would be of the order of €1.3 billion. A breakdown of the figures by range of gross income, is set out in the table.

Range of gross income	Gross Income	Tax/USC/PRSI	Effective Tax Rate	Proposed Rate	Proposed New Tax/USC/PRSI	Proposed Tax Increase
€	€	€			€	€m
90,001-100,000	3,174,795,435	936,659,669	29.50%	31.0%	984,186,585	47.5
100,001-120,000	4,565,439,796	1,430,393,858	31.33%	34.0%	1,552,249,531	121.9
120,001-140,000	2,983,516,699	993,161,460	33.29%	36.0%	1,074,066,012	80.9
140,001-160,000	1,960,277,282	678,721,677	34.62%	37.0%	725,302,594	46.6
160,001-180,000	1,359,220,515	481,690,586	35.44%	38.0%	516,503,796	34.8
180,001-200,000	1,013,060,376	366,091,852	36.14%	39.0%	395,093,547	29.0
200,001-250,000	1,791,691,539	658,452,673	36.75%	44.0%	788,344,277	129.9
250,001-300,000	1,177,244,030	438,294,588	37.23%	47.0%	553,304,694	115.0
300,001-350,000	850,570,163	318,196,139	37.41%	50.0%	425,285,082	107.1
350,001-400,000	608,215,973	232,244,256	38.18%	50.0%	304,107,987	71.9
400,001-450,000	491,782,546	186,358,473	37.89%	50.0%	245,891,273	59.5
450,001-500,000	386,210,649	147,475,511	38.19%	50.0%	193,105,325	45.6
500,001-750,000	1,218,485,106	467,037,155	38.33%	52.0%	633,612,255	166.6
750,001-1,000,000	552,453,776	217,533,809	39.38%	52.0%	287,275,964	69.7

Range of gross income	Gross Income	Tax/USC/ PRSI	Effective Tax Rate	Proposed Rate	Proposed NewTax/ USC/PRSI	ProposedTax Increase
Over 1,000,000	1,734,701,664	708,847,488	40.86%	53.0%	919,391,882	210.5
TOTAL						1,336.5

It should be noted that the figures for tax and effective tax rate include income tax, PRSI and Universal Social Charge (USC). The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2009 adjusted as necessary for income and employment trends in the interim. These are, therefore, provisional and likely to be revised. In addition, it should be noted that Gross Income is as defined in the Revenue Statistical Report 2010.

### NAMA Expenditure

229. **Deputy Gerry Adams** asked the Minister for Finance the fees that are paid to companies who provide property valuations for the National Asset Management Agency; the fees for this service that were paid in each of the years since NAMA was established; the persons who were the top ten recipients of these fees in each of the years since NAMA was established. [49629/12]

230. **Deputy Gerry Adams** asked the Minister for Finance if he will provide a breakdown of the legal fees paid by the National Asset Management Agency to date in 2012; if he will provide a breakdown of the recipients of those fees including the amount each recipient received from NAMA; and for the total legal fees incurred by NAMA since its establishment. [49630/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 229 and 230 together.

NAMA informs me that it cannot provide all the details requested by the Deputy in the time available. NAMA has undertaken to provide me with this information within the next week and, accordingly, I will issue a reply to the Deputy at that stage.

### IBRC Investigations

231. **Deputy Gerry Adams** asked the Minister for Finance if he will provide a breakdown of the legal fees incurred by the Irish Bank Resolution Corporation in each year since its establishment. [49631/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC that disclosure of this information is commercially sensitive. However, legal fees incurred by IBRC are included as part of Other Administrative Costs, or where applicable Exceptional Costs, as published in the Bank's Annual Report & Accounts and Interim Report. The 2011 Annual Report & Accounts for IBRC show Other Administrative Costs of €108m and Exceptional Costs of €82m. However, these figures are not exclusively made up of legal fees. The H1 2012 Interim Report reflects Other Administrative Costs of €45m and Exceptional Costs of €25m.

### Departmental Agencies Expenditure

232. **Deputy Billy Kelleher** asked the Minister for Finance if he will provide in tabular

form the amount currently being spent on, or budgeted for, by State agencies under his remit for spending on the areas of communications, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49652/12]

**Minister for Finance (Deputy Michael Noonan):** The information requested by the Deputy could not be collated in the time available. My Department will respond directly to the Deputy as soon as possible.

### **Fuel Trader's Licence**

233. **Deputy John McGuinness** asked the Minister for Finance the consultation that has taken place between Revenue and fuel retailers relevant to the fees charged and the new regulations in respect of a fuel traders licence; if consideration was given to the costs involved for smaller operators in this sector relevant to the new compliance requirements; and if he will make a statement on the matter. [49691/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners, who have responsibility for mineral oil product taxation, that the introduction of the fuel traders' license is a key component in combating non-compliance in the fuel sector. Illegal activity in this area, particularly the criminal activity associated with laundering marked fuel, imposes significant costs on the community and poses a serious threat to tax yield and to legitimate businesses. As part of its strategy to curb illegal activity in this area, earlier this year Revenue introduced strengthened licensing requirements for traders in auto fuels and a new licensing requirement for traders in marked fuel oil from 1 October 2012. In addition, from January 2013, there will be a new requirement for all fuel traders to make monthly returns of oil movements. These requirements are considered essential in protecting legitimate traders and curbing illegal activity. The licence fee is a flat rate excise duty of €250 and it applies to traders licensed to keep, deliver, deal in or sell marked fuel and auto fuel in respect of each premises from which they operate. This rate has not changed since 2001.

Revenue has had a number of meetings with trade representatives to explain the new licensing procedures and reporting requirements. These representative organisations have indicated their support for these initiatives, recognising their role in tackling fuel fraud and tax evasion and addressing the concerns of compliant traders who face unfair competition from illicit traders. In designing the new system, Revenue was conscious of the potential compliance burden on traders, particularly small traders, and the new reporting requirements, for example, allow for aggregate reporting of marked fuel deliveries to domestic users. Revenue has communicated with traders to explain the new system and has published detailed information on its website at [www.revenue.ie](http://www.revenue.ie). I am assured by Revenue that the new monthly return (ROM1) is relatively straightforward and that they have scheduled a series of seminars for traders throughout November to explain how the new system will work in practice and to clarify any queries they may have.

The laundering of marked fuel and its subsequent sale to motorists through retail outlets and other means is a serious, multi-faceted problem with significant consequences for the exchequer, legitimate traders, unsuspecting motorists and the environment. Trading in marked fuel, which is taxed at a lower rate than road fuel on condition that it is used only for specified off-road activities, carries certain responsibilities. As Minister for Finance, I fully support the comprehensive set of measures being implemented by the Revenue Commissioners to ensure more effective control of the distribution of road fuels and marked fuels, including the new licensing requirements and the new electronic reporting system for oil movements.

Question No. 234 answered with Question No. 201.

### Liquor Licence Numbers

235. **Deputy Brendan Griffin** asked the Minister for Finance the number of licensed premises in the State; the number of pubs and the turnover breakdown of these pubs; and if he will make a statement on the matter. [49741/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the statistics provided below relate to Liquor Licences issued for the sale of liquor in the state up to 30th September 2012. “Off” Licences are issued either singularly such as “Wine Retailer’s Off Licence” or in combinations such as Spirits and/or beer, and/or wine. “Off” licences can also be issued in combination with Wholesale Dealer licences. Therefore, the figures below reflect the actual number of each category of licence issued during the last licensing year (1st October 2011 to 30th September 2012) and cannot be taken to reflect either numbers of licensees or premises. Other licensed premises such as Private Member Clubs are dealt with by the District Courts and are not the subject of Revenue record.

#### Liquor Licences issued

Off-Licences	3281
Publican	8263
Special Restaurant	413
Wholesale Dealers	462
Wine Retailer On Licence	1705
	14124

#### Turnover breakdown of Publican ordinary licences and Hotels

Turnover Band	Duty	Number Issued	% in band
0 - 190499	€250	4096	50.64%
190500 - 380999	€505	2020	24.98%
381000 - 634999	€1,140	916	11.33%
635000 - 952499	€1,775	462	5.71%
952500 - 1269999	€2,535	231	2.86%
1270000+	€3,805	363	4.49%
Totals		8088	100.00%

The Deputy may wish to note that statistical annual data of this nature is available on the Revenue website [www.revenue.ie](http://www.revenue.ie) and the link to specific data in relation to excise is at <http://www.revenue.ie/en/about/publications/statistical/2010/index.html>. Current year data regarding liquor licences, which includes premises and licensee information and is updated on a monthly basis, is available at; <http://www.revenue.ie/en/tax/excise/index.html>.

### Tax Code

236. **Deputy Gerry Adams** asked the Minister for Finance if he has given any consider-

ation to the introduction of a levy on alcohol products which are sold unopened; and if he will make a statement on the matter. [49783/12]

**Minister for Finance (Deputy Michael Noonan):** I wish to advise the Deputy that I am always willing to examine new sources of revenue whether presented by my own Department or from outside through the pre-Budget process. That said the Deputy should be aware that EU Directive 92/93, which governs the structure of alcohol taxation, requires that such taxes are applied by reference to the nature and strength of the product rather than the means of packaging.

### Financial Services Regulation

237. **Deputy Kevin Humphreys** asked the Minister for Finance if the rule of 78 method of calculating interest regulated is banned here for hire purchase or leasing agreements, loans or mortgages; if he will specify where it can or cannot be used on financial transactions; if he will indicate the legislation and sections therein that regulate this area; and if he will make a statement on the matter. [49798/12]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has advised me that Section 52 (1) of Part V of the Consumer Credit Act 1995, as amended, states that “a consumer is entitled to discharge the consumer’s obligation under an agreement at any time before the time fixed by the agreement for its termination.” This applies to any agreement other than a housing loan. Section 52 (3) of the Act states that “where the consumer exercises the entitlement, the creditor or owner shall allow a reduction in the total cost of credit under the agreement.” Section 52 (6) of the Consumer Credit Act 1995, states that “the Minister for Finance may, after consulting the Bank, make a regulation prescribing a method or formula for calculating the reduction in the total cost of credit under agreements generally or any class of agreement.” In the absence of such a regulation, the Rule of 78, which deals with agreements whose cost is calculated at the outset of the loan, is commonly used to calculate the amount of the rebate due in the event of the early repayment of the agreement.

However, since the introduction of the EC (Consumer Credit Agreements) Regulations 2010 (SI No. 281 of 2010) on 11 June 2010, Sections 52 and 53 of the Act will not apply to credit agreements entered into from that date, that fall within the scope of the Regulations. This is due to the dis-application of those sections by virtue of Regulation 4 of SI No. 281 of 2010. Regulation 4(2) dis-applies Part V of the Act to credit agreements that fall within the scope of the SI. Regulation 19 of SI No. 281 of 2010 sets out the requirements in relation to early repayment.

### IBRC Investigations

238. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 135 on 23 October 2012, if he will confirm if the awarding of the loan sale advisory contract to UBS by Irish Bank Resolution Corporation under the bank’s structured procurement process followed the same tendering process as referred to in the answer to Parliamentary Question No. 133 of 23 October 2012, including where a request for quotation was published on Official Journal of the European Union; if he will confirm if this was not the same tendering process for the appointment of UBS; the reason IBRC adopted a different tendering process for the awarding of the contract to UBS; if he will confirm the number of competing bidders against UBS for the contract with IBRC; and if he will make a statement on the matter. [49803/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that IBRC cannot disclose details regarding individual appointments of advisors relating to any commercially

sensitive areas of activity such as the ongoing analysis, sale or recovery of individual loans or loan portfolios. The Bank adheres to a structured procurement process for the appointment of all its advisors. This procurement process is open, objective and transparent and is subject to the Bank's governance processes including oversight through a regular reporting process by the main Board of the Bank. I have been advised that with regards to the appointment of this particular advisor, a request for quotation was not published on the Official Journal of the European Union as the public disclosure of appointments of this nature could have a negative impact on the Bank's efforts to maximize loan recoveries. The Bank can confirm however that IBRC's procurement policy was adhered to.

### IBRC Investigations

239. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 138 of 23 October 2012, if he will confirm irrespective of his statement that the secondment of a person (details supplied) into Irish Bank Resolution Corporation should not be adversely inferred as a lack of confidence by him in the management or board of the bank; if it is the case that he retains confidence in the management and the board of IBRC; and if he will make a statement on the matter. [49804/12]

**Minister for Finance (Deputy Michael Noonan):** I can confirm that the appointment of this person to IBRC does not in any way reflect a lack of confidence by me in the management or board of the bank. The appointment has proved to be very beneficial for both IBRC and my Department by improving communication between the organisations. I am fully confident in the management and the board of IBRC and I am satisfied that the new appointment is a positive step in the continuing goal of winding down IBRC and maximising the eventual return to the taxpayer.

### Banks Recapitalisation

240. **Deputy Gerry Adams** asked the Minister for Finance if he will confirm the total nominal amount in euro of Anglo Irish Bank subordinated bonds that were governed by English Law that were subsequently subjected to a subordinated debt buy back in November and December 2010; if he will confirm the total nominal amount in euro of Irish Nationwide subordinated bonds, Irish Life and Permanent subordinated bonds and Allied Irish Banks subordinated bonds that were governed by English Law that were subsequently subjected to subordinated debt buy backs in 2011; and if he will make a statement on the matter. [49805/12]

**Minister for Finance (Deputy Michael Noonan):** The requested institutions have supplied me with the following information:

Subordinated Bonds under English Law subjected to Buy Backs	2010 €bn	2011 €bn
Anglo Irish Bank	1.9	
INBS		0.2
PTSB		0.9
AIB		4.6

## Sovereign Debt

241. **Deputy Gerry Adams** asked the Minister for Finance if he will detail the total nominal amount in euro of Irish Government bonds which are governed by English Law; and if he will make a statement on the matter. [49806/12]

**Minister for Finance (Deputy Michael Noonan):** Two of the NTMA's borrowing programmes for the issuance of Irish Government debt are governed by English law, namely, the Euro Medium-Term Notes (EMTN) Programme, of which €96 million was outstanding at 31 October 2012, and the Euro Commercial Paper (ECP) Programme, of which €1.212 billion was outstanding at 31 October 2012.

## Banks Recapitalisation

242. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 132 of 6 March 2012, if he will detail the total amount of interest paid on the subordinated bonds held by Fir Tree Capital Funds from Anglo Irish Bank, now Irish Bank Resolution Corporation, for their €200 million of subordinated notes in Anglo Irish Bank since the 29 of December 2010 to date; if he will detail if he continues to refuse to interfere with IBRC's contractual obligation to pay interest and principal on these notes; if he will confirm if he has directed IBRC or invited Fir Tree Capital Funds directly to agree to take voluntary losses on the principal amount to be paid as was the case with all other Anglo Irish Bank subordinated bondholders; and if he will make a statement on the matter. [49808/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by IBRC of the following:

The US\$165m Subordinated Notes Series A due on 29 September 2015 currently bear interest at three month LIBOR plus 0.92% per annum.

Interest payments made since 29 December 2010 to date are as follows:

\$504,411.60 29-Dec-10

\$504,409.95 29-Mar-11

\$517,595.10 29-Jun-11

\$491,557.92 29-Sep-11

\$536,043.85 29-Dec-11

\$623,852.39 29-Mar-12

\$586,390.75 29-Jun-12

\$575,825.25 29-Sep-12

The US\$35m Subordinated Notes Series B due 29 September 2017 bear interest at 4.80% per annum to 28 September 2012 and thereafter reset at three month LIBOR plus 0.93% per annum.

Interest payments made since 29 December 2010 to date are as follows:

\$840,000.00 29-Mar-11

\$840,000.00 29-Sep-11

\$840,000.00 29-Mar-12

\$835,333.34 29-Sep-12

I have been advised that IBRC has a contractual obligation to pay interest and principal on the notes. I have not directed IBRC nor have I invited Fir Tree directly, to take voluntary losses on its subordinated notes other than when Fir Tree was invited to participate in IBRC's liability management exercise in 2010 to take a voluntary loss.

### **Tax Reliefs Cost**

243. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 268 of 6 November 2012, if he will outline the ongoing costs on the Exchequer in terms of tax foregone as a result of legacy property reliefs in 2011 and 2012. [49979/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the estimated cost to the Exchequer of all "legacy" property-related tax schemes in 2010, the latest year for which this information is available, was €327 million. It should be noted that any corresponding data returned by PAYE taxpayers in the income tax return (Form 12) is not captured in the Revenue computer system. However, any PAYE taxpayer with non-PAYE income greater than €3,174 is required to complete an income tax return (Form 11).

The estimated relief claimed has assumed tax forgone at the 41% rate for 2010 in the case of individuals and 12.5% in the case of companies. The figures shown correspond to the maximum Exchequer cost in terms of income tax and corporation tax.

Corresponding data cannot yet be provided for 2011 and 2012, as the tax returns for these years are either in the early stages of being filed or are not yet due.

I would like to remind the Deputy that Finance Bill 2012 contained two measures related to property reliefs designed to reduce the ongoing cost of these schemes to the Exchequer and to eliminate it in as short a time as possible.

With effect from 1 January 2012, a USC surcharge was introduced on all investors with annual gross incomes over €100,000. The surcharge applies at a rate of 5% on the amount of income sheltered by property reliefs in a given year and will be in addition to any normal USC payable on this income. This USC surcharge applies to all investors with this level of gross income regardless of whether they invested in Section 23 type investments or accelerated capital allowance schemes.

In addition, investors in accelerated capital allowance schemes will no longer be able to use any capital allowances beyond the tax life of the particular scheme where that tax life ends after 1 January 2015. Where the tax life of a scheme has ended before 1 January 2015 no carry forward of allowances into 2015 will be allowed. The delayed implementation of this measure is designed to give individuals time to adjust to the absence of the carry forward provision.

There are now only two property based tax incentive schemes remaining in the tax code: the Mid-Shannon Corridor Tourism Infrastructure Investment scheme (only 80% of expenditure can qualify in certain areas) and the Qualifying Specialist Palliative Care Units scheme, which was not commenced.

All other such schemes have been terminated, subject to transitional arrangements for cer-

tain schemes where projects were already in the pipeline. However, due to their nature these reliefs continue to entail ongoing costs on the Exchequer in terms of tax foregone.

### State Banking Sector

244. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 51 of 24 October 2012, if he will provide a breakdown in tabular form of fees paid to each of the public interest directors in each of the covered institutions since the bank bailout in 2008. [49980/12]

**Minister for Finance 251(Deputy Michael Noonan):** The information is in the following table.

Bank	Public Interest Directors	Date of Appointment/Resignation	Fees 2008 €	Fees 2009€	Fees 2010€	Fees 2011€	Total €
AIB	Mr Dick Spring Mr Declan Collier	January 2009 January 2009/June 2012		26,00029,000	47,00040,000	59,00071,000	132,000140,000
EBS	Mr Anthony Spollen Ms Ann Riordan	January 2009/June 2011 January 2009/June 2011		37,50037,500	29,00029,000	14,50015,600	81,00082,100
BOI	Mr Tom Conside Mr Joe Walsh	January 2009 January 2009		79,00080,000	90,00079,000	90,00079,000	259,000238,000
INBS	Mr Adrian Kearns Mr Rory O'Ferrall	January 2009/ June 2011 January 2009/June 2011		55,00055,000	36,00036,000	18,00018,000	109,000109,000
Anglo Irish Bank	Mr Frank Daly Mr Alan Dukes	December 2008/ December 2009 December 2008/June 2010*		98,000102,000	-52,000	--	98,000154,000
PTSB	Ms Margaret Hayes Mr Ray Mac Sharry	December 2008 December 2008	2,0002,000	77,00069,000	64,00056,000	64,00056,000	207,000183,000

\*Since nationalisation of Anglo Irish Bank in January 2009, there are no specific public interest directors on the board of IBRC. However all appointments to the board of the bank are approved by the Minister for Finance under the terms and conditions attaching to the nationalisation of the bank. Mr. Alan Dukes had been appointed as a public interest director in

Dec 2008 and was made Chairman of Anglo Irish Bank in June 2010. His Chairman's fees in 2010 were an additional €75,000 to the figure in the table and in 2011 were €150,000.

Dr Michael Somers is a Government Nominee (not a Public Interest Director) appointed to the AIB board on 14 January 2010 under the terms of NPRFC's investment of €3.5bn in AIB of May 2009.

### **Motor Tax Exemptions**

245. **Deputy Joe McHugh** asked the Minister for Finance with reference to the Treaty of Rome, Chapter 1, The Customs Union Article 25 (ex Article 12), his views on the Vehicle Registration Tax (Permanent Reliefs) Regulations 1993 and section 134(1) of the Finance Act 1992; and if he will make a statement on the matter. [50034/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that Section 134(1) of the Finance Act, 1992 provides for the registration of vehicles without payment of Vehicle Registration Tax (VRT) in a range of circumstances such as transfer of residence, transfer of business, inheritance and diplomatic relief. Section 141(3) of the same Act provides that regulations may be made by the Minister to give effect to the provisions of Section 134. Regulations were made in 1993 and are contained in Statutory Instrument No. 59 of 1993, Vehicle Registration Tax (Permanent Relief's) Regulations 1993. These regulations deal with the conditions and circumstances under which the relief from VRT may be granted.

The provisions contained in our primary and secondary legislation in relation to VRT are compatible with the provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union.

### **Illicit Trade in Tobacco**

246. **Deputy Joe McHugh** asked the Minister for Finance the work being carried out by the Revenue Commissioners to combat the sale of illicit cigarettes here; if he will compare the quantities of seizures of cigarettes for 2010, 2011 and to date in 2012; if he will outline with reference to the 2009 Revenue and Office of Tobacco Control estimate, the up to date estimate proportion of cigarettes consumed here which are illicit; the communication between his Department and the Revenue Commissioners regarding enhancing pursuit of illicit trading; and if he will make a statement on the matter. [50042/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners, who are responsible for the collection of tobacco products tax and for tackling the illicit trade in cigarettes and tobacco products, that they attach a high priority to this issue. The strategy employed by Revenue to tackle this illicit trade is multi-faceted: it includes ongoing analysis of the nature and extent of the problem, developing and sharing intelligence on a national, EU and international basis, ongoing review of operational policies, development of analytics and detection technologies, and optimum deployment of resources at point of importation and inland, in order to intercept the contraband product and to prosecute those involved. Interception at the point of importation is achieved through a combination of risk analysis, profiling, intelligence and the screening of cargo, vehicles, baggage and postal packages. Revenue enforcement officers also target this illicit trade at the post-importation level by carrying out intelligence-based operations and random checks at retail outlets, markets and private and commercial premises.

Revenue also carries out regular multi-agency operations, particularly in relation to large

maritime importations. Revenue both provides and receives intelligence from other Customs Administrations and works closely with the European Anti-Fraud Office, OLAF, in its efforts to tackle the illicit sale of tobacco at an international level. This international cooperation and sharing of intelligence and expertise plays an important role in combating illegal tobacco smuggling on a global basis.

In 2010 and 2011 seizures of cigarettes were, respectively, 178.4 million and 109.1 million. Seizures of other tobacco products in those years were 3,367 kilograms (2010) and 11,158 kilograms (2011). Seizures to date in 2012 amount to 91.4 million cigarettes and 4,041 kilograms of tobacco.

I am informed by the Revenue Commissioners that their office and the Tobacco Control Unit of the Department of Health commissioned surveys in 2009, 2010 and 2011 to establish the level of the illicit trade in tobacco. The surveys for 2009 and 2010 estimated that 20% of cigarettes consumed in the State had not been taxed in this jurisdiction. This figure was further broken down as 14% illicit product and 6% legally imported by passengers arriving into the State from other jurisdictions. These findings were based on the 2006 Census population figures. By applying the most up to date population data, the 2011 census population figures, which have recently become available, IPSOS MRBI have now revised the illicit percentages to 16% for 2009 and 15% for 2010. The recently published results from the IPSOS MRBI survey for 2011 indicate that illicit consumption accounted for 15% of the market.

The illegal trade in tobacco products is a serious threat to the Exchequer and to legitimate businesses and the Deputy can be assured that the Revenue Commissioners will continue their extensive work against smugglers and sellers of illicit products. My Department will continue to liaise closely with Revenue on the matter.

### **Universal Social Charge Payments**

247. **Deputy Brendan Ryan** asked the Minister for Finance in the Budget 2013, if he plans any changes to the Universal Social Charge for Deeds of Covenant as it relates to permanently incapacitated minors, in order to remove them from liability to pay the charge; and if he will make a statement on the matter. [50075/12]

**Minister for Finance (Deputy Michael Noonan):** It is also a long-standing practice of the Minister for Finance not to comment, in advance of the Budget, on any tax matters that might be the subject of Budget decisions.

### **Universal Social Charge Payments**

248. **Deputy Brendan Ryan** asked the Minister for Finance the amount of money that was collected from the Universal Social Charge from Deeds of Covenant in respect of permanently incapacitated minors in 2011 and to date 2012; and if he will make a statement on the matter. [50076/12]

**Minister for Finance (Deputy Michael Noonan):** The position is that both income tax and Universal Social Charge (USC) are chargeable where a permanently incapacitated minor child is in receipt of income by virtue of a deed of covenant from a person who is not his or her parent. The income is chargeable to tax and USC in the hands of the recipient. I am informed by the Revenue Commissioners that information on the yield of USC from the income source mentioned in the question is not separately identified in Revenue statistics. There is, therefore,

no statistical basis on which the information requested by the Deputy could be provided.

### **Universal Social Charge Payments**

249. **Deputy Brendan Ryan** asked the Minister for Finance if he will itemise the way the money collected from the universal social charge is used; if it entitles persons to specific benefits and entitlements; and if he will make a statement on the matter. [50077/12]

**Minister for Finance (Deputy Michael Noonan):** The Universal Social Charge (USC) was introduced in Budget 2011 to replace the Income Levy and Health Levy. It was a necessary measure to widen the tax base, remove poverty traps and raise revenue to reduce the budget deficit. USC receipts form part of income tax and are paid into the Central Fund. They are therefore available, along with other sources of tax revenue, non-tax revenue and capital receipts as well as the funds sourced from borrowing, to fund overall Exchequer expenditure.

Individuals that are subject to the USC charge do not accumulate entitlements or specific benefits but do benefit from the services provided by the State.

### **Social Insurance Refunds**

250. **Deputy Patrick Nulty** asked the Minister for Finance further to Parliamentary Question No. 58 of 6 June 2012 and No. 234 of 18 September 2012 when a PRSI refund will be paid to a person (details supplied) in Dublin 15; when the person's refund will be granted; the reason the person has still not been contacted as promised; and if he will make a statement on the matter. [50078/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that the matter is under active investigation by the Department of Social Protection and they will contact the individual directly on the matter.

### **Mortgage Arrears Proposals**

251. **Deputy Brendan Griffin** asked the Minister for Finance the number of mortgage holders that are repaying mortgages across all of the banks operating here at more than 35% of their net income; and the total value of these mortgages. [50115/12]

**Minister for Finance (Deputy Michael Noonan):** While the Central Bank collects and publishes data of the amount of residential mortgage lending and the arrears position in respect of such lending, neither the Bank nor my Department collects or has access to the further data that would be necessary to provide an answer to the question submitted by the Deputy.

### **Public Sector Staff Issues**

252. **Deputy Seán Kyne** asked the Minister for Finance if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50642/12]

**Minister for Finance (Deputy Michael Noonan):** Staff at all levels in the Department, to-

gether with staff representatives and management have the opportunity to contribute through the normal industrial relations framework i.e. Departmental Council which is part of the Conciliation and Arbitration Scheme for the Civil Service. Staff also contribute to reform and change in their respective areas as part of the ongoing transformation process in the Department.

### Pension Provisions

253. **Deputy Terence Flanagan** asked the Minister for Finance how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50655/12]

**Minister for Finance (Deputy Michael Noonan):** In reply to the Deputy's question, there are no funded semi-state company pension schemes under the aegis of my Department.

### FÁS Training Programmes

254. **Deputy Peadar Tóibín** asked the Minister for Education and Skills if he will provide in detail the number, type, location and spaces available on FÁS courses in County Meath available to the unemployed. [49779/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I understand that in 2012, FÁS will deliver 29 training courses in Co. Meath as per the following table:

Project Title	Project Type	Number of Participants	Location
Trim Forum for Employment	Local Training Initiative (LTI)	12	Trim
Navan Career Start	LTI	16	Navan
Tabor House	LTI	14	Trim
East Coast Career Opportunities	LTI	14	Duleek
Fresh Start National Learning Network	Specialist Training Programme (STP)	22	Navan
Advance National Learning Network	STP	22	Navan
Computer Application and Office Skills National Learning Network	STP	22	Navan
Employer Based Training National Learning Network	STP	22	Navan
Multimedia	Bridging	100	Navan
Healthcare Traineeship	Traineeship	20	Navan
ECDL Short	Specific Skills Training (SST)	20	Navan

Project Title	Project Type	Number of Participants	Location
Warehouse and Data Entry	SST	20	Navan
Healthcare Traineeship	Traineeship	20	Navan
ECDL Short	SST	20	Navan
Executive Networking	SST	20	Ashbourne
Security Personnel	SST	20	Navan
Office Admin Traineeship	Traineeship	20	Navan
IT	SST	20	Navan
Account Technician 1	SST	20	Navan
Security Personnel	SST	20	Navan
Kerbing and Paving	SST	16	Navan
ECDL Short	SST	20	Navan
Healthcare Traineeship	Traineeship	20	Navan
Landscape Construction	SST	16	Navan
Man/Com A/cs and Payroll	SST	20	Navan
Landscape and Construction	SST	16	Navan
IT Apps and Business Communications	SST	18	Navan
Childcare Traineeship	Traineeship	20	Navan
Accounts Technician 2	SST	20	Navan
TOTAL	NIL	630	NIL

### FÁS Training Programmes

255. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number of training places created in the past two years; the extent to which such schemes can be augmented in the future; and if he will make a statement on the matter. [50146/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Under the current Programme for Government 2011-2016, the Department of Education and Skills is committed to providing an additional 30,000 training and education places across the education and training system, distributed in line with the recommendations of the Expert Group on Future Skills Needs.

With this commitment in mind, to-date my Department has created over 28,000 additional education and training places across a number of initiatives which are set out as follows:

- FÁS Specific Skills Training programme.
- Higher Education Springboard programme
- Back to Education Initiative
- Post Leaving Certificate places
- Labour Market Education and Training Fund 2012
- Springboard 2012

In addition, my Department and its agencies will continue to explore and develop relevant, targeted innovative training and education initiatives that will further support the commitment under the Programme for Government and will equip individuals with the necessary skills to avail of future job opportunities and will provide employers with the necessary skilled workforce it requires.

### **Pension Provisions**

256. **Deputy Dan Neville** asked the Minister for Education and Skills the position regarding an application for payment in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [49399/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The person referred to by the Deputy was an employee of the Board of Management of the Limerick Model School. The Board of Management has made an application, under the terms of the Superannuation Act 1887, seeking to award the individual concerned a gratuity payment on retirement. My officials are liaising with officials of the Department of Public Expenditure and Reform with a view to determine the application.

A response will issue to the Board of Management in due course.

### **Teacher Training Provision**

257. **Deputy Jack Wall** asked the Minister for Education and Skills his views regarding a submission (details supplied); if this matter will be reviewed in view of the proposal in the submission that the school in conjunction with university can confidently deliver the vision of the report; if so, the mechanism to be used and the period involved regarding such a review; and if he will make a statement on the matter. [49473/12]

284. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will consider the retention of home economics teaching education at a campus (details supplied) in County Sligo; if he will provide this campus and NUI Galway an opportunity to demonstrate their capacity to fulfil the vision of the Initial Teacher Education report in the most cost effective manner; and if he will make a statement on the matter. [49792/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 257 and 284 together.

I have accepted the recommendations set out in a report commissioned by the Higher Education Authority (HEA) on the structures of initial teacher education. The purpose of the report, which I requested, was to identify new possible structures to improve initial teacher education

in Ireland so that it is comparable with the best in the world.

The international panel of education experts recommended that teacher education be provided in six “centres for teacher education”. Currently there are 19 state funded providers of ITE (and three non-state funded) offering more than 40 college programmes in primary and post-primary teaching. The new collaborations recommended by the international panel will mean that a smaller number of centres for ITE exist, but that they offer education across multiple sectors from early childhood to primary, to post primary to adult education. These centres for teacher education will also possess a critical mass in terms of research capacity which is not always possible in smaller institutions. The new configurations will mean strong research bases can be created in each centre.

The HEA has been requested to consult with the relevant parties and to prepare a detailed plan on how to implement the recommendations of the Panel. I understand that this process has started and a plan is expected by the end of the year. I will fully consider the implementation plan from the HEA when received.

### **Student Grant Scheme Applications**

258. **Deputy Barry Cowen** asked the Minister for Education and Skills the position regarding a student grant in respect of a person (details supplied) in County Offaly; and when they may expect a decision. [49510/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that the student referred to by the Deputy has been awarded a grant and an award letter issued on 2nd November, 2012.

### **Schools Amalgamation**

259. **Deputy Michael Colreavy** asked the Minister for Education and Skills his plans regarding the amalgamation of schools (details supplied) in County Sligo; and if he will make a statement on the matter. [49558/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that a major capital works application was submitted to my Department in respect of a new school for the proposed amalgamation of the schools referred to by the Deputy. The current status of all projects on the school building programme, including the schools referred to by the Deputy, may be viewed on my Department’s website at [www.education.ie](http://www.education.ie) and this is being updated regularly throughout the year. As you are aware, a five year plan was announced on 12th March 2012 which prioritises building projects which will meet the growing demographic needs. In view of the need to ensure that every child has access to a school place, the delivery of major school projects required to meet demographic demand will be the main focus for capital investment in the coming years. As the area referred to by the Deputy has not been identified as an area of rapid demographic growth, the new school building project to facilitate the proposed amalgamation was not included in the five year plan and it is not possible to give an indicative time-frame for the progression of the project at this time. As an interim measure, the school authorities submitted a proposal in March 2012 to operate as Junior/Senior schools. My Department has sought further clarification from the schools concerned and will give further consideration to the proposal when the information concerned is received.

**Public Sector Staff Retirements**

260. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on media reports that there has been a miscalculation within his Department's budget regarding the cost of retirements and the impact that this will have on cuts to the education budget in Budget 2013; and if he will make a statement on the matter. [49562/12]

261. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the amount by which his Department has miscalculated the cost of recent retirements within his Department; if he will clarify any other costs which were miscalculated and which will impact upon cuts to education in Budget 2013; and if he will make a statement on the matter. [49563/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 260 and 261 together. The Deputy will be aware that a retirement package, with a cut-off date of 29 February 2012, was in place in the public service in 2012. Due to the unique circumstances surrounding this package, a definite pattern of retirements was difficult to forecast when the 2012 Estimates were being finalised at the beginning of the year. Based on expenditure returns to date it is now projected that expenditure on my Vote for superannuation will exceed the original allocation as set out in the 2012 Revised Estimates Volume. The full impact of this excess will not be known until year-end. However, I expect to manage any excess on superannuation payments, and excesses that may occur on other areas of the Vote, from within the overall allocation for my Vote for 2012. Given the size and complexity of the Education and Skills Vote it would not be unusual for variations to occur on certain expenditure subheads in any year. The virement process allows Departments, with the sanction of the Department of Public Expenditure and Reform, to allow savings arising on one or more subheads to meet excesses arising on other subheads. Under the expenditure ceilings set as part of last year's Comprehensive Expenditure Review, my Department is required to secure savings on current expenditure of €77 million in 2013. As has been the case in previous years, it is possible that upward expenditure pressures will emerge on some areas of my Vote next year, but that there will be an offsetting effect as a result of savings emerging in other areas. The full extent of any such upward pressures and savings is currently being examined by my Department in the context of preparations for the 2013 Budget. The position in relation to projected superannuation expenditure will be closely monitored in this regard.

**Third Level Funding**

262. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will provide a breakdown of postgraduate fees being charged in each university in 2012 and the details of fees in 2011; and if he will make a statement on the matter. [49564/12]

263. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on whether the 2% cut in core funding for the higher education sector implemented as part of Budget 2012 has been passed on to students in the form of increased postgraduate fees this year; and if he will make a statement on the matter. [49565/12]

264. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if there has been an increase in postgraduate fees this year; and if he will make a statement on the matter. [49566/12]

292. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will outline the postgraduate fees schedule for non EU and EU students for the past five years; and if he will make a statement on the matter. [49952/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 262 to 264, inclusive, and 292 together. As the Deputy will be aware my Department provides recurrent funding to the Higher Education Authority (HEA) who then allocates an annual core recurrent grant to each institution and it is a matter for the institution to determine how this funding is allocated internally. Higher education institutions, including Universities, are autonomous bodies and the criteria governing the level of tuition fees to be charged in the case of postgraduate study is a matter for the institutions to determine and I have no role in relation to the matter and accordingly my Department does not have the statistical data in relation to such fees as sought by the Deputy however I am aware that each institution sets out their courses and fees on their websites. The reality of the economic situation and the public expenditure corrections which must be made in the coming years present challenges across all areas of public expenditure, including higher education. The HEA, at my request, is also undertaking a study on the sustainability of the current funding system for higher education. An initial report was published last year, and the HEA is continuing its work in this area.

### **Higher Education Courses Applications**

265. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of students who began a postgraduate course for 2012/2013; the number that commenced a postgraduate course in 2011/2012; and if he will make a statement on the matter. [49567/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As I have previously indicated to the Deputy in response to recent question on this subject, the provisional postgraduate enrolment data for 2012/13 will not be available until mid December 2012 at the earliest. The most recent data available on entrants to postgraduate courses is for 2011/12.

Data for 2010/11 and 2011/12, as previously supplied, shows that 1st year enrolments for Research Masters and PhDs increased from 1,862 in 2010/11 to 2,156 in 2011/12 which represents an overall increase of 16%. The number of 1st year enrolments on all postgraduate programmes (both research and taught) remained largely stable at 12,494 in 2010/11 and 12,424 in 2011/12.

### **Student Grant Scheme Applications**

266. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on whether students who have yet to receive their student grant approval are having difficulty accessing important student services as a result; and if he will make a statement on the matter. [49568/12]

287. **Deputy Seamus Healy** asked the Minister for Education and Skills if he will intervene with the third level colleges to ensure that students are not denied access to the colleges IT services due to the fact that they cannot be permanently registered because of the delays in approving grant applications; and if he will make a statement on the matter. [49933/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take questions 266 and 287 together.

The Higher Education Authority (HEA) on foot of a request from my Department, has written to all higher education institutions requesting them to show flexibility and consideration, as most have done in the past, to students who may be awaiting a decision on their grant application and/or payment of grants. The HEA has requested institutions to consider not withdrawing

facilities such as library or exam access, given that these students are awaiting decision on their grant applications. The situation is being kept under review.

### **School Patronage**

267. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the response rate to date to the survey of parents in Whitehall, Trim, Tramore, Castlebar and Arklow as part of the survey on primary school patronage; and if he will make a statement on the matter. [49569/12]

**Minister for Education and Skills (Deputy Ruairí Quinn) (Deputy Ruairí Quinn):** As the Deputy is aware Friday 9th November was the closing date for completion of this survey. My Department will now prepare a detailed report on the survey outcomes which will then be reviewed by the New Schools Establishment Group. This report will be done in a manner that fully respects the confidentiality and data protection rights of all those who respond, and will deal with validation of responses.

The number of responses is outlined as follows but it should be noted that this is preliminary data, and has not been validated or investigated in any detail.

Arklow - 384 responses representing 706 children;

Castlebar - 465 responses representing 932 children;

Tramore - 276 responses representing 563 children;

Trim - 300 responses representing 588 children;

Whitehall - 546 responses representing 987 children.

Once the report is finalised and feedback is sought from the patron bodies involved in the process so far, consideration will be given to any changes in implementing the surveys in the remaining areas.

### **Bullying in Schools**

268. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the progress made to date of the Working Group on Bullying; when he expects this group to complete its work and publish new recommendations regarding tackling bullying; and if he will make a statement on the matter. [49570/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Alongside the Anti-Bullying Forum which took place in May 2012, I established a working group to examine issues related to tackling all forms and types of bullying in schools. As you are probably aware, there is a specific commitment in the Programme for Government to address the very serious issue of homophobic bullying in schools and this is part of the working groups remit. I invited stakeholders and all interested parties to submit their views for consideration by the Working Group. Over 60 submissions have been received. The outcomes and recommendations from the Forum, along with the submissions received from interested parties, are assisting the working group in its deliberations.

The Group is chaired by a Principal Officer in my Department's Central Policy Unit and

includes representatives from the Department of Children and Youth Affairs, the Irish Second-Level Students' Union, GLEN (Gay and Lesbian Equality Network) and BeLonG To Youth Services. My Department's Inspectorate, School Governance Section and my office are also represented on the Group.

Over the last few months, the Group has been consulting with a range of stakeholders and with colleagues in Scotland and the UK. The Group are working on an action plan recommending further measures that can be taken to effectively tackle bullying in schools. I expect the Group to submit the action plan to me by the end of November.

### **Student Grant Scheme Applications**

269. **Deputy Joe McHugh** asked the Minister for Education and Skills his views on the efficacy of an agency (details supplied) of his Department; and if he will make a statement on the matter. [49602/12]

306. **Deputy Seán Kyne** asked the Minister for Education and Skills if there are plans to review the Student Universal Support Ireland grant system as operated by the City of Dublin Vocational Education Committee before the start of the next academic year; and if he will make a statement on the matter. [50128/12]

307. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on the way in which the Student Universal Support Ireland online systems operates in relation to serving students who are awaiting payments in respect of their third level grants; the action he will take to speed up payments; and if he will make a statement on the matter. [50158/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 269, 306 and 307 together.

Up until last year, students applied to their local authority or VEC for their grants. Some 66 grant awarding authorities were involved, all using a variety of application, assessment and payment processes. Student Universal Support Ireland (SUSI) replaces all of these with a centralised, and on-line system of application. The centralisation of the service enables the introduction of service level improvements on an incremental basis, which heretofore was difficult given the number of agencies involved. An example of this is that all new student grants approved for this academic year will be paid by electronic funds transfer on a monthly basis directly to students' bank accounts, rather than by cheque to the relevant college. The introduction of the on-line application is an enormous improvement on the cumbersome paper-based application form that preceded it. By introducing devices such as drop-down menus, compulsory fields and individual-relevant questions, it has ensured a much higher level of quality of completion at that part of the process.

However, I understand from SUSI that what it could not have anticipated was the level of incorrect or incomplete supporting documentation subsequently submitted in support of applications. This has created bottlenecks in the system which SUSI is currently dealing with. My Department is ensuring that it has the resources and personnel to do so. Payments to new students commenced on the 19th October and will continue on a weekly rolling basis as grants are approved and bank details are supplied online by the student to ensure that students receive their payments as soon as possible.

A full review of the first year of operation of the grants system as operated by SUSI, a unit of City of Dublin VEC is planned in advance of the opening up of the application process for the 2013/14 academic year.

## Services for People with Disabilities

270. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding scooter user access for students who need to use scooters to get into lecture halls at a university (details supplied) but are finding it almost impossible to access their lecture theatres on their scooters; the steps that have been taken by the university to ensure that all students can attend the university regardless of disability and the plans they have to enable scooter users to access their lecture theatres without the present difficulties; and if he will make a statement on the matter. [49642/12]

271. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding scooter user access for students who need to use scooters to get into the student accommodation at a university (details supplied) but are finding it almost impossible to access the student accommodation on their scooters; the steps that have been taken by the university to ensure that all students can access the student accommodation at the university regardless of disability and the plans they have to enable scooter users to access their accommodation without the present difficulties; and if he will make a statement on the matter. [49643/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 270 and 271 together.

The matters raised by the Deputy fall within the responsibilities of the Governing Authority of the University to deal with.

In this regard the Disability Act 2005 requires that all public bodies ensure that public buildings are, as far as practicable, made accessible to people with disabilities not later than 2015.

## Consultancy Contracts Issues

272. **Deputy Billy Kelleher** asked the Minister for Education and Skills if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49650/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information requested by the Deputy in respect of agencies is not held centrally by my Department. The awarding of contracts, the expenditure incurred, and the procurement arrangements by agencies under the aegis of my Department is an operational matter for the agencies themselves. If the Deputy has an interest in a particular agency then officials in my Department will request the agency concerned to provide the relevant information insofar as it is possible.

All bodies under the aegis of my Department are aware of the need to achieve value for money while conducting procurement. The Code of Practice for the Governance of State Bodies outlines the responsibilities of state bodies in this regard and my Department regularly updates the aegis bodies on developments in relation to public procurement policy and practices.

For the Deputy's information details of agencies under the remit of my Department can be downloaded from the Department's website, <http://www.education.ie/>. This information is updated when any relevant changes occur

## Student Grant Scheme Applications

273. **Deputy Robert Troy** asked the Minister for Education and Skills if he will expedite grant applications in respect of persons (details supplied). [49672/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In relation to the first named candidate officials in my Department have confirmed with SUSI that the application of the student referred to by the Deputy is currently awaiting review and the student will shortly be notified of the outcome. In relation to the second named candidate officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was requested on 8th November 2012. When the documentation is returned to SUSI the student will be notified directly of the outcome.

### **Schools Building Projects Status**

274. **Deputy Michael Creed** asked the Minister for Education and Skills if he will provide an update regarding the progress at design stage for a new school (details provided) in County Cork; when he expects to be in a position to move this project to planning application stage; and if he will make a statement on the matter. [49681/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The major building project for the school referred to by the Deputy is at Stage 2(a) Developed Sketch Design. The stage 2(a) submission is currently with my Department for consideration. Once the stage 2(a) is approved the project will progress to stage 2(b) which includes applications for planning permission, Fire Safety Certification, Disability Access Certification and the preparation of tender documents.

Due to competing demands on my Department's capital budget, imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements, it was not possible to include the project referred to by the Deputy in the five year construction programme.

Schools which have not been included in the five year construction programme, but which were announced for initial inclusion in the building programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to my Department in future years. The project referred to by the Deputy remains available to be considered for progression in that context.

### **Schools Building Projects Status**

275. **Deputy Michael Creed** asked the Minister for Education and Skills if he will provide details of the building contractor appointed in respect of the new school constructions announced in County Cork recently; when he expects construction to commence on these schools; and if he will make a statement on the matter. [49696/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Information in respect of my Department's School Building Works Programme for 2012, including projects in County Cork, is available on the Department's website at [www.education.ie](http://www.education.ie). The information on each project includes the name of the main contractor when appointed, the contract start date and the duration of the contract period. The status of each project on the programme is updated at regular intervals to reflect the most up to date position.

### **Schools Building Projects Status**

276. **Deputy Michael Creed** asked the Minister for Education and Skills if he will confirm receipt of an application for additional accommodation/prefabricated classroom replacement from a school (details supplied) in County Cork; when a decision on this request will issue; and if he will make a statement on the matter. [49697/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school referred to by the Deputy has made an application to my Department for capital funding to replace temporary accommodation units. Additional information was sought from the school in relation to the application and this was supplied by the school last week. The information concerned is currently being assessed and a decision will be communicated by my Department to the school authorities shortly.

### **Third Level Courses Availability**

277. **Deputy Dominic Hannigan** asked the Minister for Education and Skills his plans for a travel allowance for springboard participants who have to travel long distances from their homes to their places of study; and if he will make a statement on the matter. [49705/12]

**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. The courses are delivered in public, private and not for profit higher education providers around the country. Many Springboard courses are delivered online, enabling people to access them regardless of where they reside in the country. A second stage evaluation of the Springboard 2011 programme is currently being finalised. Any issues in relation to the level of supports available to students, will be considered in the context of the findings of the evaluation and having regard to the overall level of resources available.

### **Student Grant Scheme Applications**

278. **Deputy Barry Cowen** asked the Minister for Education and Skills when a person (details supplied) in County Offaly may expect a decision on an application for a student grant. [49727/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for new student grant applications from the 2012/13 academic year is a matter for the new centralised grant awarding authority, SUSI (Student Universal Support Ireland). Officials in my Department have confirmed with SUSI that documentation requested from the student referred to by the Deputy is currently awaiting review and the student will be notified directly of the outcome.

### **School Transport Provision**

279. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if junior and senior infant children who have a school day which is one hour shorter than the length of the normal school day and who avail of concessionary school transport entitled to remain on school premises if the board of management policy is that all children in junior and senior infants must be collected an hour earlier than the other classes; and if he will make a statement on the matter. [49739/12]

280. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if junior and senior infant children who have a school day which is one hour shorter than the length of the normal school day and who are eligible for school transport entitled to remain on school premises if the board of management policy is that all children in junior and senior infants must be collected an hour earlier than the other classes; and if he will make a statement on the matter. [49740/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 279 and 280 together.

As the Deputy will be aware, schools are permitted to reduce the school day by one hour for children in infant classes. It is a matter for the Board of Management of a particular school to decide whether this concession should be applied in the case of its school. In practice, most primary schools operate on this basis. If pupils in infant classes are being given a shorter day, their parents should be notified accordingly and invited to collect them at time of dismissal.

Where this shorter day causes issues for parents, my Department would encourage school authorities to engage with parents locally with a view to arriving at a mutually acceptable resolution.

The School Transport Scheme, operated by Bus Eireann on behalf of my Department, is planned in such a way as to ensure that, as far as possible, eligible children have a reasonable level of service while at the same time, ensuring that school transport vehicles are fully utilised in an efficient and cost effective manner. The Deputy will appreciate that it is not feasible to organise additional school transport services for children in infant classes who attend for a shorter school day.

### **Schools Building Projects Status**

281. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding the provision of a second level school in an area (details supplied) in County Westmeath. [49757/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding to provide a new school building. The building project, when approved, will be constructed on a greenfield site and the acquisition process for the site is currently in train.

The current status of all projects on the school building programme, including the school referred to by the Deputy, may be viewed on my Department's website at [www.education.ie](http://www.education.ie) and this is being updated regularly throughout the year.

The Deputy will be aware that in view of the need to prioritise available funding for the provision of additional school accommodation, the delivery of major school projects required to meet future demographic demand will be the main focus for capital investment in the coming years.

### **Schools Building Projects Status**

282. **Deputy Robert Troy** asked the Minister for Education and Skills if he has met with the board of management of a school (details supplied) and the outcome of same. [49758/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that I met with a delegation from the school to which he refers, where the issue of inclusion of the school in the Five Year Plan which I announced in March earlier this year was discussed. As the Deputy will be aware, in view of the financial constraints imposed by the need, as outlined in the Five Year Plan, to prioritise available funding for the provision of essential school accommodation to meet demographic demand it was not possible to indicate to the school when a project for their school will be progressed. My officials will continue to work with the school in relation to the identification and acquisition of a suitable site. However, it is not possible to advise the Deputy at this time when the acquisition of a suitable site can be progressed.

### **Schools Building Projects Applications**

283. **Deputy Pearse Doherty** asked the Minister for Education and Skills the reasons a school (details supplied) in County Donegal has not been considered eligible for funding under the current school building programme; and if he will make a statement on the matter. [49788/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding to provide a new school building. The current status of all projects on the school building programme, including the school in question, may be viewed on my Department's website at [www.education.ie](http://www.education.ie). In view of the financial constraints imposed by the need, as outlined in the Five Year Plan, to prioritise available funding for the provision of essential school accommodation to meet demographic demand, the Deputy will appreciate that it is not possible to indicate at this point when a major project for the school in question will be progressed.

*Question No. 284 answered with Question No. 257.*

### **Student Grant Scheme Applications**

285. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the position regarding an application for Student Universal Support Ireland in respect of a person (details supplied) in County Mayo; when a decision will be made; and if the application will be expedited. [49867/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for new student grant applications from the 2012/13 academic year is a matter for the new centralised grant awarding authority, SUSI (Student Universal Support Ireland). Officials in my Department have confirmed with SUSI that additional documentation requested from the student referred to by the Deputy was received on 7th November, 2012. The documentation is currently awaiting review and the student will be notified directly of the outcome.

### **State Examinations Issues**

286. **Deputy Simon Harris** asked the Minister for Education and Skills if he will outline the criteria in place for a student to avail of a smaller exam centre in a State exam and also for a student to have a person read the exam questions during the junior or leaving certificate; and if he will make a statement on the matter. [49868/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations

Commission has statutory responsibility for operational matters relating to the certificate examinations. In view of the above, I have forwarded your query to the State Examinations Commission for direct reply to you.

*Question No. 287 answered with Question No. 266.*

### **Adult Education**

288. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the percentage of the Adult Refugee Programme's annual budget spent on language teachers' salaries for the direct delivery of the service. [49938/12]

289. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the percentage of the Adult Refugee Programme's annual budget spent on administration costs by the lead vocational education committee, County Dublin [49939/12]

290. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills if she will outline the reason that the Adult Refugee Programme in Ringsend College and Ballsbridge College, Dublin, is being earmarked for closure while other courses and agencies, for example, ALCES, BTEI, DALC continue to be funded. [49940/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 288 to 290, inclusive, together.

My Department provides an annual grant to Co Dublin VEC to coordinate the Adult Refugee Programme. In 2011, 59% and 6.7 % of the annual budget was spent on tutors' salaries and national coordination costs respectively.

It was decided to cease the Adult Refugee Programme as there are alternative education services available for refugees within existing Further Education programmes such as the Adult Literacy and Community Education Scheme (ALCES) and the Back to Education Initiative (BTEI) Programme. It is also Further Education policy to seek to integrate provision. The Programme will cease in all centres where it operates including those referred to by the Deputy.

### **Departmental Funding**

291. **Deputy John O'Mahony** asked the Minister for Education and Skills if a primary school (details supplied) in County Mayo will receive a minor works grant; and if he will make a statement on the matter. [49949/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** It is not envisaged that a Minor Works Grant will be issued to the school in question or indeed to any primary school for the school year 2012/2013. At the launch of the Government's Medium Term Infrastructure and Capital Investment Framework last November, I said that the priority in the education sector is to focus on major school projects and smaller projects devolved to schools to meet demographic demands over the next five years. I indicated that given the need to concentrate on meeting the need for additional school places that it is unlikely that funding would be available for a minor works grant in the coming years.

*Question No. 292 answered with Question No. 262.*

### Third Level Fees

293. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the undergraduate fees schedule for non-EU and EU students for the past five years; and if he will make a statement on the matter. [49953/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I understand that officials from my Department were in contact with the Deputy and have clarified the information required which is set out as follows.

Universities - undergraduate fees (average)

2008-09 EU Non-EU

Arts €5,300 €14,500

Business €5,300 €16,500

Science €6,900 €19,000

Medicine €8,300 €29,000

2009-10 EU Non-EU

Arts €5,800 €14,500

Business €5,800 €16,500

Science €7,500 €19,000

Medicine €9,000 €30,000

2010-11 EU Non-EU

Arts €5,800 €14,500

Business €5,800 €16,500

Science €7,500 €19,000

Medicine €9,000 €30,000

2011-12 EU Non-EU

Arts €5,800 €14,500

Business €5,800 €16,500

Science €7,500 €19,000

Medicine €9,000 €30,000

2012-13 EU Non-EU

Arts €5,800 €14,500

Business €5,800 €16,500

Science €7,500 €19,000

Medicine €9,000 €30,000 Note: includes the student contribution / student services charge.

The EU fee rates applied in the Institute of Technology sector for the period 2008/09 – 2012/13 are as follows:

Level	€
Level 6	€1,368
Level 7	€1,454
Level 8	€2,319
Level 8 (Engineering/Architecture)	€2,950

Note: excludes the Student Services charge/Student Contribution.

IoTs have traditionally had much smaller numbers of international students than the universities. Many are seeking to expand their international numbers taking into account issues such as capacity strategic recruitment programmes etc. In setting their international recruitment strategies each IoT exercises some degree of flexibility in setting these non-fee rates. Presently these fees can range from approximately €7,000 to €12,000.

### Third Level Funding

294. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the per student funding formula or ratio used to calculate the Higher Education Authority grant provided to each HEA funded institution; and if he will make a statement on the matter. [49954/12]

295. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the Higher Education Authority block grant provided to each HEA funded institution for the past five years; and if he will make a statement on the matter. [49955/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 294 and 295 together.

My Department allocates recurrent funding to the Higher Education Authority (HEA) for direct disbursement to the HEA institutions. The HEA allocates this grant to institutions for free fees and core grant funding and other specific earmarked initiatives. Institutions receive a grant in lieu of tuition fees for full time eligible EU students - based of certified returns from the institutions.

The HEA uses a Recurrent Grant Allocation Model (RGAM) to determine the amount of core funding (grant) provided to each University/Institute of Technology. Core funding is allocated on a formulae basis using this model and the general principle is that core funding allocations should be fair, simple, transparent and applied consistently across HEI's. Core funding allocated through the RGAM is based on price group-weighted student numbers. These include full-time and part-time, undergraduate and postgraduate students. Student numbers are weighted to reflect different subject areas as different subject areas have different costs. Some access and research metrics are also used. Institutions are ultimately allocated a block grant, and the internal allocation of same is a matter for each institution as an autonomous body.

Details of the recurrent grant allocated to each HEA institution by the HEA is set out in the table.

### Institutes of Technology

**2008-2012\* Grant and Free Fees allocations**

Institution	2008	2009	2010	2011	2012
Athlone IT	28,649,272	26,827,584	24,191,056	22,182,199	21,106,174
IT Blanchardstown	13,891,472	13,040,061	12,096,694	11,712,019	11,256,126
IT Carlow	25,452,798	23,321,324	21,911,297	21,004,368	19,735,742
Cork IT	64,684,165	60,784,677	56,000,106	51,510,926	50,403,471
DIT	136,937,941	128,311,581	112,948,262	102,985,058	92,683,852
Dundalk IT	27,567,980	25,789,259	24,745,486	22,414,932	21,829,872
Dun Laoghaire IADT	15,492,900	14,492,391	14,338,842	12,730,516	11,493,322
Galway-Mayo IT	44,176,332	41,442,909	36,353,596	33,707,763	30,694,081
Letterkenny IT	22,688,679	21,254,947	19,408,821	17,443,609	14,968,611
Limerick IT**	32,020,402	29,993,583	27,255,675	28,922,591	32,450,946
IT Sligo	30,362,356	28,358,663	25,932,540	24,372,824	22,269,138
IT Tallaght	25,185,375	23,666,534	21,119,999	20,105,938	18,397,757
IT Tralee	23,293,615	21,882,526	20,017,410	18,117,521	15,824,606
Waterford IT	50,170,645	46,937,467	41,569,336	40,067,418	36,799,828
Totals	540,573,930	506,103,505	457,889,121	427,277,682	399,913,527

\*Please note that the 2012 allocations are not final

\*\* Limerick IT data for 2012 and 2011 includes allocations for Tipperary Institute

**Universities and Other Colleges****2008-2012\* Grant and Free Fees allocations**

	2012*	2011	2010	2009	2008
UCD	€121,731,537	€140,918,644	€152,618,765	€175,580,384	€186,406,034
UCC	€91,393,200	€107,676,193	€116,020,076	€126,788,998	€138,329,285
NUIG	€83,591,545	€92,285,923	€97,234,154	€106,244,631	€110,008,782
NUIM	€41,849,275	€47,203,686	€48,811,330	€52,243,097	€54,205,871
TCD	€91,296,815	€101,722,432	€111,946,152	€128,147,720	€134,635,916
UL	€65,043,542	€69,141,761	€74,734,542	€82,046,156	€82,197,708
DCU (including Oscail)	€43,249,282	€45,544,108	€51,393,803	€53,712,276	€59,060,434
MIC	€16,301,523	€18,025,496	€19,556,053	€20,103,411	€21,315,416
SPD (including ERC)	€14,472,764	€15,925,591	€18,128,638	€18,635,585	€20,536,933
NCAD	€9,681,654	€11,405,067	€11,643,724	€12,753,171	€13,815,578
Mater Dei	€2,867,027	€3,182,001	€3,435,372	€3,547,046	€3,912,471
St. Angela's	€4,255,014	€4,576,815	€4,927,149	€5,409,591	€4,824,272
RCSI	€4,717,276	€5,680,086	€4,215,098	€4,766,230	€3,567,171
RIA	€3,108,500	€3,285,500	€3,525,500	€3,890,500	€3,911,223
NUI	€12,697	€12,697	€12,697	€12,697	€112,697
Total	€593,571,651	€666,586,000	€718,203,053	€793,881,493	€836,739,790

\* Not all grants allocated yet .

**Note:**

These tables show the block grant (grant and fees) allocated to the HEA institutions. Please note that the figures exclude Nursing, which was transferred to the HEA from the Department of Health in 2011 (grants to relevant institutions totalled €55.8m in 2011 and €53.1m in 2012) and Springboard (grants totalled c.€3.9m in 2011 and c.€1.5m to date 2012). The tables also exclude sectoral initiatives (eg. HEAnet, An Cheim, e-journals etc).

### **Third Level Funding**

296. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will outline the list of efficiencies achieved over the past year by the Higher Education Authority following the reduction in core funding for higher education in Budget 2012; and if he will make a statement on the matter. [49956/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the Employment Control Framework, introduced in the higher education sector, core staff numbers were reduced by 7.3% between December 2008 and December 2010 i.e. significantly in excess of the 6% reduction which had been required. Core staff numbers were further reduced in 2011 bringing the total reduction against 2008 to c. 9% by end December 2011. (It is to be noted that over the same period, overall public sector numbers decreased by 7.2%). As further reductions are required in the sector in 2012, it is anticipated that total core staff numbers will have been reduced in total by a minimum of c. 10% by end December 2012.

In the context of reducing staff numbers outlined above, full-time student numbers increased by 17,000 or 12% between December 2008 and December 2011. Furthermore, institutions have continued to engage proactively with sectoral labour market initiatives e.g. Springboard.

Some of the decrease in funding has been addressed through the internal reform of institutions; through mechanisms that have stimulated increased productivity, such as the Croke Park Agreement, and through institutions' diversification of their funding base to include income from philanthropic and commercial sources. Institutions are continually engaging in shared services and procurement initiatives to effect savings. The HEA has emphasised the need for all HEIs to review the full range of services they provide and their associated cost structures with a view to reducing or eliminating unnecessary or unsustainable costs particularly in the area of unnecessary programme duplication.

### **Student Grant Scheme Applications**

297. **Deputy Charlie McConalogue** asked the Minister for Education and Skills of the total number of student who have started a third level course this year, if any students have subsequently left these courses due to the delays in decisions being made on grants by Student Universal Support Ireland; if there is a record of the number of students that have left courses to date in this academic year; and if he will make a statement on the matter. [49960/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will appreciate that as institutions are currently in the process of uploading enrolment data in respect of the 2012/13 academic year on the Higher Education Authority's, Student Records System, that the data requested is not currently available. In addition data in relation to students who have withdrawn from their courses would not be available from the Student Records System until later in the academic year.

The Higher Education Authority (HEA) on foot of a request from my Department, has written to all higher education institutions requesting them to show flexibility and consideration, as most have done in the past, to students who may be awaiting a decision on their grant application and/or payment of grants. The HEA has requested institutions to consider not withdrawing facilities such as library or exam access, given that these students are awaiting decision on their grant applications. The situation is being kept under review.

### **Student Grant Scheme Applications**

298. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of students in third level education that have yet to pay the first instalment of this years increased fees; the way this compares to last year; and if he will make a statement on the matter. [49961/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The position is that the information requested by the Deputy is not available at this stage. I have asked the Higher Education Authority (HEA) to contact each institution in this regard and when this information is collated I will send the information to the Deputy.

### **Third Level Fees**

299. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he intends to increase the student contribution fee by €250 this year and each year between now and 2015; and if he will make a statement on the matter. [49962/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As the Deputy will be aware the student contribution increased from €2,000 to €2,250 for the current academic year. It is intended that the contribution will increase to €3,000 by 2015. The contribution is paid by the Exchequer in respect of students who qualify under my Department's student grant scheme.

Conscious of financial pressures on families, tax relief provisions have been put in place which provide for tax relief at the standard rate of tax for full-time fees in excess of €2,250. In addition, my Department, through the Higher Education Authority (HEA), has requested institutions to put arrangements in place whereby a student may pay the contribution in two instalments. I have been assured by the HEA that these arrangements are now in place.

The Deputy will also be aware the annual cost of attending college increased by over 950% during Fianna Fáil's time in office, from €190 in 1996/97 to €2,000 in 2011/12, effectively bringing to an end the era of free third-level education in Ireland.

### **Student Grant Scheme Eligibility**

300. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he will ensure that there are no further cuts to student grants and no further changes to the eligibility criteria for student grants; and if he will make a statement on the matter. [49963/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will appreciate that as the preparation of the Estimates for any Budget including Budget 2013 is carried out on a strictly confidential basis, it would not be appropriate for me to comment on specific issues or proposals, including those relating to student grants, in advance of the Budget announcement.

## **Student Grant Scheme Application Numbers**

301. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of students that applied for a student grant this year; the number that applied last year; and if he will make a statement on the matter. [49964/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** To date Student Universal Support Ireland (SUSI) has received just over 66,000 applications for student grants this year, with close on 9,500 were late applications received after the closing date of 31st August 2011. SUSI are continuing to accept late applications. This data has been supplied to my Department by SUSI.

A survey completed by the grant awarding authorities in January each year provides details in relation to processing of grant applications as at the third week in January. The processing position as at the 21 January 2012 in relation to new applications was that a total of 66,479 applications were received across the 66 awarding authorities of which 8,844 which includes which were transferred to another local authority or VEC to whom it was appropriate, which meant that the total number of applications to be processed by these bodies was 57,635 in 2011/12. This data has been compiled from data supplied to my Department by the 66 grant awarding authorities.

## **Third Level Participation**

302. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the steps he has taken to improve access for students from low income backgrounds to third level education; and if he will make a statement on the matter. [49965/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In 2008 the National Access Plan set an overall target of 65% participation in higher education by 2013 and a recent HEA estimate is that, including mature entrants, this target has been exceeded (69%). There has also been progress in increasing access specifically among young people aged 17 to-19 years of age. This has increased from 44% in 2004 to 50% according to the latest HEA estimates. This progress is due to better levels of retention and performance of students in second level, including those in schools being supported through the Department's DEIS programme.

Work supporting the return to education by mature students has included the development of new part-time and flexible learning options under the Springboard initiative. Overall 16% of higher education provision in 2011-12 was on a part-time basis, a significant improvement from the outset of the National Access Plan, when it was just 7%.

Support is also available through the Fund for Students with a Disability and the Student Assistance Fund. In 2011-12 the fund for students with disabilities provided funding for some 6,849 students. In 2010-11 over 8,301 students were supported from the Student Assistance Fund.

Access has also been advanced through the broadening of routes of admission that act as alternatives or supplement the leaving certificate. Since 2009, a Higher Education Access Route (HEAR) for students from socio-economically disadvantaged backgrounds and the Disability Access Route to Education (DARE) for those with a disability has operated successfully as part of the main CAO applications process.

There has also been increased access to higher education by students with further education

awards and/or who are mature students. 15% of entrants in 2011 were mature students aged 23 years of age or older, compared to 12% in 2008.

### **Teachers' Remuneration**

303. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on correspondence (details supplied) regarding teachers' pay rates; and if he will make a statement on the matter. [49994/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Recently this Government has made adjustments to Public Service pay on foot of the allowances review. The most significant adjustment is that new entrant teachers will not receive qualification allowances but will start on a salary of €30,702 which is equivalent to the fourth point of the existing scale. They will also have the option of being paid a pensionable allowance of €1,592 for supervision and substitution which, in return for providing 12 additional hours per year over and above the existing requirement, will bring their starting salary to €32,294.

Teaching is one of the few areas within the public sector which does not face a moratorium on recruitment and opportunities for employment remain. As has been reported in the media, due to the growing demographics at school level, there will be a need for additional teachers to be recruited over the next three years.

### **Student Grant Scheme Applications**

304. **Deputy Dara Calleary** asked the Minister for Education and Skills when a student grant application will be processed in respect of a person (details supplied) in County Mayo; if he will confirm that as a former recipient of the special rate of grant for disadvantaged students, the person will receive full fees; and if he will make a statement on the matter. [50001/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Ireland (SUSI), the new centralised grant awarding authority, that the student referred to by the Deputy submitted a grant application after the closing date on the 5th October. While SUSI are still accepting late applications priority is being given to applications that were received before the closing date. SUSI will be process his application as soon as possible.

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

### **Special Educational Needs Services Provision**

305. **Deputy Peadar Tóibín** asked the Minister for Education and Skills further to Parliamentary Question No. 322 of 6 November 2012, if he will publish the Departmental review or assessment of the success of a school programme (details supplied) as part of the July provision scheme and any assessment of the changes to circumstances of children and parents that would prohibit involvement in the scheme at the same level for the coming year. [50013/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I previously advised the Deputy with regard to my Department's July Provision Scheme and how participation in the scheme

is an option for all special schools and mainstream primary schools with special classes catering for children with autism or severe to profound general learning disability that choose to extend their education services through the month of July. A review of the scheme is ongoing.

Children with autism in mainstream classes are eligible to apply for home based tuition, but can, in limited circumstances participate in their school's programme if they can be accommodated within the school's existing autistic unit(s) and without incurring the need for additional resources. The number of classes providing the July extension should not exceed the number that is provided for by the school during the normal school year.

I also advised the Deputy previously that the school to which he refers had proposed to facilitate eligible children from mainstream classes by establishing a separate class in the school for the month of July 2012. In view of the mitigating circumstances and the likely incommode to parents, these additional resources were approved to the school in question as an exceptional matter for 2012 only. The school was however, advised that going forward the school based programme would be restricted to children within the specific units/classes, within the school.

*Questions Nos. 306 and 307 answered with Question No. 269.*

### **Public Sector Reform Review**

308. **Deputy Seán Kyne** asked the Minister for Education and Skills if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50641/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department holds Departmental Council meetings on a regular basis at which all of the staff unions are represented and they can place any issues of concern and/or any suggestions they may have on the agenda. In addition, officials from the Personnel Section of my Department hold bilateral meetings with the staff unions including the CPSU and the PSEU, who represent the grades of clerical officer/staff officer and executive officer/higher executive officer respectively, to discuss any issues of concern they have in respect of their members.

Officials in my Department are always open to suggestions by any staff members regardless of what grade they are in order to minimise the impacts of staffing reductions on service delivery and lead to a more effective and efficient provision of services as agreed under the Public Service Agreement. Arising from one of these bilaterals the PSEU Branch in the Department canvassed their members on ways to improve efficiency and seek cost saving suggestions. These suggestions were reviewed in detail by Personnel Section in association with the management of the relevant sections across the Department with a view to implementing the ideas and suggestions where feasible.

### **Pension Provisions**

309. **Deputy Terence Flanagan** asked the Minister for Education and Skills how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50653/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** For the Deputy's information there are no commercial semi-state companies/agencies under the aegis of my Department. De-

tails of non-commercial agencies under the remit of my Department can be downloaded from the Department's website.

### **North-South Implementation Bodies**

310. **Deputy Brendan Smith** asked the Minister for Public Expenditure and Reform if analysis of the Peace Programme have been carried out; if such analysis will inform the introduction of the successor programme to the Peace III Programme; and if he will make a statement on the matter. [49411/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Special EU Programmes Body, a North South Body established under the Good Friday Agreement, is responsible for the management and implementation of the PEACE III and Interreg IVA cross-border EU co-funded Programmes.

The SEUPB has recently commissioned a mid-term evaluation of the PEACE III Programme (2007-2013). Work on this study will commence in late November 2012. The mid-term evaluation will review the programme performance to date to establish the progress which the Programme is making toward achieving the objectives as set out in the PEACE III Operational Programme. The study will also draw conclusions on the programme's efficiency, effectiveness and impact and make recommendations for the direction and structure of any potential PEACE IV Programme, taking into consideration the Europe 2020 objectives.

My Department, and the Department of Finance and Personnel in Northern Ireland, have asked the SEUPB to begin the process of preparing programme proposals for the 2014-2020 round of EU programmes. We have asked the SEUPB to conduct this work on the assumption that there would be a successor programme for both PEACE and Interreg.

I would stress that discussions on new EU programmes and funding are ongoing in Brussels in the context of the negotiation of the Multiannual Financial Framework and that final decisions have not yet been made. The Irish Government remains committed to a new PEACE Programme, however.

The programme preparation process has begun and SEUPB has organised consultation events across the eligible region. There is additional opportunity to provide feedback to the SEUPB by 20 November 2012. Under the guidance of a programme development steering committee representing government departments, local representatives and social partners, the SEUPB will draft programme proposals and a further consultation period will then commence.

The SEUPB will also be carrying out an ex-ante evaluation study for a PEACE IV (2014-2020) Programme. This study, which is a regulatory requirement, will be carried out in parallel with the drafting of the new PEACE IV programme. This evaluation will ensure that the Operational Programme clearly articulates the intervention logic and the contribution of the programme to the Europe 2020 strategy.

### **Heritage Centres Funding**

311. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Caiteachais Phoiblí agus Athchóirithe cé mhéad airgead a caitheadh ar Ionad an Bhlascaoid Mhóir in 2011 agus in 2012 go dáta; cén costas a bhain le cúrsaí foirne ann; céard air a caitheadh an chuid eile den airgead; agus an ndéanfaidh sé ráiteas ina thaobh. [49442/12]

315. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Caiteachais Phoiblí agus Athchóirithe cé mhéid airgid a caitheadh ar Ionad an Bhlascaoid in 2011 agus 2012 go dáta; cén costas a bhain le cúrsaí foirne ann, cé air a caitheadh an chuid eile den airgead; agus an ndéanfaidh sé ráiteas ina thaobh. [49606/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** I propose to take Questions Nos. 311 and 315 together.

Ba mar seo leanas a bhí cúrsaí caiteachais san Ionad:

	Eilimintí Neamh-Phá	Pá
2011	€62,187	€165,891
2012	€52,831	€140,496

(go críoch Dheireadh Fómhair)

Baineann na figiúirí pá le baill foirne agus foireann treorach atá fostaithe san Ionad. Baineann na figiúirí neamh-phá le seirbhísí, áirgí agus costais oibriúcháin eile.

Maraon leis na figiúirí thuasluaite caitheadh €3,000 ar dhoras éalaithe tine sa tseomra ranga i 2011, agus caitheadh €60,000 i 2012 ag deisiú díon, doirse agus slinnte a bhí millte ag an aimsir.

Expenditure on the Centre was:

	Non-pay	Pay
2011	€62,187	€165,891
2012 (to end Oct.)	€52,831	€140,496

The pay figures relate to permanent staff and guide staff employed at the Centre. The non-pay figures relate to services, utilities and other operational costs.

In addition to the above approximately €3,000 was spent on replacement of a fire escape door in the classroom in 2011, and in 2012 €60,000 was spend on repairing a weather-damaged roof, tiles & doors.

### National Monuments

312. **Deputy Marcella Corcoran Kennedy** asked the Minister for Public Expenditure and Reform when the interpretative panels will be erected at a location (details supplied) which were ordered under contract by the Office of Public Works in 2010; and if he will make a statement on the matter. [49457/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** Designs for the interpretive panels to be erected in the grounds at Durrow church will be finalised early in 2013. The fabrication of the panels will be tendered following receipt of the final design and it is hoped that the panels will be in place for the 2013 summer season. The original contract for 2010 was cancelled.

### State Properties Data

313. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will provide a list detailing the property vested in the State since 8 March 2011 pursuant to the State Property Act 1954, showing the source and a brief description of the property. [49496/12]

314. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will provide a list of properties which would have been vested in the State since March 2011 but whose vestment was waived by him pursuant to the State Property Act 1954, showing the source and a brief description of the property. [49497/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 313 and 314 together.

Under Section 28(2) of the State Property Act, 1954, as amended by the Ministers and Secretaries (Amendment) Act, 2011 and S.I. No. 418/2011 - Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011, personal property and land vested in or held in trust by a body corporate immediately prior to its dissolution (other than personal property or land held by such body upon trust for another person) becomes property of the State in the person of the Minister for Public Expenditure and Reform until such time as the company is restored to the Register or the Minister waives (under Section 31 of the Act) the interest vested in him. This mechanism acts as a fail-safe so that property is never ownerless.

The interest acquired by the Minister is described as a defeasible interest as it may be defeated by restoration of the company. Neither company nor property law require comprehensive and fully up-to-date asset records to be lodged with the Company Registration Office and the Property Registration Authority. Consequently, the only persons with a complete view of the assets held by a company at the time of its dissolution are the directors and officers of the company. As a result, the Minister only becomes aware that assets have vested in him by virtue of the State Property Act once he has been notified by an interested party. Administration of matters relating to real estate is delegated to the Office of Public Works.

The outcome of the situation described above is that the Minister/OPW can only become aware of properties that vest in the Minister when applicants write seeking a waiver in relation to a particular property and provide evidence of the properties vesting in the Minister. Even in such situations, information may only be made available on a particular property which may have vested in the Minister and information on further properties may not be made available. Furthermore, even though a company may be dissolved, the properties held by the company may not necessarily vest in the Minister, for example, they could be held on trust. Where no applications for waivers are received in relation to particular companies dissolving, no information is available on properties which could vest in the Minister.

Section 31 of the State Property Act, 1954 permits the Minister to divest himself of property which devolved to the State under Section 28(2). Upon receipt of an application, the Minister may waive the right of the State to such property as he thinks proper having regard to all the circumstances of the case. In general, the Minister will waive his interest in any such property where it is established that the applicant has a moral or quasi-moral right to the property in question. Where common interests apply, for example in the case of roads in housing estates, the Minister generally waives in favour of the relevant local authority. Notwithstanding the power to waive, it must be remembered that the primary mechanism available to the directors and beneficial owners of a company to regain control of their property is to restore the company to the register. In support of the legal policy underpinning the Companies Acts, the policy in relation to waivers is that the Minister does not waive in favour of the former directors of the dissolved company.

Bearing all these matters in mind, a list setting out details on the lines requested by the

Deputy is currently in preparation and will be forwarded to him by the Office of Public Works as soon as possible.

*Question No. 315 answered with Question No. 311.*

### **Departmental Expenditure**

316. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform the cost of establishing the Ireland Stat website; the number of staff allocated to its running and their salaries; the annual cost of running this website; and if he will make a statement on the matter. [49403/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** *Ireland Stat* is a new initiative to provide simple and clear information about how Ireland is performing by reference to well-specified indicators across the broad range of governmental activity. It is part of the Government's modernisation of presenting information on how public money is spent, allocated and accounted for and is a natural development of the Performance Budgeting initiative that was rolled out to almost all Departments at the start of this year and published in the Estimates document in February. These initiatives set expenditure in the context of Departments' strategic goals, as set out in their Statements of Strategy, and present performance information, both in terms of actions and impacts, alongside the financial and human resources information that was already included in the Estimates. Both the Performance Budgeting initiative and *Ireland Stat* meet the Programme for Government commitment for greater accountability and transparency and build performance information into the heart of the budgetary process.

Furthermore, these initiatives represent a considerable streamlining of information and reporting of what Government Departments and Agencies are doing and achieving with public money. In particular, Performance Budgeting replaces the requirement to produce Annual Output Statements, a process that involved a degree of administrative burden on Departments and Offices as they had to reshape how information was presented in the Estimates to match the structure of their Statements of Strategy. There is now a single, coherent way of presenting the complex array of information that relates to each specific policy programme.

As I have already noted, the development of *Ireland Stat* is very much part of my Department's ongoing work on the Performance Budgeting initiative and I am pleased to inform the Deputy that the *Ireland Stat* initiative was in the main developed using the skills and knowledge of the officials in my Department. The technical aspects of the *Ireland Stat* development were managed in-house using internal Systems Development expertise. There are no staff allocated whole-time to running *Ireland Stat*: a small team from the Central Expenditure Evaluation Unit, part of the newly established Irish Government Economic & Evaluation Service, were involved in the selection of the indicators and the overall website structure, as one element of their broader work programme, in close liaison with colleagues working on the overall programme of public sector reform. Their work has been informed by international best practice in this area. External consultancy services were retained for the specialist website design and the supporting graphics, for a total cost of just under €5,100.

As *Ireland Stat* is at a pilot phase there is a public consultation under way and details regarding this consultation are available from the *Ireland Stat* website. Following a complete review of the pilot project a decision will be made as to whether or not *Ireland Stat* should be extended to encompass all strategic programmes. Should the decision be taken to extend the project across all programmes, then the work required to develop and sustain the website will be streamlined within the existing work of Departments.

## Capital Programme Expenditure

317. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 111 on 10 October 2012, the quantum by which capital expenditure is behind profile for the first 10 months of 2012. [49488/12]

318. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 111 on 10 October 2012, if he will provide a forecast of total annual capital expenditure in 2012 and provide an explanation for variance with profile. [49489/12]

319. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 111 on 10 October 2012, if he will provide an estimate of new jobs that would have been created plus jobs that would have been saved if the capital expenditure budget in 2012 had been spent according to profile. [49490/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 317 to 319, inclusive, together.

The *End October Exchequer Statement*, which was published on 2 November and which is available on the Department of Finance website, shows that net voted capital expenditure at end October was €2,037m, which is €336 million or 14.2% behind the published profile.

The actual roll-out of capital expenditure is a matter for individual line Departments and their agencies, operating within the annual allocations approved by Government and the delegated sanction arrangements issued by my Department.

Information from Departments indicates that the bulk of their remaining capital budgets will be spent by year end and that the level of savings available will be small. This spending pattern is in line with trends from previous years which show that the bulk of capital expenditure takes place in the last quarter of the year.

The potential for end year savings is dependent also on the decisions which will be taken shortly in relation to capital carryover. The capital carryover facility is an arrangement under which Departments are permitted to carryover unspent capital (up to 10% of their allocation) into the following year. This facility is an integral part of the rolling multi-annual capital system. The carryover facility means that moneys which would have been lost to the capital programmes and projects concerned under the annual system of allocating capital can now be made available for spending on programme priorities in the following year.

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.

It is important to note that 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 of the profiling exercise. However, job creation and labour intensity of individual projects are factors that are taken into account when deciding on the allocation of capital to Departments.

## Pension Provisions

320. **Deputy Terence Flanagan** asked the Minister for Public Expenditure and Reform how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [49587/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question each Department is responsible for providing pension fund details in relation to commercial semi State companies for which they hold responsibility.

In relation to An Post National Lottery Company which comes under the aegis of my Department I wish to inform the Deputy that pay and pensions issues are a matter for An Post. The information requested regarding the pension fund would therefore be provided by the Department of Communications, Energy and Natural Resources.

### Departmental Agencies Expenditure

321. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49657/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question the following are the amounts currently being spent by State Agencies under the remit of my Department in 2012:

Name of the body	Spending on Communications	Spending on Public Relations	Spending on Consultancy	Spending on Advertising
Office of the Ombudsman	Nil	Nil	57,366	43,116
Public Appointments Service	Nil	Nil	152,000	231,500
Special EU Programmes Body	133,000	6,000	116,000	20,000
State Laboratory	Nil	Nil	12,000	Nil

Details in respect of the Office of Public Works will be provided directly to the Deputy.

### Public Procurement Contracts Tenders

322. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he will report on all competitions that have been held by the Office of Public Works to select security service providers for a public facility (details supplied) in Dublin 17; when the Office of Public Works will run the next public tender for management of the facility and for all service providers of this facility including the area of security; and if he will make a statement on the matter. [49781/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The Office of Public Works will publicly advertise a tender for the management of the facility in the week commencing 3rd December 2012. The security service for the facility will

be a part of this tender. There have been no recent tenders for the management of this facility.

### Flood Relief Schemes Expenditure

323. **Deputy Regina Doherty** asked the Minister for Public Expenditure and Reform the amount that his Department spent on flood alleviation schemes in County Meath for the years 2009, 2010, 2011 and to date in 2012; and if he will make a statement on the matter. [49862/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The Office of Public Works (OPW) has spent almost €16m on flood alleviation measures in Co. Meath during the period in question. These amounts relate to the payment of funding to Meath County Council under the Minor Flood Mitigation Works Scheme as well as the costs associated with flood relief works carried out by the OPW, in particular the construction of the Mornington Flood Relief Scheme, which is now substantially complete. Other works were undertaken on the River Tolka and at Northlands in Mornington. A significant amount was expended in the county also under the OPW's ongoing arterial drainage maintenance programme.

Details of the monies spent for the years in question are given as follows:

#### Payments to Meath County Council under Minor Flood Mitigation Works Scheme

	2009	2010	2011	2012	Total
	€77,000	€0	€38,730	€0	€115,730

#### Expenditure on Mornington Flood Relief Scheme & Other Flood Relief Works

	2009	2010	2011	2012	Total
	€873,731	€1,656,401	€1,135,631	€370,037	€4,035,800

#### Arterial Drainage Maintenance Expenditure for the OPW Trim depot

	2009	2010	2011	2012	Total
	€3,559,774	€3,006,941	€2,774,043	€2,357,473	€11,698,231
Yearly Totals:	€4,510,505	€4,663,342	€3,948,404	€2,727,510	€15,849,761

### EU Presidency Expenditure

324. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform the number of officials by grade in his Department that will be working solely on the Presidency for the remainder of 2012; if redeployment or promotion has occurred; if they will be paid any additional allowances or pay; the way these officials were selected; if the selection procedure gave rise to any complaints; and if he will make a statement on the matter. [50024/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** While there are a number of officials at different grade levels working on Presidency related business in

my Department there is no one who will be working solely on Presidency related work for the remainder of 2012.

An interdivisional group has been established within my Department to co-ordinate preparation for the 2013 Presidency of the Council of Ministers. The group is chaired by the EU/North South Unit and includes those sections that will have a role in the Presidency, as well as the HR Unit. Presidency preparation features on the Management Board agenda each month and is also discussed at the Principal Officer Forum.

My Department is participating in a number of EU and Presidency co-ordination groups which have been established by the Department of the Taoiseach and the Department of Foreign Affairs & Trade:

Cabinet Committee on EU Affairs;

Senior Officials Group;

Inderdepartmental Committee on EU Engagement;

Interdepartmental Committee on Co-ordination of the Presidency (IDCCP);

Interdepartmental Administrative Planning Group (IDAPG).

Last May an officer was appointed as a dedicated Department of Public Expenditure and Reform attaché in the Representation of Ireland to the European Union in Brussels, focusing primarily on Cohesion policy. A second representative has been appointed to the Representation for the period to the end of the Presidency. This appointee took up duty there on 15 October 2012 and will focus on Procurement and Staff Regulations. These posts were filled from a panel of officials following internal competition. These postings did not give rise to a promotion. Appropriate allowance and expense payments associated with the posting will be made in accordance to the rules and regulations.

Prioritisation of resource allocation in my Department is conducted on an ongoing basis with reference to the Department's business needs objectives and the level of expenditure available from which to meet those objectives. In this context, I am satisfied that preparations for the Presidency are well under way.

### **Public Sector Reform Review**

325. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50129/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** There are a range of formal and informal structures in place through which all members of staff can contribute to the improvement or enhancement of Public Sector Reform. The Secretary General meets with all staff on a twice yearly basis in an open discussion forum where policy is formulated and debated. Staff are strongly encouraged to engage in and contribute to these discussions. In addition to this Divisional meetings are held with all staff on a regular basis providing more opportunities for contribution.

In addition staff from all grades in my Department are provided with opportunities to contribute to the reforms of the public service via Departmental Council and the Departmental

Partnership Committee.

A project to implement a Human Resources and Pensions Shared Service for the Civil Service is currently underway and in the Set-up Phase expressions of interest were sought from everyone to participate and contribute to the project. In Phase two expressions of interest were sought from officers currently serving in a range of grades from Clerical Officer to Assistant Principal Officer to work in the HR and Pensions Shared Service Centre. In the Payroll project frequent meetings between Finance Officers and payroll coordinators are held.

### **Employment Rights Issues**

326. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will confirm the date on which the Protection of Employee (Temporary Agency Workers) Bill 2011 came into effect and the steps taken to ensure that all agencies, employers and agency workers are fully informed of their rights and responsibilities. [49443/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Protection of Employees (Temporary Agency Work) Act was enacted on 16th May, 2012 and allows for equal treatment for agency workers in relation to their basic working and employment conditions as if they had been recruited directly by the Hirer to the same or similar job.

The Act also provides for the pay element of basic working and employment conditions to be made retrospective. This means that agency workers, who are on assignment on 5 December, 2011 are entitled to equal treatment in relation to Pay from 5 December, 2011.

I notified employers in a national information notice in December, 2011 in relation to the retrospective provision in the Act. Officials in my Department have met with various stakeholders whose members would be affected by the legislation to consult with and inform them about the legislation. My Department also published guidelines for the legislation which are available on the Department's website.

In the event that agency workers have not received equal treatment in relation to Pay from 5 December, 2011, the Act provides a redress mechanism to the Rights Commissioner Service. I have instructed the National Employment Rights Authority call centre to answer all queries that agency workers, employment agencies and hirers may have in relation to all aspects of the legislation.

### **Job Creation Issues**

327. **Deputy Joe McHugh** asked the Minister for Jobs, Enterprise and Innovation the number of new jobs that were created in County Donegal in 2011 quarter 2, quarter 3, quarter 4 and to date in 2012 by American multinational companies which are clients of the Industrial Development Agency; and if he will make a statement on the matter. [49526/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the enterprise development agencies. Data is provided by companies on a confidential basis for statistical purposes only so information in respect of individual companies is not available. The survey shows that 271 new jobs were created in IDA Ireland supported companies in Donegal in 2011. Figures for 2012 will not be available until year end.

## **Visa Applications**

328. **Deputy Ray Butler** asked the Minister for Jobs, Enterprise and Innovation if he is considering the development of a technology visa for IT professionals as recommended by the Joint Committee on Jobs, Enterprise and Innovation report, *A review of the Information Communication Technology Demand in Ireland*; and if he will make a statement on the matter. [49619/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Since 2004, Irish labour market policy has been to ensure that general labour and skills needs are met from within the workforce of the European Economic Area (EEA). Current Government policy is to issue employment permits for the employment of non-EEA nationals for specific vacancies and in response to employer demand for strategic skills and labour shortages in designated occupations in key economic sectors such as health care, information technology and financial services.

Ireland has to compete with other countries for migrant labour, particularly in respect of high-level skills. Skills required in the high-tech sectors are in demand and in short supply globally. While increasing the supply of high-level skills from domestic sources is the most sustainable way forward in the long term, in the short term, there continues to be a need to supplement Ireland's skills stock through employment permits and to ensure that Ireland's employment permits system is geared towards attracting such skills.

The Department of Justice and Equality is responsible for the implementation of policy in relation to the admission of non-EEA nationals to the State and their residence in the State. However, the employment permit regime provides for control of Ireland's labour market as well as powers for enforcement of employment rights. Deputies will be only too aware that economic migrants are a vulnerable class of people. Therefore, any actions affecting inward economic migration should be cognisant of the need to ensure that such migrants are protected and made aware of their employment rights.

The Employment Permits regime is supporting the enterprise sector and significant levels of applications are successful particularly those based on high skills levels. Figures indicate: a reduction in total applications in line with economic circumstances, but an increase in Green Card applications, in line with a greater emphasis on high value skills; and an increase in the proportion of applications in respect of ICT job roles with applications in respect of ICT job roles being more successful than the norm. Over 90% of ICT related applications are successful and over 1,000 ICT related applications have been approved so far this year. My Department has reviewed its processes with a view to attracting more ICT related applications and is confident that significant improvements can be made shortly which will greatly enhance the employment permits regime, for example, in conjunction with Forfás, a review is underway of the Green Card Employment Permit Scheme which is used by Ireland to meet labour market requirements where skills shortages have been identified by reference to analyses undertaken by the Expert Group on Future Skills Needs. An interim review of the four core employment permit types - Green Cards, Intra-Company Transfers, Work Permits and Spousal/Dependents - is being conducted with a view to improving the throughput and quality of employment permit applications. Such an initiative would favour the ICT sector in particular as it would include a streamlining of the documentary process, a reduction in the time it takes for applicants to prepare a successful application, and a significant reduction in processing times. Closer interactions are being cultivated with the Department of Justice and Equality with a view to providing a more coherent service across the employment permit regime and visa regime including policy convergence, greater information sharing and unified communications from both Departments in respect of labour market access. I intend to announce a range of improvements in this regard shortly.

It is also the Government's ambition that Ireland should take advantage of the opportunities for employment in the ICT sector and that every opportunity is afforded to our graduates and unemployed to prepare them with the skills required to work in that sector. Employment Permits are but one way of increasing the level of ICT skills available in the labour market. Building Ireland's ICT skills capability will require improving the domestic output of skilled ICT graduates and my colleague the Minister for Education and Skills has already put in place plans to establish an overarching target of doubling the annual output from honours degree ICT undergraduate programmes to 2,000 graduates by 2018. These plans involve actions to: increase the domestic supply of honours degree graduates in the short term through expansion of conversion; and boost the longer term supply and quality of graduates from the higher education system.

Finally, work is also proceeding with regard to the preparation of new employment permits legislation which will provide for more flexibility and targeted instruments in support of the economy's evolving skills needs. Heads of Bill were approved by Government last April and since then, my Department has been engaged with the Office of the Parliamentary Counsel (OPC) in order to progress the drafting of the Bill.

### **Departmental Agencies Expenditure**

329. **Deputy Billy Kelleher** asked the Minister for Jobs, Enterprise and Innovation if he will provide in tabular form the amount currently being spent on, or budgeted for, by State agencies under his remit for spending on the areas of communications, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49655/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** With regard to the expenditure by Agencies, this is a day-to-day matter for the individual Agencies concerned for which I have no responsibility. I have referred this aspect of the question to the Agencies for direct reply to the Deputy.

### **Job Losses**

330. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation his views on the current proposal by the chief executive officer of Eircom to reduce the workforce by 2,000 employees; and if he will make a statement on the matter. [49694/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I am always very concerned about job losses and the anxiety that the proposed modernisation of work practices at the company concerned creates for the workers involved. Any decision by the company to reduce its workforce is a day-to-day operational issue for the company.

I understand that the company has confirmed that detailed discussions with staff and their trade union representatives on the programme of cost saving measures will take place. The services of the State's industrial relations machinery are, of course, available to assist the parties in this regard, if requested.

Issues in relation to the continuity of telecommunication services are matters for my colleague, the Minister for Communications, Energy and Natural Resources.

### **Research and Development Funding**

331. **Deputy Patrick O'Donovan** asked the Minister for Jobs, Enterprise and Innovation if he will provide details of research and development grants and other funds that are available to the State and persons from the European Union, under the headings of research, innovation and science; and if he will make a statement on the matter. [49778/12]

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock):** The Seventh EU Framework Programme for Research and Development (FP7), with a budget of over €50 billion for the period 2007 to 2013, is the EU's main instrument for funding research and development in Europe. The EU Framework Programmes have been an important element in the internationalisation of Irish research, offering Ireland's SMEs, multi-nationals, and research institutions valuable opportunities to participate in high-calibre research collaborations with our European counterparts. FP7 is built largely around collaborative research (Cooperation) and mobility of researchers (People). However, it also contains a number of innovative elements, the most important of which is "Ideas" which provides the funding for the European Research Council.

In order for Ireland to extract the maximum benefit from the opportunities available within FP7, a National Support Network has been put in place, headed by a National Director for FP7 based in Enterprise Ireland who leads a team of national contact points for various elements of the Programme. This support structure ensures that a coordinated and coherent approach is adopted towards FP7 across all of the Government Departments, agencies and other organisations involved. Through this support structure, a mix of guidance, advice and financial assistance is available to encourage researchers and companies, large and small, to avail of the opportunities within the Programme.

In the period from the beginning of 2007 when the Seventh Framework Programme began to June this year, the latest period for which data is available, almost 6,000 applicants from Irish based organisations took part in FP7 proposals requesting European funding. Of these, almost 1400 applicants have been successful, giving an overall Irish success rate of over 23%. Funding awards to Irish participants to date is €438 million, covering a period of five and a half years.

Five areas account for 65% of the funding: Information & Communication Technologies (€89.5 million); Health (€64 million); Marie Curie (Mobility Programme) (€62 million); Nanoscience, Nanotechnology, Materials & Production Processes (€38 million); and European Research Council (€34 million).

Agrifood (€28m), Research for the Benefit of SMEs (€26m), Security (€18m), Transport (€17m), Energy (€16.5m), Research Infrastructures (€16.5m), Environment (€14m), Science in Society (€7.5m), Space (€2.7m) and Socio-Economic Sciences & Humanities (€2.4m) follow, while other areas have resulted in funding of less than €1 million per area to date.

Based on recent national investment in research, Ireland is participating in the Framework Programme from a far stronger position than ever before. A critical mass of research activity has developed in both the public and private sectors, and the design of FP7 suits the needs of Irish researchers in many ways. It has been adapted to encourage industry participation, the application process has been simplified, industry-specific targets have been set and higher funding rates have been agreed. The high level of activity of Irish researchers (academic and industry) and the Irish success rate ahead of the overall EU average are very positive indications of our strong participation in FP7.

### **Enterprise Support Services Provision**

332. **Deputy Regina Doherty** asked the Minister for Jobs, Enterprise and Innovation the steps he is taking to support small rural shops and businesses in County Meath; and if he will make a statement on the matter. [49863/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Ensuring that more micro and small businesses can start up, expand and export is a key pillar of the Government's plans for jobs and growth. That is why the Government has decided to implement an ambitious reform in the delivery of service to small and micro business. This will include: Development of a new Small and Micro Business Division within Enterprise Ireland (EI) as a centre of excellence in the provision of supports to the small and micro enterprise sectors; Dissolution of the County and City Enterprise Boards (CEBs), and the transfer of their functions, assets and liabilities to Enterprise Ireland (EI); Establishment of Local Enterprise Offices (LEOs) to provide a high quality, innovative, "one-stop-shop" support service for small businesses within Local Authorities, and providing early access to the services of national bodies; and Integration of key local authority business services into the Local Enterprise Office and promotion of a local environment in which enterprise can thrive.

A high level Implementation Working Group (IWG) chaired by my Department is currently progressing the range of issues involved, including a focus on functions, structures and staffing, all of which will form the basis of a detailed and ambitious Service Level Agreement between Enterprise Ireland and the Local Authorities. A project plan is also in preparation which will set out clear milestones and timelines for implementation. I will shortly publish a Consultation Document seeking input from interested parties on the rollout of the new arrangements.

Pending the introduction of these proposed new arrangements, micro-enterprises employing fewer than ten persons, in County Meath can, as their first port of call, continue to contact the Meath County Enterprise Board (CEB) on: <http://www.meath.com/>

Enterprise Ireland (EI) continues to work with companies in County Meath to help them grow their business. In 2011, approximately 4,300 people were employed on a full time basis in Enterprise Ireland client companies in Co. Meath and some €2.3m was paid to companies in the County for job creation and retention and business development purposes. EI has to date, approved funding of over €1m in support of Community Enterprise Centres (CECs) in Navan, Kells and Trim. In addition, EI Programmes such as the EnterpriseSTART Workshops, the 'New Frontiers' Entrepreneur Development Programme and the 'Get Export Ready' Programme are all available to businesses in Co. Meath. Details of these Programmes can be found at Enterprise Ireland's website [www.enterprise-ireland.com](http://www.enterprise-ireland.com).

To improve access to credit for entrepreneurs and micro-enterprises, and to facilitate the growth and expansion of viable businesses from all industry sectors which have been refused access to credit by banks, the Government recently established the Microfinance Loan Fund. The Fund is open to entrepreneurs and aspiring entrepreneurs of all ages, across the country.

Microfinance Ireland, (MFI), the company set up to operate the Fund, is working closely with the CEBs and Enterprise Ireland and are very conscious of the particular difficulties entrepreneurs face with regard to credit history, previous business experience etc. and where they can assist entrepreneurs, they will do so. However, the potential viability of the business proposal is the dominant factor in any credit decision made by Microfinance Ireland.

The Action Plan for Jobs 2012 also includes a number of specific measures aimed at supporting employment in the retail sector including: a renewed focus on prompt payments to business; an assessment of the potential for future development of the retail sector; the introduction of a Statutory Code of Practice for Grocery Goods; and the acceleration of the programme of revaluation of commercial premises which will provide a basis for the adjustment in commer-

cial rates. My officials and I meet with representatives of the retail sector to hear the challenges they face. These engagements will assist us in implementing the above commitments in the Action Plan for Jobs and in identifying any further actions that can be taken to support the sector.

### **Business Parks**

333. **Deputy Michael Colreavy** asked the Minister for Jobs, Enterprise and Innovation if Ballymote Business Park, County Sligo, is still owned by Ballymote Enterprise Company; and if he will make a statement on the matter. [50087/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I am informed that Ballymote Enterprise Company does not own Ballymote Business Park but owns one unit in the Park which is occupied by TopChem. The remainder of the units were built by a private development company.

### **Public Sector Staff Issues**

334. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50645/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Departmental Council provides an opportunity for consultation and discussion on the reform process arising out of the Public Service Agreement. This is the forum in which overarching industrial relations matters are discussed in the Department. It is composed of representatives of management and staff in the Department. The Staff Side includes local representatives and trade union officials for all recognised staff representative bodies in the Department. The Departmental Council is the internal monitoring body for the implementation of this Department's commitments under the Public Service Agreement.

In addition, updates on progress under the Public Service Agreement are periodically provided to the Department's Partnership Committee. The Partnership Committee is composed of management, trade union and staff representatives.

Staff and union representatives can also put forward proposals for reform within the Departmental Council and the Partnership Committee.

In addition the reform of the State's Workplace Relations structures, announced by me in July 2011, provides significant opportunities for consultation, dialogue and input from staff. The Reform Programme will deliver a two tier Workplace Relations structure by merging the activities of the National Employment Rights Authority (NERA), the Labour Relations Commission (LRC), the Equality Tribunal and the first instance functions of the Employment Appeals Tribunal (EAT) and the Labour Court into a new Body of First Instance, to be known as the Workplace Relations Commission (WRC). The appellate functions of the Employment Appeals Tribunal will be incorporated into an expanded Labour Court.

The Workplace Relations Reform Programme Office was established in September 2011 in order to progress the Reform Programme and to date substantial progress has already been made with a number of important priority actions that were identified by the Minister having been successfully delivered within the target timescale.

The Programme Office is conscious of the importance of effective communications with staff under what is a major change management initiative. In this regard, the Programme Office has engaged extensively with all staff that has been affected by the Reform Programme including staff members that are serving in the lower grades of the public service. A number of specific measures have been introduced in this regard, including:

Project Teams, comprising representation from all Workplace Relations Bodies, have been employed to progress all reform initiatives (Single Contact Portal, Website, Complaint Form and ERS). Membership of these Teams is open to all grades. EAT, LRC, NERA, Labour Court and Equality Tribunal representatives on Project Teams are required to keep their respective staff (at all levels) apprised of developments under the Reform Programme.

The Director of the Workplace Relations Reform and Liaison has held a number of briefing sessions directly with staff of the Bodies. He also gave briefings to the Departmental Council and Partnership Committees of DJEI and the Partnership Committee of the Equality Tribunal.

The Programme Office is working directly with the relevant staff of the Workplace Relations Bodies as part of a major review of business processes. Workshops have been held with staff to map existing processes and design future business processes.

Progress under the Reform Programme is posted to a dedicated content area on the DJEI Intranet and on NERAnet.

Public Consultation documents have been made available to staff in advance of publication.

Internal communication and collaboration tools and technology is employed to support the establishment of the new structures, keep staff of the Bodies up to date on progress under the Project and encourage and facilitate discussion on the reforms.

A Newsletter charting progress and developments generally is published by the Programme Office on [www.workplacerelements.ie](http://www.workplacerelements.ie).

Staffing Requirements for the new WRC and Labour Court: It is important to put in place the right staffing levels and skills to support the operations and activities of the WRC and the Labour Court. It will be 2014 before the reform is fully complete and the long-term staffing requirements of the WRC and the Labour Court are in place.

The Department has recognised that it is very important to consult and work with staff and their representatives to provide as smooth a transition as possible through the process. In this regard, a Consultation Paper entitled the Proposed Staffing of the Workplace Relations Commission and the Labour Court was circulated to all staff in August, 2012. Feedback on this document was facilitated by, among other means, a series of meetings during September and October with all the staff of the Workplace Relations Bodies. The Consultation Paper was also circulated to the unions representing staff. Taking into account any feedback received it is intended to produce a Structures and Staffing Plan for the new WRC and Labour Court in November, 2012. The plan will be made available to the Workplace Relations Implementation Group and various stakeholders when finalised.

As can be seen from the foregoing there has been extensive consultation with staff within the existing Workplace Relations Bodies in relation to the all aspects of the Reform programme. The objective is to ensure maximum engagement with all staff as the reforms progress and to ensure that all staff, including those serving in the lower grades, have had the opportunity to make a meaningful and valuable input into the Reform Project.

**Social Insurance Fund Deficit**

335. **Deputy Catherine Murphy** asked the Minister for Social Protection if she will consider introducing a third higher band of employer PRSI contributions on salaries of €100,000 or more; if she will outline the net effect that she believes such a policy would have on both revenue generated and employment; her views on the unusually small contribution which social security taxes make to Irish Government revenues when compared to other European countries; her views on whether there is scope to increase rates on higher incomes; and if she will make a statement on the matter. [50032/12]

**Minister for Social Protection (Deputy Joan Burton):** I am most concerned about the deficit in the Social Insurance Fund (SIF) and one of my key goals is to reform the system of social protection and to put it on a sounder financial footing for the future. In the context of the SIF, Budget 2011 introduced a number of changes to the PRSI system and, in Budget 2012, my colleague the Minister for Finance announced a further widening of the PRSI base from 2013 to cover rental, investment and other forms of income from 2013. Any other proposals to address the sustainability of the Fund will be considered in a budgetary context.

**Dental Services Provision**

336. **Deputy Patrick Nulty** asked the Minister for Social Protection the full details of the free dental services currently available for persons based on PRSI contributions; the services available in 2007, 2008, 2009, 2010 and 2011 in tabular form; if he proposes to make any changes to the scheme in budget 2013; and if she will make a statement on the matter. [50044/12]

**Minister for Social Protection (Deputy Joan Burton):** The dental benefit scheme was limited to a free annual examination in budget 2010, so from 1st January 2010 to date, one free annual examination is available to qualifying customers. Detail on the treatments covered under the dental benefit scheme (either partially or fully) in 2007, 2008, and 2009, are listed in the following table.

Any decision on changes to the dental benefit scheme will be made as part of the overall budget programme, having considered available resources and competing priorities.

Table 1 - Dental benefits available under treatment benefit scheme

Treatment	2007	2008	2009	2010	2011	2012
Oral Exam	Yes	Yes	Yes	Yes	Yes	Yes
Prophylaxis	Yes	Yes	Yes			
Protracted periodontal treatment	Yes	Yes	Yes			
Simple/Compound Amalgam Filling	Yes	Yes	Yes			
Composite Filling	Yes	Yes	Yes			
Pin-retained Filling	Yes	Yes	Yes			

Treatment	2007	2008	2009	2010	2011	2012
Restoration of Incisal Angle/ Tip	Yes	Yes	Yes			
Extraction under Local Anaesthetic	Yes	Yes	Yes			
Surgical Extraction	Yes	Yes	Yes			
Root Canal	Yes	Yes	Yes			
Apicectomy/ Amputation Of Roots	Yes	Yes	Yes			
Extra-Oral X Ray	Yes	Yes	Yes			
Panoramic X Ray	Yes	Yes	Yes			
Biopsy – Excision of Soft Tissue	Yes	Yes	Yes			
Haemorrhage - Secondary	Yes	Yes	Yes			
Pulpotomy	Yes	Yes	Yes			
Dry Socket	Yes	Yes	Yes			
Abscess Treatment	Yes	Yes	Yes			
Dressings	Yes	Yes	Yes			
Pericoronitis	Yes	Yes	Yes			
Partial Denture	Yes	Yes	Yes			
Full Upper Denture	Yes	Yes	Yes			
Full Lower Denture	Yes	Yes	Yes			
Full Upper And Lower Denture	Yes	Yes	Yes			
Upper Denture Reline	Yes	Yes	Yes			
Lower Denture Reline	Yes	Yes	Yes			
Upper And Lower Denture Reline	Yes	Yes	Yes			
Denture Repairs	Yes	Yes	Yes			
Crown	Yes	Yes	Yes			

*Question No. 337 answered with question No. 115.*

*Question No. 338 answered with Question No. 110.*

### **Social Welfare Code Issues**

339. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection the legislation in place for persons who pay contributions while in the workforce and are in receipt of a social welfare payment; and if she will make a statement on the matter. [49415/12]

**Minister for Social Protection (Deputy Joan Burton):** I understand that the Deputy's question relates to the issue of the payment of concurrent social insurance benefits to a person who is in receipt of a widow/er's contributory pension.

The social welfare system is designed to respond to a range of contingencies such as illness, unemployment, old age or widowhood. Within this wide-ranging system, a general principle is applied that only one social welfare benefit should be payable at any one time. This approach serves to maintain the equity of the social welfare system and, indeed, is common to social security systems across the world. It is against that background that the payment of half-rate illness benefit and half-rate jobseeker's benefit in addition to a widow/er's contributory pension was abolished for new applicants from the end of January 2012.

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

340. **Deputy Frank Feighan** asked the Minister for Social Protection the reason an application for carer's allowance has not been processed and decided on in respect of a person (details supplied) and when a decision will issue. [49420/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on the 3rd February 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

*Questions Nos. 341 and 342 withdrawn.*

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

343. **Deputy Sean Fleming** asked the Minister for Social Protection when a carer's allowance will be granted in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [49438/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on the 16th August 2011. This application was referred to one of the Department's medical assessors who found that the caree in question was not medically eligible for carer's allowance. The deciding officer accepted the opinion of the medical assessor and further decided that the requirement for full time care and attention was not fulfilled. A letter issued on the 6th November 2012 refusing the allowance and giving the reasons for it.

### **Invalidity Pension Appeals**

344. **Deputy Sean Fleming** asked the Minister for Social Protection the position regarding a review and appeal for invalidly pension in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [49449/12]

**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 September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the 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.

### Departmental Offices

345. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection his plans to close an office (details supplied) in County Offaly; and if she will make a statement on the matter. [49451/12]

**Minister for Social Protection (Deputy Joan Burton):** There are no plans to close the Department's offices at Castle Buildings, Tara St, Tullamore, Co. Offaly. The offices at Castle Buildings are scheduled to become fully integrated INTREO offices in 2013 and plans are well advanced in this regard.

### Social Welfare Appeals Status

346. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection if she has received an appeal in respect of a person (details supplied) in County Offaly; when this appeal will be processed; and if she will make a statement on the matter. [49452/12]

**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 2nd October 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the 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.

### Community Employment Schemes Places

347. **Deputy Kevin Humphreys** asked the Minister for Social Protection if a person (details supplied) in Dublin 2 can have their community employment scheme extended for another year; and if she will make a statement on the matter. [49523/12]

**Minister for Social Protection (Deputy Joan Burton):** The maximum term for participants in the community employment scheme has been set by my Department at three years for those under 55 years of age. As the person concerned has completed three years on the scheme and is under 55 years of age, he has reached the maximum duration entitlement. It is not possible in the current economic climate to grant a further extension.

During his term on the scheme the person concerned has undertaken training. This was funded by the scheme without incurring any costs to the person concerned. This training is carried out on an independent and external basis, and as such his continuance on training is not dependent on his continuance on the scheme. Indeed it is common practice that participants who may be midway through external training programmes on their finish date for the scheme would be expected to continue with them as part of their commitment to their overall progression.

If the person concerned wishes to engage in additional training opportunities and requires guidance, he should meet with an Employment Services Officer who can explore the options open to him.

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

348. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [49525/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on the 31st May 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Social Welfare Benefits Applications**

349. **Deputy Dessie Ellis** asked the Minister for Social Protection the measures she will take to resolve the issue where taxi drivers who are unable to work due to an injury for an extended period are asked to give up their car insurance, and so lose their licence, to meet the requirements to be considered unable to work, even if they present their meter printouts which prove they are not operating the taxi on which they depend for their livelihood. [49544/12]

**Minister for Social Protection (Deputy Joan Burton):** Apart from a number of excluded categories, anyone in the State who satisfies a habitual residency condition and a means test, has applied for any other benefit or allowances s/he may be entitled to, has registered for employment, unless they have a physical or mental disability, and can prove unemployment may qualify for a weekly payment of Supplementary Welfare Allowance (SWA).

In order to qualify for the payment the Department must be satisfied as to the person's income or potential income. All facts and evidence are taken into consideration and every case is fully investigated and a decision taken on the individual circumstances of the case. In the case of taxi drivers applying for SWA, this may involve the claimant being requested to change the category of vehicle insurance from Small Public Service Vehicle to private insurance for the period that the person qualifies for SWA.

The Department is advised that changing insurance from public to private for the purpose of receiving a payment does not result in the loss of the taxi licence. If the Deputy is aware of

any instances where this request has resulted in the loss of a person's taxi licence, they should refer the details to the Department and the matter will be reviewed.

*Question No. 350 withdrawn.*

### **Jobseeker's Allowance Appeals**

351. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a jobseeker's allowance appeal will issue in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [49575/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 13th September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 18th 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.

### **Rent Supplement Scheme Payments**

352. **Deputy Terence Flanagan** asked the Minister for Social Protection her plans to pass rent allowance directly to landlords rather than tenants; and if she will make a statement on the matter. [49579/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 89,000 rent supplement recipients for which the Government has provided €436 million in 2012.

Under the legislative provisions governing rent supplement, the Department's relationship is with the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs. There is no direct relationship between the landlord and the Department in the administration of the scheme.

However, rent supplement payments can, at the request of the tenant and with the agreement of the Department, be paid directly to the landlord. If the Department were to introduce a system whereby all rent supplement payments were to be made directly to landlords the efficiency of the scheme would be significantly affected. For example, the Department would potentially have to create a formal relationship with some 89,000 additional clients, the landlords. This would involve greater complexity and significant resources to deal with a new set of third parties. It would not be an effective use of resources to have departmental staff negotiating rental agreements for those with a short term need.

It is open to the landlord to bring to the attention of the Department any instance where they

suspect that a tenant is receiving rent supplement and is not paying their rent. Where the Department becomes aware that a person is not using rent supplement to meet the accommodation costs, payment of the supplement is suspended and the matter investigated.

Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the Board's dispute resolution process.

### **Rent Supplement Scheme Appeals**

353. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason rent allowance payment ceased in respect of a person (details supplied) in Dublin 16; and when it will be reinstated. [49588/12]

**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 1st November 2012. It is a statutory requirement of the appeals process that the relevant departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the 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.

*Question No. 354 withdrawn.*

### **Domiciliary Care Allowance Appeals**

355. **Deputy Peter Mathews** asked the Minister for Social Protection when a decision will issue on an appeal for domiciliary care allowance in respect of a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [49600/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received on the 11th May 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on 18th July 2012 refusing the allowance. The person concerned subsequently lodged an appeal against this decision. As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and will be forwarded for consideration by the Appeals Office, if necessary.

*Question No. 356 withdrawn.*

### **Domiciliary Care Allowance Application Numbers**

357. **Deputy Anthony Lawlor** asked the Minister for Social Protection the average processing time for rent supplement application from County Kildare; the number of applications for rent allowance currently awaiting processing from persons in County Kildare; the reason there appears to be an inordinate delay in processing these applications; and if she will make a

statement on the matter. [49635/12]

**Minister for Social Protection (Deputy Joan Burton):** Where all the required information is provided at the time of the initial application, claims should be processed without delay and the rent supplement will normally be approved by month's end. Delays may occur where requests for further information are necessary. In addition to Kildare the rent section processes claims from Wicklow and parts of Dublin 2, 4, 6 and 15. With the recent introduction of email addresses for the section, documents relating to the rent supplement claim can now be attached to the email thus reducing the expense for the customer and the turnaround time for the claim. For Kildare the email address is *kildarerentsupplement@welfare.ie*. The processing times of claims are being kept under review.

### Community Welfare Services

358. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the proposed changes to the delivery of the community welfare service in the Drumcondra area, Dublin 9; and the way these changes will directly affect local residents in receipt of the community welfare service. [49639/12]

**Minister for Social Protection (Deputy Joan Burton):** Following the integration of the former community welfare service into my Department efficiencies have been achieved which allow for a reconfiguration of how services within the area concerned are delivered. This area is serviced by the new Intreo office at Kings Inns St and developments there have reduced the extent to which supplementary welfare allowance has been paid in cases where people have made applications for both jobseekers allowance and benefit. This has reduced the compliance impact for clients and eliminated duplication that was previously a feature of the process. Additionally it has allowed former community welfare officers become involved in the Intreo process, including in activation case management to enhance our clients' employability and life chances.

To further consolidate this we are moving to a system where a number of community welfare units will operate together out of one location, in this instance the Marino Health Centre. This will allow us to offer an ongoing service with the equivalent availability to the public as the previous arrangements system and this will be kept under review to ensure that such availability is proportionate to our clients' requirements.

The effect that this will have on local residents is that some clients will have to travel a longer distance to reach the Health Centre, and others a shorter distance but a more consistently-resourced service will be available at the consolidated location in Marino.

This new service will be fully operational in Marino Health Centre from Tuesday 20th November 2012.

*Question No. 359 answered with Question No. 115.*

*Question No. 360 withdrawn.*

### Departmental Agencies Expenditure

361. **Deputy Billy Kelleher** asked the Minister for Social Protection if she will provide in tabular form the amount currently being spent on, or budgeted for, by State agencies under her remit for spending on the areas of communications, public relations, consultancy, advertising

and human resources; and if she will make a statement on the matter. [49658/12]

**Minister for Social Protection (Deputy Joan Burton):** The information requested is currently being compiled within the Department and will be made available to the Deputy as soon as possible.

### **Carer's Allowance Payments**

362. **Deputy Michael McGrath** asked the Minister for Social Protection if she will provide a detailed breakdown of the assessment used in the weekly carer's allowance figure in respect of a person (details supplied) in County Cork. [49666/12]

**Minister for Social Protection (Deputy Joan Burton):** This application for carer's allowance was awarded on 1st November 2012 and a letter issued to the person in question notifying them of the decision and how the rate was arrived at. The person in question was assessed with a weekly means of €202.18 per week and so is therefore entitled to carer's allowance at a rate of €9.00 per week with an increase for two qualified children at €29.80 per week. The first payment will issue to the person in question on 15th November 2012 into their bank account. Any arrears due will issue shortly.

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

363. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for carer's allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [49671/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on 2nd July 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Family Income Supplement Applications**

364. **Deputy Mary Lou McDonald** asked the Minister for Social Protection in view of the significant delays within her Department with respect to the processing of family income support applications, if she will confirm the date a decision will be made on an application in respect of a person (details supplied) in County Kildare. [49679/12]

**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. In the case of the person concerned his family income supplement (FIS) payment expired on the 29 August 2012. His renewal application has recently been awarded from 30 August 2012 to 28 August 2013 and he will receive his first payment on 15 November 2012. The person concerned will shortly receive a notification with full details of this decision.

*Question No. 365 withdrawn.*

### **Domiciliary Care Allowance Appeals**

366. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue on a domiciliary care allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [49700/12]

**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 9th 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 25th July 2012 and the case, together with additional evidence submitted, has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

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

367. **Deputy Noel Harrington** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [49703/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on 17th January 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Disability Allowance Appeals**

368. **Deputy Olivia Mitchell** asked the Minister for Social Protection the position regarding a disability allowance application in respect of a person (details supplied) in Dublin 14; and if she will make a statement on the matter. [49720/12]

**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 26th 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 11th September 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.

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

369. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly may expect a decision on an application for carer's allowance. [49728/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on 8 March 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

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

370. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly may expect a decision on an application for carer's allowance. [49730/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on 13th September 2011. This application was referred to one of the Department's medical assessors who found that the carers in question were not medically eligible for carer's allowance. It was further decided that full-time care and attention was not being provided for the carers in question in accordance with the regulations. A letter issued on 9th June 2012 refusing the allowance and giving the reasons.

The person in question subsequently submitted further medical evidence for review on 17th July 2012. This medical evidence is awaiting medical assessment by a medical assessor. On completion of all the necessary investigations as part of this review, a decision will be made and the person in question will be contacted directly with the outcome. However, it should be noted that all conditions for the receipt of the allowance must be satisfied in order for the application to be successful.

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

371. **Deputy Martin Heydon** asked the Minister for Social Protection if carer's allowance will be expedited in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [49752/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the Department received an application for carer's allowance from the person in question on 24th February 2012. The medical assessment has been completed. The application is currently with a social welfare investigative officer for confirmation that all the conditions for receipt of carer's allowance are satisfied. Once the investigative officer has completed and submitted the report a deciding officer will make a full decision. The application will be processed as quickly as possible and the person concerned will be notified directly of the outcome.

### **Back to Education Allowance Applications**

372. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the amount by which means exceeded the guidelines in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [49764/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for the back to school clothing and footwear allowance was received from the customer concerned on 27 June 2012. The application was processed on 18 July 2012 and was disallowed as the person's means exceed the income limit for their family size. The income limit for the person concerned

is €593.40 while their household income was assessed at €609.28. The person concerned requested a review of this decision which was completed on 14th of August. The original decision was upheld and as no further evidence has been provided this decision remains and the claim is now closed.

### Rent Supplement Scheme Payments

373. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will provide the current rent supplement thresholds in north Tipperary and south Tipperary; the reasons for any variances; her view on whether these thresholds are an accurate reflections of the rental market, and if any change in this threshold is being considered; and if she will make a statement on the matter. [49769/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are approximately 89,000 persons in receipt of rent supplement for which the Government has provided €436 million in 2012.

The State plays a major role in the private rental market through the rent supplement scheme. As the Department currently funds approximately 30% of the private rented sector it is essential that State support for rents are kept under review and reflect current market conditions.

Revised maximum rent limits came into force on 1 January 2012 and are in place until June 2013. The rent limits for North and South Tipperary are set out in the following tabular statement. These limits were set after an analysis of the most up to date market data available. Any price differential between North and South Tipperary was based on the analysis of their respective local rental markets. The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation.

The Department will continue to monitor rent levels throughout the country but at this point I have no immediate plans to revise the existing rent limits. The next review of rent limits will take place before June 2013 and any changes to the limits in Tipperary will be considered as part of this review.

#### TABULAR STATEMENT

#### Rent Limits for North Tipperary and South Tipperary 1 January 2012 to 30 June 2013

County	Single person in shared accommodation	Couple in shared accommodation	Single person	Couple with no children	Couple/ One Parent Family with 1 child	Couple/ One Parent Family with 2 children	Couple/ One Parent Family with 3 children
Tipperary North	€195	€200	€345	€375	€410	€500	€525
Tipperary South	€195	€220	€370	€425	€525	€540	€550

#### Rent Supplement Scheme Eligibility

374. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if her attention has been drawn to incidents of landlords seeking payments from tenants in excess of the rent supplement thresholds, if she believes such practices are wide-spread, the action she is taking; and if she will make a statement on the matter. [49770/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 89,000 rent supplement recipients for which the Government has provided €436 million for 2012.

Rent supplement is calculated to ensure that the person, after payment of rent, has an income equal to the basic supplementary welfare allowance rate, less a specified weekly minimum contribution which recipients are required to pay from their own resources.

The “top up” payments referred to fall into two specific categories. Where a person has an additional income above the rate of supplementary welfare allowance they are, in certain circumstances, allowed to top up their rent as they will still have sufficient income to meet their basic needs after paying their rent.

The second type of top up payment can occur where the application to the Department declares a rent lower than that actually being charged by the landlord. There has been no evidence presented to the Department showing widespread or systemic ‘false declarations’ of rent supplement through the use of illegal top-ups.

Any instance of false declarations should be reported to the relevant Department representatives who have specific legislative powers to deal with such offences.

### **FÁS Training Programmes**

375. **Deputy Peadar Tóibín** asked the Minister for Social Protection if unemployed persons who have taken up FÁS training courses are excluded from consideration for Tús supervisor positions within 12 months of completing the course. [49780/12]

392. **Deputy Pat Deering** asked the Minister for Social Protection if there has been a review of the Tús scheme at the end of its first year in operation; the insight into the workings of the scheme the review offered; if she will consider increasing the length of time participants will stay on the scheme; and if the selection criteria will take some cognisance of the skills required versus the qualification of the available participants, that some paring or matching be carried out. [50002/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 375 and 392 together.

Tús, the community work placement initiative, came into operation in the middle of 2011. To date 6,617 people have completed or are currently on work placements. This figure includes supervisory/team leader positions. As a new initiative, Tús continues to be monitored and developed and to date has proven to be effective in meeting its objective. I have no proposals to alter the arrangements in place either for the selection of participants, the duration of their engagement or the eligibility requirements relating to the recruitment to supervisory or team leader position.

I consider the engagement of 12-months to be adequate to meet the objectives of the initiative and to provide these work placement opportunities to as many of those on the live register. It is essential that we ensure that as many unemployed people as possible are able to benefit from this initiative and this would not be facilitated by extending the duration of existing placements.

Tús is being delivered through the network of local development companies and Údarás na Gaeltachta (Implementing Bodies) and participants are identified by the Department using a random selection process. As directed by my Department, the Implementing Body must conduct an assessment of each participant's skills, work experience, level of education and needs. Following profiling and interview, the Implementing Body identifies the type of work placement most suited to the participant's skills and needs and matches the participant to the available positions offered by the community, voluntary and not-for-profit sector locally. The Implementing Body must ensure that the activity builds on the individual's capabilities and has the potential to move the participant towards employment. Given the limitations of the placement providers, it is not always possible to get a suitable work placement match.

Eligibility for both participants and supervisory/team leader positions on Tús is confined to those on the Live Register for at least 12 months and in receipt of jobseeker's allowance. These provisions are to ensure a targeted approach to those currently affected by long-term unemployment. I consider the approach reasonable given the current employment environment.

### **Jobseeker's Allowance Payments**

376. **Deputy Joan Collins** asked the Minister for Social Protection if her attention has been drawn to the problems encountered by persons on jobseeker's allowance benefit who fill in casual workers weekly employment information forms; particularly as it relates to cash flow issues being paid fortnightly or monthly and weekly by social welfare [49787/12]

**Minister for Social Protection (Deputy Joan Burton):** Casual/part-time workers in receipt of a jobseeker payment receive payment on a weekly basis and this is based on the number of days which the customer has certified as unemployed in the previous week. The Department has no control over the payment frequencies used by employers to make payment of wages.

### **Back to Education Allowance Eligibility**

377. **Deputy John Lyons** asked the Minister for Social Protection if consideration will be given to offering back to education allowance to those taking part-time courses of study. [49801/12]

**Minister for Social Protection (Deputy Joan Burton):** The back to education allowance (BTEA) is a second chance education opportunities scheme that enables 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. It is my intention to retain the requirement to be attending a full time course of study on a full time basis for BTEA.

A person wishing to pursue a part time education course, such as a Springboard course, may apply under the part-time education option (PTEO) of the back to education programme. PTEO allows them retain their jobseekers payment while an entitlement exists while pursuing a part-time course. They must apply at their local social welfare office and verify that participa-

tion on the course does not reduce their availability for work. In the case of jobseekers benefit, participation on a course does not grant any extension to the normal period for which jobseekers benefit is paid.

### **Fuel Allowance Applications**

378. **Deputy Arthur Spring** asked the Minister for Social Protection her views on whether the fuel allowance payment should be restructured to allow for a sliding scale rather than a flat cut-off point, to prevent situations arising whereby a person who receives an income which is even less than €1 over the threshold misses out on the whole of the €520 payment. [49812/12]

**Minister for Social Protection (Deputy Joan Burton):** My Department will spend almost €215 million in 2012 on the fuel allowance scheme benefitting some 400,000 people. The cost of this scheme has increased by over 160% since 2005 when 265,000 people were in receipt at a cost of €82 million. The current fuel season commenced in October this year and will run for 26 weeks until April 2013. The fuel allowance assists pensioners and householders on long-term social welfare payments with meeting the cost of their heating needs during the winter season. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full. In order to qualify for fuel allowance a person must be in receipt of a qualifying payment, satisfy a means test and be living alone or only with certain expected people. The purpose of these qualifying conditions is to ascertain the ability of applicant households to meet their normal heating requirements out of their own resources and to ensure the maximum amount of support is targeted at those most in need of assistance. The nature of a means test means that there will always be a cut-off point above which a person will not qualify. I am satisfied that the current criteria for the scheme ensure that the resources are targeted at those who need them most. I have no plans at this time to restructure it in the manner proposed.

### **Social Welfare Appeals Status**

379. **Deputy John McGuinness** asked the Minister for Social Protection when benefit will be approved in respect of a person (details supplied); if she will expedite the matter. [49875/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence, including that adduced at oral hearing on 25 October 2012, allowed the appeal of the person concerned. The person concerned has been notified of the Appeals Officer decision. 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**

380. **Deputy Clare Daly** asked the Minister for Social Protection the number of reviews that have been carried out by the chief appeals officer each year since 2005. [49923/12]

**Minister for Social Protection (Deputy Joan Burton):** Section 318 of the Social Welfare Act provides that the Chief Appeals Officer may, following review, revise any decision of an appeals officer where it appears to her that the decision was erroneous by reason of some mistake having been made in relation to the law or the facts. Where a section 318 review is sought,

the case will be examined the Chief Appeals Officer. In many cases, particularly where it appears there is additional evidence, the Chief Appeals Officer may remit the case to the appeals officer in question for his views and any appropriate action. In some cases, the decision may be revised by the appeals officer. In other cases, the Chief Appeals Officer may take the view that there are grounds to set up an oral hearing. There are no statistics in relation to these cases. In relation to cases reviewed by the Chief Appeals Officer in which she issued a determination, a total of 48 determinations have been made since 2010 comprising 13 in 2010, 20 in 2011 and 15 to date in 2012. Statistics in relation to such reviews are not held for the years prior to 2010.

### **Carer's Allowance Eligibility**

381. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [49931/12]

**Minister for Social Protection (Deputy Joan Burton):** This application was received on 26th April 2012. Further medical evidence was submitted on 23rd October 2012. Once this evidence has been assessed by a medical assessor and a deciding officer has carried out all the necessary investigations, a decision will issue directly to the person in question.

### **Back to Education Allowance Eligibility**

382. **Deputy Seamus Healy** asked the Minister for Social Protection if she will ensure that persons in receipt of back to education allowances are not cut off due to the fact that they cannot be permanently registered with their third level colleges because of the delays in approving grant applications; and if she will make a statement on the matter. [49935/12]

**Minister for Social Protection (Deputy Joan Burton):** The back to education allowance (BTEA) is a second chance education opportunities scheme that enables 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.

While provisional approval for BTEA may issue to an applicant, in order to award and put a BTEA claim into payment, certain information must be provided by the applicant. This includes written confirmation from the relevant institute of education that the applicant has registered as a full-time day student pursuing a full time course of study. This confirmation should also include details of the course of study as outlined in their application and the start and finish date of the course in the current academic year. Offices of the Department dealing with BTEA claims are aware of delays in approving student grant applications and are taking this into account in dealing with BTEA applications.

*Question No. 383 answered with Question No. 110. Question No. 384 withdrawn.*

### **Disability Allowance Appeals**

385. **Deputy Noel Coonan** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in County Tipperary; when she expects a decision to be reached; and if she will make a statement on the matter. [49947/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare

Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed the appeal of the person concerned by way of summary decision. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Following the submission of additional evidence the Appeals Officer has agreed to review the case. The person concerned will be contacted when the review of her appeal has been finalised. 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.

### **Carer's Benefit Appeals**

386. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their appeal for carer's benefit; and if she will make a statement on the matter. [49966/12]

**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 5th November 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Child Benefit Eligibility**

387. **Deputy Martin Ferris** asked the Minister for Social Protection if he will state which parent is entitled to child benefit in a situation where the parents have joint custody of the child; and the basis on which the decision is made. [49968/12]

**Minister for Social Protection (Deputy Joan Burton):** Child benefit is a universal payment made to the parents/guardians of children. As provided for in social welfare legislation, payment is normally made to the mother or step-mother of the qualified child. Where the child does not live with their mother or step-mother, but lives with their father or step-father, payment may be made to them. In cases where the parents have joint custody of the child, the legislation provides that payment is made to the mother.

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

388. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Cork. [49983/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department received an application for carer's allowance from the person in question on the 27th March 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

*Question No. 389 withdrawn.*

## Family Income Supplement Eligibility

390. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding family income supplement in respect of separated parents who have joint custody of children (details supplied). [49995/12]

**Minister for Social Protection (Deputy Joan Burton):** The family income supplement scheme (FIS), which provides income support for employees on low earnings with families, is designed to preserve the incentive to take up or remain in employment in circumstances where the employee might only be marginally better off than if he or she were claiming other social welfare payments.

To qualify for payment of FIS, a person must be engaged in full-time insurable employment which is expected to last for at least 3 months and be working for a minimum of 38 hours per fortnight and the family income must be below a specified amount which varies according to the number of qualified children in the family. FIS is payable to the parent who is working or where both parents are working, to the parent with the higher employment income.

In the case of parents who are separated, a parent who is wholly or mainly maintaining a former spouse and child(ren) can qualify for FIS. However, only one FIS payment can be made in respect of any family. Furthermore, a person included in one particular family for any period for FIS purposes shall not be regarded as a member of any other family during that period. Current provisions do not therefore allow for FIS payment to be divided between parents and I have no immediate plans to amend the legislation in this regard.

Where a question arises in determining the residence of a child for FIS purposes, an investigation of specific circumstances may be carried out and if the Deputy wishes to have a particular case considered, he can arrange to have it brought to the attention of my Department for consideration.

## Farm Assist Scheme Applications

391. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding assessment for the farm assist scheme (details supplied); and if she will make a statement on the matter. [49996/12]

394. **Deputy Brendan Griffin** asked the Minister for Social Protection if she will calculate maintenance payments by the provider as an outgoing when assessing a persons means for a social welfare payment; and if she will make a statement on the matter. [50012/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 391 and 394 together.

The question of how maintenance payments are treated arises in the case of social welfare claims made by the person receiving the maintenance payment and also in the case of social welfare claims made by the person making the maintenance payment. In the first case, where a social welfare claimant is in receipt of maintenance payments from a spouse/partner, housing costs incurred by the social welfare claimant (e.g. rent or mortgage payments and/or home improvement loan) up to a maximum of €95.23 per week may be offset against the maintenance payment, with half the balance of the maintenance being assessed as means. These arrangements ensure that there is always an incentive to receive a maintenance payment.

In the second case, where a social welfare claimant is paying maintenance to another per-

son, whether on a voluntary basis or on foot of a Court order, their means for social welfare purposes are their means before they meet any obligations they may have to pay maintenance i.e. no account is taken of such payments in assessing the means of the maintenance payer. Thus, for example, in the event of the payer having income from employment or self-employment, the income from these sources is assessed without regard to any maintenance paid to another person. If maintenance payments were taken into account, any reduction in these means as a consequence of maintenance payments to another person would, in effect, result in the welfare system subsidizing or possibly fully meeting these payments.

Where a person has maintenance obligations on foot of a Court order and they find that they can no longer afford to meet those obligations, for example because their circumstances have changed, it is open to that person to seek to have the Court review the order in light of their changed income position. *Question No. 392 answered with Question No. 375.*

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

393. **Deputy Michael Creed** asked the Minister for Social Protection when an application for carer's allowance was received in respect of a person (details supplied) in County Cork; when a decision may be expected; and if she will make a statement on the matter. [50004/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department received an application for carer's allowance from the person in question on the 22/12/11. The medical assessment has been completed. The application is currently with a social welfare investigative officer for confirmation that all the conditions for receipt of carer's allowance are satisfied. Once the investigative officer has completed and submitted the report a deciding officer will make a full decision. The application will be processed as quickly as possible and the person concerned will be notified directly of the outcome.

*Question No. 394 answered with Question No. 391.*

### **Invalidity Pension Eligibility**

395. **Deputy Michael McNamara** asked the Minister for Social Protection the reasons a person (details supplied) has had invalidity pension terminated; and if she will make a statement on the matter. [50017/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was disallowed invalidity pension following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for payment.

The Social Welfare Appeals Office has advised me that an appeal was registered in that office on 4th September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 25th September 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.

*Question No. 396 withdrawn.*

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

397. **Deputy Peadar Tóibín** asked the Minister for Social Protection the reason for the delay in processing an application for carer's allowance in respect of a person (details supplied) in County Meath; and the target time taken to process such applications. [50020/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department received an application for carer's allowance from the person in question on 31 January 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Departmental Staff Redeployment**

398. **Deputy Finian McGrath** asked the Minister for Social Protection the number of officials by grade in her Department that will be working solely on the Presidency for the remainder of 2012; if redeployment or promotion has occurred; if they will be paid any additional allowances or pay; the way these officials were selected; if the selection procedure gave rise to any complaints; and if she will make a statement on the matter. [50022/12]

**Minister for Social Protection (Deputy Joan Burton):** No additional staff members have been appointed to work solely on the planning of EU Presidency within my Department. The preparatory work is being done on a part-time basis by staff members who are already working on EU related matters or on policy matters that will feature on the agenda of the Presidency.

In terms of full-time staff, one Higher Executive Officer (HEO), an existing member of staff in the EU/ International Section, has been assigned full time to Presidency duties. A second HEO has been assigned from the normal internal promotion panel to do the work usually done by this HEO. In addition, one Clerical Officer will shortly be redeployed to the EU Unit to assist with the organisation of meetings during the Presidency. In addition to these full-time staff, an additional Principal Officer has been assigned to spend 50% of his time on Presidency-related business.

One Assistant Principal (AP) was assigned to the Permanent Representation to the EU in Brussels for the duration of the Presidency and will also work on other on-going EU related matters on behalf of the Department. No competition was held for this assignment as the person involved moved from another role in Brussels. They are receiving the normal Dept. of Foreign Affairs allowances for officials assigned to Brussels.

No competitions were held for any of the above positions and no complaints have been received.

### **Departmental Staff Promotions**

399. **Deputy Finian McGrath** asked the Minister for Social Protection the date that internal promotional competitions were last held for promotion to principal officer, promotion to assistant principal officer, promotion to higher executive officer and promotion to staff officer or executive officer; the number of applications for each grade; the numbers placed on panels

for possible appointments; the numbers from each panel that have been appointed to date; and if she will make a statement on the matter. [50026/12]

**Minister for Social Protection (Deputy Joan Burton):** Details in respect of the latest internal promotion competitions held in my Department are shown in the table.

Date of competition	Grade	No. of Applicants	No. placed on panel	No. appointed to date
21/11/2011	Principal	83*	35	12
02/02/2010	Principal – North West	26	8	4
10/09/2010	Assistant Principal	263	39	24
04/06/2010	Higher Executive Officer	412	35	22
08/09/2010	Executive Officer	1742	95	21
08/09/2010	Staff Officer	1444	111	22

\* Includes eligible former CWS and FÁS staff

In accordance with arbitration findings, my Department is to establish panels for promotion to the grades from Staff Officer to Assistant Principal in respect of eligible staff who transferred to my Department from the Community Welfare Service of the Health Service Executive and the Employment Services of FÁS. These panels will run in parallel to the existing panels detailed above and staff will be promoted according to the ratios agreed.

In this regard the panels for promotion to the grade of Higher Executive Officer have been established. A total of 13 eligible staff participated in the competition, with six former CWS staff and seven former FÁS staff being placed on the respective panels. To date none of these staff have been promoted. Plans are to hold the remaining competitions are underway.

### Social Welfare Benefits Applications

400. **Deputy Peter Mathews** asked the Minister for Social Protection the reason a person (details supplied) in Dublin 8 has not received any social welfare assistance in recent months; and if she will make a statement on the matter. [50030/12]

**Minister for Social Protection (Deputy Joan Burton):** Following an investigation by a Social Welfare Inspector, the claim for one parent family payment from the person concerned was disallowed as it was decided that she was not making a full and open disclosure as to the circumstances of her stated cohabitation. This decision was appealed by the person concerned and the outcome of this will be determined by the independent Social Welfare Appeals Office.

A claim for supplementary welfare allowance was subsequently received from the person concerned. The Community Welfare Officer also investigated the case and was satisfied that the person concerned had not provided adequate information to verify that she was living alone as a lone parent and that she had failed to disclose her means. As a consequence, this claim was also disallowed.

*Question No. 401 withdrawn.*

### Jobseeker's Allowance Applications

402. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the decision to refuse jobseeker's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [50067/12]

**Minister for Social Protection (Deputy Joan Burton):** If the person concerned wishes to have a review carried out of the decision to disallow her jobseeker's allowance claim, she should submit a written request to this Department.

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

403. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Mayo; and when a decision will be expedited. [50090/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department received an application for carer's allowance from the person in question on 21 November 2011. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

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

404. **Deputy Simon Harris** asked the Minister for Social Protection the position regarding the backlog for carer's allowance payments; the number of outstanding applications; the average length of time each new claim takes to process from initial application to payment; the number of staff allocated to deal with new claims; the steps she take to reduce the backlog; and if she will make a statement on the matter. [50114/12]

**Minister for Social Protection (Deputy Joan Burton):** The number of outstanding applications as of 2 November 2012 is 9,411. It is taking on average 25 weeks at present to process applications. It should be noted that this is an average, with some claims being processed significantly quicker and other claims taking longer. Including a number of additional temporary staff allocated to assist with backlog elimination, there are currently 32 staff plus supervisors engaged in the processing of new carer's allowance claims.

I acknowledge that the time taken to process carer's allowance claims at present is not satisfactory but I am satisfied that the Department is taking appropriate action to resolve the situation.

Carer's allowance section has recently completed a major service delivery modernisation project to improve the efficiency with which it processes applications from clients for carer's allowance. The project involved the development of IT functionality and associated business process re-organisation. Full deployment of the new system for Carer's Allowance was completed in June 2012.

Following the completion of the modernisation project, an in-depth business process improvement (BPI) project was completed for the carer's allowance scheme. This project focused on optimising output and customer service and the reduction of backlogs. The outcome of the review is the division of work into two streams. One concentrates on dealing with new claim intake and processes these without delay and the other on the backlog which is ring-fenced with a clear and targeted plan for its elimination. Implementation of the plan commenced on Monday 3 September and will be closely monitored and managed to ensure it achieves its objectives.

A noted increase in the number of new claims processed was achieved in September and October, where claims processed substantially exceeded claim intake, and this increase continues into November. However, it will take a number of months before the backlog is reduced to an acceptable level. The allocation of available resources to this task continues to be monitored in order that the backlog is eliminated in the shortest possible timeframe.

### **Rent Supplement Scheme Payments**

405. **Deputy Michael Healy-Rae** asked the Minister for Social Protection in view of the reports of increases in rents since the start of 2012; if the rents limit review to be undertaken by her Department will take place sooner than the next review proposed for June 2013 [50123/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are approximately 89,000 persons in receipt of rent supplement for which the Government has provided €436 million in 2012.

The State plays a major role in the private rental market through the rent supplement scheme. As the Department currently funds approximately 30% of the private rented sector it is essential that State support for rents are kept under review and reflect current market conditions.

Revised maximum rent limits came into force on 1 January 2012 and are in place until June 2013. The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation.

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

### **Rent Supplement Scheme Payments**

406. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the basis on which maximum rent support levels are being determined in respect of persons eligible for such support in lieu of local authority housing; the factors taken into account in determining the upper cost of rental accommodation throughout the regions; the way variations at such levels are determined; and if she will make a statement on the matter. [50134/12]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are approximately 89,000 persons in receipt of rent supplement for which the Government has provided €436 million in 2012.

New maximum rent limits came into force on 1 January 2012 and are in place until June 2013. These new limits were set after an analysis of the most up to date market data available. For all counties, major urban population centres were tested as part of the rents review to ensure

that rent supplement applicants can access temporary housing arrangements whilst seeking employment opportunities. The focus of the review was primarily based on ensuring an adequate level of housing stock is available, using the 40th percentile as the basis for establishing rent limits.

The emphasis of the rent limit review was to ensure that maximum value for money for tenants and the taxpayer was achieved whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation.

The full report of the review of maximum rent limits is available on the Department's website at <http://www.welfare.ie/EN/Policy/ResearchSurveysAndStatistics/Pages/rentreview2011.aspx>

Officials in the Department continue to monitor the impact of the rent limits on those who claim rent supplement.

### **Social Welfare Appeals Delays**

407. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the steps that have been taken to shorten the waiting period for the determination of appeals in respect of each social welfare payment; the particular payments that have so far not achieved approvals in this regard; and if she will make a statement on the matter. [50135/12]

**Minister for Social Protection (Deputy Joan Burton):** Significant resources and efforts have been put into reducing these backlogs and improving processing times for appellants, including the assignment of 15 additional Appeals Officers, retaining retired experienced officers for 18 months ending December 2011, improving business processes and implementing an new operating model. I am advised by the Social Welfare Appeals Office that as a result of these measures there has been a significant increase in the number of appeals finalised from an average of 13,500 in 2007 to 34,027 in 2011 and that the processing times reduced by an overall 10.2 weeks in the nine months to September 2012 as the oral hearing time is down 12.5 weeks and summary decision time is up by 2.3 weeks. There are currently just under 21,000 appeals being processed and it is not possible to state the number of these which will be approved.

### **Domiciliary Care Allowance Application Numbers**

408. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of applications for domiciliary care allowance received in each of the past three years to date; the number approved; the number rejected; the number of cases granted on appeal; and if she will make a statement on the matter. [50136/12]

**Minister for Social Protection (Deputy Joan Burton):** The number of applicants for DCA that were received, awarded and refused in each year from April 2009 to August 2012 is set out in table 1.

Table 1 - Domiciliary Care Allowance applications – April 2009 to August 2012

	Applications received	Applications fully processed in year	Applications allowed incl. on review*	Applications disallowed
2009 (from 1st April)	3,389	2,823	1,220	1,603
2010	5,457	5,333	2,576	2,757
2011	5,525	5,396	2,502	2,894
2012 (to 31st August)	3,022	3,421	1,511	1,910
Total	17,393	16,973	7,809	9,164

(\*Includes cases initially disallowed but allowed on review following receipt of additional information ).

The overall number of appeals received, awarded and refused in each year from April 2009 to August 2012 is set out in table 2 below.

Table 2 - Domiciliary Care Allowance Appeals - April 2009 to August 2012\*

Year	Appeals registered	Appeals revised/ withdrawn / cancelled	Appeals allowed	Appeals disallowed	Appeals partially allowed
2009	836	50	6	5	0
2010	1827	609	221	417	14
2011	2322	476	798	1109	37
2012	1455	418	577	587	19
Total	6440	1553	1602	2118	70

(\*Information supplied by Social Welfare Appeals Office)

### Child Benefit Applications

409. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of families in receipt of child benefit; the extent to which this number has fluctuated over the past three years; and if she will make a statement on the matter. [50137/12]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is in the tabular statement. The number of families on child benefit has been broadly stable over the period.

#### Tabular statement

Year	Number of Families	Percentage Fluctuation Year on Year
2009	602,932	
2010	591,432	-1.9%
2011	597,333	1%
31 October 2012	608,979	1.95%

### Pension Provisions

410. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of recipients of non-contributory old age pension; the degree, if any, to which this number has fluctuated in the past five years; and if she will make a statement on the matter. [50138/12]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is in the tabular statement. The number of recipients of State Pension (Non-contributory) has been relatively stable over the period in question.

#### Tabular statement

Year	Number of Recipients	Percentage Fluctuation Year on Year
2007	97,726	
2008	97,784	0.06%
2009	97,798	0.02%
2010	97,179	-0.63%
2011	96,749	-0.44%
31 October 2012	96,339	-0.42%

### Carer's Allowance Applications

411. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the length of time currently taken to process carer's allowance applications on average; the extent to which the situation has improved or otherwise over the past three years to date; and if she will make a statement on the matter. [50139/12]

**Minister for Social Protection (Deputy Joan Burton):** The average time taken to process carer's allowance applications at present is 25 weeks. It should be noted that this is an average time, with some applications being processed much quicker and some applications taking longer. The corresponding average time taken to award applications in 2011 is not available as applications were being processed on two separate systems while the modernisation process was underway. The average times taken to process applications in 2008, 2009 and 2010 were 15 weeks, 9 weeks and 8 weeks respectively.

I acknowledge that the time taken to process carer's allowance claims at present is not satisfactory but I am satisfied that the Department is taking appropriate action to resolve the situation.

Carer's allowance section has recently completed a major service delivery modernisation project to improve the efficiency with which it processes applications from clients for carer's allowance. The project involved the development of IT functionality and associated business process re-organisation. Full deployment of the new system for Carer's Allowance was completed in June 2012.

Following the completion of the modernisation project, an in-depth business process improvement (BPI) project was completed for the carer's allowance scheme. This project focused on optimising output and customer service and the reduction of backlogs. The outcome of the review is the division of work into two streams. One concentrates on dealing with new claim intake and processes these without delay and the other on the backlog which is ring-fenced with a clear and targeted plan for its elimination. Implementation of the plan commenced on Monday

3 September and will be closely monitored and managed to ensure it achieves its objectives. A noted increase in the number of new claims processed was achieved in September and October, where claims processed substantially exceeded claim intake, and this increase continues into November. However, it will take a number of months before the backlog is reduced to an acceptable level. The allocation of available resources to this task continues to be monitored in order that the backlog is eliminated in the shortest possible timeframe.

### Disability Allowance Applications

412. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of occasions on which applications for disability allowance and or invalidity pension have been refused and the refusal upheld on appeal have subsequently been awarded on for of new applications; and if she will make a statement on the matter. [50140/12]

**Minister for Social Protection (Deputy Joan Burton):** A total of 3,047 disability allowance and invalidity pension appeals were disallowed in 2011. A system enquiry reports that an estimated 120 of those customers are currently in receipt of disability allowance or invalidity pension having subsequently qualified for the payment.

### Social Welfare Overpayments

413. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of instances wherein an overpayment has been discovered in respect of particular social welfare payments in each of the past three years to date; the number of cases in respect of which any underpayment has been discovered in the same period; the action taken in respect of both categories; and if she will make a statement on the matter. [50141/12]

**Minister for Social Protection (Deputy Joan Burton):** Overpayments are generally defined as “money obtained contrary to or in excess of a valid decision”. An overpayment is any social welfare assistance or benefit payment which the person who received the amount was not entitled to receive. An overpayment is assessed for the period that a person was not entitled to a payment and the recovery of the overpayment is followed up by the relevant section of the Department. The number of cases of overpayment of social welfare payments in each of the past three years is outlined as follows:

Year	Number of cases of overpayment
2009	42,500
2010	52,600
2011	63,330

The Department is not in a position to publicly report overpayments recorded to date in 2012 as these figures form part of the statutory accounts of the Department and are subject to audit by the Office of the Comptroller and Auditor General. My Department does not maintain statistics on the level of underpayments.

As Minister, I am very conscious of the need to protect public money. An important aspect of my Department’s control policy is to ensure that there is an effective debt recovery regime. Every effort is made to prevent overpayments, but if they occur, they are regarded as a debt to the Exchequer and every effort is made to recover the amount involved.

### Carer's Allowance Application Numbers

414. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications for carer's allowance received in each of the past four years to date; the numbers granted, refused and granted and refused on appeal; and if she will make a statement on the matter. [50142/12]

**Minister for Social Protection (Deputy Joan Burton):** Number of Carer's Allowance Applications Decided/Awarded/Refused for the past 4 years.

Year	Number Cleared	Number Awarded	Number Disallowed
2009	17,957	10,730	5,776
2010	16,629	8,769	6,972
2011	13,886	7,467	5,227
2012 (Jan-Oct)	11,638	6098	5146

Year	Number of applications awarded by appeals office	Number of application disallowed by appeals office
2009	503	785
2010	708	1166
2011	549	882
2012 (Jan-date)	162	177

### Mortgage Interest Relief Application

415. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of households currently in receipt of mortgage interest relief; the number of applications received in each year in the past three years to date; the number approved, refused, granted on appeal or pending in respect of the same period; and if she will make a statement on the matter. [50143/12]

**Minister for Social Protection (Deputy Joan Burton):** Mortgage interest supplement (MIS) provides short-term income support to eligible people who are unable to meet their mortgage interest repayments in respect of a house which is their sole place of residence. There are approximately 16,000 mortgage interest supplement recipients for which the Government has provided €51 million for in 2012.

Statistics are not available on the number of mortgage interest supplement claims received for the past 3 years and to date in 2012 or the outcome of those applications. However, I have set out below a tabular statement showing the number of mortgage interest supplement claims awarded in each of the past 3 years and to date in 2012.

I am advised by the Social Welfare Appeals Office that there are 2,226 supplementary allowance appeals pending at this time. Statistics in respect of mortgage interest supplement, as distinct from overall supplementary allowance appeals in general, are not maintained until the issue under appeal is decided by an Appeals Officer. I have set out below a tabular statement showing outcomes of appeals made in the past 3 years and for the ten months ending October 2012 to the Social Welfare Appeals Office for Mortgage Interest Supplement.

TABULAR STATEMENT

**Details of claims awarded in 2009 to 2012**

Year	Mortgage Interest Supplement
2009	13,724
2010	11,321
2011	10,106
2012 (1)	4,838

(1) To 2 November 2012

Year	Allowed	Partially Allowed	Disallowed	Total
2009	26	15	112	153
2010	26	10	104	140
*2011	37	15	282	334
*2012 (to 31.10.2012)	148	18	636	802

\*Due to the integration of the Community Welfare Service Appeals into Social Welfare Appeals Office on 1 October 2011, Mortgage Interest Supplement Appeals are made directly to the Social Welfare Appeals Office from that date.

**Community Employment Schemes Places**

416. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of persons currently on community employment schemes; the numbers of applications received in each of the past three years to date; the extent to which the necessary resources remain available to ensure maximum availability; and if she will make a statement on the matter. [50144/12]

**Minister for Social Protection (Deputy Joan Burton):** There were a total of 22,276 participants and supervisors on Community Employment as on the 5th November 2012. My Department does not keep data from persons expressing an interest in taking up a Community Employment place, as in many cases interested parties make direct application to schemes in their locality in the first instance. Under Pathways to Work (2012) Community Employment is a valuable source of activation places for jobseekers and other vulnerable groups distant from the labour market and the Department is examining ways how this resource can be maximised in the current economic climate.

**Employment Support Services**

417. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of temporary, part-time or internship places created in the past two years from the various initiatives undertaken by Government; the extent to which such schemes can be augmented in the future; and if she will make a statement on the matter. [50146/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Under the current Programme for Government 2011-2016, the Department of Education and Skills is committed to providing an additional 30,000 training and education places across the education and training system, distributed in line with the recommendations of the Expert

Group on Future Skills Needs. With this commitment in mind, to-date my Department has created over 28,000 additional education and training places across a number of initiatives which are set out as follows:

FAS Specific Skills Training programme.

Higher Education Springboard programme.

Back to Education Initiative.

Post Leaving Certificate places.

Labour Market Education and Training Fund 2012.

Springboard 2012.

In addition, my Department and its agencies will continue to explore and develop relevant, targeted innovative training and education initiatives that will further support the commitment under the Programme for Government and will equip individuals with the necessary skills to avail of future job opportunities and will provide employers with the necessary skilled workforce it requires.

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

418. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which it has been found possible to expedite the process for the determination of entitlement to basic social welfare payments in respect of persons previously self-employed; and if she will make a statement on the matter. [50147/12]

**Minister for Social Protection (Deputy Joan Burton):** Self-employed workers may establish eligibility to assistance-based payments such as jobseeker's allowance and disability allowance. In the case of jobseeker's allowance they can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general, their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year and, in the current climate, account is taken of the downward trend in the economy. As in the case of a non-self-employed claimant for jobseeker's allowance or disability allowance, the means of husband/wife, civil partner or co-habitant will be taken into account in deciding on entitlement to a payment.

In order to qualify for the payment the Department must be satisfied as to the person's income or potential income. All facts and evidence are taken into consideration and every case is fully investigated and a decision taken on the individual circumstances of the case. The customer does not need to stop self-employment in order to qualify for payment. However if their self-employment has stopped, evidence of cessation may be requested. While claims are processed as quickly as possible, delays may occur where information or documentation is not furnished in a timely manner.

### **Public Sector Reform Implementation**

419. **Deputy Seán Kyne** asked the Minister for Social Protection if she will outline the opportunities that persons in lower grades of the public service have been afforded in contributing

to the reforms of the public service as sought in the public service agreement; and if she will make a statement on the matter. [50647/12]

**Minister for Social Protection (Deputy Joan Burton):** Full implementation of my Department's Action Plan under the Public Service Agreement involves major organisational change, including changes in structures, business processes, administrative, operating and governance systems, practices and procedures, supported by significant human resource and ICT changes. The specific changes include:

- The integration of the Community Welfare Service (CWS), FÁS Employment and Community Services and Social Welfare services within an expanded Department of Social Protection (DSP);

- The transfer of Redundancy and Insolvency Services (R&I) from the Department of Jobs Enterprise and Innovation and the transfer of the Rural Social Scheme and the Social Inclusion from the Department of Arts Heritage and the Gaeltacht;

- The development and piloting of new organisational structures and processes to deliver Intreo as part of the Pathways to Work initiative;

- The development and ongoing roll-out of the Public Services Card.

These changes involved the redeployment of c 2,000 staff and the integration of these staff into the organisation and grading structure of the Department.

All of these initiatives are being delivered with significant input from all of the Department's staff and the trade unions that represent them, mainly through meetings at local and national levels. One initiative in particular that may be of interest to the Deputy involved a series of half-day meetings at locations throughout the State to which all staff were invited to hear a presentation by senior management, followed by an open discussion of any issues that staff wished to raise, either in response to the presentation or on any other topic of interest to them.

### **Commemorative Events**

420. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the arrangements that have been made to commemorate the founding of Óglaigh na hÉireann by Éoin Mac Néill in 1913; and if he will make a statement on the matter. [49394/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** In the coming year, the Centenary commemorative programme will seek to present a comprehensive reflection of the key issues in Ireland in 2013. The national social and economic conditions will be addressed, alongside the continuing narrative of developments in the campaign for Home Rule.

The founding of Óglaigh na hÉireann on 25 November 1913 will be commemorated as an official initiative within the commemorative programme on the Centenary anniversary. The particular arrangements are currently under consideration with the Department of Defence and the Defence Forces. Special issue commemorative stamps are being prepared by An Post. These official arrangements are likely to be complemented by appropriate academic and other initiatives.

### **Cuanna agus Céanna**

421. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cé mhéad airgead a chaith a Roinn ar an mBlascaod Mór in 2011 agus in 2012 go dáta; céard air a caitheadh an t-airgead; agus an ndéanfaidh sé ráiteas ina thaobh. [49441/12]

423. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cé mhéid airgid a chaith a Roinn ar an mBlascaod in 2011 agus 2012 go dáta, cé air a caitheadh an t-airgead; agus an ndéanfaidh sé ráiteas ina thaobh. [49605/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley)** : Tógfaidh mé Ceisteanna Uimhir 421 agus 423 le chéile.

Rinne Comhairle Contae Chiarraí iarratas ar chúnamh ó mo Roinnse chun oibreacha cothabhála agus caomhnaithe a chur i gcrích ar an mBlascaod Mór i mí Lúnasa 2012. Is costas de €52,350 a bhí luaite leis an bhfánán agus le hoibreacha eile ar an oileán. Ceadáíodh deontas de €15,400 do Chomhairle Contae Chiarraí ar 28 Meán Fómhair 2012 i leith na n-oibreacha ar an bhfánán. Níl an t-airgead sin íoctha amach go fóill.

### Acht na dTeangacha Oifigiúla

422. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta an mbeidh reachtaíocht ag teastáil le deireadh a chur leis an gCoimisiún Logainmneacha ó tharla go bhfuil an Coimisiún luaite in Acht na dTeangacha Oifigiúla; agus an ndéanfaidh sé ráiteas ina thaobh. [49604/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley)** : Mar a d'fhógair mé go poiblí ar 31 Deireadh Fómhair 2012, tá cinneadh déanta ag an Rialtas faoin bPlean um Athchóiriú na Seirbhíse Poiblí go dtiocfaidh coiste saineolaithe a bheidh ag feidhmiú ar bhonn *pro bono* in áit an Choimisiúin Logainmneacha.

Chuaigh téarma oifige an Choimisiúin Logainmneacha deireanach in éag ar an 11 Deireadh Fómhair 2012. Tá oifigigh mo Roinne ag obair i láthair na huaire ar chritéir a fhorbairt don choiste saineolaithe nua agus táthar ag súil go mbeifear ag lorg léirithe spéise sna seachtainí atá amach romhainn.

Ar ndóigh, teastóidh leasú ar Chuid 5 d'Acht na dTeangacha Oifigiúla 2003 chomh fada agus a bhaineann sé leis an chur chuige chun ordú logainmneacha a dhéanamh agus tá súil agam go mbeifear in ann céimeanna dá réir a ghlacadh go luath.

*Question No. 423 answered with Question No. 421.*

### Departmental Expenditure

424. **Deputy Billy Kelleher** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide in tabular form the amount currently being spent on, or budgeted for, by State agencies under his remit for spending on the areas of communications, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49646/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan)**: The Deputy will appreciate that the matter of budgeted and actual expenditure by the bodies funded from my Department's Vote group in the areas referred to in the Deputy's question are part of the day-to-day operational responsibilities of the bodies in question.

Details of the expenditure allocations made available to the bodies in question are published each year in the annual Revised Estimates Volume (REV) and the Appropriation Account. The REV also includes Agency Statements, which provide details in relation to expenditure on administration and pay in the previous year. These publications are available on the website of the Department of Public Expenditure and Reform at [www.per.gov.ie](http://www.per.gov.ie) and on the website of the Office of the Comptroller and Auditor General at [www.audgen.gov.ie](http://www.audgen.gov.ie). For ease of reference, Departmental allocations at subhead level are available at the following link <http://per.gov.ie/estpubexp2012>.

### National Lottery Funding Applications

425. **Deputy Regina Doherty** asked the Minister for Arts, Heritage and the Gaeltacht when announcements will be made in relation to his Department's National Lottery funding payments for 2012; and if he will make a statement on the matter. [49864/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy may be aware, an overall allocation is provided from the National Lottery each year for expenditure through the Votes of various Departments. Details of this allocation are published in Appendix 1 of the annual Revised Estimates Volume and I understand that a total provision of €220m is being made available in 2012.

Three subheads in my Department's Vote are partially funded from this National Lottery allocation. The 2012 allocations for these subheads (which include both Lottery and Exchequer funding) are set out in the table.

Subhead	2012 Allocation €000
A.9 Grant for the Arts Council	63,241
B.3 Grant for the Heritage Council	4,811
C.4 Irish Language Support Schemes	4,625

### Departmental Funding

426. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht his views on cuts to funding to the Arts Council in 2012; if he will protect Arts Council funding in Budget 2013; and if he will make a statement on the matter. [50110/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Government policy in the area of support for the arts and artists is set out in the *Programme for Government*. As Minister responsible for the arts and culture sectors, I am committed to securing the best possible funding provisions for these sectors for the period of my term of office.

Government policy is to promote and strengthen the arts in all its forms, increase access to and participation in the arts, make the arts an integral and valued part of our national life, and maximise the potential for cultural tourism. Primary responsibility for the promotion of the arts at all levels throughout the country is devolved to the Arts Council, which, under the Arts Act, is independent in its funding decisions. In 2012, the Arts Council has received an allocation of over €63 million.

I am fully aware of the difficulties facing all of those involved in these areas and the tremendous work they have done in maximising the available resources. I am committed, over the term of office of this Government, to supporting the essential elements of the arts and culture

sectors within the limited financial resources available and in the light of the evolving Budgetary and Estimates situations.

### **Turbary Rights**

427. **Deputy Paul J. Connaughton** asked the Minister for Arts, Heritage and the Gaeltacht if a person (details supplied) in County Galway will receive compensation for the sale of turbary rights at Derrinlough Bog, County Galway; and if he will make a statement on the matter. [50124/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The land referred to by the Deputy is located in a natural heritage area designated in 2002.

In 2010, the then Government decided that turf-cutting should come to an end on raised bog natural heritage areas at the end of 2013. However, in accordance with the *Programme for Government*, the situation regarding the 75 raised bog natural heritage areas will be reviewed, in conjunction with the Peatlands Council, and the outcome of the review will be available in advance of the cutting season in 2014.

In April 2011, the present Government made a decision to put in place a compensation scheme for those who have been required to cease cutting on the 53 raised bog special areas of conservation and my Department is giving priority to implementing this scheme. In the circumstances, and in light of the decision to review the approach to natural heritage areas more generally, as referred to above, the issue of any further purchase of land or rights in natural heritage area bogs, including the land referred to in the Deputy's Question, is being kept under review.

### **Pension Provisions**

428. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50651/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As I have previously advised the House, there are no commercial semi-State companies under the remit of my Department. I am advised that none of the State bodies/agencies funded from my Department's Vote Group operate pensions schemes of the kind referred to by the Deputy.

### **Fisheries Protection**

429. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources the number of salmon that came through the fish counter on the River Feale between September and October of this year; and if he will make a statement on the matter. [50157/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The total number of salmon passing the counter (upward) in the months September and October 2102 was 1,142. I have set out as follows for the Deputy's information figures for the counter available to date in 2012 and also for the four years to 2011. Recommendations as regards the conservation limit for any individual river are based on an assessment of the last five years in order to protect the genetically unique stock in the River. The Independent Standing Scientific

Committee for Salmon has recommended that the River Feale remains open for fishing for 2013. This recommendation is reflected in the draft Wild Salmon and Sea Trout Tagging Regulations, which are currently the subject of public consultation.

River Feale Fish Counter data 2012

Month	Up Count	Down Count	Net Count (Up-Down)
January	26	0	26*
February	59	3	59*
March	198	26	198*
April	235	100	235*
May	367	2	367*
June	171	0	171
July	1059	15	1044
August	504	2	502
September	717	2	715
October	425	2	423
November	No data available yet	No data available yet	No data available yet
December	No data available yet	No data available yet	No data available yet
Total	3761	152	3740

\*No subtraction of down count as these salmon are considered kelts (Jan-May).

R. Feale Counter	2008	2009	2010	2011	Average
Verified Counter	4,588	3,339	4,462	2,928	3,829

**State Agencies**

430. **Deputy Billy Kelleher** asked the Minister for Communications, Energy and Natural Resources if he will provide in tabular form the amount currently being spent on, or budgeted for, by State agencies under his remit for spending on the areas of communications, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49648/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I would like to advise the Deputy that expenditure by State Agencies on communication, public relations, consultancy, advertising and human resources is an operational matter for the bodies in question.

**Environmental Schemes**

431. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 146 of the 3 October 2012, the progress he has made on the restoration and re-instatement of Reendonegan Lake, Bantry, County Cork; the timetable for completion of the work; and if he will make a statement on the matter. [49663/12]

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

I draw the Deputy's attention to my response to his question in the House on 3 October 2012, which he references. I informed the House that Inland Fisheries Ireland (IFI) had advised that options in respect of Reendonegan Lake are being reviewed. This will involve discussions with the National Parks and Wildlife Service (NPWS), amongst others, as the lake was previously an inlet of the sea.

In addition, following this consultation, any works proposed on the foreshore solution will require a licence from the appropriate Department.

In assessing the appropriate long term solution for Reendonegan, there is an imperative to ensure that it is appropriately engineered and takes into consideration issues such as access for works, access for landowners in the long term, use of the lake, costs involved and sources of funding. These processes and the consultation and licensing I have referred to cannot be prudently completed in a hasty manner and without very careful consideration. I do, however, appreciate the importance of the issue to the Deputy and I would be happy to have Inland Fisheries Ireland keep him up to date as the process develops.

### **State Bodies Expenditure**

432. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources his views on correspondence regarding Bord na Móna (details supplied); and if he will make a statement on the matter. [49688/12]

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

The matter referred to by the Deputy in respect of Caragh & District Turbary Association is a day to day operational matter for Bord na Móna and not one in which I have a statutory function. However, I have asked the Board to communicate directly to the Deputy on this matter.

### **Alternative Energy Projects**

433. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources the level of communications he has held with his British counterpart regarding the memorandum of understanding on the exporting of wind energy to the UK; if he will confirm if he has met the two commercial companies seeking to erect these wind turbines; and, if so, how often and the outcome of such discussions. [49754/12]

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

The 2009 Renewable Energy Directive (Directive 2009/28/EC) provides mechanisms whereby renewable electricity can be traded between countries so that renewable power produced in one country may be counted towards the legally binding renewable target in another. This can be done through a number of mechanisms including statistical transfer and joint projects.

I have met on several occasions over the past twelve months with the then UK Energy Minister Hendry and with Secretary of State for Energy and Climate Change Ed Davey. The meetings covered a number of issues including the prospect for renewable electricity trading between the jurisdictions in the context of the framework provided by the Renewable Energy Directive.

Exploring renewable trade was already agreed at a high level at the 2011 June British Irish Council summit and had been progressed in the interim at the British Irish Council working

group level.

In June this year at a meeting in London with Minister Hendry, both sides agreed to work towards concluding a Memorandum of Understanding around the end of the year which will be an important step in relation to the proposition of cross border renewable trade between the two jurisdictions. This was further progressed at my most recent meeting with Secretary of State Ed Davey on 20 September following the official launch of the East West Interconnector.

Increased interconnection between the two islands offers Irish developers the prospect of being able to access a much larger electricity market. The electricity market in GB is around ten times the scale of the electricity market in Ireland. In the short term there are opportunities for on and offshore wind and biomass projects, but in the medium to longer term as technologies mature and become commercially deployable, there will also be opportunities for wave and tidal developers.

There are currently a number of potential project developers that have expressed interest in renewable export. Several of these developers have met with me to indicate their interest in developing the business of renewable electricity exporters. These developers have also underlined to me the need to progress the bilateral discussions with the UK.

In developing the Memorandum of Understanding, officials from both sides are examining a range of issues around the electricity market, regulatory and technical grid areas to underpin the creation of cross jurisdictional renewable electricity trade. We are working to develop the terms of such an agreement in a way which ensures a mutually beneficial arrangement with the UK and to ensure tangible economic benefits for Ireland.

### **Hydraulic Fracturing Policy**

434. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources if he has developed the terms of reference and the parameters for further research to be commissioned by the Environmental Protection Agency later this year on the issue of hydraulic fracturing here; if the terms of reference for this more extensive research is to be drawn up by a steering group; the organisations that will be represented on this group other than the EPA and his Department; the time frame for the publication of this report, and the further explorative activity that the companies licensed by his Department can undertake between now and the publication of this report. [50086/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The terms of reference for the second and more detailed Environmental Protection Agency (EPA) research are currently being drawn up by a steering group, which includes representatives from the EPA, Department of Environment, Community and Local Government, Department of Environment, Northern Ireland, Northern Ireland Environment Agency, Commission for Energy Regulation, An Bord Pleanála and my Department including the Office of the Geological Survey of Ireland. The objectives of this further research are to:

- establish if shale gas exploration and extraction involving the use of the fracking technique can be carried out in a manner that will not cause significant environmental pollution.

- identify all possible environmental risks associated with the fracking technique and to ascertain if these risks are manageable and,

- identify best practice with respect to environmental protection for the use of the hydraulic fracturing technique for the exploration and extraction of shale gas.

It is anticipated that following the engagement of the relevant experts, the study will take in excess of twelve months to complete, leading to a potential publication date in 2014.

In February 2011, onshore petroleum licensing options were awarded to Tamboran Resources PTY Ltd (over parts of counties Cavan, Leitrim and Sligo); Lough Allen Natural Gas Company Ltd (over parts of counties Cavan, Leitrim, Roscommon and Sligo) and Enegi Oil plc (over parts of County Clare). All three were granted for a two-year period commencing on 1st March 2011 and ending on 28th February 2013. These Licensing Options are preliminary authorisations and the agreed work programmes allow the companies assess the petroleum potential of the acreage largely based on studies of existing data. The only works authorised by my Department are the work programmes relating to these three Licensing Options.

For information, Licensing Options are not exploration authorisations and no applications have been made to date proposing the use of hydraulic fracturing in exploration drilling. As I previously stated the use of hydraulic fracturing in exploration drilling will not be authorised until there has been time to consider the second stage of the EPA research.

### **Public Sector Reform Review**

435. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if he will outline the opportunities that persons in lower grades of the public service have been afforded in contributing to the reforms of the public service as sought in the public service agreement; and if he will make a statement on the matter. [50639/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department is fully committed to the consultation principles of the Public Service Agreement and encourages staff at all levels to be involved in the delivery of the Department's Action Plan under the Agreement.

The Department also established a number of working groups to oversee implementation of certain elements of the Department's Action Plan which included staff from all grades and locations. Examples include; working groups on the introduction of an Attendance Management Policy, setting up a Skills Register and the assessment of options for greater integration between the Department's offices in Dublin and Cavan.

This consultation process assisted in the successful rollout of the Attendance Management Policy, the completion of the Skills Register and the reallocation of functions between the Dublin and Cavan offices.

In addition, the reform agenda features regularly at meetings of Departmental Council and the Partnership Committee.

Input and cooperation from staff of all grades with the reform agenda is key to its success and my Department will continue to involve all staff in this process.

### **Tenant Purchase Scheme Applications**

436. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if there is currently any scope for local authorities to extend the deadline for the tenant purchase scheme in exceptional circumstances, such as those experienced by a person (details supplied) in County Donegal [50433/12]

464. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if there is currently any scope for local authorities to extend the deadline for the tenant purchase scheme in exceptional circumstances, such as those experienced by a person (details supplied) in County Donegal; and if he will make a statement on the matter. [49997/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 436 and 464 together.

I have no plans to extend the deadline for the tenant purchase scheme. Under the current arrangements, applicants may submit an application up to 31 December 2012 to purchase their home and housing authorities will have until 31 December 2013 to finalise sales under the scheme. It is my intention to replace the tenant purchase scheme with a new scheme based on the incremental purchase model for tenants of existing local authority housing. Legislation is required to underpin the new model which it is intended to introduce as soon as possible.

### **Constituency Nomenclature**

437. **Deputy Olivia Mitchell** asked the Minister for the Environment, Community and Local Government if he will consider retaining the long-standing constituency name Dublin South as it has a resonance for its citizens which is completely lacking in the replacement name Dublin-Rathdown; and if he will make a statement on the matter. [49408/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Electoral (Amendment) (Dáil Constituencies) Bill 2012, published on 5 October 2012, proposes to give statutory effect to the recommendations in the Constituency Commission Report 2012. The Bill provides for a reduction to 158 in the total number of members of Dáil Éireann, for the revision of Dáil constituencies and for the number of members to be elected for such constituencies.

In publishing this Bill the Government has accepted in full the recommendations in the Constituency Commission report. This is consistent with established practice since the first independent constituency commission reported in 1980. The determination of Dáil constituencies is a matter for the Oireachtas to prescribe in legislation. I look forward to debating the Bill in the Oireachtas.

### **Tax Code**

438. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the reason some guest houses and bed and breakfasts are exempt from commercial rates; and if he will make a statement on the matter. [49426/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001.

That Act provides at section 3 that property used to provide lodgings is generally considered domestic property and therefore not subject to commercial rates. However, the Act further provides that accommodation provided in premises registered under the Tourist Traffic Acts 1939 to 1998 does not constitute “lodgings”. Registered properties are therefore liable for commercial rates.

The Valuation Act 2001 comes under the aegis of the Minister for Public Expenditure and Reform.

### **Household Charge Collection**

439. **Deputy Seán Ó Feargháil** asked the Minister for the Environment, Community and Local Government if he will consider the relevant points made in correspondence (details supplied) regarding the household charge; and if he will make a statement on the matter. [49540/12]

**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 is liable to pay the Household Charge, unless otherwise exempted or entitled to claim a waiver. It is a matter for an owner of a residential property to determine liability. Liability for the Charge is not contingent on receipt of any form of invoice detailing the services provided to, or received by, a liable person.

The Local Government Management Agency is administering the Household Charge system on a shared service/agency basis for all county and city councils. There was no existing comprehensive database of residential properties and their owners within the State prior to the Household Charge being introduced. The collection of the Household Charge via self-assessment declaration provides for the collation of such information in relation to residential property and will be an essential component for implementing a full local property tax. Local authorities are continuing to identify undeclared properties through appropriate data sharing provisions, and significant efforts have been expended in matching self-declared information with other datasets and in refining the resulting data.

The Agency and local authorities will continue their work in maximising compliance with a charge which funds essential local services for communities. Non-compliance by liable owners means reduced resources for local authorities to use to support communities and places a greater burden on those owners who do pay the Charge.

It is an offence to fail to declare a liability and also to fail to pay the Charge.

### **Local Authority Members' Remuneration**

440. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form the annual representational payment under the 2001 Local Government Act paid to town councillors in 2011 broken down by town council. [49549/12]

441. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form the total expenses paid out to town councillors in 2011 broken down by town council. [49550/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 440 and 441 together.

It is a matter for each local authority to pay the annual representational payments and my Department does not have details of payments by town councils on the basis of rates of payments approved by me.

The rates of representational payments for town councillors are as follows: €8,362 for borough councils, and the town councils of Athlone, Bray, Dundalk, Ennis and Tralee; €4,181 for other rating town councils together with the non-rating town councils of Balbriggan, Droichead Nua, Greystones, Leixlip, Mullingar, Portlaoise and Shannon; and €2,282 for all other non-rating town councils.

An Annual Expenses Allowance designed to defray, in a structured way, reasonable expenses incurred in attending meetings associated with council business is also payable at the following rates: €3,054 for borough councils, and the town councils of Athlone, Bray, Dundalk, Ennis and Tralee; €2,036 for other rating town councils together with the non-rating town councils of Balbriggan, Droichead Nua, Greystones, Leixlip, Mullingar, Portlaoise and Shannon; and €1,018 for all other non-rating town councils.

The Deputy may wish to consult the public registers, provided for in section 142(4)(g) of the Local Government Act 2001, maintained by the relevant local authorities by virtue of article 8 of the Local Government (Representational Payment for Members) Regulations 2001 in order to determine the amounts paid by individual town councils.

The Action Programme for Effective Local Government – *Putting People First*, provides for a review of the structures for and levels of all payments to councillors, to reduce overall costs and levels of payments to individuals, while having regard to the reformed sub-county structure and regional governance, and the need to ensure sufficient incentive for high-quality representation of the community.

### **Local Authority Housing Issues**

442. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the estimated number of local authority houses currently rented; his plans to exempt this category from the proposed property tax; and if he will make a statement on the matter. [49571/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The number of local authority houses let as of 31 December 2011 was 125,958, which is the most recent data available. Further comprehensive statistical information on housing is available on my Department's website at *www.environ.ie*.

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 submitted its report to me and it would not be appropriate to comment at this point, pending Government's consideration of the report and the associated issues. It will then be a matter for Government to decide on the exact details of implementation, including considerations related to exemptions and waivers, taking into account the modalities involved.

The Government has decided that the Local Property Tax will be collected and administered by the Revenue Commissioners.

### **Building Regulations Compliance**

443. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the consideration he has given to the views and concerns of the Chartered Institute of Architectural Technologists in relation to the Building Control (Amendment) Regu-

lations 2012; and if he will make a statement on the matter. [49599/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Following a recent public consultation process I am currently finalising the Building Control (Amendment) Regulations 2012. The new regulations will provide, among other things, for the introduction of mandatory certificates of compliance by builders and designers of buildings confirming that the statutory requirements of the Building Regulations have been met in relation to the building concerned. In addition a building owner will be required to assign a registered professional to inspect the work during construction and also to certify that the completed building is in compliance with the requirements of the Building Regulations.

The roles of lead designer and assigned certifier may only be undertaken by competent persons who are included on the registers of Architects or Building Surveyors as provided for under the Building Control Act 2007 or who are Chartered Engineers. Depending on their own personal circumstances, it may be open to members of the Chartered Institute of Architectural Technologists (CIAT) to seek inclusion on one or other of the registers of Architects or Building Surveyors.

In keeping with the standard procedures in relation to these matters, I have asked my Department to continue to engage closely with key stakeholders to ensure that the new regulations when finalised are clearly understood and can work well for all concerned. My Department has had discussions with the executive of CIAT in this regard in recent months and is willing to meet further with the Institute if required.

### **Local Authority Funding**

444. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government when a reply will issue in respect of a person (details supplied); and if he will make a statement on the matter. [49603/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I understand that the person referred to in the question has raised the issue of whether it is fair to withhold General Purpose Grant funding to local authorities on the basis of poor Household Charge compliance rates.

The two principal sources of revenue for the Local Government Fund are the proceeds of motor tax and the income from the Household Charge. The Local Government (Household Charge) Act 2011 provides that income from the Household Charge is to be paid into the Local Government Fund. The proceeds from the Household Charge are being re-distributed on an equalised basis to local authorities within the context of the annual allocations of General Purpose Grants.

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

It is estimated that there are some 1.6 million residential properties potentially liable for the Household Charge. As such, if collected in full, the Household Charge has the potential to raise €160 million annually. As of 9 November 2012 some €109m had been collected nationally. A total of €15,695,292 was withheld from the Quarter 3 General Purpose Grant payment. For county and city councils, this represented a reduction of between 1% and 3% of the total

General Purpose Grant allocation for 2012.

I am keeping the income generated from the Household Charge under constant review and those local authorities that achieve a collection rate of 65% or above will suffer no further reduction in their General Purpose Grant allocation for 2012. However, it is up to individual local authorities to address any potential funding shortfalls arising from non-compliance with the legislation and to pursue those who may have a liability and initiate court proceedings, where it is considered appropriate. Non-compliance by liable owners does, however, result in reduced resources for local authorities to support communities and this places a greater burden on those owners who do pay the Charge.

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

### **Household Charge Collection**

445. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government the position regarding the properties registered for the household charge to date; the number that have been registered by persons who registered two or more properties and the number of persons that have registered two or more properties for the household charge. [49617/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government Management Agency is administering the Household Charge system on a shared service/agency basis for all county and city councils. I understand, from data provided by the Agency, that as of 9 November 2012 the number of registrations, including waiver registrations, for the Household Charge is 1,094,751.

As the Household Charge system records one owner entry per property, which may in some cases be joint names, definitive information is not available concerning the number of properties which have been registered to multiple accounts.

I understand, again from data provided by the Agency, that as of 9 November 2012 the number of accounts to which more than one unit has been registered for the Household Charge is 781. However, as the system is based on a self-declaration format it permits a person to set up several accounts, each in respect of separate properties or sets of properties, and therefore such figures should be treated with appropriate caution.

### **Departmental Expenditure**

446. **Deputy Billy Kelleher** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49651/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Information on the projected expenditure for Exchequer funded agencies under the aegis of my Department is published in the Revised Estimates for Public Services 2012. The summary table of Exchequer expenditure of non-commercial State agencies shows the provisional

outturn for 2011 and the estimated expenditure for 2012.

A detailed breakdown of expenditure by each Agency is contained in their respective annual reports, the latest versions of which are available in the library of the Houses of the Oireachtas.

### Motor Tax Yield

447. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, the number of motorists paying road tax to each local authority in 2011 and to date in 2012. [49664/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The table sets out, by licensing authority, the number of vehicles under current vehicle licence at 31 December 2011 and 31 October 2012. Figures for the online motor tax system, which issues vehicle licences on a nationwide basis and which now accounts for just under half of all vehicle licences issued, are set out separately at the end of the table.

Licensing Authority	No of vehicles under current licence at 31st December 2011	No of vehicles under current licence at 31st October 2012
County Councils		
Carlow	23,309	21,691
Cavan	24,615	22,673
Clare	43,242	38,820
Cork	152,727	139,313
Donegal	62,860	58,843
Galway	78,440	73,409
Kerry	47,157	43,300
Kildare	45,518	42,162
Kilkenny	32,673	30,696
Laois	26,232	24,547
Leitrim	12,207	11,328
Limerick	47,095	44,774
Longford	14,967	13,984
Louth	34,993	32,822
Mayo	48,839	45,242
Meath	44,362	40,711
Monaghan	24,073	22,327
Offaly	25,859	24,480
Roscommon	26,244	24,744
Sligo	25,292	23,370
North Tipperary	25,153	22,345
South Tipperary	35,563	32,169
Waterford	22,362	20,356
Westmeath	31,868	30,498
Wexford	50,051	46,625
Wicklow	37,286	33,287

Licensing Authority	No of vehicles under current licence at 31st December 2011	No of vehicles under current licence at 31st October 2012
City Councils		
Dublin*	241,030	219,537
Limerick	16,036	14,453
Waterford	14,020	13,413
Motor Tax Online	1,111,083	1,187,757
TOTAL	2,425,156	2,399,676

\*On behalf of the four Dublin Authorities

### Regional Aid

448. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Comhshaoil, Pobail agus Rialtais Áitiúil cén uair a íocfar deontas Leader le grúpa (sonraí tugtha) atá ag fanacht le híocaíocht le bliain, údar na moille leis an deontas seo a íoc; agus an ndéanfaidh sé ráiteas ina thaobh. [49689/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Rinneadh Meitheal Forbartha na Gaeltachta (MFG), an grúpa a bhí fostaithe ag mo Roinnse le hAiseanna 3 & 4 (LEADER) den Chlár um Fhorbairt Tuaithe (RDP) i gceantair Ghaeltachta, a leachtú an 7 Meán Fómhair 2011. Tá dul chun cinn á dhéanamh ar bhonn leanúnach maidir leis an bpróiseas lena fhoirceannadh ó thaobh an dlí.

Tá Grúpaí Gnímh Áitiúla i gceantair chónagaracha tíreolaíochta fostaithe le córas eatramhach a chur i bhfeidhm chun íocaíocht deontas le tionscadail a bhí ag céim tosaigh forbartha a éascú. Tá go leor de na comhaid tionscadail seo anois seolta chuig na Grúpaí Gnímh Áitiúla iomchuí atá ag déanamh teagmhála leis na tionscnóirí go díreach chun íocaíocht a éascú nuair is cuí. Tá athbhreithniú iomlán le déanamh ag na Grúpaí Gnímh Áitiúla ar chomhaid tionscadail mar chuid den phróiseas sin agus d'fhéadfadh go nglacfaidh sin roinnt ama.

Tá roinnt saincheisteanna tugtha ar aird ag Cuideachta Forbairt Áitiúil Dhún na nGall, an cuideachta atá anois ag feidhmiú na gcomhad a bhí ag MFG roimhe seo i nDún na nGall, maidir le cáipéisíocht i roinnt de na comhaid atá sannta don Ghrúpa, lena n-áirítear GAE000188, an comhad dá dtagraítear sa cheist. Tá mo Roinnse ag obair i gcomhar le Cuideachta Forbairt Áitiúil Dhún na nGall chun dul i ngleic leis na saincheisteanna a tugadh faoi deara chomh luath agus is féidir le súil is seachadadh éifeachtach ar mhaoiniú RDP a chinntiú nuair is iomchuí.

### Deontais Leader

449. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Comhshaoil, Pobail agus Rialtais Áitiúil cén uair a thosnófar ar dheontais Leader a cheadú sna ceantair éagsúla a bhí faoi Mheitheal Forbartha na Gaeltachta cheana, údar na moille, cén uair a íocfar deontais a bhí ceadaithe nuair a leachtaíodh MFG agus nach bhfuil íochta fós, cén t-údar atá leis an moill sin; agus an ndéanfaidh sé ráiteas ina thaobh. [49690/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Rinneadh Meitheal Forbartha na Gaeltachta (MFG), an grúpa a bhí fostaithe ag mo Roinnse le hAiseanna 3 & 4 (LEADER) den Chlár um Fhorbairt Tuaithe (RDP) i gceantair Ghael-

tachta, a leachtú an 7 Meán Fómhair 2011. Tá dul chun cinn á dhéanamh ar bhonn leanúnach maidir leis an bpróiseas lena fhoirceannadh ó thaobh an dlí.

Tá Grúpaí Gnímh Áitiúla i gceantair chónagaracha tíreolaíochta fostaithe le córas eatramhach a chur i bhfeidhm chun íocaíocht deontas le tionscadail a bhí ag céim tosaigh forbartha a éascú. Tá go leor de na comhaid tionscadail seo anois seolta chuig na Grúpaí Gnímh Áitiúla iomchuí atá ag déanamh teagmhála leis na tionscnóirí go díreach chun íocaíocht a éascú nuair is cuí. Tá athbhreithniú iomlán le déanamh ag na Grúpaí Gnímh Áitiúla ar chomhaid tionscadail mar chuid den phróiseas sin agus d'fhéadfadh go nglacfadh sin roinnt ama. Tuigimse, áfach, go bhfuil an próiseas seo go maith chun cinn lena chur ar chumas na nGrúpaí Gnímh Áitiúla éilimh incháilithe ó thionscnóirí tionscadail a phróiseáil le deontais a íoc leo.

I gcomhthéacs sheachadadh Aiseanna 3 & 4 (LEADER) den RDP i gceantair Ghaeltachta ar feadh an chuid eile de thréimhse an chlár, tá réiteach fadtéarmach socraithe i ndáil le ceantair Ghaeltachta Chontae na Gaillimhe, Dhún na nGall, Chiarraí, Chorcaí, Phort Láirge agus na Mí agus tá Grúpaí Áitiúla Gnímh ag obair cheana féin le pobail ar an talamh chun seachadadh cistí RDP a éascú.

Cé go bhfuil córas i bhfeidhm chun aghaidh a thabhairt ar thiomantais atá fós gan íoc i gCo. Mhaigh Eo agus i gceantair Ghaeltachta Iardheisceart Mhaigh Eo tá tuilleadh oibre fós de dhíth chun soláthar a éascú amach anseo sna ceantair eile i gCo. Mhaigh Eo; shamhlóinn go mbeadh réiteach ar sin go luath.

### **Local Government Reform**

450. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his views on correspondence regarding town councils (details supplied); if he will meet with the group to discuss their concerns; and if he will make a statement on the matter. [49693/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I can confirm that I have met with the organisation referred to in the Question in the context of my local government reform proposals. My Department also met with this group a short time after the publication of Putting People First, which provides for a more central role for local government in the oversight and planning of local and community development programming, in line with the recommendations made by the steering Group on alignment between local government and local development. However, Putting People First also recognises the importance of retaining the bottom-up approach, which characterises our local development model and focuses on targeting those most in need and facilitating meaningful community participation. I am satisfied that while the recommendations concerned will be challenging for all sectors, they will ultimately achieve the objective of improving the efficiency and effectiveness of services for citizens and communities.

### **Alternative Energy Projects**

451. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government if he has met with the two commercial companies seeking planning permission to erect wind turbines for the purposes of exporting energy to the British market; the number of occasions that he has met these companies; the purpose the meetings and the outcome of same. [49755/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I have not had any such meetings. However, my Department met with Element Power in February 2012 regarding consent required under the Fore-shore Act 1933 for work associated with a proposed project.

### **Non-Principal Private Residence Charge Collection**

452. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government his plans to help persons who have built up penalties in relation to the non payment of the non-principal private residence payments. [49756/12]

457. **Deputy Paschal Donohoe** asked the Minister for the Environment, Community and Local Government if he has considered a hardship application submitted by a person (details supplied) in Dublin 3 in respect of outstanding non principal private residence payments; and if he will make a statement on the matter. [49926/12]

458. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government the position regarding an exemption from the non principal private residence charge for a property (details supplied) in Dublin 9. [49927/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 452, 457 and 458 together.

The Local Government (Charges) Act 2009 broadened the revenue base of local authorities by introducing the Non Principal Private Residence Charge . The charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties . It is a matter for an owner to determine if he or she has a liability and, if so, to declare that liability and pay the charge.

Under the Act, it is a function of a local authority to collect the Non Principal Private Residence Charge 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. Guidelines have also been issued to local authorities in relation to the provisions of the Local Government (Charges) Act 2009, which address matters including the collection, care and management of the Charge, and the operation of exemptions. Local authorities are expected to implement these guidelines appropriately.

I urge all liable persons who have not paid the Charge to contact their local authority as a matter of urgency. Property owners who are unsure of their liability should also contact their local authority.

### **Election Management System**

453. **Deputy Dara Murphy** asked the Minister for the Environment, Community and Local Government if he is looking at alternative location to schools as polling stations, for example in the Mourne Abbey area in Cork, two local National Schools are used while the local community association has made the community hall available to the returning officer; and if he will make a statement on the matter. [49765/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The primary role of my Department in electoral matters is to provide an appropriate policy

and legislative framework for a modern and efficient electoral system. Within that framework, local returning officers are responsible for all matters in connection with the actual conduct of elections and referendums, including the provision of a sufficient number of polling stations, conveniently distributed for the accommodation of the electors entitled to vote there.

Electoral law provides that a returning officer may, for the purposes of taking a poll and counting the votes, use a school or any room in a school free of charge.

### **Household Charge Exemptions**

454. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if a person is breaking the law if they do not confirm payment of the household charge; and if he will make a statement on the matter. [49809/12]

465. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government the reason persons who are either exempt, deceased or who have actually paid the household tax are being sent letters reminding them to pay the tax; his plans to deal with this error; and if he will make a statement on the matter. [50000/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 454 and 465 together.

The Local Government Management Agency is administering the Household Charge system on a shared service/agency basis for all county and city councils. The Household Charge is on a self-assessment basis and it is a matter for an owner of a residential property on the liability date to determine if he or she has a liability and, if so, to declare that liability and pay the Charge. Having done so, I consider that a liable owner has discharged his or her primary responsibilities under the Act.

There was no existing comprehensive database of residential properties and their owners within the State prior to the Household Charge being introduced. The collection of the Household Charge via self-assessment declaration provides for the collation of such information in relation to residential property and will be an essential component for implementing the Local Property Tax. Local authorities are continuing to identify undeclared properties through appropriate data sharing provisions, and significant efforts have been expended in matching self-declared information with other datasets and in refining the resulting data.

I understand that the addresses and names used in the recent batch of letters which have been issued by Local Authorities reminding people to pay the Household Charge have been based on a data matching exercise with the Property Registration Authority.

I also understand that every effort has been made to try and ensure letters are sent to current property owners. However there are some instances where letters are being sent to previous owners of properties, due to the fact that the more recent property owners may not have registered their property with the Authority or the transfer of the property has not been completed. Thus in some cases the information contained within these datasets may not reflect the most recent and relevant details. As a consequence, the data matching exercise can give rise to situations in which people may receive a letter where they have already paid the Charge. Due to differences in the formats of addresses between datasets, it has also been the case that some owners who have paid the Charge are receiving reminder letters.

In other instances, letters have unfortunately been sent to deceased persons. I appreciate that receipt of such a letter may cause upset to relatives of a deceased person. However, in the

absence of a comprehensive database, such instances, while regrettable, are also unavoidable if the Agency and local authorities are to continue their work in maximising compliance with a charge which funds essential local services for communities.

I understand that the letters which issued in recent weeks invite recipients who are not liable, or who have previously paid the household charge, or in the event of inaccuracy or error, to contact the Household Charge Bureau to allow the Agency to update their records accordingly.

### Local Authority Staff Issues

455. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government if he will provide in a tabular form, a breakdown of the the total remuneration packages including pay, allowances such as travel and expenses, and contractual pension arrangements for each of the four Dublin local authorities city and county managers; and if he will provide the same remuneration details for all heads of Departments/senior managers of each of the local authorities. [49810/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The salaries of the managers in Dublin local authorities are set in the context of manager salaries more broadly. The salaries for county and city managers are set out in the following table.

Local Authority Manager	Salary
Dublin City Council	€ 189,301
Cork County Council Fingal County Council South Dublin County Council	€ 162,062
Cork City Council Dun Laoghaire-Rathdown County Council Kildare County Council Meath County Council Limerick City and County Council	€ 153,260
Clare County Council Donegal County Council Galway County Council Kerry County Council Kilkenny County Council Louth County Council Mayo County Council South Tipperary County Council Westmeath County Council Wexford County Council Wicklow County Council	€ 142,469
Galway City Council Waterford City Council Carlow County Council Cavan County Council Laois County Council Leitrim County Council Longford County Council Monaghan County Council Offaly County Council Roscommon County Council Sligo County Council North Tipperary County Council Waterford County Council	€ 132,511

The pay scale for Directors of Service begins at €90,453 and ends at €106,900.

County and city managers may submit claims in respect of travel and subsistence expenses incurred as part of their official duties in accordance with the relevant travel and subsistence circulars. All local authorities are obliged to ensure that only essential travel is undertaken and

that the number of employees going on any official journey is kept to an absolute minimum. Local authorities are also obliged to ensure that related expenditure is critically appraised and monitored.

A manager may claim up to 7.5% of their salary in substitution of motor mileage rates contained in the travel and subsistence circulars, where a local authority considers that those allowances do not adequately recompense the manager for the extent to which their car is used for official business.

A manager or assistant manager may claim an allowance in respect of individual or casual entertainment expenses incurred by them in relation to development functions and public relations associated therewith. The level of allowance corresponds to the number of Assistant Managers and is contained in the following table.

County or City Manager	Up to €2,095
Manager and one Assistant Manager	Up to €3,683
Manager and two or more Assistant Managers	Up to €5,270
Manager and three or more Assistant Managers	Up to €6,858

County and city managers with designated responsibility for a Regional Authority may claim an allowance of € 5,662 per annum in respect of these responsibilities.

Article 78 of the Local Government (Superannuation) (Consolidation) Scheme 1998 to 2012 deals with the pension entitlement of county and city managers.

### **Election Management System**

456. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on voting (details supplied) in County Kerry; and if he will make a statement on the matter. [49813/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** While electoral law is subject to ongoing review, I have no proposals at present to change the requirement whereby a person entitled to vote at an election or referendum may only do so in person at the polling station allotted to him or her in the constituency where he or she is registered.

Exceptions to this rule are provided in electoral law for postal and special voters, persons working at elections and persons who satisfy the returning officer that they are unable to vote at their polling station because of physical illness or disability.

*Questions Nos. 457 and 458 answered with Question No. 452.*

### **Local Authority Funding**

459. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if it has been brought to his attention that the Sligo County Manager placed an item on the agenda issued on the 30 October, for the November meeting of the Council

seeking approval to borrow a sum not exceeding €7.5 million by way of a loan for 20 years to replace the existing overdraft borrowings of €7.5 million and seeking approval to continue with a temporary overdraft of €4 million for the period up to 31 March 2013; if it has been brought to his attention that the County Manager received a letter on 2 November from an official in his Department (details supplied) stating that the Department is willing to provide approval for the conversion of the Council's existing €7.5 million overdraft to a term loan and further stating that the said loan would reduce the Council's banking costs and provide an opportunity for the Council to reduce its overall debt levels; if it has been brought to his attention that at the Council meeting on the 5 of November the County Manager changed his recommendation and sought approval from the Council to borrow a sum not exceeding €7.5 million by way of a long term loan with the existing €7.5 million overdraft staying in place; if it has been brought to his attention that by a majority of one the Council voted to accept the County Managers recommendation; if he will approve the proposed €7.5 million loan in view of the fact that the terms for the loan approval from his Department have been ignored and the existing overdraft is being maintained; and if he will make a statement on the matter. [49936/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I conveyed sanction to Sligo County Council on 8 November 2012, in accordance with Section 106 of the Local Government Act 2001, for the borrowing of €7.5 million by way of a term loan. The Council's overdraft borrowing limit was revised to €4 million in conjunction with this sanction.

### **Community Development Initiatives**

460. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government if he will guarantee that funding for the Westmeath Volunteer Centre will not be cut following the budget in December; if he will pledge his full support for projects such as these, as it is vital that persons who find themselves out of work have an outlet such as the Westmeath Volunteer Centre. [49942/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department funds a network of twenty two Volunteer Centres nationally.

In the context of the current economic climate, my primary concern has been, and will continue to be, the protection of front line services delivering vital programmes and initiatives, especially those focused on the needs of the most socially deprived communities.

Ongoing funding for my Department's programmes for 2013, and beyond, will be considered in the context of the annual Estimates process. Within the resources available, ensuring a continued positive impact across the Community and Voluntary sector will be a key part of my Department's work in the coming years.

### **Unfinished Housing Developments**

461. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government the action he is taking to help with the problems of persons living in an estate (details supplied) in County Clare that went into liquidation in 2010; and if he will make a statement on the matter. [49950/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** I am chairing the National Co-ordination Committee on

Unfinished Housing Developments to oversee implementation of the Report of the Advisory Group on Unfinished Housing Developments, together with the Government's response to the recommendations. The Committee includes representatives from the Irish Banking Federation, local authorities, the Housing and Sustainable Communities Agency, NAMA and the construction sector. Real progress is being made with regard to the public safety works required to improve the living conditions of existing residents on some unfinished estates and the Committee is meeting on a regular basis to oversee this effort.

My Department launched the Public Safety Initiative in March 2011, which provided funding to address immediate public safety issues. The types of works that have been approved to date under the PSI include the fencing off of unsecured and hazardous areas, capping of pipes, installation of street lighting and other works to secure sites. Under the PSI, my Department has made allocations totalling some €3.549 million to 21 local authorities from the funding made available. A provision of €2m has been made for 2012 by my Department and to date, a total of €1.897 million has been drawn down by local authorities.

The Public Safety Initiative provides funding only in instances where a developer has abandoned the development. As the developer in question in this instance has gone into liquidation, the responsibility for the maintenance and resolution of issues surrounding the development are matters for the liquidator and financial institutions involved, and my Department has no remit in this regard. However, my Department has been in contact with Clare County Council and I have been advised that proposals to finish off the development of Gleann Cora are at an advanced stage.

### **Building Regulations Compliance**

462. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the expected timeframe for developing a stand alone specification for hard core as outlined in recommendation 15 of the Pyrite Panel Report. [49969/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I have asked the National Standards Authority of Ireland (NSAI) to undertake work on a number of recommendations in the Pyrite Report including Recommendation 15.

Priority is being given to the development of protocols for testing and categorisation and for a remediation method statement. I understand that a stand-alone specification for hardcore will be developed in conjunction with a review of Recommendation 21 on which work has commenced. NSAI is aware of the urgency I attach to this work.

### **Building Regulations Compliance**

463. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the progress that has been made on his dealings with the stakeholders regarding a solution to the pyrite issue. [49970/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In mid-October when I announced that I had asked my Department to finalise arrangements and terms of reference for the establishment of a Resolution Board I also indicated that I was writing to the stakeholders to give them one final opportunity to engage constructively with me in putting in place a remediation programme and to contribute to its cost. I wrote to the Construction Industry Federation, the Irish Concrete Federation, HomeBond, the Irish Insur-

ance Federation and the Irish Banking Federation enclosing illustrative terms of reference for the proposed Resolution Board and set a deadline of 9 November for them to advise me of their responses. In addition, my Department has met with a number of the stakeholders over the past two weeks and further meetings are scheduled for this week. I have received written and oral responses to my letters of 31 October which I will consider in conjunction with the outcome of the discussions now taking place. It is my intention that final decisions in relation to the proposed Resolution Board and its funding will be made very shortly.

*Question No. 464 answered with Question No. 436.*

*Question No. 465 answered with Question No. 454.*

### **Special Areas of Conservation Designation**

466. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if funding is available for a landowner of a quarry which is in a special area of conservation to carry out an appropriate assessment. [50052/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Under the Planning and Development Act 2000, as amended, an appropriate assessment is required to be carried out by a planning authority or An Bord Pleanála, as the case may be, in an application for permission or substitute consent, in a case where it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site. In a case where the consent authority is required to carry out an appropriate assessment, the applicant for consent may be required to submit a Natura Impact Statement. This is a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than one European site, in view of the conservation objectives of the site or sites.

There are no funds available to assist in the provision of Natura Impact Statements: this cost is a matter for the applicant for consent.

### **Referendum Expenditure**

467. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the total cost to his Department of holding the Children’s Referendum including a breakdown of the costs; and if he will make a statement on the matter. [50055/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In accordance with the Referendum Acts the costs of running the Children’s Referendum are met by the Minister for Finance from the Central Fund on the request of the Minister for Public Expenditure and Reform and the costs of the Referendum Commission are met by the Department of Children and Youth Affairs. To date, costs totalling €88,390.06 have been spent by my Department in respect of (a) Newspaper advertising to advise the electorate of the closing dates for (i) applications for inclusion in the supplement to the electoral register and the supplement to the postal and special voters lists, and (ii) applying to their local returning officer, in the case of voters with physical illnesses or disabilities who have difficulty gaining access to their polling station, to have their vote transferred to a more accessible station in their constituency; the translation of a press release encouraging voters to check that they are on the register of electors, and the printing of the Referendum Commission (Establishment) (No.2)

Order, 2012.

### Local Authority Members' Remuneration

468. **Deputy Eamonn Maloney** asked the Minister for the Environment, Community and Local Government his planned approach and timescale to implement the recent ruling by the Standards in Public Offices Commission that the regulations for expenses for training and conferences do not provide for claims for expenses by councillors in respect of third-level degree courses in the interim period prior to the introduction of the Putting People First reform programme in 2014. [50069/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I am advised that Part IV of the Local Government (Expenses of Local Authority Members) Regulations 2006 (S.I. No. 668 of 2006), together with a direction under article 16 of S.I. No 668 of 2006 issued in conjunction with Circular LG 33/06 and the guidance issued in conjunction with Circular LG 2/2010 provide the legal basis to enable local authorities to pay expenses relating to educational courses, including third-level degree courses, undertaken by elected members. I have notified the Standards in Public Office Commission of this.

Notwithstanding this, a key element of the recently published Action Programme for Effective Local Government – Putting People First, will be the review of the structures for and levels of all payments, to reduce overall costs and levels of payments to individual councillors, while having regard to the reformed sub-county structure and regional governance, and the need to ensure sufficient incentive for high-quality representation of the community. A specific element of cost reduction in this context is the need to limit expenditure in respect of training and attendance at conferences. The Action Programme proposes that each local authority will, subject to maximum thresholds set in law, determine a limit on the overall training budget and that a specific proportion of this will, in turn, be ring-fenced in respect of individual councillors. The review, which will take into account the views of the Standards Commission, will be completed to provide for the revised payments for councillors elected in 2014, at the latest.

### Water Quality Issues

469. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government the chemicals and impurities identified under the current local authority water testing and sampling programmes; and if he will make a statement on the matter. [50079/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The European Communities (Drinking Water) (No. 2) Regulations 2007 specify the frequency for sampling and analysis of water supplies and prescribe the limits for 48 microbiological, chemical and indicator parameters and standards which water supplies are required to meet. It is a responsibility of the Environmental Protection Agency, under the Environmental Protection Agency Act 1992, to publish the results of such water testing. The Act requires such reports to be laid before each House of the Oireachtas. The most recent drinking water reports produced by the Agency, The Provision and Quality of Drinking Water in Ireland, A Report for the Years 2008 – 2009 and The Provision and Quality of Drinking Water in Ireland, A Report for the Year 2010 were published in 2011. These reports set out details on the monitoring results for drinking water quality.

## **Local Authority Funding**

470. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his views on cuts to funding to local authorities in 2012; if he will protect local authority funding in Budget 2013; and if he will make a statement on the matter. [50111/12]

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

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

It is estimated that there are some 1.6 million residential properties potentially liable for the household charge. As such, if collected in full, the household charge has the potential to raise €160 million annually. As of 9 November 2012 some €109m had been collected nationally. A total of €15,695,292 was withheld from the Quarter 3 general purpose grant payment. For county and city councils, this represented a reduction of between 1% and 3% of the total general purpose grant allocation for 2012.

I am keeping the income generated from the Household Charge under constant review and those local authorities that achieve a collection rate of 65% or above will suffer no further reduction in their general purpose grant allocation for 2012.

In line with previous years, it is my intention to inform local authorities of their 2013 general purpose grant allocations following the announcement of Budget 2013. I will seek to contribute to the general purpose funding of local authorities to the maximum extent possible, having regard to the current pressures on the public finances and motor tax income.

## **Public Order Offences**

471. **Deputy Michael P. Kitt** asked the Minister for the Environment, Community and Local Government if local authorities will introduce by-laws to help curb public order offences; if a town council will enact such by-laws; and if he will make a statement on the matter. [50160/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Part 19 of the Local Government Act, 2001 deals with bye-laws.

Section 199 (1) of the 2001 Act provides that a local authority may make a bye-law for or in relation to the use, operation, protection, regulation or management of any land, services, or any other matter provided by or under the control or management of the local authority, whether within or without its functional area or in relation to any connected matter.

Section 199( 2)(a) of the Act provides a local authority may make a bye-law where in its opinion it is desirable in the interests of the common good of the local community that any ac-

tivity or other matter should be regulated or controlled by bye-law, or that any nuisance should be controlled or suppressed by bye-law. However, section 199(2)(b) of the Act provides that a bye-law may not be made under section 199(2) for a purpose as respects which provision for that particular purpose is made by or under any other enactment or may be made under such enactment.

Section 199(3) of the Act provides that any bye-law may include such provisions as the local authority considers appropriate for its effective application, operation and enforcement and generally to achieve the purposes for which it is made, including the conduct of persons at specified places or in specified circumstances.

Section 199(7) of the Act, however, provides that the appropriate Minister may by regulation prescribe matters or classes of matters in respect of which local authorities are not entitled to make a bye-law. The making of such bye laws is a matter for decision by individual local authorities, including town councils, and is a reserved function of the elected members under Section 199 (5) of the Act.

### Pension Provisions

472. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50654/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** State bodies under the aegis of my Department, with the exception of the National Building Agency, operate defined benefit pension schemes. These pension schemes are funded annually on a pay as you go basis from monies available to the State agencies, including where appropriate monies made available from my Department, and from pension contributions deducted from staff salaries. The National Building Agency pension scheme is a funded defined benefit scheme and is currently well funded with assets exceeding scheme liabilities.

### Courts Staff

473. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the number of court judges that retired from the judiciary between 8 March 2011 and 27 October 2011, between 28 October 2011 and 29 February 2012 and between 1 March 2012 to date in 2012. [49552/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The number of judges who retired during the periods specified is set out in the following table.

	Supreme Court	High Court	Circuit Court	District Court	Total
8 Mar 2011 - 27 Oct 2011	0	3	2	5	10
28 Oct 2011 - 29 Feb 2012	2	1	3	4	10
1 Mar 2012 - 13 Nov 2012	0	0	0	0	0
Total	2	4	5	9	20

## **Visa Applications**

474. **Deputy Gerry Adams** asked the Minister for Justice and Equality his views on a matter regarding visas (details supplied) [49735/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am satisfied that the Visa Office in London ensures visa applications are processed efficiently and without undue delay. The ten day time frame is a guideline to ensure applications are lodged in a timely manner.

In a case such as the one referred to by the Deputy, the Visa Office will always endeavour to facilitate, where possible, by expediting the processing of the visa. In 2011, over 70% of visa applications processed by the visa office in London were done so within one week of receipt. In exceptional cases where a genuine urgency is demonstrated, visas can be issued in an even shorter period. In the case of persons who intend to travel regularly to Ireland, it is open to them to apply for a multiple entry visa.

Another option available to the person concerned, should he meet the statutory requirements, is to make an application for naturalisation under section 15A - naturalisation of spouses of Irish citizens - of the Irish Nationality and Citizenship Act 1956, as amended. My Department is constantly seeking ways in which the visa system can facilitate ease of movement for visitors and business travellers between the UK and Ireland, whilst maintaining the integrity of the Common Travel Area (CTA).

In tandem with the Visa Waiver Programme, work is ongoing, through regular Common Travel Area Forum meetings between Irish Naturalisation and Immigration Service and the UK Home Office, on the development of a short stay Common Travel Area visa which would allow tourists and business visitors to travel to the CTA and freely move between Ireland and the UK. It is anticipated that such a visa will prove an attractive option for tourists and business visitors, particularly in the context of the island of Ireland by facilitating visitors to travel freely between Northern Ireland and Ireland without the need for a separate Irish or UK visa.

## **Citizenship Applications**

475. **Deputy Pearse Doherty** asked the Minister for Justice and Equality the position regarding an application for Irish citizenship in respect of a person (details supplied); and if he will make a statement on the matter. [49464/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) in May, 2011. On examination of the application submitted it was determined that the person in question did not meet the statutory residency requirements as set out in the Irish Nationality and Citizenship Act 1956, as amended. The person concerned was informed of this in a letter issued to him on 14 June, 2011.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the prescribed statutory requirements. The on-line Naturalisation Residency Calculator can be used as a guide to whether an individual satisfies the naturalisation residency conditions and, if not, give an indication of how long they should wait before making an application.

Queries in relation to the status of individual immigration cases may be made directly to

INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### Courts Staff

476. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality the number of new court judges appointed between 8 March 2011 and 27 October 2011, between 28 October 2011 and 29 February 2012 and between 1 March 2012 to date in 2012. [49555/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The number of persons appointed to judicial office during the periods specified are set out in the following table.

	Supreme Court	High Court	Circuit Court	District Court	Total
8 Mar 2011 - 27 Oct 2011*	1	2	1	1	5
28 Oct 2011 - 29 Feb 2012	0	0	0	3	3
1 Mar 2012 - 13 Nov 2012**	2	3	8	9	22
Total	3	5	9	13	30

\*Includes the appointment of The Hon. Mrs. Justice Susan Denham as Chief Justice on 25 July 2011.

\*\* Includes the appointment of The Hon. Mr. Justice Raymond Groarke as President of the Circuit Court on 13 July 2012 and the appointment of Her Hon. Judge Rosemary Horgan as President of the District Court on 13 July 2012.

### Garda Síochána Ombudsman Commission Issues

477. **Deputy Finian McGrath** asked the Minister for Justice and Equality the reason bonfires were allowed to destroy the open greens at a location (details supplied) in Dublin 5 and if the Gardaí can take any action. [49576/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy again when the report is to hand.

### Garda Transport Provision

478. **Deputy Brendan Smith** asked the Minister for Justice and Equality if a patrol car will be allocated to a Garda station (details supplied) in County Monaghan; and if he will make a statement on the matter. [49589/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The provision and deployment of Garda vehicles is a matter for the Commissioner in the context of his identified operational

requirements. At Garda Divisional level, it is for the Chief Superintendent to make appropriate arrangements for the distribution of vehicles throughout the Division in response to policing demands. The Deputy will appreciate that a degree of flexibility in allocating and re-allocating vehicles among stations, so as to best match the allocation of resources with policing priorities, is crucial to the efficient management of the Garda fleet. In that context, I am advised by the Garda authorities that a marked Garda patrol vehicle is currently allocated to the Garda Station referred to by the Deputy.

### **Citizenship Applications**

479. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [49628/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in February, 2010. The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. While good progress continues to be made in reducing the large volume of cases on hands, the nature of the naturalisation process is such that for a broad range of reasons some cases will take longer than others to process. It is a statutory requirement that, inter alia, applicants for naturalisation be of good character. In some instances that can be established relatively quickly and in other cases completing the necessary checks can take a considerable period of time. I can, however, inform the Deputy that enormous progress has been made in dealing with the backlog and steps are being taken to process all outstanding applications as quickly as possible.

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.

### **Proposed Legislation**

480. **Deputy Clare Daly** asked the Minister for Justice and Equality the reason for the delay in the publication of the Mental Capacity Bill 2008; and if he will address this matter urgently. [49633/12]

496. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding the Mental Capacity Bill (details supplied). [49944/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 480 and 496 together.

The Programme for Government includes a commitment to introduce a Mental Capacity Bill that is in line with the UN Convention on the Rights of Persons with Disabilities. The proposals in the Scheme of the Bill, as published, have required extensive revision in order to meet that objective. Drafting of the Bill is at a very advanced stage and the Government Legislation

Programme indicates that the Bill is expected to be published in the current session.

### **Asylum Applications**

481. **Deputy Patrick Nulty** asked the Minister for Justice and Equality the current or expected position in respect of an application for subsidiary protection in respect of persons (details supplied) in Dublin 15 going back to 2002; the reason for the delay; and if he will make a statement on the matter. [49637/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The cases referred to by the Deputy encompass a father, a mother and their child. The father was the subject of an individual asylum application while the couple's child was included as a child dependant in his mother's claim meaning that any determination or decision made in her case applied equally to him. Arising from the refusal of their asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the persons concerned were notified, by separate letters dated 24th May, 2004, that the then Minister proposed to make deportation orders in respect of them. They were given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why deportation orders should not be made against them. They were subsequently notified of their respective entitlements to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The persons concerned submitted applications for Subsidiary Protection. When consideration of these applications has been completed, the persons concerned will be notified in writing of the outcomes.

In the event that the applications for Subsidiary Protection are refused, the position in the State of the persons concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before final decisions are made. Once decisions have been made, these decisions and the consequences of the decisions will be conveyed in writing to the persons concerned.

The cases of the persons concerned are amongst a high volume of such cases which are awaiting decision in my Department at present. However, the Deputy can be assured that there will be no avoidable delay in having the cases of the persons concerned processed to completion.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **State Agencies**

482. **Deputy Billy Kelleher** asked the Minister for Justice and Equality if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising

and human resources; and if he will make a statement on the matter. [49656/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that the information he requested is set out in the following table. The Deputy should also be aware that while in certain cases no specific budget exists for an activity, costs related to the activity may accrue to the overall budget for the agency. In such cases, it is unfeasible to attempt to extract these specific costs from overall costs. The Deputy should also note that, in respect of a number of agencies under my remit, my Department provides human resources services. I also wish to inform the Deputy that, in the time allowed, neither An Garda Síochána nor the Irish Prison Service were able to provide the information sought by the Deputy. These additional details will be forwarded directly as soon as they become available.

Name of Agency under Remit of Department	Communications Budget 2012 (€)	Public Relations Budget 2012 (€)	Consultancy Budget 2012 (€)	Advertising Budget 2012 (€)	Human Resources Budget 2012 (€)
Courts Service	118,000	Nil	180,000	50,000	34,000
Equality Authority	Nil	Nil	13,500	Nil	5,000
Forensic Science Laboratory	Nil	Nil	26,000	Nil	11,100
Garda Síochána Ombudsman Commission*	71,101.68	16,002.30	Nil	6,191.82	95,021.91
Legal Aid Board	Nil	Nil	3,000 approximately**	24,700	442,000
National Disability Authority	Nil	Nil	14,568**	Nil	Nil
Probation Service	334,924*	Nil	Nil	Nil	Nil
Property Registration Authority*	309,517	Nil	10,947	6,192	897,453

\*These are spend figures for 2012 up to end of October.

\*\*These are spend figures for 2012 to date.

### Garda Síochána Ombudsman Commission Issues

483. **Deputy Niall Collins** asked the Minister for Justice and Equality in view of the fact that a number of reports have shown that racist incidents here are under-reported; the steps he is taking to encourage all victims of racist incidents and attacks to report them to the Gardaí; and if he will make a statement on the matter. [49661/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The An Garda Síochána National Policing Plan 2012 includes key actions to ensure protection of vulnerable persons and groups through implementation of the Garda Diversity Strategy 2009 - 2012. The strategy prioritises the building of partnerships with diverse communities. The commitment of the Garda authorities in this regard is further illustrated by the work of the Garda Racial and Intercultural office, (GRIDO). This office has responsibility for coordinating, monitoring and giving advice on policing relating to Ireland's diverse communities and works closely with organisations that represent diverse communities.

The services of The Garda Racial, Intercultural and Diversity Office (GRIDO) are available to any person who perceives a crime as racist. In such cases the GRIDO office will assist

victims and investigating Gardaí to ensure that the incident receives the appropriate attention. An Garda Síochána has appointed 320 Ethnic Liaison Officers in every Garda district in the Country. These ELOs are given specialist training to work with minority communities. A list of ELOs appointed nationwide is available on the Garda website [www.garda.ie](http://www.garda.ie). The GRIDO also monitors crimes which have a racist motivation on a constant basis so as to ensure that all such crimes are properly recorded and investigated. In addition, An Garda Síochána's policy on the services and support provided to all victims of crime can be found in the An Garda Síochána Victims Charter which was revised in 2010 and is available at [www.garda.ie](http://www.garda.ie). The Charter states that in relation to victims of racist incidents An Garda Síochána will accurately record the incident, investigate the complaint and put victims in contact with the Garda Ethnic Liaison Officer in their area.

I strongly support the efforts of the Gardaí to engage with the diverse communities in our modern society. I am assured by the Garda authorities that all reports of racist incidents are fully investigated and I would encourage anyone who has concerns about such incidents to contact the Gardaí directly.

### **Criminal Law Review**

484. **Deputy Niall Collins** asked the Minister for Justice and Equality his plans to review the 1989 Incitement to Hatred Act; when this review will take place; his views on the need to legislate for hate crimes; and if he will make a statement on the matter. [49662/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Under the Prohibition of Incitement to Hatred Act 1989, it is an offence, inter alia, to use words, publish or distribute written material, or broadcast any visual images or sounds which are threatening, abusive or insulting and are intended, or, having regard to all the circumstances, are likely to stir up hatred. The word "hatred" is defined as "hatred against a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation". The State's prosecutorial authorities have not brought to my notice any difficulties in bringing prosecutions under the 1989 Act.

In addition to the foregoing legislation, where criminal offences such as assault, criminal damage, or public order offences are committed with a racist motive, they are prosecuted as generic offences though the wider criminal law. The trial judge can take aggravating factors, including racial motivation, into account at sentencing.

A review of the 1989 Act was concluded in December, 2008 with the publication of research entitled "Combating Racism and Xenophobia through the Criminal Law" by the Centre for Criminal Justice, University of Limerick. The research was commissioned by the National Consultative Committee on Racism and Interculturalism and the National Action Plan Against Racism steering group.

The report made only one recommendation regarding the criminal law - the introduction of racially aggravated sentencing. It stated that changes in the criminal law would be insufficient by themselves to address racism. The authors commented that it was clearly established, at both the national and international level, that greater dividends would ensue from more substantial investment in social and education measures.

The introduction of racially aggravated sentencing would involve a restructuring of penalties for basic criminal offences (assault or criminal damage, for example) to increase sentences, and have wider implications for the criminal law. There are numerous other factors which can

be considered aggravating.

In this jurisdiction, the legislature enacts criminal laws which usually provide for maximum penalties in the form of a fine or imprisonment, or both. In general, there are no statutory sentencing guidelines. Within our legislative framework, the determination of penalty in any individual case is largely a matter for the trial judge, taking case law, including appealed cases, into account. This allows the courts to take all the circumstances of the offence and all the relevant aggravating and mitigating factors into account. The gravity of the offence, the facts surrounding the commission of the offence, the criminal record of the accused and the impact on the victim are among the critical factors taken into account before a sentence is imposed. The judge must take into account the circumstances of the offence and the offender. Moreover, the Director of Public Prosecutions can appeal against the sentence imposed if she believes it to be unduly lenient.

In all the circumstances, I have no plans, at present, for legislative initiatives in relation to hate crime. However, more generally, the Government is committed to a strategic review of penal policy. This review is underway and will include an examination of sentencing.

### **International Agreements**

485. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if he will provide an update on migrant labour (details supplied); and if he will make a statement on the matter. [49670/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Minister for Jobs, Enterprise and Innovation that the issue of ratification by Ireland of Convention No. 189 on decent work for domestic workers is being assessed by his Department in the context of the standard approach to the ratification of international instruments, i.e. that Ireland does not ratify international Conventions until all necessary amendments to domestic legislation have been identified and effected. When complete, this assessment will be submitted to the Attorney General for her consideration. I am informed that the Minister for Jobs, Enterprise and Innovation will not be in a position to outline his intentions as regards ratification of the Convention until this process is complete.

My Department is working with the Department of Foreign Affairs and Trade and others such as the Department of Jobs, Enterprise and Innovation, the Irish Naturalisation and Immigration Service and An Garda Síochána with a view to implementing additional procedures for the employment of private domestic workers in diplomatic households. The purpose of the additional procedures are, taking account of international best practice, to provide for employment terms and conditions for domestic workers in diplomatic households that demonstrate respect for Irish laws and good employment practice.

With regard to the issue of forced labour, the Criminal Law (Human Trafficking) Act 2008 which came into effect on 7 June 2008 criminalises the trafficking of persons for the purposes of labour exploitation. Section 1 of the 2008 Act defines labour exploitation in relation to a person (including a child) as follows: (a) subjecting the person to forced labour; (b) forcing him or her to render services to another, or (c) enslavement of the person or subjecting him or her to servitude or a similar condition or state.

For the purposes of the Act, the term “trafficks” is broadly defined; for example, the commission of an offence does not require cross border movement or illegal entry into the State. It includes recruitment; taking a person into one’s custody, care or charge; and providing the

person with accommodation or employment. Officials in my Department will shortly be submitting to me a report providing an analysis of whether the Criminal Law (Human Trafficking) Act 2008 is sufficient to cover all circumstances in which forced labour could occur and I will be considering this Report in the near future.

I am informed by the Minister for Jobs, Enterprise and Innovation that, normally, an *au pair* arrangement is a private, voluntary arrangement between the parties concerned - a private household or sponsor family and a private individual – on the basis of a shared understanding. Although circumstances can differ from case to case, an “*au pair*” is assumed not to be an employee because there is no contract of employment between the householder and the person in question. If a contract of employment does exist then this places the arrangement on a different footing. In general, where people have concerns that employees may be exploited or receiving less than their statutory entitlement the matter should be reported to the National Employment Rights Authority for investigation. A Code of Practice for Persons Employed in Other People’s Homes was developed by the Labour Relations Commission under the Industrial Relations Act 1990 and promulgated in 2007. The Code sets out certain employment rights and practices for persons employed in other people’s homes and encourages good practice and compliance with the law in such employment situations. In any proceedings before a court, or a workplace relations dispute resolution body, a code of practice shall be admissible in evidence and any provision of the code which appears to the court, body or officer concerned to be relevant to any question arising in the proceedings shall be taken into account in determining that question. In addition to this code of practice which applies specifically to live-in employees, it is important to note that domestic workers are protected by virtue of the fact that the full suite of employment rights legislation, including that of redress for violations of their employment rights, apply to domestic workers in the same way as they apply to other categories of employees in Ireland. In addition, the National Employment Rights Authority has carried out a programme of inspections involving domestic workers as well as continuing to respond to any complaints it receives from domestic workers.

### **Garda Retirements**

486. **Deputy Gerry Adams** asked the Minister for Justice and Equality the supports in place for members of An Garda Síochána who suffer from mental health issues such as anxiety and depression as a result of their work. [49736/12]

487. **Deputy Gerry Adams** asked the Minister for Justice and Equality the proportion of members of An Garda Síochána that retired following illness or injury on duty that were retired due to mental health issues such as anxiety or depression. [49737/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 486 and 487 together.

I have been informed by the Garda Commissioner that the number of members of An Garda Síochána who have been granted ill health retirements from 1 January 2012 to 7 November 2012 was 1 Sergeant and 4 Gardaí. Ill health retirements can include those who retire following illness or injury on duty which gave rise to mental health issues such as anxiety or depression. In the same period a total of 429 members of An Garda Síochána retired. 1.17 % of those who retired did so on ill health grounds.

There are a number of supports available to staff in An Garda Síochána who suffer mental health issues. These supports include an Employee Assistance Service and also an Occupational Health Service. When management become aware that a staff member is suffering from

a mental health issue, that member is immediately referred to the Occupational Health Service (O.H.S.). It is the duty of the Chief Medical Officer to determine fitness for duty or otherwise. The O.H.S. will meet the staff member at the earliest opportunity and if necessary refer them to an independent specialist advisor, a panel of whom are retained to provide this service to the O.H.S. In addition to this referral, local management must conduct a thorough investigation into the source of the members mental health issue and report this to Human Resource Management. This allows for a comprehensive approach to managing such ill health issues.

### **Garda Recruitment**

488. **Deputy Gerry Adams** asked the Minister for Justice and Equality if there are restrictions in place which prevents persons with disabilities from joining An Garda Síochána. [49738/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Recruitment in An Garda Síochána is governed by Statutory Regulation namely, the Garda Síochána (Admission & Appointments) Regulations 1988/2005. Following selection by the Public Appointments Commission each applicant must also undergo a physical competency test, a medical examination and character vetting. Section 46(1)(3) of the Disability Act 2005 provides that Part 5, which deals with Public Service Employment, does not apply to the Garda Síochána.

### **Garda Stations Opening Hours**

489. **Deputy Seán Kenny** asked the Minister for Justice and Equality the date and times of the open days at Garda stations in the Dublin region between now and year end; and if he will make a statement on the matter. [49761/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda Authorities that a number of open days were held throughout the Dublin Region to date in 2012 including in Lucan, Balbriggan and Blanchardstown. There are no open days scheduled for the remainder of 2012.

### **Residency Permits**

490. **Deputy Derek Nolan** asked the Minister for Justice and Equality the position regarding an application for residency in respect of a person (details supplied); and if he will make a statement on the matter. [49766/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** In September, 2011, the person concerned, through an advocacy group, submitted documentation where he indicated that he wished to have his case to remain in the State considered based on the principles of the Zambrano Judgment. As the information and documentation submitted at that time was incomplete, a representative of my Department wrote to the advocacy group on 23rd August, 2012 setting out the additional documentation and information that was required before a decision could be made on the case of the person concerned.

Given that the requested additional documentation and information has still not been received in my Department, a similar request was communicated to the legal representative of the person concerned by letter dated 1st November, 2012. This latest request was issued in response to a written enquiry from that legal representative as to the status of the case of the person con-

cerned. It is recommended that the person concerned should, directly or indirectly, submit the requested additional information and documentation without further delay. Upon receipt of the additional information and documentation referred to, the case of the person concerned can be further considered.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Personal Injury Claims**

491. **Deputy Dan Neville** asked the Minister for Justice and Equality if payment under the criminal injuries compensation tribunal will issue in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [49790/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy may be aware, the Scheme of Compensation for Personal Injuries Criminally Inflicted provides that the Criminal Injuries Compensation Tribunal is entirely independent in relation to individual applications under the Scheme. However, in order to be of assistance in the matter I have had enquiries made with the Tribunal on your behalf.

I understand that the Tribunal has already formally notified the person concerned that it will not be possible to pay her award during the current financial year because funding for this purpose has become exhausted. The Tribunal has informed me that forms of award acceptance signed by applicants are maintained in date order and that payment of awards is made strictly in that order. The Tribunal expects to be in a position to pay the award to the person concerned during the first half of 2013. The Tribunal regrets that it is not possible to be more specific as to a payment date until the final outturn for 2012 and the financial provision for 2013 becomes available.

### **Garda Recruitment**

492. **Deputy Gerald Nash** asked the Minister for Justice and Equality if recruitment to an Garda Síochána will be opened up in 2013; if the current applicant panel will be used to recruit new applicants; and if he will make a statement on the matter. [49796/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The general moratorium on recruitment to the public service continues to apply to the Garda Síochána. The question of when recruitment to the Garda Síochána should resume will be kept under continuing review in the context of the availability of resources, as will the related issue of the continued viability of the existing Garda recruitment panel, which is now approximately four years old.

### **Personal Insolvency Act**

493. **Deputy Martin Heydon** asked the Minister for Justice and Equality if there will be protections in place under the personal insolvency arrangements to guard against a scenario (details supplied); and if he will make a statement on the matter. [49818/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that it would not be appropriate for me to comment on any individual case. However, I would suggest that any individual who finds themselves in circumstances such as those referred to by the Deputy should continue to actively engage with their mortgage lender in an effort to reach an acceptable settlement.

I should mention that the provisions of the Personal Insolvency Bill 2012 will, when enacted and fully operational, provide greater flexibility for persons in dealing with their financial difficulties. In particular, the Personal Insolvency Arrangement (PIA) in the Bill, allows for the settlement of secured debts, such as mortgage debt. Section 100 of the Bill as passed by the Dáil on 7 November 2012, provides for the treatment of the principal private residence in a PIA.

### Garda Stations Closures

494. **Deputy Richard Boyd Barrett** asked the Minister for Justice and Equality if he will provide a list of all the Garda stations in the State with full details of the ownership of the land and buildings. [49925/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** In relation to the Garda stations operating in the State, the full details are provided on the Garda Síochána website and I would refer the Deputy to the relevant webpage at [www.garda.ie](http://www.garda.ie). The general position is that the properties which serve as Garda stations are provided by the Office of Public Works and, as such, ownership of the relevant sites and buildings falls outside my official remit. However, a limited number of Garda stations were vested in the Minister for Justice and Equality under the provisions of the General Prisons Board (Transfer of Functions) Order, 1928 (S.I. No 79 of 1928). The stations concerned are: Midleton; Kenmare; Callan; Urlingford; Dundalk; Castleblaney; Trim; Waterford.

### Garda Deployment

495. **Deputy Seamus Healy** asked the Minister for Justice and Equality the numbers of Gardaí in each Garda district in the Tipperary Division as of the 1 March 2011 and the 1 of March 2012; and if he will make a statement on the matter. [49937/12]

**Minister for Defence (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 authorities that the personnel strength of each Garda District together with the Divisional resources in the Tipperary Garda Division on 28 February 2011 and on 29 February 2012 was as set out in the following table:

District	28/02/11	29/02/12
Cahir	62	66
Clonmel	72	69
Nenagh	61	59

District	28/02/11	29/02/12
Templemore	64	65
Thurles	89	83
Tipperary Town	37	34
Divisional resources		
Garda Reserves	26	32
Civilian staff	35	35

*Question No. 496 answered with Question No. 480.*

### **Garda Civilian Staff Numbers**

497. **Deputy Robert Dowds** asked the Minister for Justice and Equality the number of qualified accountants employed on a full time basis by the Garda Bureau for Fraud Investigation. [50014/12]

498. **Deputy Robert Dowds** asked the Minister for Justice and Equality the number of qualified solicitors employed on a full time basis by the Garda Bureau for Fraud Investigation. [50015/12]

499. **Deputy Robert Dowds** asked the Minister for Justice and Equality the number of qualified barristers employed on a full time basis by the Garda Bureau for Fraud Investigation. [50016/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 497 to 499, inclusive, together.

I have been informed by the Garda Commissioner that there are no Solicitors or Barristers employed at the Garda Bureau of Fraud Investigation on a full time basis. There are two full time qualified Accountants employed by the Garda Bureau of Fraud Investigation.

### **EU Presidency Expenditure**

500. **Deputy Finian McGrath** asked the Minister for Justice and Equality the number of officials by grade in his Department that will be working solely on the Presidency for the remainder of 2012; if redeployment or promotion has occurred; if they will be paid any additional allowances or pay; the way these officials were selected; if the selection procedure gave rise to any complaints; and if he will make a statement on the matter. [50023/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised that my Department has assigned 10 additional staff to Ireland's Permanent Representation to the EU based in Brussels until the end of Ireland's Presidency of the Council of Ministers in mid 2013. The staff assigned to the Permanent Representation in Brussels are paid the appropriate foreign service allowances which attach to such posts. My Department sought expression of interests from staff across the Department in being assigned to Brussels, with the responses resulting in short-listing of staff in some grades and informal selection interviews at all grades. As regards complaints in respect of the selection procedures involved, I am advised that one former officer of my Department has raised some potential concerns which he has but to date no formal complaint has been received.

In Dublin, the International Policy Division of my Department has had 7 additional staff assigned to it to work solely on the Presidency. Those staff whilst additional to that Division's previously assigned staff have been drawn from the reducing number of staff available to my Department as a whole by way of internal transfers taking into account competing priorities and demands across the Department. One of the staff assigned to the International Policy Division specifically for Presidency related work has been promoted on a temporary basis until the end of the Presidency. This promotion was made from a panel established following a competition conducted in 2010 and which was compliant with the Commission of Public Service Appointment Code of Practice.

The following table sets out by grade the number of officials working solely on the Presidency:

Principal Officer	Assistant Principal Officer	Higher Executive Officer\ Administrative Officer	Executive Officer	Clerical Officer	Total
3	3	6	3	2	17

### Departmental Staff Rehiring

501. **Deputy Finian McGrath** asked the Minister for Justice and Equality further to Parliamentary Questions Nos. 610 and 611 of 17 July 2012, if he will detail by grade any further promotions that have taken place; if sanction from the Department of Public Expenditure and Reform has been sought and obtained for those promotions; and if he will make a statement on the matter. [50033/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Since 17 July this year, I am advised that the following promotions have occurred:

Promotion to PO	Promotion to APO	Promotion to HEO	Promotion to EO
1	6	5	2

I understand the above promotions are temporary in nature with specific expiry dates applying to each of them. In addition, the position of Director of Operations in the Prisons Service was filled on a substantive basis by a serving Principal Officer. I can confirm for the Deputy that I am also advised that in all cases the relevant sanctions were obtained by my Department prior to effecting the promotions.

### Departmental Bodies Expenditure

502. **Deputy Eamonn Maloney** asked the Minister for Justice and Equality if he will provide in tabular form, for each grade, details of the salary, allowances and purpose of allowances paid to employees of the Irish Human Rights Commission and the National Disability Authority in 2011. [50068/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Please find information requested detailed as follows.

Body	Grade	Salary Scalemin - max	Allowances paid in 2011	Reason for allowance
Human Rights Commission	CEO	€134,523 - €153,885	Nil	
	Director, Enquiry, Legal Services and Administration	€84,132 - €103,472(*)	Nil	
	Senior Enquiry & Legal Services Officer	€71,359 - €88,598 (*)	Nil	
	Senior Research & Policy Officer	€65,185 - €80,678 (*)	Nil	
	Senior Human Rights Awareness Officer	€65,185 - €80,678 (*)	Nil	
	Enquiry & Legal Services Officer	€46,081 - €58,294 (*)	Nil	
	Administration, Finance & HR Officer	€30,516 - €47,975 (*)	Nil	
	Clerical Officer	€23,177 - €37,341 (*)	Nil	
	Clerical Officer (Desk Officer)	€23,177 - €37,341 (*)	Nil	
* After six years at maximum.				
National Disability Authority	Principal (h)	€85,597 - €105,429	0	
	Principal (s)	€84,132 - €103,472	0	
	Assistant Principal (h)	€71,359 - €88,598	0	
	Assistant Principal (s)	€65,185 - €80,678	€799.61	local bargaining agreement arising from Programme for Competitiveness and Work (PCW)
	Higher Executive Officer	€46,081 - €58,294	0	
	FAS Grade 8	€34,049 - €55,315	0	
	Admin & Clerical Grade VI	€44,849 - €55,032	0	
	Admin & Clerical Grade V	€40,209 - €48,496	0	
	Admin & Clerical Grade IV	€28,330 - €42,891	0	
	Admin & Clerical Grade III	€23,187 - €37,341	0	
	Porter	€27,504 - €30,525	0	
	Service Attendant	€21,732 - €27,808	€1,860.29	24/7 keyholder service provided to NDA
	Security	€21,732 - €27,808*		

\*Salary amount includes an availability allowance and "call rate" which form part of the overall salary structure and are build into the figure of €21, 732 (The relevant amount paid in 2011 is €4,772.94).

Availability Allowance: staff member makes themselves available for contact should there be a issue with the building - e.g. attempted break in. Call rate: paid for services rendered for alarm testing and early opening.

**Crime Prevention**

503. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the steps that Gardaí are taking in an area (details supplied) to reduce crime; and if he will make a statement on the matter. [50116/12]

504. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of arrests that have been made in an area (details supplied) in the past two years; and if he will make a statement on the matter. [50117/12]

506. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the steps the Gardaí are taking in an area (details supplied) to reduce crime; and if he will make a statement on the matter. [50149/12]

507. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of arrests that have been made in an area (details supplied) in the past two years; and if he will make a statement on the matter. [50150/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 503, 504, 506 and 507 together.

I am informed by the Garda authorities that the areas referred to are in the Ashbourne and Trim Garda Districts.

I am further informed that the areas are subject to regular patrols by local uniformed personnel, augmented by uniformed and plain clothes units from the District Headquarters, together with the Divisional Traffic Unit and the Regional Support Unit as required.

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 these areas to ensure optimum use is made of Garda resources to provide the best possible Garda service to the public. While the situation is being kept under review, Garda management is satisfied that a full and comprehensive policing service is being delivered to the communities in the areas concerned and that the current structures in place deliver an effective and efficient policing service.

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 as of 19 October, 2493 persons have been arrested and 1404 persons have been charged with burglary offences under Operation Fiacla.

An Garda Síochána also places great emphasis on the importance of community partnerships in preventing and detecting crime, and maintaining a safe environment for everyone. An Garda Síochána continues to invest time and energy in these partnerships and relationships to the benefit of all.

In this regard, during September the Garda Commissioner 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. The primary objective of this Garda Community Safety Campaign is to engage with, and raise awareness within communities of initiatives aimed at preventing crime, reducing the fear of crime and promoting community safety.

Insofar as the number of arrests made in the specific areas referred to are concerned, I am

informed that this would require a disproportionate expenditure of Garda time and resources to compile.

### **Departmental Bodies Reports**

505. **Deputy Jim Daly** asked the Minister for Justice and Equality when an application for payment to the Criminal Injury's Board will be granted in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [50131/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy may be aware the Scheme of Compensation for Personal Injuries Criminally Inflicted provides that the Criminal Injuries Compensation Tribunal is entirely independent in relation to individual applications under the Scheme. However, in order to be of assistance in the matter I have had enquiries made with the Tribunal on your behalf.

I understand that your Office was in contact with the Tribunal on 24 October, 2012 and that the Tribunal indicated that a decision had been formally notified to the person concerned on 1 October, 2012. I understand that the person concerned has not as yet responded to the Tribunal's letter with notification of his intention to either accept the award or lodge an appeal.

*Questions Nos. 506 and 507 answered with Question No. 503.*

### **Garda Investigations**

508. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality further to Parliamentary Question No. 438 of 2 October 2012, when a reply will issue; and if he will make a statement on the matter. [50151/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I understand that the legal advice to the Garda authorities is that there is no legal mechanism available to them which would allow them to furnish the requested information to the Attorney General for Northern Ireland. However, I can assure the Deputy my Department and the Garda authorities are in consultation about this matter in an effort to find a resolution to this issue.

### **Subsidiary Protection Applications**

509. **Deputy Michael Lowry** asked the Minister for Justice and Equality the position regarding an application for subsidiary protection in respect of a person (details supplied) in County Tipperary; the reason for the delay in processing this case; and when a decision will issue. [50159/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 9 August, 2010, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility

for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

Due to the volume of cases on hands, it is not possible to say when the case of the person concerned will be finalised. However, the Deputy can be assured that there will be no avoidable delay in having the case processed to completion.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Public Sector Reform Review**

510. **Deputy Seán Kyne** asked the Minister for Justice and Equality if he will outline the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50646/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Staff at Clerical Officer and Executive Officer level in my Department and offices under its aegis are often at the front line of service delivery. These staff are encouraged by their managers in Divisional team meetings to give their views on how work is organised, both in their own area and at a broader level. Where appropriate, this has included business process improvement initiatives and training aimed at simplifying processes and improving service delivery. In addition, these staff are involved in business planning and reform initiatives, led by their Head of Division.

In relation to public service reform generally, my Department's Reform and Development Unit ensures that staff are kept up to date in relation to reform issues by publication of a newsletter and by making available, often online, progress reports and other reform documentation. Staff are encouraged to give their views or ideas on any reform opportunities to the line manager or to this Unit.

In addition, my Department is considering a number of options for a staff suggestion scheme as the views of all staff are considered to be critical to the progressing of reforms.

### **Defence Forces Personnel**

511. **Deputy Nicky McFadden** asked the Minister for Defence if members of the Defence Forces will be included in any redundancy package announcements for public service workers

in the future; and if he will make a statement on the matter. [49618/12]

**Minister for Defence (Deputy Alan Shatter):** The Department of Public Expenditure and Reform is currently considering the introduction of a targeted Voluntary Redundancy Scheme in parts of the Public Service, primarily to address the issue of staff surpluses where staff cannot be redeployed within the system. Given the fact that the Defence Forces are currently below strength and that recruitment is ongoing, there are no plans to introduce a voluntary redundancy scheme for the Defence Forces at this time.

### **Army Barracks Closures**

512. **Deputy Seamus Healy** asked the Minister for Defence if he will ensure that Kickham Barracks, Clonmel which was closed earlier this year does not become derelict and to this end that he will arrange for regular maintenance work including, frequent maintenance of open areas, grass-cutting, die-back of weeds and general maintenance to building, railings and so on; and if he will make a statement on the matter. [49941/12]

**Minister for Defence (Deputy Alan Shatter):** Since the announcement of the Government decision on barrack closures in November 2011, the Department of Defence has written to each Government Department and various agencies and local authorities seeking expressions of interest in acquiring any of the properties, including the former Kickham Barracks, to benefit the local community. In this regard there have been discussions between officials from the Department and a number of other State agencies and these discussions are ongoing.

In the meantime my Department will take appropriate measures to ensure that the site is maintained in a satisfactory manner.

### **Defence Forces Reserve Training**

513. **Deputy Brendan Smith** asked the Minister for Defence if he will confirm that the training centre for the Reserve Defence Forces will remain in Cavan town; and if he will make a statement on the matter. [49590/12]

**Minister for Defence (Deputy Alan Shatter):** A Value for Money review of the Reserve Defence Force was recently completed and submitted to myself and the Secretary General of my Department for consideration. In advance of the publication of its accompanying Report and in line with the guidelines and normal procedure for Value for Money Reviews, the responses to the recommendations are currently being developed. Until such time as these deliberations are finalised, I cannot comment on any aspect of future plans for the Reserve.

### **Departmental Bodies Expenditure**

514. **Deputy Billy Kelleher** asked the Minister for Defence if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49649/12]

**Minister for Defence (Deputy Alan Shatter):** The bodies under the aegis of my Department are the Civil Defence Board and the Army Pensions Board. The areas listed by the Deputy where expenditure has been incurred by these bodies in 2012 is set out as follows:

	Estimated Expenditure 2012 Civil Defence Board	Estimated Expenditure 2012 Army Pensions Board
Public Relations/Advertising	€1,800	Nil
Human Resources (Staff Salary Costs)	€1,233,630	€52,300

### Defence Forces Reorganisation

515. **Deputy Maureen O’Sullivan** asked the Minister for Defence if he will ensure there will be houses available in Athlone, County Westmeath, for the families that will be moved there from Dublin; if there will be school places for their children; if financial support will be made readily available for the move including allowances and compensation; and if he will make a statement on the matter. [50028/12]

516. **Deputy Maureen O’Sullivan** asked the Minister for Defence the cost benefits the moving of 56 families from Dublin McKee Barracks to Athlone, County Westmeath, will have for the Army and Government; the amount the relocation of the 56 families will cost the Exchequer; and if he will make a statement on the matter. [50029/12]

**Minister for Defence (Deputy Alan Shatter):** I propose to take Questions Nos. 515 and 516 together.

The implementation of the major reorganisation of the Defence Forces in order to maintain their operational capability is progressing in full consultation with serving personnel and their Representative Associations. All options to avoid the need for personnel to relocate are being explored as part of this process. Personnel are being offered the opportunity for reassignment within their current locations where this is feasible, together with opportunities for re-training and re-skilling. In addition, a review system has been put in place whereby personnel who are unhappy with a proposed relocation can seek a review of a decision. Inevitably, given the scale of the reorganisation, it will be necessary for some staff to move to new locations.

The creation of a new two Brigade structure for the Army under the reorganisation has resulted in Combat Support Units being reduced from nine units to six. The Field Engineer companies based in McKee Barracks fall into this category, and the Headquarters element and Field Engineer Company are being relocated to Custume Barracks, Athlone. Forty-five personnel from within the 2 Field Engineer Company will therefore have to move with their unit to Athlone, or be reassigned to alternative appointments available in other Units in the Dublin Area. Pending the full rollout of the reorganisation plan it is not possible to say how many personnel can be facilitated through reassignment process. However, there is no question of families being moved or being required to move arising from the reorganisation and this is a matter for each individual to decide. The reality is that many Defence Forces personnel currently assigned to McKee barracks are not resident in Dublin and commute on a daily basis, which is a common feature across both the public and private sector of a modern, flexible and mobile working population in Ireland today.

All members of the Defence Forces reassigned under the Defence Forces Reorganisation Plan 2012 are entitled to Change of Station Allowance in circumstances where they meet the qualifying criteria. It is not possible at this point to estimate the total figure that will require to be paid in Change of Station allowance as this will be contingent on a number of factors including whether individuals will actually opt to physically relocate home or not.

The Government is very much aware that the major re-organisation currently underway is a

difficult process for many serving members of the Defence Forces and their families, who are being required to make decisions under the current reorganisation that they would not otherwise have to make, or in different times have had to consider. Unfortunately, this is the consequence and reality of the reforms necessarily taking place across the public service today. It must be reiterated that there is no painless way to fundamentally reorganise the Defence Forces whilst maintaining essential military capabilities and it has become necessary to mandatorily move some personnel whose units are being disestablished or relocated and who cannot be accommodated in their current location.

## Written Questions Nos. 517 to 538

### Public Sector Reform Implementation

517. **Deputy Seán Kyne** asked the Minister for Defence if he will outline the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50640/12]

**Minister for Defence (Deputy Alan Shatter):** The Department of Defence places a significant emphasis on staff consultation and staff input at all levels in the development and implementation of action programmes to progress reforms in the Civil Service. The preparation and subsequent revision of the Department's action plan under the Croke Park agreement as well as its implementation presents an ongoing opportunity to tap into the knowledge and experience of staff, including staff at lower grades. The key actions undertaken by the Department to ensure that there are opportunities for persons at all levels to contribute to the reforms of the public service as sought in the Public Service Agreement include:

Partnership Committee and Departmental Council: Both the Croke Park agreement and Public Service Reform Plan are standing agenda items at these meetings, which are representative of all grades. The minutes of all meetings are made available to staff on the Department's intranet.

The Department's Partnership Committee has a specific role in providing a consultation forum with staff at all grades in the preparation, amendment and reporting on the Department's Action Plan under the Croke Park agreement.

Branch and Divisional meetings: These meetings provide a vehicle for staff to bring forward proposals for consideration in the context of the reform agenda.

Business Planning Process: The annual business planning process provides a further opportunity for consultation with staff to ensure that business plans take account of both the Croke Park Action Plan and the Public Service Reform Plan.

Workforce Planning: All staff in the Department have completed a workforce planning survey which offers staff yet another opportunity to identify ways in which their knowledge, skills and experience can contribute to, or enhance our commitment to public sector reform.

Communication: The Secretary General and senior management of the Department have delivered presentations to all staff on the challenges and opportunities ahead in terms of public service reform and have provided a forum for all staff to contribute to the reform program through this process.

My Department will continue to ensure that there are tangible mechanisms in place to enable all grades to contribute to the reform agenda.

### **Pension Provisions**

518. **Deputy Terence Flanagan** asked the Minister for Defence how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50652/12]

**Minister for Defence (Deputy Alan Shatter):** There are no semi-State companies under the aegis of the Department of Defence.

### **Horse Racing Industry**

519. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine the steps he is taking to protect tax payers money now and in the future in view of the fact that the Garda Fraud squad are investigating a matter in relation to Horse Racing Ireland and the Turf Club; and if he will make a statement on the matter. [50003/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department is not aware of the Garda Fraud Squad investigating any matter in relation to Horse Racing Ireland or the Turf Club. The CEOs of Horse Racing Ireland and the Turf Club have confirmed to officials from my Department that they, also, are unaware of any such investigation. In any event, I am sure the Deputy will understand that it would be totally inappropriate for me to make any comment on any matter that would be the subject of a Garda enquiry.

### **Farm Inspections**

520. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine the time notification that should be provided by his Department officials in relation to a full farm inspection (details supplied); and if he will make a statement on the matter. [49395/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department, in the context of delivering the Single Payment Scheme, Disadvantages Areas' Scheme and other area related schemes, is required to carry-out an annual round of inspections covering both the eligibility of land declared to draw down payments and also cross-compliance aspects to ensure compliance with EU regulatory requirements in the areas of public, animal and plant health, environment and animal welfare.

Provided the purpose of the control is not jeopardised, relevant EU regulations enable my Department to give up to 14 days notice for land eligibility inspections. This also applies for cross compliance inspections involving Statutory Management Requirements (SMRs), other than those related to animal identification and registration, feed, food and animal welfare. For checks involving animal identification and registration, the maximum advance notice permitted under EU regulations is 48 hours, provided the purpose of the inspection is not jeopardised. For SMRs dealing with feed, food and animal welfare, no advance notice is permitted under governing EU regulations.

As a general rule and following requests from the farming organisations, my Department tries to integrate inspections, including all of the cross compliance inspection elements, with a view to avoiding more than one visit to a farm. This, however, has implications for the degree

of flexibility available to my Department to give advance notice. Nonetheless, in respect of those elements of an integrated inspection for which advance notice is possible, the farmer can request deferral of those particular elements to a separate inspection.

### **Single Payment Scheme Eligibility**

521. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine if he will clarify that grazable lands will become the definition regarding acreage applicable to the single farm payment and so on; and if he will make a statement on the matter. [49397/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the EU regulations governing the Single Payment Scheme, only eligible agricultural land can be claimed upon for aid under the scheme. Agricultural land is defined as any area taken up by arable land, permanent pasture or permanent crops and which is used for an agricultural activity. In addition an applicant must ensure that agricultural land is maintained in good agricultural and environmental condition.

Farmers can keep grassland in good agricultural and environmental condition by conducting an agricultural activity on it such as grazing, harvesting forage crops, or by topping. Grasslands continue to be eligible where it is evident that the stocking rate used by the applicant on the land is sufficient and, for example, can keep rushes under control and avoid their proliferation. In such situations, the reality is that there may not be a necessity to cut rushes.

Where a farmer cuts rushes as part of management practice, with the exception of certain designated lands, there are no restrictions on when this is done. In terms of the conduct of inspections, my Department makes appropriate allowances for the effect of prevailing weather conditions in individual cases.

### **Farm Inspections**

522. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine the reason his Department officials are carrying out on-farm inspections and subsequently carrying out satellite inspection on the same farms; and if he will make a statement on the matter. [49398/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** In accordance with EU legislation governing the payment of area-based aid, in particular, Council Regulation 73/2009 and Commission Regulation (EC) No. 1122/2009, it is necessary for Member States to carry out on-the-spot land eligibility inspections on at least 5% of all farmers submitting a single payment scheme application. In carrying out these land eligibility inspections, Member States may make use of satellite imagery. My Department makes use of such imagery to carry out a proportion of land eligibility inspections.

When the available images do not permit a satisfactory verification of the land use or area of a parcel(s) applied for by an applicant, perhaps due to cloud cover, it is an EU requirement that a ground inspection must take place. These inspections are generally limited to verifying the area of the particular parcel(s) where the position is unclear from the imagery available (unless 80% or more of the area was unclear). The results obtained are used, in combination with the clear satellite imagery, to finalise the eligibility inspection of the entire areas declared.

## **Milk Quota Applications**

523. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if he will review the latest decision regarding an application for extra capacity on their milk quota in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [49400/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The named person was an applicant under my Department's Hardship Scheme.

Allocations of quota on the grounds of hardship are based on recommendations made by the Milk Quota Appeals Tribunal, which operates in accordance with objective criteria outlined in the explanatory note that accompanied the application form, and the overall volume is determined by the projected volume of quota available from the National Reserve.

As a result of the assessment process, which took place in September 2012, the entire pool of quota assigned for distribution under this scheme has been utilised. Having regard to the high level of demand on the National Reserve, it will not be possible in the current milk quota year to allocate additional quota for distribution under this scheme.

I regret that I cannot be of more assistance on this occasion.

## **Single Payment Scheme Applications**

524. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a single farm payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49412/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Single Payment/ Disadvantaged Areas Scheme was received from the person named on 8 May 2012.

As the applicant does not have any Single Payment entitlements, no payment is due under this scheme.

## **Single Payment Scheme Transfers**

525. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine if there is an alternative method by which a person can transfer single payment entitlements under the 2011 scheme year (details supplied) following correspondence from his Department on the matter; and if he will make a statement on the matter. [49427/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application was received on 14 May 2008 requesting the transfer of 8.73 Single Payment entitlements from a deceased person to the first person named under the 2008 scheme year. The deceased person died intestate and Letters of Administration were received naming three individuals as administrators of the estate.

The first person named has been written to on seven separate occasions requesting additional information, namely the signature of all administrators. An official from my Department has been in contact with the person named. Unfortunately, there is no alternative way of transferring the entitlements in question.

## Departmental Offices

526. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine his plans to close an office (details supplied) in County Offaly; and if he will make a statement on the matter. [49456/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has no proposals at this time to close the office to which the Deputy refers.

## Turbary Rights

527. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a matter on turbary rights will be expedited in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49516/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** This matter has been expedited and is awaiting the completion of legal documentation on behalf of the person named.

## Disadvantaged Areas Scheme Applications

528. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of the disadvantaged area scheme will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [49517/12]

**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 11 May 2012.

As the applicant did not claim any forage area, his application is ineligible. The terms and conditions, which govern the Disadvantaged Areas Scheme, require that an applicant declare at least three eligible hectares of forage area on his application.

## Departmental Staff Recruitment

529. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine if he intends to fill posts from a DS panel (details supplied); and if he will make a statement on the matter. [49520/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has received sanction from the Minister for Public Expenditure and Reform to fill a number of critical vacancies which include a number of District Superintendent posts. Arrangements are being made to establish a new panel from which these sanctioned vacancies will be filled.

## Single Payment Scheme Eligibility

530. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the position regarding farm entitlements in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [49528/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Single Payment entitlements were established for farmers who were farming and in receipt of direct payments under the Livestock Premia and/or Arable Aid Schemes during the reference years 2000, 2001 and 2002 and who continued to farm in 2005. The person named did not receive payments under the Livestock Premia and/or Arable Aid Schemes during the reference years and therefore no Single Payment entitlements were established.

Furthermore the person named held a herd number until 15 August 2000 after which ownership was transferred.

### Departmental Expenditure

531. **Deputy Noel Grealish** asked the Minister for Agriculture, Food and the Marine the budget for his Department; the amount of this budget that is used to run his Department; the number of staff employed by his Department; the total amount paid in wages to these staff; the amount of his Department budget that goes directly to farmers; the number of State boards under the control of his Department; the cost of administration and Director remuneration for these boards; and if he will make a statement on the matter. [49531/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Full details of the Department's 2012 budgets are set in the "2012 Revised Estimates for Public Services" and on the Department's website. The total budget available to my Department for 2012 is approximately €2,628 million. This comprises €1,339 million in Voted Exchequer funds and a further €1,289 million non Voted funds (100% funded by the EU), the bulk of which (€1,250 million) relates to the Single Payment Scheme. Of the total €2,628 million budget, approximately, €1,916 million is allocated to various budget lines involving payments to farmers. At the end of September 2012, the total number of staff directly employed by the Department was 3,292. The 2012 Administrative Budget, which funds all of the Department's operational costs is €235 million, of which €184.5 million is allocated to fund staff salaries and wages. There are twelve State Bodies under the aegis of my Department listed in the table. The most recent figures available for the annual cost of these State Bodies which receive exchequer funding are outlined as follows:

Body	Remuneration/Expenses Arrangements	Total Amount of Central Funding for each Agency for 2012
Aquaculture Licensing Appeals Board (ALAB)	Chair: €8,978 Ordinary member: €5,985	€122,500
Bord Bia	Chair: €20,520 Annual fees Ordinary member: €11,970	€35.182m
Bord Iascaigh Mhara (BIM)	Chair: €11,970 Ordinary member: €7,695	€17.000m
Bord na gCon	Chair: €21,600 Director's fee: €12,600	€11.260m
Coillte Teoranta	Chair: €21,600 Director's fee: €12,600	Receives no funding from the Exchequer

Body	Remuneration/Expenses Arrangements	Total Amount of Central Funding for each Agency for 2012
Horse Racing Ireland	Chair: €21,600 but has been waived by Chair since appointment in 2001 Director's fee: €12,600 One Director has waived his fee since his appointment in 2005	€45.03m
Irish National Stud	Chair: €12,600 Director's fee: €8,100	Receives no funding from the Exchequer
Marine Institute	Chair: €11,970 Ordinary member: €7,695	€22.450m
National Milk Agency	Only the Chair receives remuneration of €8,978 per annum	Receives no funding from the Exchequer
Sea Fisheries Protection Authority (SFPA)	Authority members paid as Principal Officers, Public Service pay rates	€10.690m
Teagasc	Chair: €20,520 Ordinary member: €11,970	€128.460m
Veterinary Council of Ireland	No remuneration is paid to Board members	Receives no funding from the Exchequer

### Agriculture Schemes Payments

532. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine when payment will issue in respect of a person (details supplied) in County Roscommon; the reason for the delay; and if he will make a statement on the matter. [49535/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Processing of the application concerned has recently been completed and payments under both the Single Payment Scheme and the Disadvantaged Areas Scheme will shortly issue to the nominated bank account of the person named.

### Tuberculosis Eradication Programme Payments

533. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine if there are any circumstances whereby compensation due to a person under the TB eradication scheme will be granted to the herd keeper as opposed to the herd owner, with the consent of the herd owner; and if he will make a statement on the matter. [49539/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The rules governing the payment of compensation under the TB and Brucellosis eradication programme provide that payment is made to the herd owner, not to the keeper of the herd from which the reactors were removed. The herd keeper is the natural or legal person responsible for tending to and keeping animals on a day to day basis, whether on a permanent or temporary basis. This is a non financial role and therefore it is not possible to make payments to herd keepers, unless they have also registered an interest as owner.

Under the TB and Brucellosis Eradication Scheme, where payment of grants are likely to exceed €10,000 in any 12 month period, a Tax Clearance Certificate must be provided in respect of all persons registered as having an interest in the role of herd owner during the period concerned before any payment can issue. In the case in question, there was only one person registered as the herd owner at the time the animals were removed as reactors and since this person has been unable to provide a Tax Clearance Certificate, my Department is not in a position to issue the outstanding payments.

### **Fishing Industry Development**

534. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine the reason a fisherman's group in west Cork (details supplied) has been unsuccessful in a number of grant applications in recent times; the way this situation can be improved; and if he will make a statement on the matter. [49556/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I understand that Cumann Iascaigh Chleire has applied to an Bord Iascaigh Mhara (BIM) for assistance under the Seafood Environmental Management Scheme (SEMS). The SEMS provides financial assistance, co-funded by the European Fisheries Fund, to recognised groups of fishing vessel owners/operators or organisations acting on their behalf, for the implementation and certification costs involved in achieving internationally accredited third party audited standards for wild capture fisheries.

I am advised by BIM that the application documentation was incomplete and was returned to the Cumann with a request to provide the outstanding documentation. BIM's Regional Officer Network is available to mentor the seafood industry in the grant application process. I am informed that the Cumann is now actively liaising with BIM's regional fisheries officer in the South West in relation to progressing its SEMS application.

### **Agri-Environment Options Scheme Payments**

535. **Deputy Michael Colreavy** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Sligo will receive their agri environment option scheme payment for 2012; and if he will make a statement on the matter. [49561/12]

**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 1 September 2011.

Under the EU regulations governing the scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks issues were identified in relation to the claimed areas on the Species Rich Grassland action. My Department is currently examining these issues and once satisfactorily resolved, payment will issue at the earliest opportunity.

### **Ash Dieback Threat**

536. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine his plans for stopping the spread of Charala fraxenia which is attacking ash trees commonly

found in hedgerows across urban and rural Ireland; and if he will make a statement on the matter. [49574/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Department has surveyed for *Chalara fraxinea* since 2008. The first finding of the disease was confirmed on 12 October 2012 in County Leitrim. My Department has been resolute in its efforts to stop the spread of this disease and to prevent further infection. The consignment, made up of some 30,000 plants imported from continental Europe, was planted over 11 sites. The ash trees at each of these 11 sites were cut and destroyed by burning without delay last month. Symptoms were found initially on the site in Leitrim and then subsequently in a small number of trees in a site in Galway, two sites in Tipperary, a site in Meath and a site in Monaghan, all from this one infected batch. This work was undertaken with the co-operation of forest owners and forestry contractors and supervised by Departmental Forestry Inspectors.

Voluntary measures agreed with forestry stakeholders, the nursery sector and hurley makers to prevent the importation of infected material from the continent has now been superseded by robust legislation. This legislation, introduced simultaneously with Northern Ireland, makes it an offence to import plants from areas known to have *Chalara fraxinea*. Furthermore, the movement of plants within the country are now also subject to plant passport requirements. Legislation, was also signed into law, which control ash wood movement into Ireland, including firewood and hurley ash. Under the legislation ash wood may enter the State if (1) it comes from an area free of the disease or (2) its free of outer round surface (including bark) or (3) its kiln dried below 20% moisture.

In terms of future actions, site surveys of the ash estate are continuing this week. These surveys on the health of our ash trees will focus on sites which are at most risk from infection. These will include recently planted forests which used material imported ash plants from the continent. Examinations of ash imported wood and planting material will also be increased to enforce recently enacted legislation.

In relation to specific biosecurity measures to be observed where the disease is suspected or where ash surveys are being carried out the Department currently recommend the following hygiene measures. In relation to footwear, it is recommended to wash off all soil and plant debris from boots. Boots should then be sprayed with disinfectant and used water should be disposed of onto an area where the water will not run into a watercourse. In relation to clothing, it is recommended to check all clothing and remove any plant material. Soil and plant debris should be washed off all tools and equipment with disinfectant.

Forest owners, forest nursery staff and members of the public have been asked by my Department to be vigilant for the disease and report with photographs if possible, any sites where there are concerns about unusual ill health in ash trees to the Forest Service.

### **Fish Quotas**

537. **Deputy Ciara Conway** asked the Minister for Agriculture, Food and the Marine the position regarding changes made to quotas in relation to the sentinel herring fishery; his views on whether some fishermen will lose out on quota as going from seven tonnes to two tonnes makes these boats non viable; and the boat owner operators understood that until this change they were entitled to seven tonnes; and if he will clarify the position regarding imperial or metric measurements of vessels and quotas. [49593/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Celtic

Sea Herring Management Advisory Committee (CSHMAC) has been in place for a number of years to advise the Minister on the management arrangements for the stock. The Committee comprise representatives of industry and processors and is chaired by the Irish South and West Fish Producers Organisation (IS&WFPO). The Department is not represented on the Committee nor is any other State agency. However, the Marine Institute advises the Committee from time to time on scientific issues relating to the stock and was very involved with the Committee in the preparation of a Rebuilding Plan for the Stock which was accepted by the Minister and submitted to the EU Commission.

As part of the recovery plan for Celtic Sea Herring stock the CSHMAC recommended the establishment in 2006 of a restricted fishery for vessels under 50ft in overall length in the Dunmore East spawning area to assist with the provision of scientific information on the stock. From 2007 to 2011, 8% of the overall Celtic Sea Herring quota was allotted to the fishery. In the years to 2007 to 2010 an average of 25 vessels booked into the fishery, a number of which subsequently chose not to participate. In 2011 this increased to 40 vessels and in 2012 the number booking in increased to 72 vessels. Most of these vessels had never participated in the Sentinel Fishery before.

As part of the revised Ministerial policy on Celtic Sea Herring announced in June 2012, the proportion of Herring quota allocated to the Sentinel was increased to 11% of the national quota, which is the maximum amount that the fishery can sustain, as advised by the Marine Institute. At the same time, a whitefish and shellfish preclusion was introduced for participants for the duration of the fishery.

As the maximum quota to this fishery is restricted by the scientific advice available, the possible quota allocations are greatly impacted of the number of vessels booking in. The CSHMAC, having regard to the number of vessels booking-in and the amount of quota available, recommended a set of management arrangements agreed by all industry representatives on the committee for 2012. I accepted these recommendations.

In view of the changes to herring fisheries in 2012, I provided vessels booked into the fishery with the opportunity to book out of the fishery, without penalty, by Friday 9 November as the individual allocations available were known at the time. The arrangements in place including the size categories of vessels for allocations, were recommended by the CSHMAC. The Department brought the matter to the attention of the CSHMAC, who has advised the that tier categories are set out on a pilot basis for 2012 and the committee intends to propose changes to area of categorisation for 2013, including the issue of imperial Vs decimal vessel sizing.

Until I have an opportunity to examine the proposals from the CSHMAC and decide on clarifications, if any, to the current situation, the imperial measurement system will continue to apply. It is important to point out that any changes introduced will be based on a full evaluation, taking account of the situation of all vessels and the proper and rational management of this fishery. Accordingly, the possible impact of any changes on individual vessels can not be anticipated.

### **Agriculture Schemes Payments**

538. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be paid their 2012 disadvantaged area based payment and single farm payment; and if he will make a statement on the matter. [49620/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person

concerned is an applicant under the 2012 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. The inspection process is now complete and any payments due will issue as soon as possible.

### **Harbours and Piers Expenditure**

539. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 349 of 25 September 2012, if he will provide an update in the restoration works to the Bulls Nose Pier, Cape Clear Island, County Cork; and if he will make a statement on the matter. [49638/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** On the 18th October 2012 a planning application for development works at Cape Clear was lodged with Cork County Council. An application for a Foreshore Licence was submitted to the Department of Environment, Community and Local Government on the 26th October 2012. The project at the Bulls Nose Pier, Cape Clear is progressing as planned.

### **Departmental Expenditure**

540. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49645/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** There are currently 12 State Bodies that fall under the aegis of my Department:

Aquaculture Licensing Appeals Board;

Bord Bia;

Bord na gCon;

Bord Iascaigh Mhara (BIM);

Coillte;

Horse Racing Ireland;

Irish National Stud;

Marine Institute;

National Milk Agency;

Sea Fisheries Protection Authority;

Teagasc;

Veterinary Council of Ireland.

Spending on communication, public relations, consultancy, advertising and human resourc-

es are operational matters for the agencies themselves.

### **Fisheries Protection**

541. **Deputy Terence Flanagan** asked the Minister for Agriculture, Food and the Marine if he will respond to the following query regarding herring fishing (details supplied) in County Dublin; and if he will make a statement on the matter. [49677/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Celtic Sea Herring Management Advisory Committee (CSHMAC) has been in place for a number of years to advise the Minister on the management arrangements for the stock. The Committee comprise representatives of industry and processors and is chaired by the Irish South and West Fish Producers Organisation (IS&WFPO). The Department is not represented on the Committee nor is any other State agency. However, the Marine Institute advises the Committee from time to time on scientific issues relating to the stock and was very involved with the Committee in the preparation of a Rebuilding Plan for the Stock which was accepted by the Minister and submitted to the EU Commission.

As part of the recovery plan for Celtic Sea Herring stock the CSHMAC recommended the establishment in 2006 of a restricted fishery for vessels under 50ft in overall length in the Dunmore East spawning area to assist with the provision of scientific information on the stock. From 2007 to 2011, 8% of the overall Celtic Sea Herring quota was allotted to the fishery. In the years to 2007 to 2010 an average of 25 vessels booked into the fishery, a number of which subsequently chose not to participate. In 2011 this increased to 40 vessels and in 2012 the number booking in increased to 72 vessels, most of these vessels, including the one referred to by the Deputy had never participated in the Sentinel Fishery before.

As part of the revised Ministerial policy on Celtic Sea Herring announced in June 2012, the proportion of Herring quota allocated to the Sentinel was increased to 11% of the national quota, which is the maximum amount that the fishery can sustain as advised by the Marine Institute. At the same time a whitefish and shellfish preclusion was introduced for participants for the duration of the fishery.

As the maximum quota to this fishery is restricted by the scientific advice available, the possible quota allocations are greatly impacted of the number of vessels booking in.

The CSHMAC having regard to the number of vessels booking-in and the amount of quota available recommended a set of management arrangements agreed by all the industry representatives on the committee for 2012. I accepted these recommendations.

In view of the changes to herring fisheries in 2012, I provided vessels booked into the fishery with the opportunity to book out of the fishery, without penalty by Friday 9 November as the quota available was known at the time. The vessel referred to by the Deputy did not exercise this option.

The vessel in question measures less than 30ft in length overall, therefore under the current agreed management arrangements the vessel falls into the <30 ft category for quota allocation. These arrangements in place were recommended by the CSHMAC.

The Department brought the matter to the attention of the CSHMAC who have advised the size categories are set out are on a pilot basis for 2012 and the committee proposes to propose changes to area of categorisation for 2013 including the issue of imperial Vs decimal vessel sizing.

Until I have an opportunity to examine the proposals from the CSHMAC and decide on clarifications if any to the current situation, the imperial measurement system will continue to apply. It is important to point out that any changes introduced will be based on a full evaluation taking account of the situation of all vessels and the proper and rational management of this fishery. Accordingly, the possible impact of any changes on individual vessels can not be anticipated.

### **Disadvantaged Areas Scheme Appeals**

542. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a decision will be made on an appeal of a decision to refuse disadvantaged area scheme in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [49685/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Payments**

543. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area payment will issue to a person (details supplied) in County Limerick; and if he will make a statement on the matter. [49744/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While the person named applied for derogation under the 2012 Disadvantaged Areas scheme, the application was unsuccessful. The applicant was notified of this decision in writing and advised of the right of appeal to the recently established independent DAS Appeals Committee.

### **Fisheries Protection**

544. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will provide a list of all of the categories in order of severity of fisheries offences listed under the Sea Fisheries and Maritime Jurisdiction Act 2006; and if he will outline the sanctions being imposed for such offences. [49767/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Section 28 of the Sea Fisheries and Maritime Jurisdiction Act, 2006 and Section 44 of the Criminal Justice Act, 2007 set down the penalties and forfeiture for certain fishery offences.

An offence may be tried summarily in the District Court if the Judge is of the opinion that the charges are of a minor nature and the Director of Public Prosecution consents and the defendant does not object. A fine following a conviction in the District Court will not exceed €5,000 and forfeiture as specified in Section 28 (6). Maximum fines on conviction on indictment are set in Tables 1 and 2 of Section 28 of the Sea Fisheries and Maritime Jurisdiction Act, 2006 including forfeiture as set out in Section 28(5) and in Section 44(b) of the Criminal Justice Act, 2007. In terms of severity, subject to the maximum fines set out in the Act, the level of fines are determined by the Courts. In relation to the fines set by the Courts, I have sent the request

to the Sea Fisheries Protection Authority which is the responsible authority for the operation of sea fisheries control, for direct reply.

### **Rural Environment Protection Scheme Applications**

545. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding a rep scheme application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [49802/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in February 2008 and received payments for the first 4 years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process is under way for 2012 REPS 4 applications and I expect that payments will commence shortly. In the event that any issues arise on the file of the person named, officials in my Department will be in direct contact with the person named.

### **Agriculture Schemes Payments**

546. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the 2011 agricultural payments that are currently being processed in respect of a person (details supplied) in County Mayo; and when a decision is expected for each one. [49869/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2011 Single Payment/ Disadvantaged Areas Scheme was received from the person named on 20 April 2011.

Advance Payment under the 2011 Single Payment scheme issued to the person named on 19 October 2011 and the balancing payment issued on 01 December 2011. The person named has also received advance payment of SPS for 2012 on 1 November 2012, while the 2012 application for DAS is currently being processed for payment.

### **Farm Household Incomes**

547. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will provide a breakdown, on a county basis, of the number of farmers who currently receive less than €5,000 in single farm payment, those who receive between €5,000 and €9,999, between €10,000 and €19,999, between €20,000 and €29,999, between €30,000 and €39,999, between €40,000 and €49,999, between €50,000 and €59,999, between €60,000 and €69,999, between €70,000 and €79,000, between €80,000 and €89,999, between €90,000 and €99,999 and over €100,000. [49945/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The data requested by the Deputy is currently being compiled by my Department and a detailed response will issue directly when this is completed.

### **Single Payment Scheme Applications**

548. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 154 of 26 September 2012, the position regarding a single farm payment in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [49959/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted an application under the 2012 Single Payment scheme on 13 April 2012. During the processing of the application, an issue arose regarding an over-claim on a specific parcel and a letter issued to the applicant on 26 October 2012 advising him of this. The person named replied on 5 November 2012 confirming the reduced area and the application was processed on this basis. A further letter issued to the applicant on 8 November 2012 advising him that payment would be reduced accordingly. The person named has since submitted further correspondence seeking a review of the reduced payment and this is currently under consideration.

### **Disadvantaged Areas Scheme Payments**

549. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be paid their 2012 disadvantaged area based payment and single farm payment; and if he will make a statement on the matter. [49971/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the Single Payment / Disadvantaged Areas Scheme was received from the person named on 15 May 2012. With regard to the Disadvantaged Areas Scheme, the Terms and Conditions governing the Scheme require, inter alia, that applicants maintain a minimum stocking density on their holding of 0.15 livestock units per forage hectare declared, for at least six consecutive months, during the calendar year of application, in addition to maintaining an annual average of 0.15 livestock units. As the applicant has not met the required minimum stocking for six consecutive months, he therefore does not qualify for payment under the Scheme. The application under the Single Payment Scheme is being processed with the aim of issuing any payment due as soon as possible.

### **Disadvantaged Areas Scheme Payments**

550. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 498 of 9 October 2012, when payment of disadvantaged area aid payment will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [49988/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted an application under the 2012 Single Payment Scheme on 10 May 2012. Issues arose in relation to two parcels on this application and the person named was sent correspondence relating to these. A response relating to only one of the parcels was received and this is currently under active investigation. My Department issued a further letter to the applicant on 9 November relating to the second parcel and we are awaiting a reply to this. I regret payment cannot be made until these issues are resolved.

### **Disadvantaged Areas Scheme Payments**

551. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [49991/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While an application under the 2012 Disadvantaged Areas Scheme was received from the person named on 15 May 2012, payment has not issued as the conditions of the Scheme have not been satisfied, at this stage. Although passports have been submitted, as the equines do not meet the Scheme criteria set out below, no payment is due.

To meet the eligibility conditions of the Scheme in this context, an applicant must, in the first instance be an equine breeder and have bred a foal, from a mare registered as on the applicant's holding in 2011, in either 2009, 2010 or 2011, which was registered in a Stud Book approved by the Department of Agriculture, Food and the Marine, with pedigree recorded (sire and dam).

Where this criterion is met, the following equines will then be eligible for inclusion in the stocking density calculation for the 2012 Scheme: all equines aged one year to five years, (aged using 1 January), registered in the name of the applicant and maintained on his/her holding; breeding mares, registered as having been on the applicant's holding in 2011, that have bred an appropriately registered foal in 2009, 2010 or 2011.

### **Poultry Industry**

552. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the two poultry farms in an area (details supplied) in County Fermanagh which has contracted a disease known as salmonella gallinarum leading to the destruction of 125,000 birds on one farm and 50,000 on another; if he has been in contact with his northern counterpart on this issue; if he will investigate if waste fertiliser from those farms has been used in this jurisdiction; the steps he proposes to prevent this disease affecting this jurisdiction. [50021/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department was informed of an outbreak of salmonella gallinarum (Fowl Typhoid) in a table egg laying flock in County Fermanagh. A second outbreak in an adjacent breeding flock was subsequently advised. We have been advised that both flocks have been depopulated. It has also been confirmed that there have been no imports of hatching eggs or day old chicks originating from the breeding flock. This disease has never been recorded in the State.

Fowl typhoid is specific to poultry and is not regarded as a zoonotic disease (it is not communicable to humans) or a food safety risk. Chickens are the most commonly affected species, but the disease can also infect turkeys, game birds, guinea fowls, sparrows, and pet birds.

My Department has ongoing monitoring and contact with the relevant stakeholders in Northern Ireland, including officials in Department of Agriculture and Rural Development in Northern Ireland. Under the Poultry Health Programme, my Department tests all breeding flocks for fowl typhoid at movement and point of lay. In addition poultry for further production are tested prior to export. If fowl typhoid is suspected in a poultry farm that is approved for trade, approval will be suspended, and no further trade in poultry or hatching eggs originating from the farm can take place. Approval will be withdrawn if fowl typhoid is confirmed. It is obligatory to notify any suspicion of fowl typhoid to my Department. An information leaflet on fowl typhoid has been posted to my Department's website and is available at [www.agriculture.gov](http://www.agriculture.gov).

ie. This is in addition to the brochure on Biosecurity Information for Registered Poultry Flock Owners also on the website. The industry and all stakeholders are advised to take all appropriate biosecurity measures. My Department is currently investigating whether manure from this farm has been used in this jurisdiction.

### **Forestry Grants**

553. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a forestry payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50036/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the applicant's plantation was not up to the required standard, remedial works were required. Therefore, premium payments for this contract were withheld until the remedial works were completed and the second instalment of the grant could be paid. The remedial works have now been carried out and the Forest Service inspector has recommended the payment of the second grant for the site. On this basis, it is expected that payment of the both outstanding grant and the applicant's 2011 premium will now be processed on 15 November 2012, with the applicant receiving the money in the following days. An application form for the 2012 premium payment has been sent to the applicant, thus enabling her to claim the premium for this year.

### **Disadvantaged Areas Scheme Appeals**

554. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50040/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

555. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50041/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

556. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50043/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

557. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50046/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

558. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a decision will issue on an appeal for disadvantaged area aid payment in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [50047/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Payments**

559. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a disadvantaged payment for 2012 will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50048/12]

**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 19 April 2012. However, payment has not yet issued as, at this stage, the holding of the person named has not yet satisfied the Scheme minimum stocking density requirements. Immediately the holding concerned is confirmed as having met these requirements, the case will be further processed with a view to payment at the earliest possible date thereafter.

### **Disadvantaged Areas Scheme Appeals**

560. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50049/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

561. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to the disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50050/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Forestry Grants**

562. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if grant approval will be granted for the special construction of a bridge on a forestry road in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50066/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The application by the person named under the Forest Roads Scheme has yet to be activated by the applicant's registered forester. As soon as it is activated it will be examined and eligibility determined. The Roads Scheme provides for grants paid in two instalments of up to 80% of eligible costs incurred in the construction of a forest road subject to (i) a maximum of €35 per linear metre and (ii) a limit of 20 metres of road per hectare of forest served. There are no additional payments for special construction works.

### **Disadvantaged Areas Scheme Applications**

563. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment application in respect of a person (details supplied). [50118/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is an applicant under the 2012 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 soon as the inspection related processes are completed, the processing of this application will be completed and any payments due will issue as soon as possible.

### **Disadvantaged Areas Scheme Appeals**

564. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a decision will issue on the disadvantaged area scheme appeal in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [50133/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While the person named applied for derogation under the 2012 Disadvantaged Areas scheme, as the application included insufficient information to process the claim, the person named was requested, by letter dated 16 October, to forward additional supporting documentation. On receipt of the necessary information the derogation application will be progressed.

### **Disadvantaged Areas Scheme Appeals**

565. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a decision will issue on an appeal for the disadvantaged area scheme in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [50148/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation applications having been unsuccessful, who have now appealed my Department's decision to the recently constituted, independently chaired, DAS Appeals Committee. Immediately that Committee has adjudicated on the appeal, the person named will be advised of the Committee's decision, in writing.

### **Agri-Environment Options Scheme Applications**

566. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when a decision on agri environment option scheme 2 will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [50152/12]

**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 1 September 2011.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks issues were identified in relation to the claimed areas on the Species Rich Grassland and Traditional Hay Meadow actions. My Department is currently examining these issues and once satisfactorily resolved, payment will issue at the earliest opportunity.

### **Public Sector Reform Review**

567. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine if he will outline the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50637/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** During the second half of 2011, and as part of an initiative to improve internal communications in the context of the Public Service (Croke Park) Agreement, my Department held a series of staff seminars throughout the country. The seminars gave senior management an opportunity to communicate with staff members and receive feedback regarding the changes that have already taken place and the changes that will be necessary in the coming years. A 'Staff Suggestion Scheme' was subsequently launched, which seeks the input of all staff members and gives them an opportunity to contribute ideas and suggestions at any time.

The Department also seeks the views of staff members on major initiatives. For example, views were sought when the Department published its revised 'Action Plan' under the Public Service Agreement. A Department-wide consultation process was also held for the Statement of Strategy 2011-2014.

My Department also has a formal 'Partnership' structure, which is a structure within the Civil Service established to enable management, unions and staff members at all levels to actively participate in discussing and resolving issues and challenges.

### **Pension Provisions**

568. **Deputy Terence Flanagan** asked the Minister for Agriculture, Food and the Marine how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50650/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The funding of pension schemes for the State Agencies under the aegis of my Department is a matter for the Agencies themselves.

### **Social Workers Register**

569. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs the number of new social workers that have been appointed since she has taken office; and if she will make a statement on the matter. [49580/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The HSE compiles a monthly census of employment in the public health and social care sector. Figures supplied by the HSE indicate that the number of whole-time-equivalent (WTE) social workers employed in the Children and Families Service area of the HSE was 1,300 at the end of July 2012. The number of social workers employed in the Children and Families Service area at the end of February 2011 was 1231. This represents an increase of 69 whole-time-equivalent (WTE) social workers since the end of February 2011. The total number of individual social workers employed in child and family services has increased by 86 in the same period.

The HSE has made considerable progress over recent years in recruiting additional social workers, with 260 social workers recruited under the Ryan Implementation Plan at end 2011. A further 10 social work posts are currently at various stages of recruitment, with four already

in position.

The National Director of Children and Family Services, Gordon Jeyes, will continue to apply his discretion to the filling of social work vacancies, taking account of identified need and subject to services being delivered within available resources.

It is important to emphasise that work is ongoing within the HSE on the disaggregation of the Children and Families resource base from the HSE as part of the process of establishing the new Child and Family Support Agency next year. Consequently the number of social workers assigned to the Children and Families Service area will continue to be subject to change as the mapping/classification of posts into care groups is further refined between now and year end.

### **Early Child Care Education Issues**

570. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs her plans for the early childhood care and education scheme; her views on the benefits of this service; and if she will make a statement on the matter. [49582/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides for one free pre-school year for all eligible children in the year before commencing primary school.

In line with the Programme for Government, my Department has maintained the pre-school year on a universal and free basis. The universal nature of this programme is critical for childhood development by providing every child with early learning and preparation for school. In this context the funding for the pre-school year was increased from €163 million in 2011 to €175.8 million in 2012 to cater for changing demographics.

The objective of the ECCE programme is to make early learning in a formal setting available to eligible children in the year before they commence primary school. Services participating in the programme are required to promote age-appropriate activities and programmes within the Síolta framework for early learning. They are also encouraged to implement the Aistear curriculum which has been developed for children aged 0 to 6 years.

The ECCE programme has been extremely successful to date with almost every pre-school service in the State involved in its delivery and approximately 66,000 eligible children participating. Access to quality and affordable child care has a major impact on the lives of children, and this programme has been particularly important for those children who may be socially or economically disadvantaged and would not otherwise be in a position to avail of quality pre-school care and education.

Future developments relating to early years care and education will, of course, be considered during preparation of the new National Early Years Strategy 2012.

### **Child and Family Support Agency Establishment**

571. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs the position regarding the legislation required to establish the new Child and Family Support Agency; and if she will make a statement on the matter. [49583/12]

575. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if she will outline to Dáil Éireann the timeframe, structure and other details of the establishment of a new

Child Protection Agency; if it will involve negotiating with Social Workers and other professionals' Trade Union and representative groups; and if she will make a statement on the matter. [49667/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 571 and 575 together.

Work is proceeding as a priority of Government on the preparation of the legislation necessary to give effect to the establishment of a new Child and Family Support Agency. The intention, subject to the passing of the legislation, is that the new Agency will be established in January 2013.

My Department is working closely with staff representatives in preparation for the establishment of the new Agency. I very much welcome the support of the unions for this process and their commitment to work constructively with management to improve outcomes for children through the creation of a high performing, properly resourced and fully functioning agency for children and families.

I am firmly committed to the transformation of Ireland's child protection and welfare services, and confident that the establishment of the Agency will bring a dedicated focus to child protection, family support and other key children's services for the first time in the history of the State. The new Agency and the wider transformation of children's services represents the largest, and most ambitious, areas of public sector of reform embarked upon by this Government.

### **Detention Centres**

572. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs the position regarding the children's detention centre in Lucan, County Dublin; her plans for the premises; and if she will make a statement on the matter. [49584/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Ballydowd Young Peoples Centre, which has a capacity for 10 beds, is one of three Special Care units in the country which are operated by the HSE under a single national governance arrangement. The other two units are Gleann Álainn (Cork) and Coovagh House (Limerick). Special Care involves the detention of a child for his or her own welfare and protection in a Special Care Unit. Special Care Units offer higher staff ratios, on-site education as well as specialised input such as psychology services. The child is not detained as a result of criminal offences, but is placed by way of a Detention Order under the inherent jurisdiction of the High Court. The HSE plans that Ballydowd will continue to function as a Special Care Unit for the foreseeable future. The Health Information and Quality Authority (HIQA) inspects Special Care Units annually under Section 69 of the Child Care Act 1991. Ballydowd received a positive inspection report from HIQA in August 2012 (Report ID:547).

### **Missing Children**

573. **Deputy Joan Collins** asked the Minister for Children and Youth Affairs the date on which the 116000 phone line will be operational; if it will be set up before or after the children's referendum; and if she will make a statement on the matter. [49591/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Universal Service Directive requires Member States to "make every effort to ensure that citizens have

access to a service operating a hotline to report cases of missing children. The hotline shall be available on the number 116 000.” The same Directive also requires Member States to “ensure that citizens are adequately informed of the existence and use of services provided under the 116 numbering range, in particular through initiatives specifically targeting persons travelling between Member States.” The hotline service will operate on two levels: the reporting of a missing child to the relevant authorities - in this case, the Garda - and the provision of emotional support to parents of missing children. Under EU telecoms rules agreed in 2009, the 116000 number is reserved in all EU member states for a missing children hotline. My Department established and is leading a cross-sectoral Project Team, including representatives of my own Department, the Department of Justice and Equality, ComReg and An Garda Síochána, to advance this matter. Following cross-departmental consultation and an examination of the issues involved by the Project Team, ComReg, which has responsibility for the allocation of this number in Ireland, has now allocated the number to the ISPCC.

It is important to note that the 116000 number is not an emergency number. Emergency calls should always be directed to the 999/112 number in the first instance, where the relevant emergency responses, including the recently launched Garda Missing Children Amber Alert mechanism, may be activated. The establishment of the 116000 line will however, be of valuable support and assistance to families of missing children and to missing children themselves. In the interim the ISPCC has developed, with the Garda Síochána, an interim response that is currently heard if one rings the 116000 number. The number advises callers to report a missing child to An Garda Síochána and if a child is calling for assistance, to contact the ISPCC. It is essential that the hotline service is operated in accordance with all best practice standards. In order to fulfil this, the ISPCC have advised that a phased implementation will be necessary. They envisage that the number will become operational in December 2012 from 22:00-16:00, 7 days a week, and will be operating on a 24-hour basis by February 2013. This will be considered a ‘pilot’ phase. This will give the ISPCC the time to complete the necessary training, develop and implement formal relationships with statutory authorities, overcome technical troubleshooting and prepare a 116 000 service launch and awareness campaign. It is intended that an official launch will take place on 25 May 2013, which is International Missing Children Day. The service launch bears particular importance as it is crucial that the public understand this is a support service rather than an emergency service. The service launch will comprise of a media and event launch, face to face outreaches by ISPCC service staff and promotional materials.

### **Departmental Expenditure**

574. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if she will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under her remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if she will make a statement on the matter. [49647/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Four agencies are funded by the Exchequer through my Department’s Vote: the Adoption Authority of Ireland; the Family Support Agency; the National Educational Welfare Board; and the Ombudsman for Children’s Office. I have set out in tabular format the amount being budgeted for by the State agencies under the remit of my Department for the current year. I am not in a position to furnish the Deputy with details in relation to the Adoption Authority of Ireland at the present time. I have asked the authority to write to the Deputy with the information required. It should be noted that the agencies do not generally use the particular headings to which the Deputy refers, but I have set out the details in the table as definitively as possible.

## Amounts budgeted for in 2012

Agency	Communica- tions	PublicRelations	Consultancy	Advertising	Human Re- sources
National Educa- tional Welfare Board	€46,600 (print, design, editing, translation, me- dia coverage)	€0	€328,000	€14,500	€0
Family Support Agency	€0	€0	€10,000	€14,500	€23,500
Ombudsman for Children's Office	€182,000 (com- munication, participation, education)	€0	€65,000 (legal and consultancy fees)	€0	€295,000 (complaints and investigations)

*Question No. 575 answered with Question No. 571.*

### Departmental Funding

576. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if she will outline in tabular form moneys and grants that her Department has awarded from 9 March 2011 to 9 September 2012; the number of applications she has received that she was unable to grant aid; and if she will make a statement on the matter. [49668/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information sought by the Deputy regarding grant disbursements in the period March 2011 to September 2012 is currently being compiled by my Department and will be forwarded to the Deputy in the near future.

### Child Care Services Provision

577. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if she is satisfied that the FETAC level five and six will be recognised as the base qualification for childcare workers in private and public crèche facilities; the current standard being operated at European level; if this requires examination to ensure harmonisation and recognition by the European Union Member States; and if she will make a statement on the matter. [49669/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Nearly all pre-school services in the State are now participating in the Early Childhood Care and Education (ECCE) programme, which provides a free pre-school year to all eligible children in the year before they commence primary school. This programme requires that staff members acting as pre-school year leaders hold a child care qualification equivalent to FETAC Level 5 on the National Framework of Qualifications of Ireland. A higher capitation rate is available to sessional playschool services participating in the ECCE programme in which all child care workers have qualification levels above the minimum requirements for the programme. In terms of our European counterparts, I would like to refer the Deputy to the EC Communication COM (2011)66 on Early Childhood Education and Care: Providing all our children with the best start for the world of tomorrow. This Communication recognised that “while there has been progress in many Member States towards more professionalised and specialised staffing of ECEC, this starts from a low base in many countries and improving this situation will be an important part of any expansion of ECEC services”. This EC communication concluded by proposing “an

agenda for work among Member States on key issues related to access and to quality, supported by actions by the Commission". This agenda includes "Promoting the professionalisation of ECEC staff". Ireland will participate fully in this EC agenda. The issue of training and qualification standards is currently being considered in the context of the Early Years Strategy.

### Adoption Records Provision

578. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs the reason for delays in progressing inter country adoption co-operation between the Adoption Authority of Ireland and CARA, the central adoption authority in India, while both countries are long time signatories of the Hague Convention; if cooperation is likely to develop in the near future in order that the hundreds of Irish prospective adoptive parents approved to adopt from India by the AAI will not have to wait another few years before they can adopt; and if she will make a statement on the matter. [49687/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Adoption Authority of Ireland has had extensive dealings with its Indian counterparts (CARA). In 2011, CARA notified the authority that CARA was reviewing its intercountry adoption guidelines and would not be accepting dossiers from Irish applicants either until 30 September 2011 or until further notice. Following several attempts to get clarification from CARA in this regard, a delegation from the authority visited India in June 2012 to discuss various issues relating to intercountry adoption with the Indian authorities. The delegation met with representatives of CARA and with representatives of a number of diplomatic missions in India. The authority sent me a report on this visit on 5 November last. I am reviewing the contents of the report and will revert to the authority in due course. The authority advises that if adoptions are to recommence, the services of an accredited body will be required for intercountry adoption between India and Ireland. The authority has received expressions of interest from accredited bodies and these are being considered.

### National Lottery Funding Applications

579. **Deputy Regina Doherty** asked the Minister for Children and Youth Affairs when announcements will be made in relation to her Department's National Lottery funding payments for 2012; and if she will make a statement on the matter. [49866/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has a funding provision this year of €500,000 in respect of the National Lottery Funding Scheme. Over 500 applications for grant support have been received from individuals, groups and organisations. The current value of these applications amounts to €15 million which far exceeds the available resources. I am sure the Deputy will appreciate that, in the circumstances, it will not be possible to assist all applications. However, the assessment process is at an advanced stage and all applicants will be informed of the outcome as soon as final decisions have been made. Details regarding the projects that have been awarded grants to date are set out in the following table.

#### National Lottery Funding Scheme 2012

Project Name	Approved
Dime Garda Youth Diversion Project, Hardwicke Street, Dublin 1	€4,500

Project Name	Approved
CARI, 11 Lower Drumcondra Road, Dublin 9	€30,000
Adamstown Summer Camp, 13 The Paddocks Road, Adamstown, Lucan, Co. Dublin	€3,000

### Bereavement Counselling Services

580. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs the support she will offer to an organisation (details supplied); and if she will make a statement on the matter. [49928/12]

581. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs if funding that will be provided to an organisation (details supplied); and if she will make a statement on the matter. [49929/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 580 and 581 together.

The Family Support Agency provides funding to voluntary and community organisations providing marriage, relationship, child and bereavement counselling services. Some 600 organisations are funded each year. These services aim to support people to deal with difficulties they are experiencing in their relationships, to help children whose lives have been affected by parental separation and to support families who have experienced the death of a family member. Over 17,000 individual counselling sessions were delivered within Family Resource Centres in 2011. Of these individual counselling sessions, over 4,000 concerned bereavement. In 2011, the Family Support Agency provided funding of €8,800 to the organisation in question under the scheme of grants to voluntary organisations for the provision of counselling services. In addition, the Family Support Agency last year provided €10,000 to the Irish Childhood Bereavement Network to fund a scoping study on the feasibility and necessity of a bereavement network. I subsequently launched such a Network in July 2012. The Network is a hub for those working with bereaved children, young people and their families and aims to improve access to bereavement information, allow for the sharing of expertise, knowledge and experience and improve the range and quality of bereavement support available to children, young people and, crucially, those caring for them. In this respect it is very welcome. The Network is being hosted for an initial period by the Irish Hospice Foundation. It will be the subject of an interim review after two years and an evaluation after five years. The organisation referred to by the Deputy was part of the Steering Committee which oversaw the development and completion of the scoping study on the establishment of the Irish Childhood Bereavement Network. The Network is in the early stages of development and is currently inviting members, with a target of 70 members set for the first year. I am advised by the Family Support Agency that it provides funding to many of the members of the Network and that any collaboration which improves efficiencies is to be welcomed. Finally, the Deputy will wish to note that the Government has previously announced that the functions of the Family Support Agency will transfer to the new Child and Family Support Agency upon its establishment in 2013.

### Public Sector Reform Review

582. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if she will out-

line the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if she will make a statement on the matter. [50638/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The objective of the Public Service Agreement is to ensure that the Public Service continues its contribution to the return of economic growth and economic prosperity while delivering excellence in service to the Irish public. This is being achieved by staff and management, at all levels, working together to build an increasingly integrated public service which is leaner and more effective and focused more on the needs of the citizen. As a Minister in a small Department, I am very aware that the commitment, skill and knowledge of the people working with me are critical assets and an integral part of the Department's resources. As such, I am anxious to ensure that staff at all levels are fully engaged with delivering strategic objectives for the Department. I understand the Deputy is particularly interested in staff engagement at clerical and executive officer level in contributing to the reform agenda. I am happy to inform the Deputy that these grades were represented in the development of my Department's Statement of Strategy which will guide the Department in responding flexibly and innovatively to changing circumstances. Staff at all levels are talented and committed. It is through their efforts that ambitions for children and young people set out in this Strategy will be achieved. The human resource policies in my Department allow for full staff engagement on matters involving them. For example, clerical and executive staff are involved in the Business Planning process in their respective units across the Department where clear goals and performance indicators for the year ahead are developed and agreed. A new Partnership Committee has recently been established which involves a continuous commitment by employees to identify improvements in quality and efficiency and an acceptance by management that employees are stakeholders with rights and interests to be considered in the context of major decisions affecting their work and employment.

### Supplementary Welfare Allowance Payments

583. **Deputy Catherine Murphy** asked the Minister for Health if the dietary supplement for children with coeliac disease at €6.50 per month is regarded as sufficient; if consideration was given to the adequacy of the supplement in advance of the withdrawal of this support from those in receipt of medical cards; and if he will make a statement on the matter. [49560/12]

**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. Many European countries do not pay for food products under their Health Service Arrangements – the logic being that all persons need to buy food.

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.

The operation of the Supplementary Welfare Allowance Scheme is a matter for my colleague the Minister for Social Protection. For persons who are not awarded a Diet Supplement,

monies spent on gluten-free foods can be taken into account for tax purposes.

### **Health Services Provision**

584. **Deputy Olivia Mitchell** asked the Minister for Health if proposals regarding supports for those suffering from Narcolepsy following vaccination are to hand; and when they will be communicated to sufferers; and if he will make a statement on the matter. [49407/12]

600. **Deputy Terence Flanagan** asked the Minister for Health the position regarding narcolepsy (details supplied) in Dublin 13. [49529/12]

602. **Deputy Seán Kenny** asked the Minister for Health when he will report to Government on the findings of the final report of the National Narcolepsy Study Steering Committee on the investigation of an increase in the incidence of narcolepsy in children and adolescents based on the commitment given to the members of Sufferers of Unique Narcolepsy Disorder [49541/12]

610. **Deputy Robert Dowds** asked the Minister for Health the action he will take in relation to persons who are affected by narcolepsy as a result of the Pandemrix vaccine for swine flu given in 2009-10; if a paper will be put to Dáil Éireann on this issue and the timeline for same [49626/12]

616. **Deputy Derek Keating** asked the Minister for Health in view of the report on Narcolepsy published on 19 April 2012 regarding the increased incidence of this condition as a result of the vaccination of Pandemrix, if he has studied the report; his response to the parents of children and the organisation called SOUND that a paper would be put to Government regarding the State Vaccination Programme; if his attention has been drawn to the fact that a family (details supplied) County Dublin, are struggling to make sense of their child's condition following their diagnosis on 4 July 2012; if he will bring a paper to Dail Eireann as promised; and if he will make a statement on the matter. [49676/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 584, 600, 602, 610 and 616 together.

My Department is working closely with the Health Service Executive (HSE) and the Department of Education and Skills to address the needs of those affected by narcolepsy following pandemic vaccination.

The HSE provides a range of services and supports to those affected including access to rapid diagnosis, clear treatment pathways, temporary medical cards and reimbursement of expenses incurred. Multi-disciplinary assessments which allow for the appropriate individualised health and educational supports to be put in place have commenced. The National Educational Psychological Service (NEPS) is also engaging with the HSE and with the individual schools and parents of children concerned to identify and provide educational supports for the children and adolescents affected.

Department is considering all other possible supports which may need to be put in place for those affected. Any such supports require my approval and the consent of the Minister for Public Expenditure and Reform. I would like to assure the Deputy that this matter continues to be a priority for my Department.

### **Thalidomide Victims Compensation**

585. **Deputy Jack Wall** asked the Minister for Health the position regarding negotiation agreements with an association (details supplied); and if he will make a statement on the matter. [49413/12]

**Minister for Health (Deputy James Reilly):** The main aim of the Government is to address the health and personal social care needs of thalidomide survivors living in Ireland. I have stated that I am willing to enter into discussions about a health care package on a non-statutory basis; an ex-gratia payment having regard to current financial circumstances; and a statement to the Dáil recognising the challenges faced by survivors. My position remains unchanged from that outlined in my letter to the Irish Thalidomide Survivors Society in June this year in which I requested that the Society consider, in good faith, proceeding with the Health Care Protocol as envisaged i.e. 1. Appoint and train a multidisciplinary team; 2. Arrange a multidisciplinary health evaluation; 3. Identify and document the healthcare needs/issues; 4. Develop plans to address healthcare needs/issues.

While acknowledging the Society's expressed concerns, I await an answer from the Irish Thalidomide Survivors Society whether it is prepared to proceed with the Protocol. As explained previously I am not in a position to meet the demands of the Irish Thalidomide Survivors Society as outlined in their members mandate around setting up an independent agency and meeting costs associated with individuals need for housing adaptation

### **Home Help Service Provision**

586. **Deputy Regina Doherty** asked the Minister for Health if he will confirm the number of home help hours paid for by the Health Service Executive, either directly through employment or contracts or through agencies and if they broken down by category or type of care provided; and if he will make a statement on the matter. [49444/12]

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

### **Suicide Prevention**

587. **Deputy Joe Carey** asked the Minister for Health if he will report on funding for applied suicide intervention skills training; and the funding he envisages allocating to this service in the future; and if he will make a statement on the matter. [49448/12]

**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.

### **Drug Treatment Programmes Availability**

588. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the steps he has taken to ensure the maintenance of the Coolmine Therapeutic Community Centre's mother and child rehabilitation service which is in need of funding, so much so, that they cannot fund a nurse or child specialist for their Dublin West facility. [49461/12]

**Minister of State at the Department of Health (Deputy Alex White):** Coolmine Therapeutic Community receives funding from my Department and the HSE to provide a range of services, including a specific residential programme targeting women, many of whom are

mothers. Reflecting the Government's ongoing commitment to the National Drugs Strategy, I have approved an additional €100,000 in funding to enable the facility to provide a creche service. This will allow mothers to keep their children with them during residential treatment and remove potential barriers for women who wish to access this service.

### Drug Treatment Programmes Funding

589. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if his attention has been drawn to the fact that for every €1 spent on drug rehabilitation programmes, €3 is saved from the prison budget; his views on the collaboration programmes and shared budget streams between his Department and the Department of Justice. [49462/12]

**Minister of State at the Department of Health (Deputy Alex White):** I am not aware of the basis for the statement referred to by the Deputy. The development of integrated treatment and rehabilitation services for problem substance users is a key focus of the National Drugs Strategy 2009-2016. Indeed, over half of the €250m approximately that is allocated by Departments and agencies to drugs programmes is expended under the Treatment and Rehabilitation Pillar of the Strategy. My Department and the Department of Justice & Equality, together with the Health Service Executive, the Irish Prison Service, the Probation Service and An Garda Síochána, work very closely to implement the National Drugs Strategy. The Irish Prison Service are now major providers of drug treatment services and there is an increasing focus on working to ensure a smooth transition to community services for individuals when they leave prison.

In addition, there is close collaboration between the health, justice, community and voluntary sectors across a number of initiatives that target young people who come to the attention of the criminal justice system due to drug-related offences. Such initiatives include youth diversion programmes, drugs intervention programmes for young offenders and the Drug Treatment Court.

### Health Services Expenditure

590. **Deputy Eoghan Murphy** asked the Minister for Health the cost breakdown to the Health Service Executive in the years 2009, 2010 and 2011 to subsidise antidepressants and anxiolytic drugs [49465/12]

**Minister of State at the Department of Health (Deputy Alex White):** The cost to the Health Service Executive of antidepressants and anxiolytics for 2009, 2010 and 2011 is set out in the table.

	2009	2010	2011
Antidepressants	€81,374,005	€67,303,876	€67,220,203
Anxiolytics	€10,739,808	€9,747,964	€9,606,691

### Mental Health Services Provision

591. **Deputy Eoghan Murphy** asked the Minister for Health the capacity, number of patients per year, within the public services to provide mental health services [49466/12]

592. **Deputy Eoghan Murphy** asked the Minister for Health the cost per day of a hospital bed within the mental health services for psychiatric patients [49467/12]

593. **Deputy Eoghan Murphy** asked the Minister for Health the waiting time in terms of access to mental health professionals within the public services [49468/12]

594. **Deputy Eoghan Murphy** asked the Minister for Health the number of days, on average, that a patient stays in, once admitted into a hospital for psychiatric care [49469/12]

595. **Deputy Eoghan Murphy** asked the Minister for Health the number of patients being taken care of every month by psychologists and or psychiatrists in the Health Service Executive [49470/12]

596. **Deputy Eoghan Murphy** asked the Minister for Health the number of patients, as a percentage, that are referred to a psychologist after an emergency appointment at a public hospital [49471/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 591 to 596, inclusive, together.

As the Deputy's questions relate to service matters, I have arranged for the questions to be referred to the HSE for direct reply to the Deputy.

### **Home Help Service Provision**

597. **Deputy Dara Calleary** asked the Minister for Health if he will outline on a county basis, the number of home help cases that have been reviewed; if he will outline on a county basis the number of cases that have had their hours reduced as a result of this review; and if he will make a statement on the matter. [49512/12]

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

### **Medical Card Applications**

598. **Deputy Pat Deering** asked the Minister for Health when a person (details supplied) in County Carlow will receive a decision on their medical card application [49518/12]

**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 Delays**

599. **Deputy Michael McCarthy** asked the Minister for Health the reason for the delay in processing a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49521/12]

**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.

*Question No. 600 answered with Question No. 584.*

### **Care of the Elderly**

601. **Deputy Arthur Spring** asked the Minister for Health the projected increase in the over 65 year old population in the coming decade; if any funds or moneys are being set aside or are being planned to provide this section of the population with the future facilities and care that will be needed; and if he will make a statement on the matter. [49532/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Government policy is to support older people to live in dignity and independence in their own homes and communities for as long as possible. This objective is realised through a range of Home Care supports, or other measures such as Day or Respite Care facilities. These services are core to not only supporting the preferred wishes of many vulnerable older people, but also can alleviate pressures elsewhere in the wider care system. In addition, we also support access, as appropriate, to Long or Short-Term Residential Care.

The demand for these services, which are often delivered in partnership with non-statutory agencies, will continue as the demographics, and the complex needs, of older people change. For example, at present, there are approximately 535,000 people over age 65 (11% of total population). This is projected to rise to about 775,000 by 2021, 910,000 by 2026, and to around 1.4 million by 2041 (22% of the total population). The number over age 85 is expected to quadruple from approximately 110,000 in 2006 to 444,000 by 2041. The capacity of the Health Service Executive to provide approved levels of services for vulnerable older people is continually reviewed in the context of overall resources available at particular times. In this regard, 2012 has been a very challenging year for the health services generally, and the reality is that this will continue to be the position for the foreseeable future.

It remains the case, however, that investment in this area is significant by any standard, as the HSE Service Plan 2012 provided in the region of €1.4 billion overall for Services for Older People. This includes Long Term Residential Care, Home Care Supports and Day or Respite Care. All measures are being taken by the HSE to ensure that as many people as possible continue to receive appropriate services, in line with assessed individual needs. The position in relation to 2013, or beyond, is obviously subject to the annual Estimates process, in the light of evolving resources and services priorities for the health sector overall.

Notwithstanding the difficult economic situation to be overcome, we intend to carry through insofar as possible the commitments relating to older people contained in the agreed Programme for Government. These include a review of Fair Deal to consider, amongst other things, an extension of the scheme to community based services and to other sectors (Disability and Mental Health), together with its overall sustainability. The review will be completed in 2013. We will also complete the National Positive Ageing Strategy, so that older people are recognised, supported and enabled to live independent full lives. This measure will set the strategic tone for future years, across a number of Government Departments and agencies.

The Department of Health reviews on a regular basis the projected future requirements for the health service, including policies and services relating to older people. This process also takes account of relevant external studies or reports, which often can make a constructive contribution on how we as a society might meet the changing requirements of older people across all of Ireland in future years.

*Question No. 602 answered with Question No. 584.*

### **Services for People with Disabilities**

603. **Deputy Michael Colreavy** asked the Minister for Health his plans to close the learn-

ing disability service based at Cloonamahon, County Sligo by 2018; if so, the location at which the users of the service will be accommodated; the role envisaged for the Cloonamahon campus in relation to health service provision; and if he will make a statement on the matter. [49559/12]

**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.

### **Medicinal Products Supply**

604. **Deputy Michael Healy-Rae** asked the Minister for Health his plans to put in place a time limit on the validity of prescriptions issued; and if he will make a statement on the matter. [49594/12]

**Minister of State at the Department of Health (Deputy Alex White):** Regulation 7(5) of the Medicinal Products (Prescription and Control of Supply) Regulations 2003 as amended provides that prescriptions for medicinal products are valid for a period of six months from the date specified on the prescription. Prescriptions for Controlled Drugs, which are listed in Schedule 2 and 3 of the Misuse of Drugs Regulations 1988 as amended, are valid for fourteen days from the date on the prescription.

### **Suicide Prevention**

605. **Deputy Michael Healy-Rae** asked the Minister for Health his plans to set up a national cross party suicide prevention authority which would be properly staffed and properly resourced to try to reduce the ever increasing number of suicides here; and if he will make a statement on the matter. [49595/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I have no plans to set up another suicide prevention authority. This function is currently being carried out by the HSE's National Office for Suicide Prevention (NOSP) which was established in 2005 on foot of a recommendation in *Reach Out* our National Strategy for Action on Suicide Prevention. The role of the National Office is to oversee the implementation of *Reach Out* and to coordinate suicide prevention initiatives around the country. Its work is centred around evidence based interventions. The NOSP is advised and guided by an implementation group comprising individuals with considerable knowledge and expertise in the areas of suicide prevention, mental health promotion and bereavement support.

In 2011, the total funding available nationally through the HSE for suicide prevention was about €9 million of which €4.1 million is administered by NOSP and is used to fund voluntary and statutory agencies delivering services in the area of prevention, intervention, postvention and research. The remaining €5 million is available regionally to fund Resource Officers for Suicide Prevention, Self-Harm Liaison Nurses in Hospital Emergency Departments and local suicide prevention initiatives. In 2012, an additional €3 million (part of the special allocation of €35m for mental health) has been made available to NOSP to introduce further suicide prevention initiatives.

It is widely accepted that suicide is a complex issue and that there are no easy or single interventions that will bring a guarantee of success. International evidence shows that suicide prevention requires a collective, concerted effort from all groups in society. Solutions, therefore, involve the whole community, a large array of voluntary organisations, specialist mental

health professionals and mental healthcare provided by general practitioners and others in primary care. The overall expenditure in time and resources in this area is significant and is under constant review. I believe that a commitment to evidence based programmes and partnerships with a common purpose is what is required to address the issue of suicide and this role is being carried out at present by the existing National Office.

### **Hospital Charges**

606. **Deputy Michael Healy-Rae** asked the Minister for Health his views on whether introducing a charge on persons who do not attend hospital appointments will lead to another layer of bureaucracy which will be cumbersome and costly to administer; and if he will make a statement on the matter. [49597/12]

**Minister for Health (Deputy James Reilly):** Charges are levied by the Health Service Executive for health services provided in hospitals in accordance with the provisions of the Health Act 1970. Charges are not currently levied where people fail to attend hospital appointments. The possible benefits of introducing new charges as referred to by the Deputy would have to be balanced against the administrative demands involved. The Government will take decisions on all aspects of health expenditure in the context of its overall budgetary strategy for 2013.

### **Hospital Appointments Administration**

607. **Deputy Michael Healy-Rae** asked the Minister for Health his plans to deal with the practice by consultants of block booking appointments, that is 20 persons arriving at 9 a.m., all with appointments to meet the same consultant at the same time; and if he will make a statement on the matter. [49598/12]

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

### **Disabilities Services Funding**

608. **Deputy Terence Flanagan** asked the Minister for Health the reason the voluntary disability sector has been targeted for cuts over the past four years, causing a shortfall in funding of approx 15%; and if he will make a statement on the matter. [49601/12]

**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.

### **Crisis Pregnancy Services**

609. **Deputy Seamus Kirk** asked the Minister for Health if his Department is investigating recent media reports (details supplied) in relation to advice given at the Dundalk office of Irish Planning Association; and if he will make a statement on the matter. [49622/12]

**Minister for Health (Deputy James Reilly):** I wish to inform the Deputy that the allegations made in respect of state-funded crisis pregnancy counselling services in the Irish Indepen-

dent on 27th October 2012 are currently being examined by the Health Service Executive. The Department of Health awaits the outcome of this examination.

*Question No. 610 answered with Question No. 584.*

### **Hospital Waiting Lists**

611. **Deputy Stephen S. Donnelly** asked the Minister for Health the position regarding an operation in respect of a child (details supplied) in County Wicklow. [49636/12]

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

### **Medical Card Applications**

612. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49641/12]

**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.

### **Consultancy Contracts Issues**

613. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49654/12]

**Minister for Health (Deputy James Reilly):** The information requested is currently being collated and will be forwarded to the Deputy as soon as it is available.

### **Hospital Waiting Lists**

614. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will confirm that a person (details supplied) in County Meath has an appointment for an MRI at Beaumont Hospital, Dublin, that the resulting scan will be read in a timely manner and the details of same; and if he will make a statement on the matter. [49665/12]

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

### **Hospital Staff Issues**

615. **Deputy Regina Doherty** asked the Minister for Health when the position of full-time physiotherapist at Temple Street CUH Cystic Fibrosis Unit, Dublin, will be filled; if an agency physiotherapist will be appointed in the interim period; and if he will make a statement on the matter. [49674/12]

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

*Question No. 616 answered with Question No. 584.*

### **Health Services Provision**

617. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if there has been changes to the pre-emergency care cover for Swords, County Dublin in recent weeks; if he will provide the detail of same; and if he will make a statement on the matter. [49680/12]

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

### **Long-Term Illness Scheme Eligibility**

618. **Deputy Dominic Hannigan** asked the Minister for Health his plans to add rubinstein - taybi syndrome to the long term illness scheme; and if he will make a statement on the matter. [49683/12]

**Minister of State at the Department of Health (Deputy Alex White):** There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. Under the Drug Payment Scheme, no individual or family pays more than €132 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines. In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a visit card, which covers the cost of general practice consultation.

### **Hospital Services**

619. **Deputy Mattie McGrath** asked the Minister for Health his plans for the proposed downgrading of Waterford Regional Hospital to a district hospital; if his attention has been drawn to the devastating effect this will have for persons across the entire south east region; and if he will make a statement on the matter. [49684/12]

623. **Deputy John Halligan** asked the Minister for Health if he will confirm the date the independent hospital review group is due to report back to him; if he will agree that a reconfiguration of hospitals within the south east with Waterford Regional Hospital at its central core is the most strategic way forward; if he acknowledges that a critical mass of 500,000 people living in the south east region makes a south east hospital network the most viable option; if he will confirm that any reconfiguration which takes place at Waterford Regional Hospital will not diminish WRH's status as a level four category hospital; if he will provide details of the review groups terms of reference; if he will further confirm if the group was instructed to take into account the fact that increases in travel times for patients and relatives are materially relative to gains in clinical outcomes; if the group has met and taken into consideration the views of the South East Hospital Working Group; and if he will make a statement on the matter. [49707/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 619 and 623 together.

A key stepping stone towards the introduction of Universal Health Insurance will be to develop independent not-for-profit hospital trusts in which all hospitals will function as part of integrated groups. The rationale behind the establishment of hospital groups and trusts is to support increased operational autonomy and accountability for hospital services in a way that will drive service reforms and provide the maximum possible benefit to patients.

To assist my Department in advising the Government on the formation of hospital groups, in June this year I appointed Professor John Higgins to chair a Strategic Board on the Establishment of Hospital Groups. The Strategic Board is composed of representatives with both national and international expertise in health service delivery, governance and linkages with academic institutions.

A Project Team was established to make recommendations on the composition of hospital groups, governance arrangements, current management frameworks and linkages to academic institutions for the consideration of the Strategic Board. The consultation process to inform the project team has been rigorous and comprehensive. It has included meetings with every acute hospital, including consultations on two separate occasions with each hospital in the South East region; it has involved the receipt of a significant volume of formal submissions from hospitals, clinicians, regulatory bodies and citizens, all of which have been considered.

The organisation of hospital services nationally, regionally and locally will be informed by the on-going development of the HSE Clinical Programmes and by the Smaller Hospitals Framework, which defines the role of the smaller hospitals and is intrinsically linked to the on-going work regarding the development of hospital groups.

The work on hospital groups is not about downgrading hospitals. It is about bringing together groups of hospitals into single cohesive entities to allow maximum flexibility in management, budgets and service delivery; it is about ensuring that hospital groups are broadly comparable in size and scope so that they can attract high-quality staff and trainees across all health care specialities and professions; it is about creating efficiencies by using common business processes and economies of scale and avoiding unnecessary duplication; most importantly of all, it is about maximising the range of services available to deliver internationally comparable quality care for patients, regardless of where they live.

I am hopeful that I will receive the report of the Strategic Board on the Establishment of Hospital Groups later this month and that I will be able to bring this matter to my cabinet colleagues for decision shortly thereafter. Finally, it should be remembered that the hospital groups are an interim, collaborative measure pending the legislation required to establish hospital trusts: before those trusts are established, the composition and functioning of the Groups will be reviewed and if changes prove necessary then they will be made with Government approval when the hospital trusts are being formed.

### **Hospital Acquired Infections**

620. **Deputy Regina Doherty** asked the Minister for Health the hospitals and or healthcare centres in which Legionnaires disease occurred in the past two years; and if he will make a statement on the matter. [49698/12]

**Minister for Health (Deputy James Reilly):** Since 2010 there have been three cases of patients having Legionella's Disease as a consequence of being a patient of a HSE healthcare

facility. In each incident a very detailed investigation and consequence control measures procedure were put in place where necessary. A group within the HSE is updating guidance on the prevention and control of Legionellosis in Ireland. The HSE has been requested to supply the details of the healthcare facilities directly to the Deputy.

### **Public Sector Reform Implementation**

621. **Deputy Niall Collins** asked the Minister for Health if he will continue to use the PPARS payroll system for the administration of payroll in the health service for the foreseeable future. [49701/12]

622. **Deputy Niall Collins** asked the Minister for Health if an alternative system has been considered to the PPARS payroll system; if so, when he will be inviting submissions for an alternative system for the administration of payroll in the Health Service Executive. [49702/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 621 and 622 together.

One of the key commitments in the Public Service Reform Plan is to identify and evaluate new business models and opportunities to support the delivery of non-core processes and services. External Service Delivery is an area that can potentially deliver a range of benefits for the provision of health services. These include both cost and efficiency savings stemming from better work and management practices.

It is in this context that HSE Management recently approved proposals to examine the external delivery of the HSE payroll. The decision of the HSE is to test and validate the information already gathered in relation to an external service delivery model proposal for the future central payroll operations and its system support infrastructure. A business case is currently being undertaken by the HSE in this regard. There will be no change to the current HSE payroll process while this exercise is ongoing.

*Question No. 623 answered with Question No. 619.*

### **Health Services Provision**

624. **Deputy Dessie Ellis** asked the Minister for Health his plans for a health centre (details supplied) in Dublin 9 which has had a reduction in services recently causing many residents to fear there might be plans to close it [49726/12]

**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.

### **Hospitals Funding**

625. **Deputy Gerry Adams** asked the Minister for Health if any hospitals in the Louth Meath Hospital group are currently running deficits; the current deficit in each of the hospitals; the projected deficit at the end of the year; if any of these hospitals are making use of an overdraft facility; the details of the overdraft facility in each case [49733/12]

**Minister for Health (Deputy James Reilly):** In the current economic climate, the acute

sector must reduce its costs in order to deliver the agreed level of activity within the resources available to it. In terms of service delivery, we must concentrate on getting the best possible services for patients from the budgets available to us. This means we need to focus on how beds are used, on the throughput of patients, on reducing length of stay to international norms and on having as many procedures as possible carried out as day cases rather than inpatient work, thus maximising also the efficient usage of operating theatre facilities. In relation to the specific queries raised by the Deputy I have asked the HSE to respond directly to him in relation to those matters.

### **Hospitals Funding**

626. **Deputy Gerry Adams** asked the Minister for Health if any additional measures will be taken to curb cost overruns in health services which stood at €374 million at the end of September; the projected cost overrun for years end; and if he will make a statement on the matter. [49734/12]

**Minister for Health (Deputy James Reilly):** As I have previously outlined to the House, the financial situation in the HSE continues to be extremely challenging. The HSE is overspent by €374m to the end of September and on the basis of the latest information available, would have a deficit in the region of €500m at the end of the year if current run rates prevail unless additional cost containment measures are undertaken. There is intensive engagement between my Department and the Health Service Executive to address the excess expenditure. In the short term, to address the 2012 position, I have instructed the Executive to impose cash limits on agency and overtime. Furthermore, there will be more rigorous management of absenteeism, travel and subsistence will be limited, and stock management will be intensified in order to better manage cash. My Department is also undertaking a number of measures to address the deficit, which include an acceleration in the collection of private health insurance income, savings from the agreements with the Irish Pharmaceutical Healthcare Association and the Medical Defence Union. Further initiatives include the use of capital to fund revenue on a once-off basis and the transfer of Department funds to the HSE on a once-off basis. I have also instructed the HSE to review all pay and non-pay savings targets with a view to further targeting all areas which do not compromise patient safety.

### **HSE Funding**

627. **Deputy John Lyons** asked the Minister for Health the position regarding an application for Health Service Executive grant funding for a group (details supplied) in Dublin 11; when a decision will be made in relation to the application; and if he will make a statement on the matter. [49749/12]

**Minister for Health (Deputy James Reilly):** I referred this matter to the Health Service Executive for direct reply

### **Medical Aids and Appliances Applications**

628. **Deputy Brendan Griffin** asked the Minister for Health if a hearing device will be provided in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49750/12]

**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.

### **Medical Card Applications**

629. **Deputy Brendan Griffin** asked the Minister for Health the position regarding a medical card appeal in respect of a person (details supplied) in County Kerry [49751/12]

**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.

### **Drug Treatment Programmes Availability**

630. **Deputy Regina Doherty** asked the Minister for Health the systems in place to provide supervised injection sites to ensure the adequate disposal of needles used to inject heroin in view of the fact that such a service would provide an access point to clean needles, reduce the overall harm to the user and treatment professionals and encourage users to undertake treatment; and if he will make a statement on the matter. [49759/12]

**Minister of State at the Department of Health (Deputy Alex White):** In line with the Programme for Government and Action 34 of the National Drugs Strategy 2009-16, it is Government policy to expand the availability of needle exchange services. These services provide sterilised needles, syringes and associated injecting paraphernalia. They also reduce the dangers posed by discarded needles through the strong emphasis on the exchange of used supplies for new. As well as the direct benefits of needle exchange services, they also bring injecting drug users into contact with health professionals thereby facilitating opportunities to avail of further treatment options.

Needle exchange services are broadly available in the Dublin area through the HSE and voluntary sector organisations. In the past year there has been significant improvement in the availability of needle exchange services outside Dublin through community pharmacies, HSE clinics and voluntary sector organisations. Currently 44 pharmacies are participating in the programme and this number will be increased substantially in the coming year.

It is not my intention to introduce supervised injection sites for heroin users. Rather my focus is on increasing needle exchange provision and also on increasing the emphasis on providing opportunities for people to move on from illicit drug use, through drug treatment and rehabilitation, to a drug-free life where that is achievable.

### **Hospital Facilities**

631. **Deputy Seán Kenny** asked the Minister for Health if he will instruct the Health Service Executive to have a special rate for visitors who use the carpark at Beaumont Hospital, Dublin 9, on a frequent basis; and if he will make a statement on the matter. [49763/12]

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

### **Health Services Expenditure**

632. **Deputy Dara Calleary** asked the Minister for Health the amount the Health Service Executive paid for taxi services in County Donegal since the patient bus service between Letterkenny and Dublin has been abolished; and if he will make a statement on the matter. [49768/12]

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

### **Alcohol Pricing**

633. **Deputy Gerry Adams** asked the Minister for Health his current plans to tackle issues surrounding the availability of cheap alcohol; and if he will make a statement on the matter. [49784/12]

634. **Deputy Gerry Adams** asked the Minister for Health his plans to introduce regulations prohibiting price based advertising of alcohol products. [49785/12]

635. **Deputy Gerry Adams** asked the Minister for Health his plans in relation to introducing minimum pricing of alcohol. [49786/12]

660. **Deputy Gerry Adams** asked the Minister for Health his strategy for tackling the issue of alcohol misuse here. [50081/12]

661. **Deputy Gerry Adams** asked the Minister for Health if there is a specific strategy to tackle the impact alcohol addiction has on the children of addicts. [50082/12]

662. **Deputy Gerry Adams** asked the Minister for Health if there is a specific strategy to tackle the links between alcohol abuse and mental health problems. [50083/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 633 to 635, inclusive, and 660 to 662, inclusive, together.

In its report on alcohol, the National Substance Misuse Strategy Steering Group recommended - among other things - the development of joint protocols between mental health services and drug and alcohol services; the provision of supports and services to children affected by alcohol; the introduction of a legislative basis for minimum pricing per gram of alcohol along with the development of regulations and an enforcement mechanism with respect to Section 16 of the Intoxicating Liquor Act 2008. The latter refers to prohibiting or restricting a person from advertising or promoting the sale of alcohol at a reduced price and free of charge; the powers in relation to this are vested in the Minister for Justice, Equality and Defence.

My Department is working on the development of a policy on minimum unit pricing of alcohol. As minimum unit pricing is a mechanism of imposing a statutory floor in price levels for alcohol products that must be legally observed by retailers, its primary function would be thus to discourage at risk levels of alcohol consumption. This recommendation - along with the others - are being actively considered as part of the development of concrete proposals on the basis of the National Substance Misuse Strategy report; and it is hoped to submit these to the Government for consideration and adoption as soon as possible.

### **Hospital Services**

636. **Deputy Michael Colreavy** asked the Minister for Health if protocols will be put in place to ensure patients in the northwest can avail of CT scans in Sligo Regional Hospital, while

attending an outpatient clinic of a consultant in another hospital; and if he will make a statement on the matter. [49789/12]

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

### **Abortion Services**

637. **Deputy Dominic Hannigan** asked the Minister for Health the position regarding the expert group on abortion; when a report is expected from the group; and if he will make a statement on the matter. [49793/12]

**Minister for Health (Deputy James Reilly):** I presume the Deputy is referring to the report of the Expert Group on the judgment in *A, B and C v Ireland*. The Group is making good progress towards finalising its report. I expect the report will be completed and submitted to me shortly, and I will consider the report and subsequently submit it to Government.

### **Health Professions Admission Test Fee**

638. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will confirm that all carers and personal assistants are obliged to obtain FETAC level five qualification before January 2013 if they are to continue in their work; if they are expected to undertake this training on their own time and at their own expense; if the new requirements will apply to new entrants only; and if he will make a statement on the matter. [49794/12]

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

### **Home Help Service Provision**

639. **Deputy James Bannon** asked the Minister for Health the position regarding home help in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [49797/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Health Services Provision**

640. **Deputy John McGuinness** asked the Minister for Health further to Parliamentary Question No.760 of 19 July 2012, if he will review the case of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [49814/12]

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

### **Hospital Services**

641. **Deputy John McGuinness** asked the Minister for Health if an early appointment will be arranged at Waterford Regional Hospital for a person (details supplied) in County Kilkenny and if he will expedite the matter. [49816/12]

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

### **Health Services Expenditure**

642. **Deputy Michael McGrath** asked the Minister for Health the justification for paying a €10,000 appointment fee to legal persons who serve on the Hepatitis C / HIV Compensation Tribunal; and if he will make a statement on the matter. [49817/12]

**Minister for Health (Deputy James Reilly):** Under Section 3 of the Hepatitis C Compensation Tribunal Act 1997, the Minister for Health appoints the members of the Hepatitis C and HIV Compensation Tribunal. The term of office of each of the fourteen members and the Chairperson of the Tribunal “shall be for a period as is specified by the Minister when appointing such member”.

Ministerial appointments are made on the advice of the Attorney General. The briefing fee, payable on a once-off basis when new members take up their respective appointments, is €10,000. This was reduced from €17,526 in June, 2012. The remuneration for members is approved by the Minister for Public Expenditure and Reform.

The Tribunal carries out judicial type functions and is therefore very different to a typical State Board. It hears claims in relation to persons infected with Hepatitis C or HIV through the administration within the State of infected blood or blood products. Claims are dealt with by the Tribunal by way of an in camera oral hearing before two members of the Tribunal and the Chairperson. The Tribunal was set up in order that claimants could have their cases heard in a confidential, person centred, fashion. The brief fee reflects the considerable work that each new member must undertake to familiarise themselves with the Tribunal process, the outcome of previous Tribunal hearings and precedents set to ensure a level of consistency among claims heard.

### **Blind Welfare Allowance Eligibility**

643. **Deputy Arthur Spring** asked the Minister for Health the qualifying criteria a person (details supplied) in County Kerry failed to meet in order to be registered as blind when applying for the blind welfare allowance; and if he will make a statement on the matter. [49872/12]

**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.

### **Home Help Service Provision**

644. **Deputy Michael McGrath** asked the Minister for Health if he will review the decision to have home help assistance removed from a person (details supplied) in County Cork; and if he does not intend to do so, if he will ask for an assessment of the persons needs to be carried out to determine the assistance they need. [49922/12]

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

### **Dental Services Expenditure**

645. **Deputy Jack Wall** asked the Minister for Health his views on a submission (details supplied) regarding dental care; the action he will take to address the issues raised; and if he will make a statement on the matter. [49930/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Public Dental Service of the HSE provides services to schoolchildren aged up to 16 years and special care dentistry. In order to ensure greater benefits to the community it may be necessary to consolidate dental services into clinics where the highest standards can be achieved and where manpower resources can be maximised. Dental services for medical card holders are provided through the Dental Treatment Service Scheme (DTSS). The HSE is working to ensure that patients with special needs, high risk patients and those who have greater clinical needs are prioritised for treatment. In addition, free emergency dental treatment and a free oral examination every 12 months are available to all eligible patients.

The Health Service Executive has been asked to reply directly to the Deputy regarding the provision of dental services in Athy.

### **Medical Card Eligibility**

646. **Deputy Jack Wall** asked the Minister for Health the reason a person (details supplied) in County Kildare was granted a full medical card and their partner and two children were only granted a general practitioner visit card; and if he will make a statement on the matter. [49957/12]

**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**

647. **Deputy Sandra McLellan** asked the Minister for Health if he will expedite a medical card application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [49981/12]

**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 Aids and Appliances Applications**

648. **Deputy Martin Ferris** asked the Minister for Health when a hearing aid will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [50005/12]

**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.

### **Medical Aids and Appliances Applications**

649. **Deputy Martin Ferris** asked the Minister for Health when a hearing aid will issue to a person (details supplied). [50006/12]

**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.

### **Medical Aids and Appliances Applications**

650. **Deputy Martin Ferris** asked the Minister for Health when a hearing aid will issue to a person (details supplied) in County Kerry. [50007/12]

**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.

### **Hospital Staff Issues**

651. **Deputy Michael Colreavy** asked the Minister for Health when the podiatry post in Sligo Regional Hospital, sanctioned in April 2012, will be filled; and if he will make a statement on the matter. [50027/12]

652. **Deputy Gerry Adams** asked the Minister for Health if it is the case that a promised podiatry post at Our Lady's Hospital, Drogheda, County Louth, sanctioned in April 2012, will now not be filled due to the Health Service Executive recruitment embargo; the effect this decision will have on the National Foot care Programme to tackle the increase in diabetes related foot ulcers and amputations; if promised podiatry posts will be filled in Waterford, Wexford, Kerry, Kilkenny, Mullingar, Drogheda, Cavan, Beaumont and the Mater; and if he will make a statement on the matter. [50031/12]

659. **Deputy Tom Fleming** asked the Minister for Health when the promised podiatry post at Kerry General Hospital that was sanctioned in April 2012 be filled; and if he will make a statement on the matter. [50080/12]

666. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if it is the case that promised podiatry posts have not been filled in hospitals at Cavan, Waterford, Wexford, Kerry, Kilkenny, Mullingar, Drogheda, Beaumont and the Mater; the reason this is the case; the date on which these positions will be filled; if he will commit to have all vacant podiatry posts filled within the next three months; and if he will make a statement on the matter. [50089/12]

667. **Deputy Arthur Spring** asked the Minister for Health if the 1.25 WTE podiatrist position at Kerry general hospital Tralee, which was sanctioned in April 2012 as part of the National Footcare Programme, will be filled as envisaged by the Health Service Executive's National Clinical Programme for Diabetes; and if he will make a statement on the matter. [50119/12]

668. **Deputy Michael Healy-Rae** asked the Minister for Health his view on correspondence (details supplied) regarding a podiatry post in Kerry General Hospital; and if he will make a statement on the matter. [50121/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 651, 652,

659 and 666 to 668, inclusive, together.

As these are service matters, they have been referred to the HSE for direct reply.

### **Orthodontic Services Provision**

653. **Deputy Michael Healy-Rae** asked the Minister for Health the number of children in County Kerry awaiting orthodontic treatment in tabular form for the 12 month period June 2011 to June 2012 and between the age groups of 8 years and 19 years; and if he will make a statement on the matter. [50035/12]

**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.

### **Hospital Procedures**

654. **Deputy John McGuinness** asked the Minister for Health if an early date for an operation will be arranged in respect of a person (details supplied) in County Kilkenny and if he will expedite the matter [50061/12]

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

### **Home Help Service Provision**

655. **Deputy Tom Fleming** asked the Minister for Health the number of elderly persons in the region of 80 years of age living alone, with serious illness, who had their home help hours reduced by more than two hours per week in the most recent cutbacks in each of the following areas in County Kerry, Tralee, Killarney, Kenmare, Rathmore, Castleisland, Dingle, Listowel and Killorglin; and if he will make a statement on the matter. [50071/12]

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

### **Health Services Provision**

656. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the position regarding the establishment of a national adult metabolic unit; and if he will make a statement on the matter. [50072/12]

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

### **Home Help Service Provision**

657. **Deputy Áine Collins** asked the Minister for Health when a home help takes holidays if there are persons to cover this time. [50073/12]

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

### **Home Help Service Provision**

658. **Deputy Áine Collins** asked the Minister for Health the number of home help hours in Cork North West that are being delivered and the number that have been cut in the eight million hours reduction. [50074/12]

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

*Question No. 659 answered with Question No. 651.*

*Questions Nos. 660 to 662, inclusive, answered with Question No. 633.*

### **Departmental Funding**

663. **Deputy Gerry Adams** asked the Minister for Health the interactions his Department and the Health Service Executive have had with the RISE Foundation which supports person suffering with addiction to alcohol and other drugs and their families. [50084/12]

**Minister of State at the Department of Health (Deputy Alex White):** This organisation is not funded through the Drugs Initiative of my Department. The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

### **Health Services Provision**

664. **Deputy Finian McGrath** asked the Minister for Health if he will support survivors of Symphysiotomy in obtaining justice for the suffering the survivors have endured (details supplied); and if he will make a statement on the matter. [50085/12]

**Minister for Health (Deputy James Reilly):** My first priority is to ensure that the women who have had this procedure have their health needs comprehensively and professionally met. In this regard, the HSE provides a range of services to women who continue to suffer the effects of having had this procedure. These services include the provision of medical cards, the availability of independent clinical advice and the organisation of individual pathways of care and the arrangement of appropriate follow-up.

In relation to symphysiotomy generally, my Department has commissioned an independent research report in relation to the practice of symphysiotomy in Ireland. The Research included a consultation process involving patient groups (including the Survivors of Symphysiotomy group), health professionals and in particular the women who have experienced symphysiotomy. It is expected that this report will be presented to the Department in the near future. The research report will inform the Department's overall consideration of this matter, including the consideration of any actions that may be required and possible legal implications. It would be premature for me to make any other comments at this stage on what actions might be taken, prior to giving full consideration to the recommendations of the report.

## **Health Services Staff Issues**

665. **Deputy Gerry Adams** asked the Minister for Health the number of the 400 additional staff who were to be recruited to strengthen community mental health teams as part of the €35m package announced in Budget 2012 are now in position; when will they be in position; and if he will make a statement on the matter. [50088/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Of the 414 posts approved to implement the €35 million package of special measures for mental health 378 are with the National Recruitment Service of the HSE at various stages in the recruitment process, and over 200 of the posts have been accepted and the appointments are proceeding. Most start dates are expected to be in December to allow for the process of checking references, Garda clearance etc. I wish to assure the Deputy that this Government remains committed to engaging these professionals as soon as is feasible and the work of completing the process remains a priority.

*Questions Nos. 666 to 668, inclusive, answered with Question No. 651.*

## **Social Workers Register**

669. **Deputy Seán Kyne** asked the Minister for Health if he will outline the way the proposed fee for the registration of social workers which will be required under the new regulations of the Health and Social Care Professionals Act will be calculated; if it will be in proportion with other such registration fees for other professions; and if he will make a statement on the matter. [50130/12]

**Minister for Health (Deputy James Reilly):** The Health and Social Care Professionals Council (HSCPC) and the 12 registration boards to be established under the Health and Social Care Professionals Act 2005 are responsible for protecting the public by regulating health and social care professionals. The Council (also known as CORU) was established in March 2007 and is working to put in place the necessary structures for registration, education and fitness to practise for the 12 health and social care professions designated under the Act.

The first registration board to be established, the Social Workers Registration Board, was established in August 2010, and the associated Social Workers Register opened for receipt and processing of applications on 31st May, 2011. A second registration board, the Radiographers Registration Board, was established on 16th December, 2011 and its register is expected to be established in the near future. Three further registration boards, the Dietitians Registration Board, the Occupational Therapists Registration Board, and the Speech and Language Therapists Registration Board have been established with effect from 1st November 2012. It is also proposed to establish the Physiotherapists Registration Board either before the end of this year, or in early 2013. All of the registration boards for the remaining designated professions should be established and their registers fully operational by 2015. Under the provisions of the 2005 Act, there is a two-year transitional period from the date on which the register of the members of that profession is established, during which existing practitioners may apply for registration.

The Council which is an independent statutory body is responsible for setting the level of fees. The current fee structure is as follows:

A registration fee of €100 for new graduates, who have obtained recognised professional qualifications within two years of applying for registration;

An annual retention fee of €295 for registrants, including those who paid the lower rate on graduation, is payable on the annual renewal date.

Since the annual renewal fee of €295 is subject to full tax relief it reduces to €174 at the higher level of tax.

All health regulators are self funding by way of annual fee income with operational costs being determined by the complexity and breadth of statutory functions specified in its legislation. The greater the registrant base the lower the annual fee charged. Given the enormous registrant base in teaching and nursing, for example, the annual fee charged amounts to less than €100 per annum. Health regulators are single profession regulators whereas the HSCPC is charged with regulating twelve disparate professions, which can add significantly to operating costs. The twelve designated professions to be registered by the Council range in number from under 50 in the case of Clinical Biochemists to a high of 3,000 approximately for Medical Scientists and 5,550 for Social Care Workers, only amount to about 20,000 registrants in total across all professions. This is an extremely low registrant base when compared to a registrant base of well in excess of 60,000 for nurses.

The HSCPC is charged with extensive statutory functions under the 2005 Act, registration being only one, and the annual fee of €295 being charged by the HSCPC is considered the minimum required to enable the Council to operate. The fee charged by the HSCPC, which is mindful of the requirement to become self funding by end 2015, is on a par with that charged by other health regulators and less than some in certain cases. It is calculated approximately on the basis of the overall projected costs of the agency when fully operational divided by the total number of registrants and then further reduced to €295 to take account of the Council's phased establishment. The State is currently funding the HSCPC in its establishment phase (€1.937 million in 2012) to offset the current shortfall in income from registration fees and will continue to do so on a reducing basis for the next 3 years.

In response to concerns about the level of fee, the HSCPC has reviewed the regulatory structure to establish what scope exists for further reductions in registration fees and operational costs and has adopted the following measures:

Where an existing practitioner with the necessary experience and recognised professional qualifications, or equivalent, pays the registration fee of €295 and is granted registration during the transitional period, also known as grandparenting, the application fee will cover them for the remainder of the grandparenting period and one full year of retention of registration after expiration of grandparenting is concession will only apply to existing practitioners availing of the transitional provisions set out in the Act;

The Council has requested the HSE to put in place arrangements for the deduction of the registration fee from monthly salary thereby spreading the cost throughout the year;

Finally, the Council has proposed significant restructuring of the way in which the designated professions will be registered and regulated to provide a more cost-effective operating system. This will require the enactment of primary legislation in due course.

## EU Directives

670. **Deputy Seán Kyne** asked the Minister for Health if he will outline the progress made on the implementation of the EU Directive 2010/63/EU on the use of animals for scientific and medical research purposes; and if he will confirm if the existing primary legislation here, which is in many aspects stronger than the provisions of the EU Directive, will be retained in the pro-

cess of incorporating the Directive. [50132/12]

**Minister for Health (Deputy James Reilly):** I do not accept that existing measures relating to the protection of animals used for scientific purposes set out in the 1876 Cruelty to Animals Act as amended provide a higher level of protection to those set out in Directive 2010/63/EU. Indeed, I am very much of the view that the new Directive will considerably strengthen the protection of animals still needed for such research and safety testing. The Directive needs to be considered in its entirety to appreciate the full scope of the protections afforded to animals. These include mandatory provisions that will minimise the number of animals used and require alternatives to be used wherever possible, while ensuring a level playing field for EU industry and enhancing the quality of research conducted in the EU. The “Three Rs” principle of replacing, reducing, and refining animal testing is firmly anchored in the new legislation and I endorse this development.

The new Directive will be transposed into Irish law during November and will become operational from 1 January 2013. I would also like to advise the Deputy that the Irish Medicines Board is to be designated as the Competent Authority for Directive 2010/63/EU. The transposing regulations will set out enforcement provisions, including penalties, that will apply when the provisions of the Directive are not complied with. These penalties will be effective, proportionate and dissuasive. I would, finally, like to draw the attention of Deputies to the comments of European Environment Commissioner Potocnik who has said that the European Union will, once the Directive is transposed, have the highest standards of experimental animal welfare in the world.

### **Hospital Services**

671. **Deputy Billy Kelleher** asked the Minister for Health his plans for the future delivery of Children’s Hospital services in the catchment area of Tallaght Hospital, Dublin 24; and if he will make a statement on the matter. [50156/12]

**Minister for Health (Deputy James Reilly):** The Dolphin report concluded that the existing plan for the Ambulatory and Urgent Care Centre in Tallaght must be revisited in the light of a decision made about the location of the National Children’s Hospital. It is anticipated that most children around the country who require hospital care will receive it closer to their home. It is envisaged that there will be an urgent care centre or urgent care centres based on consideration of the geographical distribution of attendances and acuity of the patient. The location and number of such centres will be given careful consideration and this will be done urgently to reach a decision as soon as possible.

### **Primary Care Centres Provision**

672. **Deputy Michael P. Kitt** asked the Minister for Health if a site has been identified for a primary health care centre in Gort, County Galway; the position regarding the requisition of a site; and if he will make a statement on the matter. [50200/12]

**Minister for Health (Deputy James Reilly):** The delivery of the healthcare infrastructure programme is a service issue. Therefore your question has been referred to the HSE for direct reply.

### **Hospital Services**

673. **Deputy Seán Kyne** asked the Minister for Health if he will consider establishing a Huntington's Disease clinic in Galway University Hospitals which would comprise a neurologist, a HD specialist nurse, physiotherapist, occupational therapist, speech and language therapist, dietician, social worker and neurophysiologist and significantly assist not only persons who have been diagnosed with the condition but also their families, particularly children who are at risk of inheriting the condition. [50201/12]

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

### **Public Sector Staff Issues**

674. **Deputy Seán Kyne** asked the Minister for Health if he will outline the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50644/12]

**Minister for Health (Deputy James Reilly):** The publication of the Public Service Agreement 2010-2014 (Croke Park Agreement) coincided with a review of the Department that was carried out under the Organisational Review Programme (ORP), a centrally-led review of the capacities of Government Departments. In order to develop the Action Plan arising from the ORP Review, working groups composed of staff from all grades were established to ensure that decisions to address organisational issues were informed by input across all grades. In turn my Department's Action Plan under the Public Service Agreement drew very significantly on the cross-grade input already made to our ORP Review.

A new Partnership Committee was established in 2011 and its role is to actively contribute to the running of the Department through facilitation of effective communication at all levels in the Department. It facilitates the sharing of ideas in relation to many issues of concern to staff. Staff at all levels are encouraged to contact the Committee with any issues that can be dealt with by the Partnership process. The Partnership Committee is currently considering the re-establishment of a Staff Suggestion Scheme to provide a further opportunity for staff to contribute to Departmental reform and other relevant issues.

In addition to the above my Department engages with the Departmental Council, which includes representatives of all relevant trade unions, on a regular basis on all matters relating to the reform of the Department.

### **Road Safety Issues**

675. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport if he will conduct a review of the location of speed cameras and the inconsistency in speed limits signage in order to improve road safety. [49402/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have no function in relation to the location or operation of safety cameras, which is a matter for An Garda Síochána.

Earlier this year, I announced that a review of speed limits would be undertaken and to that end, my Department established a stakeholder group to progress this work. The Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority, rep-

representatives of local authorities and the National Transport Authority accepted my invitation to participate in the Working Group, which has met on a number of occasions since its formation. I expect to receive a report from the group in the near future.

### **Road Projects Contracts**

676. **Deputy Nicky McFadden** asked the Minister for Transport, Tourism and Sport if funding will be approved for a bridge (details supplied) in County Westmeath; and if he will make a statement on the matter. [49423/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The improvement and maintenance of regional and local roads in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

On foot of an application from Westmeath County Council, I recently approved an allocation of approximately €3 million in 2013, 2014 and 2015 towards the construction costs of the Garrycastle Bridge Scheme. This scheme is located at Garrycastle, Athlone, Co Westmeath, and consists of approximately 700 meters of new single carriageway road along the R916. The scheme will cross the railway line from Mullingar to Athlone with a new bridge being built over the railway. The scheme will also include the provision of new cycleways, footpaths and lighting along the proposed road.

This allocation will allow for the construction work on this scheme to proceed, with construction expected to take approximately 12 months. I understand Westmeath County Council has allocated €649,000 towards the project costs in 2013. My Department has contributed almost €3 million to date towards the land purchase and design costs of this project.

I am pleased to announce funding for this scheme which will provide enhanced access between the Blyry Industrial Estate and Garrycastle Estate. It will also provide safe access for large residential areas to use the route and remove a dangerous bridge. This will complete the upgrade work along the R916.

### **Tourist Accommodation**

677. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport his plans to make it obligatory for all guest houses and bed and breakfasts to be registered with Fáilte Ireland approved agencies in order to ensure a high standard in the provision of tourist accommodation here; and if he will make a statement on the matter. [49425/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Tourist Traffic Acts 1939-2011, Fáilte Ireland has specific powers and functions in relation to the registration and grading of tourist accommodation. In accordance with this legislation, Guesthouses are obliged to register, however B&Bs are not. The matter of mandatory registration of B&Bs has been considered on many previous occasions. However, the view has been that the potential administrative burden and the associated cost of a mandatory registration scheme for B&Bs - many of whom are small and seasonal businesses - could adversely impact on their viability. Furthermore, research and international benchmarking by Fáilte Ireland has established that the registration of B&Bs is not standard practice internationally. Countries which are

recognised for having a quality B&B product, such as England, Scotland, Wales, France and New Zealand, do not require mandatory registration.

Fáilte Ireland has been working in recent years with the sector on the establishment of a voluntary classification and categorisation system, supported by a new brand that, over time, should be readily identifiable to domestic and international tourists, allowing them to choose an establishment that meets their individual expectations in terms of facilities and standards.

It is Fáilte Ireland's view that the best approach to support the development of the sector is to ensure that voluntarily listed and approved B&Bs have advantages over those who choose not to carry Fáilte Ireland accreditation. In this regard, it is important to point out that unapproved unlisted operators are obliged to comply in the same way as the approved listed sector with requirements in the area of taxation, planning, fire and safety and hygiene. On the other hand, they do not have access to official marketing through Discover Ireland and the Tourist Information Offices, nor do they have access to the various training and business skills initiatives that are available to the approved sector.

### **Public Transport Provision**

**678. Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if there has been a recent tendering competition for new bus routes from Dublin to Kells and Cavan and from Dublin to Edenderry, County Offaly and Maynooth, County Kildare; and if he will make a statement on the matter. [49514/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issues raised are matters for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Road Tolls**

**679. Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport his views on the proposed introduction in the United Kingdom of the Eurovignette system; and if he will make a statement on the matter. [49515/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I take it the Deputy is referring to the proposals by the United Kingdom Minister for Transport to introduce charges for road use. I am aware of this, and in particular of the HGV Road User Levy Bill. It is a matter for any State to introduce road use charges if it wishes, and this is an important option in relation to funding of roads infrastructure, which can benefit both national and international users of the roads in question.

I have been in contact with my counterpart in the United Kingdom, both in response to the initial public consultation and more recently, to point out that the contribution made to date by the Irish Government towards roads infrastructure costs in the United Kingdom (namely in relation to the A5 in Northern Ireland) should be taken into account and some provision therefore be made in relation use of roads by Irish registered HGVs. I am awaiting his response.

### **Road Safety Issues**

680. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport his plans to establish an additional commercial vehicle testing centre in Inishowen, County Donegal; and if he will make a statement on the matter. [49534/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The subject matter of this question is the responsibility of the Road Safety 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 ten days.

### **Road Safety Issues**

681. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the number of counties across the country that have a full time road safety officer; and if he will make a statement on the matter. [49536/12]

682. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport if it is his intention that every county council has a full-time road safety officer in the future; his plans for ensuring same; and if he will make a statement on the matter. [49537/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 681 and 682 together.

The appointment of road safety officers is essentially a matter for each local authority. Under Action 16 of the current Road Safety Strategy, each local authority is required to appoint a full time Road Safety Officer to promote road safety. However, in the current economic climate, it is accepted that all local authorities may not be in a position to appoint full time Officers. The matter is being examined, at present, by my Department, the Road Safety Authority and the City and County Managers Association with a view to establishing a network of regional safety officers under the auspices of the Road Safety Authority. The number of officers and their locations will be decided as part of that process.

### **State Agencies**

683. **Deputy Billy Kelleher** asked the Minister for Transport, Tourism and Sport if he will provide in tabular form the amount currently being spent on, or budgeted for by State agencies under his remit for spending, on the areas of communication, public relations, consultancy, advertising and human resources; and if he will make a statement on the matter. [49660/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The information requested by the Deputy is a matter for the agencies themselves. I have forwarded the Deputy's question to the various State agencies under my Department's aegis for their response. If the Deputy does not receive a reply from the agencies within ten working days, please advise my private office.

### **Taxi Regulations**

684. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport if he will provide the timeframe in which a decision will be made with regarding the transferability of taxi plates from one relative to another; and if he will make a statement on the matter. [49673/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As proposed in the Taxi Regulation Review Report, it is envisaged that there will be a prohibition on the transfer of small public service vehicle (SPSV) licences. The underlying principle for this proposal is that a licence should determine a person's suitability to carry out a function and it should have no monetary value or be traded on the open market. A legislative provision will be made concerning the prohibition on transfer of such licences in the Taxi Regulation Bill 2012, which is to be published by year-end.

I understand that the NTA is considering the option of how, for the purposes of ensuring the continuity of a taxi business upon the death of the vehicle licence holder, that an application by the next of kin for such a licence can be facilitated.

### **Local Authority Services**

685. **Deputy Arthur Spring** asked the Minister for Transport, Tourism and Sport if he will provide an assessment of the outcomes that result from the pedestrianisation of main and secondary streets in regional towns in particular for retail and tourism; and if he will make a statement on the matter. [49753/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have no function in this matter. Pedestrianisation is a matter for the local authority in its administrative area. The assessment of the outcome of pedestrianisation in any individual case would similarly be a matter for the local authority concerned.

### **Tourism Promotion**

686. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will request Fáilte Ireland to support and provide funding to four festivals in County Kerry (details supplied); if he will ask Fáilte Ireland to take into consideration the importance of these festivals to tourism in the county and the very special effort that they are making for the Gathering in 2013; and if he will make a statement on the matter. [49760/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised is an operational matter for Fáilte Ireland. I have referred the Deputy's question to Fáilte Ireland for direct reply. Please contact my private office if a reply is not received within ten working days.

### **Public Transport Provision**

687. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of passengers who used the Dublin-Carrick-On Shannon, Dublin-Cavan, Dublin-Letterkenny, Dublin-New Ross and The Dublin-Westport Bus Éireann Service for the years 2007, 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [49762/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** This is a matter for Bus Éireann and I have forwarded the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Sports Capital Programme Applications**

688. **Deputy Regina Doherty** asked the Minister for Transport, Tourism and Sport when announcements will be made in relation to his Department's National Lottery funding payments for 2012; and if he will make a statement on the matter. [49865/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department has received over 2,170 applications for funding under the 2012 Sports Capital Programme. This is the largest number of applications ever received under the Programme.

Departmental officials are processing all applications and this process will take some time due to the volume of applications received.

I expect to be able to announce the list of successful applicants later this year. All applicants will be informed of the outcome of their application at that stage.

### **Road Improvement Schemes**

689. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the anticipated completion date for improvement works currently being carried out on the N86; the timeframe for the total 32 kilometre section; and if he will make a statement on the matter. [50008/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism & 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.

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.

### **Tourism Promotion**

690. **Deputy Róisín Shortall** asked the Minister for Transport, Tourism and Sport the role of the alcohol industry in any aspect of the Gathering Ireland 2013; and if he will make a statement on the matter. [50064/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised is an operational matter for Fáilte Ireland. I have referred the Deputy's question to Fáilte Ireland for direct reply. Please contact my private office if a reply is not received within ten working days.

### **Public Sector Staff Issues**

691. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will outline the opportunities that persons in lower grades of the Public Service have been afforded in contributing to the reforms of the public service as sought in the Public Service Agreement; and if he will make a statement on the matter. [50649/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In 2010 the Department conducted an online consultation survey with all staff for ideas and contributions on

cost saving mechanisms and effective and efficient processes within the Department. A total of 138 individual suggestions were submitted as part of this process. Of these, 37 are directly related to existing actions incorporated in the Department's Public Service Agreement Action plan, for example:

-the review and streamlining of the PQ process.

-Shared services i.e. payroll, HR & ICT functions between Department and agencies and reducing resources in central divisions as shared services come on-board.

-Review of overtime costs, making better use of IT and systematic reviews of salary allowances etc. to identify efficiencies and restructure work to reduce costs.

The remainder of the suggestions made practical proposals for specific implementation measures by Divisions within the Department. The Department has in place a dedicated subgroup of the Department Council Forum who meet on a quarterly basis to discuss and propose updates to the Public Service Agreement Action Plan.

In addition, in late 2011 a staff attitudinal survey was conducted from which the results and an implementation plan for the key recommendations were submitted to the Department's Management Board in March 2012. The ongoing implementation of these recommendations is monitored by the Department's Partnership Committee, which includes representatives of all staff levels in the Department.

### **Pension Provisions**

692. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport how well funded all semi-State company pension schemes are; and if he will make a statement on the matter. [50656/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** With the exception of details in respect of the small number of staff whose pensions are being funded directly by the Exchequer, funding details for semi-State pension schemes are available in the Annual Reports and Accounts of the relevant agencies, copies of which are normally available from the Dail Library or the relevant website.



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