

## **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 55 answered orally.*

*Questions Nos. 56 to 92, inclusive, resubmitted.*

*Questions Nos. 93 to 101, inclusive, answered orally.*

*Question No. 102 answered with Question No. 99.*

### **Departmental Reports**

103. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport with reference to the review of the Marine Survey Office and Irish Coastguard Services, if he will provide an update on his ongoing work on these issues; and if he will make a statement on the matter. [52696/12]

134. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport if he will provide an update on the review of the Marine Survey Office and Irish Coastguard Services. [52695/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 103 and 134 together.

Value for Money reviews into the Coast Guard and Marine Surveying functions of my Department, which were undertaken by independent consultants, identified a number of issues which need to be addressed in Ireland's maritime transport safety and marine emergency response regimes. These include enhancing Ireland's pollution preparedness and response capability, improving Coast Guard volunteer oversight, training and management, addressing deficiencies in legislation relating to maritime safety and addressing various measures to promote greater efficiencies within the services. I have informed the Government that I will consider the reviews and prepare an action plan to address the deficiencies identified.

When I published the reviews in July last I made it clear that I would not accept or reject any of the recommendations until a full assessment of the proposals had been undertaken and actions prioritised to address the issues identified as requiring attention. This process of assessment and preparation of the action plan is in hands in my Department and I expect it will be completed shortly.

In publishing the reports I emphasised that preparing the action plan provides a valuable opportunity to create more efficient and effective maritime safety regulatory arrangements and emergency response services. At the same time, it is important to recognise that resources available to the maritime services are very limited and they have to be deployed on a prioritised basis and as effectively and efficiently as possible to address the most urgent needs.

## Wild Atlantic Way Project

104. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport if he will provide an update on the development of the Wild Atlantic Way; and if he will make a statement on the matter. [52570/12]

159. **Deputy Pat Breen** asked the Minister for Transport, Tourism and Sport if he will provide an update on the development of the Wild Atlantic Way and the efforts being made to include County Clare and maximise the potential for the tourism industry in County Clare; and if he will make a statement on the matter. [52677/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 104 and 159 together.

These questions relate to the development of the Wild Atlantic Way by Fáilte Ireland.

My Department's role in relation to tourism is primarily concerned with national policy, and I do not have responsibility for the development of individual tourism projects. The development of the Wild Atlantic Way is an operational matter for Fáilte Ireland. I am advised that, over the past three months, Fáilte Ireland together with all the Local Authorities along the West Coast – and also the Local Action Groups (formerly known as LEADER companies), Údaras na Gaeltachta and the Western Development Commission - has examined a range of route options for the Wild Atlantic Way and is now seeking the views of tourism businesses and communities on a preferred route which has been identified.

Fáilte Ireland published a Route Identification Report on its website on Wednesday 14th November, which contains proposals on a 'preferred route' for the Wild Atlantic Way. Fáilte Ireland is inviting views and comments on the proposals, and anyone interested in making a written submission to Fáilte Ireland should do so by Friday 14th December. I would advise anyone with an interest in this matter to review the material published on the Fáilte Ireland website, where they will also find the address to which any written submissions should be sent.

In order to assist those interested in making submissions, public consultation meetings are being held at venues in each county on the Wild Atlantic Way route during November and December. With regard to County Clare, the consultation meetings took place at venues in Kilkee and Doolin last week.

### The Gathering Expenditure

105. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide an outline of the events confirmed for the Gathering in 2013; and if he will make a statement on the matter. [52568/12]

108. **Deputy Seamus Kirk** asked the Minister for Transport, Tourism and Sport if he will provide a progress report on the Gathering project; and if he will make a statement on the matter. [52652/12]

109. **Deputy Olivia Mitchell** asked the Minister for Transport, Tourism and Sport if he will provide information on the recently announced supports available to groups for Gatherings; and if he will make a statement on the matter. [52583/12]

121. **Deputy Micheál Martin** asked the Minister for Transport, Tourism and Sport his views on whether the Gathering has been damaged by recent comments; his plans to combat the suggestion that it is a shakedown; and if he will make a statement on the matter. [52634/12]

124. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if, in relation to proposed tourism initiatives such as The Gathering, he has met with airline, rail and ferry companies to discuss the arrangement of special-purpose packages to encourage persons overseas to come and visit; and if he will make a statement on the matter. [52683/12]

128. **Deputy Ray Butler** asked the Minister for Transport, Tourism and Sport if he will provide information on the recently announced supports available to groups for Gatherings; and if he will make a statement on the matter. [52673/12]

135. **Deputy Ray Butler** asked the Minister for Transport, Tourism and Sport if he will outline the details of the promotional efforts being undertaken to promote the Gathering 2013 overseas; and if he will make a statement on the matter. [52672/12]

151. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide an update on the Gathering 2013 project in terms of seeking voluntary effort for the various projects around each county; and if he intends to promote the voluntary input to the success of the Gathering [52697/12]

158. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide information on the recently announced supports available to groups for Gatherings; and if he will make a statement on the matter. [52698/12]

723. **Deputy Alan Farrell** asked the Minister for Transport, Tourism and Sport if he will advise on the marketing strategy for The Gathering worldwide; when the campaign was launched overseas; the cost of this project to the Exchequer; and if he will make a statement on the matter. [52723/12]

729. **Deputy Micheál Martin** asked the Minister for Transport, Tourism and Sport if he or his Department have received any communication from the former Cultural Ambassador in relation to the Gathering 2013; and if he will make a statement on the matter. [49773/12]

730. **Deputy Micheál Martin** asked the Minister for Transport, Tourism and Sport if he or his officials have attended meetings in relation to the Gathering 2013; and if he will make a statement on the matter. [49748/12]

737. **Deputy Ray Butler** asked the Minister for Transport, Tourism and Sport the promotional efforts being undertaken to promote the Gathering 2013 overseas; and if he will make a statement on the matter. [52762/12]

738. **Deputy Ray Butler** asked the Minister for Transport, Tourism and Sport if he will provide information on the recently announced supports available to groups for Gatherings; and if he will make a statement on the matter. [52763/12]

739. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide an update on the Gathering 2013 project in terms of co-ordination of efforts through each county steering committee; and if he will make a statement on the matter. [52775/12]

740. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide and update on the Gathering 2013 project; and if he will make a statement on the matter. [52776/12]

741. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport the promotional efforts being undertaken to promote the Gathering 2013 overseas; and if he will make a statement on the matter. [52777/12]

742. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide an outline of events confirmed for the Gathering 2013; and if he will make a statement on the matter. [52778/12]

743. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide information on the recently announced supports available to groups for Gatherings; and if he will make a statement on the matter. [52779/12]

748. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he expects to involve and utilise sporting events in the context of The Gathering in 2013; if he has fully examined the potential in this regard; if he anticipated any specific steps arising; and if he will make a statement on the matter. [53069/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 105, 108, 109, 121, 124, 128, 135, 151, 158, 723, 729, 730, 737 to 743, inclusive, and 748 together.

The question all relate to the Gathering. Aspects of these questions were answered earlier as part of my response to Deputy Wallace's priority question on the Gathering 2013.

The full list of committed or pledged events for the Gathering Ireland 2013 is on the [www.gatheringireland.com](http://www.gatheringireland.com) website and has already exceeded 1,300 events and activities. An announcement of the key headline events will be made in the coming week.

On the Gathering Ireland 2013 generally, there has been a fantastic response to the initiative across the board, from local communities, voluntary bodies, public bodies, businesses and Government. For example, a special fund of €2 million has been made available to support local Gathering events by IPB Insurance Ltd matching a contribution from my Department via the Gathering team. The funds will be distributed via the 34 city and county councils and the applications process is open until 30 November. The key qualifying criterion is the ability of the event to attract overseas visitors.

Meanwhile, Tourism Ireland has commenced a major promotional drive for the Gathering in markets across the world and has worked with business networks, clans, cultural and sporting associations, Irish Clubs and societies encouraging them to promote The Gathering to their networks and to mobilise members to organise events in Ireland during 2013. The second stage of Tourism Ireland's strategy commenced in autumn and will continue into 2013 with a major consumer campaign to promote The Gathering Ireland 2013 in key markets including Britain, the US, Canada and Australia. Minister Ring, the Tánaiste, the Taoiseach and I have attended events during the year to promote the initiative overseas. I saw myself in Australia last week the tremendous response to the call to come and join in the celebrations, from those with Irish roots and those with none.

Tourism is a valuable service export. Encouraging those from overseas, whether Irish or not, to sample our tourism offering is not a shakedown – any more than exporting other goods and services. With the hotel and accommodation sector already generating additional employment since this Government came into office, tourism can offer jobs to those who might otherwise face a choice between emigration and unemployment and I apologise to nobody for seeking to increase that employment still further by investing in the Gathering. There is also a parallel aim to further strengthen our connections to all of those overseas who have a kinship with Ireland and I saw myself in Australia how much our diaspora values that objective.

Finally, as well as regular briefings from the project team, the Gathering is on the agenda in many, indeed most, of my meetings, with the tourism industry, transport operators, sporting

bodies, other Ministers and indeed overseas representatives. Even if some are carping, I am determined to continue to promote this unique opportunity for us to show the world all that is best about Ireland and I know the vast majority of Irish people, at home and abroad, will do so.

### **Driving Licence Issues**

106. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport if he will review the regulations governing the new driver licence; and if he will make a statement on the matter. [52620/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** This question is in relation to the regulations governing the new driving licence.

I understand that the Deputy is interested in whether we could put emergency medical information on the new plastic card driving licence. This would involve details such as blood group, allergies to penicillin, for example, and perhaps contact information for next of kin.

The requirement to switch to a plastic card driver licence, and also the format of the licence, are set out in EU legislation, which I have transposed into Irish legislation in line with EU requirements. The precise format of the licence was set out in Commission Directive 2011/94/EU, which is now transposed into Irish law through the Road Traffic (Licensing of Drivers) (Amendment) Regulations 2012 (S.I. No. 330 of 2012).

The EU requirements cover the design of the card and the categories of information to be included on the face of the licence. There is a relatively small amount of space left for Member States to add other printed information. I have decided that this will be used to include an indication of willingness to be an organ donor, should the holder wish.

While there would not be sufficient space to print much additional information, there is a facility for the licence to contain a microchip. Discussions are currently taking place regarding the information that will be contained on the active chip. There may be data protection and privacy issues, though, and it could be legally difficult to make the inclusion of medical information mandatory. However, I am certainly willing to consider emergency information as something which might be included there.

### **Public Bike Schemes**

107. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport if he will provide an update on the expansion of public bikes schemes in Dublin and other urban areas across the State. [52665/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** Building on the success of the existing Dublin Bikes Scheme, my Department has been working closely with the National Transport Authority and has made significant progress both on the expansion of the Dublin Bikes Scheme and on exploring a range of mechanisms to seek to secure public bikes schemes in other cities in the state.

Regarding the expansion of the existing Dublinbikes scheme, I understand from the NTA (who is working closely with Dublin City Council on this) that the design of the extended scheme has been substantially completed at this stage. Discussions on the commercial elements are continuing between Dublin City Council and JC Decaux (the operators of the current scheme).

Funding provision to meet the capital investment costs of the roll-out of public bikes in other cities has been identified within the 5-year capital funding allocation for Smarter Travel and Carbon Reduction Measures. However, operational funding is not available from within the constrained current funding allocation. Their commercial viability requires a collaborative approach with the private sector.

The NTA has procured technical consultants who are progressing the design and arrangements for the bikes schemes in Cork, Galway, Limerick and Waterford. Separately, the NTA, on behalf of the Department of Transport, Tourism and Sport, has sought expressions of interest in the provision of sponsorship to public bikes schemes in the regional cities.

I would be very hopeful that there will be considerable private sector interest in putting themselves forward and that a sponsorship deal will prove to be very attractive. This is a wonderful opportunity for the right partner to get involved and share in the success of smarter travelling in cities.

*Questions Nos. 108 and 109 answered with Question No. 105*

### **Tourism Industry Issues**

110. **Deputy Tony McLoughlin** asked the Minister for Transport, Tourism and Sport if he will meet with car hire companies prior to the 2013 tourist season and the Gathering to ensure that they sign up to a particular code of practice in relation to charges to ensure that all such charges are up front and are fair to ensure tourists get a fair deal. [52250/12]

120. **Deputy Tony McLoughlin** asked the Minister for Transport, Tourism and Sport the steps he is taking to advise tourists coming here of some hidden charges that car hire companies add on to customers in relation to insurance which many of them are not aware of when they make their booking from overseas. [52249/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 110 and 120 together.

These questions relate to practices relating to car rental and the Deputy's concerns about practices in that industry. Firstly, I must state that I have no regulatory function in relation to the car rental industry.

The National Consumer Agency, which comes within the remit of the Minister for Jobs, Enterprise and Innovation, is responsible for the enforcement of the Consumer Protection Act 2007. That Act provides for the regulation of quotes or other communications by traders to consumers relating to the price of goods and services, including car rentals. Consumers who have been subject to misleading or unfair practices by car rental companies may make a complaint to the Agency.

I am also informed by the NCA that under Article 22 of Directive 2011/83/EU on Consumer Rights, a trader must seek the express consent of the consumer to any extra payment in addition to the payment agreed upon for the trader's main contractual obligation. If this express consent is not obtained but has been inferred by using default options which the consumer is required to reject in order to avoid the additional payment, then the consumer shall be entitled to reimbursement of this payment. While Member States are not required to transpose the Directive until December 2013, the Minister for Jobs, Enterprise and Innovation intends, subject to legal advice, to enact Regulations giving effect to Article 22 in early 2013.

Article 6 of the Directive will require car hire companies and other traders, before the consumer is bound by an online or other distance contract, to provide information in a clear and comprehensible manner about the 'total price of the goods or services inclusive of taxes' and, where applicable, about 'any other costs'. If the trader has not complied with the Article's provisions on such additional costs, the consumer will not be required to bear those costs.

The transposition of the Directive will greatly assist tourists travelling for The Gathering in obtaining clarity in relation to their online car hire bookings.

Furthermore, the two tourism agencies under the aegis of my Department are aware of this issue and have recently updated their websites to help make tourists aware of issues pertaining to car rental, and to help them avoid unnecessary charges.

### **Alcohol Advertising**

111. **Deputy Billy Kelleher** asked the Minister for Transport, Tourism and Sport his views on whether sponsorship of sporting events by alcoholic drinks companies should be subject to the same regulations as tobacco sponsorship; and if he will make a statement on the matter. [52651/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I fully support the central aim of the National Substance Misuse Strategy in reducing the level of alcohol consumption and binge drinking in Ireland. However, I also recognise that moderate and responsible alcohol consumption is not harmful and that there is no case for denormalising alcohol consumption in the way that was appropriate for tobacco. Any measures introduced should be evidence based, effective and proportionate, and should have regard to the potential downsides that may occur.

As I have stated before, I believe that a legislative ban on sponsorship would have negative consequences for sport and tourism. There are huge economic, social and health benefits accruing from sport. From a health perspective alone, there are clearly significant benefits for individuals and for our health system in maintaining and increasing participation levels in sport. One of the goals of my Department is to contribute to a healthier and more active society by promoting sports participation. However, it is important that funding is available to sports organisations to ensure that sport is maintained at grassroots level so that as many people as possible can participate.

Also, it is my view that sport plays an important role in diverting young people away from alcohol. The financial support provided through sponsorship is integral to the availability of sport at grassroots level and I am concerned that placing constraints on the sporting organisations by eliminating the alcohol industry as a source of sponsorship will have a negative impact on the development and availability of sport, particularly in the current economic climate.

Furthermore, it must be recognised that many of the major sporting events in which Irish teams compete are international events and are directly or indirectly broadcast into the State by foreign broadcasters. Were Ireland to ban alcohol sponsorship, the only effect would be to exclude the Irish sporting organisation from sponsorship money while the advertising occurred anyway. I also note that Britain, having recognised the failure of the 'Loi Evin' in France to reduce alcohol consumption by young people, decided not to ban alcohol sponsorship of sport for evidence based reasons.

I would draw the Deputy's attention to a recent *ESPAD Report on Substance Use Among Students in European Countries*. This report monitors substance use among 15–16-year-old

European students in order to monitor trends within, as well as between, countries. Given the 'Loi Evin' it is worth noting the comparisons between Ireland and France. Since 1999, the proportion of these young people reporting having had five or more drinks on one occasion during the past 30 days in Ireland this has decreased by 17% to 40%. In comparison this has increased by 11% in France to 44%.

My Department has engaged with and continues to engage with the Department of Health with regard to proposals which that Department is bringing forward.

### **Haulage Industry Regulation**

112. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport the proposals he has to help the haulage industry; and if he will make a statement on the matter. [52630/12]

118. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the way he proposes to help the haulage industry meet the challenges it faces; and if he will make a statement on the matter. [52644/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 112 and 118 together.

I recognise the important role of the haulage sector in the transport of goods and the difficulties it is facing in the current economic climate. I and my officials meet regularly with the sector's representative organisations.

One of the main concerns of the sector is fuel prices, and the sector has been interacting with my colleague, the Minister for Finance, in relation to taxes and duties on fuel.

To improve services for road and passenger transport operators, my Department is developing an online licence application system. This will go live early in 2013 and provide the convenience of a 24/7 system for online applications, including in relation to changing the vehicles authorised on licences. As part of the project, forms, documents and processes are also being streamlined, all of which should lead to a more efficient service with faster processing times.

The new system will also incorporate linkages to other EU member states for the exchange of information on infringements. This will contribute to fair competition by helping to identify illegal or non-compliant operators, as will measures in last year's Road Transport Act which substantially increased fines for illegal hauliers and those who use them.

In relation to the vehicles used in the haulage sector, last year I extended the derogation for the carriage of 42 tonnes on five axle vehicles to December 2014. I have recently approved in principle proposals which will allow the carriage of 46 tonnes on six axle vehicles. I understand that the necessary legislation for this is being prepared in the RSA and I look forward to signing it into law as soon as possible.

### **Cycling Facilities**

113. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport his plans to improve urban cycling conditions; and if he will make a statement on the matter. [52639/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The Government set out its commitment to invest in the National Cycle Policy in the Programme for Government. The greatest potential for increasing cycling numbers will occur within urban areas as these trips are usually of a distance which lend themselves to cycling. Bearing this in mind, my Department has taken a two-pronged approach to include investment in the infrastructure for and promotion of cycling.

My Department works with the National Transport Authority (NTA) which provides funds to local authorities in the Greater Dublin Area and regional cities, while my Department provides direct funding to the other towns. In addition to NTA funding, this year my Department announced investment in sustainable transport of €65 million over the next 5 years, the majority of which will be invested in cities and towns around the country under the Smarter Travel Areas and Active Travel Towns programmes. Cycling infrastructure and the promotion of cycling are key elements of each of these programmes. Funding is also being made available for the development of the National Cycle Network to improve urban, inter-urban and rural cycling facilities.

The NTA has published a comprehensive design manual for the provision of cycle routes, particularly in urban areas, and this is available at [www.cyclemanual.ie](http://www.cyclemanual.ie). Dissemination of best practice and facilitation of appropriate cycle infrastructure design training are also key roles of the Smarter Travel Local Authority Network developed by my Department.

My Department and the NTA are also committed to expanding the very successful Dublin Bikes scheme and to introducing similar schemes in regional cities.

### **Tourism Industry Issues**

114. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport the way he proposes to assist the hotel industry; and if he will make a statement on the matter. [52643/12]

133. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the action he will take to ensure a viable hotel industry; and if he will make a statement on the matter. [52655/12]

751. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he and his Department has regular interaction with stakeholders in the tourism sector with a view to identification of issues of concern; the extent to which he expects to be in a position to respond to any such issues such as credit availability or transport costs throughout the sector; and if he will make a statement on the matter. [53072/12]

752. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he continues to have discussions with the hotel and catering sector with a view to addressing issues of concern; if he expects to be in a position to positively respond to issues arising in the coming year; and if he will make a statement on the matter. [53073/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 114, 133, 751 and 752 together.

These questions relate to support for the hotel and catering sectors.

I am in regular contact with representatives of the hotel and catering sectors and am kept advised of issues of concern to the industry.

The Government has already implemented a range of initiatives and measures to support the tourism industry. VAT has been reduced to 9% on accommodation and restaurant services and this lower rate of VAT will continue through 2013. The Visa Waiver Scheme is encouraging visitors from emerging markets to add Ireland to a trip to the UK, and the halving of employers' PRSI for those on modest wages has reduced the cost of employing people.

In 2012 the Government will spend over €144m through its agencies to support the tourism industry, marketing tourism at home and abroad and supporting product development, competitiveness and enterprise capability. Fáilte Ireland also provides a range of business supports to tourism enterprises. These supports encompass financial re-structuring, business mentoring, productivity improvement, cost control, sales and marketing, e-business and customer care as well as assisting tourism businesses to engage constructively with their banks

The measures put in place to support tourism helped to contribute to growth of almost 8% in visitor numbers in 2011. In addition, the CSO Quarterly National Household Survey shows that 6,300 more people (seasonally adjusted) were employed in accommodation and food services in the second quarter of this year compared to the same quarter in 2011.

I am also very glad to see that in 2011 hotel room occupancy rose and, combined with more efficient resource management, profits per available room before tax rose by over 22%.

I am confident too that the tourism industry will be able to take full advantage of The Gathering Ireland 2013 initiative next year.

### **Greenhouse Gas Emissions**

115. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which the transport sector has found it possible to achieve carbon reduction targets; if he has in mind any particular initiatives for the further enhancement of achievements under this heading; the extent to which achievement to date in this jurisdiction can be favourably compared with other jurisdictions throughout Europe; and if he will make a statement on the matter. [52671/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The most recent EPA figures for greenhouse gas emissions from the transport sector are for 2011, and these figures show that they have fallen from a peak of 14.48 million tonnes in 2007 to 11.29 million tonnes in 2011, representing a decrease of 22%. A further decrease in emissions would be expected for 2012.

2011 was the fourth year in a row that a decrease in transport sector emissions has been reported following significant growth up to 2007. Whilst much of this reduction in emissions can be attributed to the contraction of the economy, savings are also being made due to policies and measures such as mobility management schemes, and promoting modal shift to cycling. In particular, the motor taxation and vehicle registration taxation rebalancing introduced in mid-2008 has encouraged the entry of more energy efficient new cars to the fleet, leading to significant reductions in the associated greenhouse gas emissions. In addition, the Biofuels Obligation Scheme started operation in mid-2010 with biofuels displacing petrol and diesel use in the transport sector.

However, the country faces considerable challenges in meeting EU 2020 targets and developing a low-carbon emission pathway to 2050.

Initiatives within the transport sector to address our carbon reduction targets are identified

in Smarter Travel - Our Sustainable Transport Future, most of the actions in which continue to be pursued despite the current economic climate. An assessment of least-cost, effective, additional measures across all sectors including transport was recently carried out by the NESC Secretariat which highlighted again the key role being played by the motor taxation and vehicle registration taxation rebalancing to secure the earliest entry of more energy efficient cars to the fleet and proposed some potential new measures, mainly in the freight area, which my Department is examining. However, it is important to note that the potential savings from such measures remain small in the context of total sectoral emissions.

### **Sports Funding**

116. **Deputy Anthony Lawlor** asked the Minister for Transport, Tourism and Sport his views on elite athlete funding in the context of the Olympic and Paralympic Games in 2016; and if he will make a statement on the matter. [52512/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Irish Sports Council, which is funded by my Department, is the statutory body with responsibility for the promotion, development and co-ordination of sport, including the allocation of funding to elite athletes.

The International Carding Scheme, which provides grant payments directly to high performance athletes, has been a central part of the high performance system in Ireland since its introduction in 1998. Currently the Scheme accounts for about 25% of the Irish Sports Council's investment in high performance sport and it has contributed to the measurable improvement in performances in recent years. The Irish Sports Council published a review into the future of the International Carding Scheme on 16 November. This review includes a number of key recommendations. Details of the Carding Scheme for 2013 will be announced in the new year.

The Irish Sports Council is also carrying out a review of performances at the London Olympic and Paralympic Games. A series of debriefs with relevant National Governing Bodies of Sport are close to completion. Recommendations from the debriefs will inform the performance plans of each targeted sport for the next Olympic cycle to Rio 2016.

I have referred the Deputy's question to the Irish Sports Council for a more detailed response. I would ask the Deputy to inform my office if a reply is not received within 10 days.

### **Taxi Regulations**

117. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport his plans to update regulations for taxi services; and if he will make a statement on the matter. [52641/12]

139. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the steps he is taking to support the continuation of full time taxi licence holders in the industry who are facing much financial hardship due to an oversupply exacerbated by part time drivers and taxi plate rental companies. [52662/12]

148. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the recommendations from the Taxi Commission Report that have been implemented to date; if he intends to take any further actions under the Taxi Commission Report; and if he will make a statement on the matter. [52245/12]

157. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he will

provide an update on the development of a Taxi Regulation Bill; when he hopes it will be before Dáil Eireann and if he has a time line planned for the following stages and enactment. [52661/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** I propose to take Questions Nos. 117, 139, 148 and 157 together.

The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the Taxi Regulation Act, 2003, and is also the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report 2011.

Overall the thrust of the reforms arising from the Taxi Review will mean better services for consumers and improvements to the operating environment for taxi drivers generally. The measures will seek to ensure that operators and drivers can operate under a robust regulatory framework that is supported by an effective enforcement regime. I am also aware that the NTA is undertaking a consultation process in relation to its review of taxi fares which is underway.

The Taxi Regulation Review Report 2011 contains 46 separate actions aimed at improving standards, administration and enforcement within the taxi sector. All of the recommendations of the Taxi Review are being progressed by the NTA, with 10 actions already completed, including those relating to the sharing of licensing and operational information between the NTA and the relevant agencies – the Revenue Commissioners, Department of Social Protection and An Garda Síochána. It is my intention that all of the actions arising from that Review will be implemented in full.

I understand that the NTA is to launch an IT portal which will be operational in January 2013 to facilitate a means of establishing the identity of the authorised driver of a small public service vehicle, as proposed under Action 40 of the Review. This will also support the implementation of and the submission of information with regard to taxi rental arrangements in line with Action 39 of the Review which provides that the practice of renting taxi licences only (i.e. without the vehicle) while facilitating the continuation of “full package” taxi rental which includes the vehicle, complete with roof sign, taxi meter and printer. The IT portal will facilitate a mandatory obligation on licence holders for self-declaration concerning details of other employment as proposed under Action 3 of the Review Report, which seeks to ensure, in the case of part-time drivers, improved compliance with working time legislation.

The Taxi Regulation Bill 2012, to be published in this quarter, will replace the Taxi Regulation Act 2003 in order to strengthen the legislative basis for the regulation of the taxi sector and give effect to many of the enforcement measures proposed in the Taxi Review. I hope that the new legislation can be enacted early in the new year.

*Question No. 118 answered with Question No. 112.*

### **Transport Costs**

119. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he continues to monitor the main factors affecting transport costs in both the public and the private sector; the way this compares with similar factors in other EU member states; if transport provided in this jurisdiction is deemed to operate currently at a competitive disadvantage; the degree, if any, to which this may be determined in the context of the profitability of the sector in this country; if he has examined any possibilities which he might consider to be beneficial to the sector and as a consequence to consumers here; and if he will make a statement on the matter. [52670/12]

754. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he has studied transport costs in other EU countries within and without the Eurozone with a view to achieving parity for the transport sector here with other jurisdictions; and if he will make a statement on the matter. [53077/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 119 and 754 together.

I refer the Deputy to the answer to Dáil Questions Nos. 14, 248, 250 and 251 on 18 October 2012. The position remains unchanged.

*Question No. 120 answered with Question No. 110.*

*Question No. 121 answered with Question No. 105.*

### **Road Traffic Offences**

122. **Deputy Barry Cowen** asked the Minister for Transport, Tourism and Sport his proposals to deal with drug driving; and if he will make a statement on the matter. [52648/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Drug driving is a matter of great concern particularly as evidence suggests a growing prevalence of people driving under the influence of drugs in Ireland. In order to get a better understanding of the problem and the options available to tackle it, I recently asked the Medical Bureau of Road Safety to undertake a study on roadside drug testing and related matters. The Bureau's report, along with its recommendations were published last month.

One of the main objectives of the study was to determine whether any suitable devices, similar to breathalysers, are available to detect and measure levels of drugs. The Bureau has advised that, while research in the area is continuing in many countries, oral fluid is emerging as the specimen of choice for use in roadside chemical drug testing devices. As a result, I have approved the establishment of a Working Group to consider the issues associated with introducing such devices. I am advised that, while there is now the potential for a suitable roadside device to be used for the testing of certain commonly used drugs, there is still no device available for the testing of all drugs. Once such a device becomes available I will move to have it introduced as quickly as possible.

In advance of any technological measures, I propose to introduce legislation to allow for the introduction of roadside impairment testing for use by An Garda Síochána. This testing consists of simple, physical, cognitive tests such as walking a straight line, tipping one's nose or counting while standing on one leg and will assist the gardaí in determining whether a driver is incapable of having proper control of a vehicle.

### **Semi-State Bodies Remuneration**

123. **Deputy Mick Wallace** asked the Minister for Transport, Tourism and Sport the reason he tried to breach the €250,000 pay cap for the new Chief Executive Officer of the Dublin Airport Authority; and if he will make a statement on the matter. [52681/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In imposing the €250,000 pay ceiling, the Government decision at the time made it clear exceptions might be necessary in a small number of cases where the role was of substantial importance and

a candidate brought exceptional or special expertise or qualifications. The CEO of the DAA is responsible for managing three international airports which accommodate almost 20 million passenger journeys per year in addition to an international business that operates retail outlets around the World and part-owns or manages airports overseas. He or she is responsible for the jobs of hundreds of people. The CEO is expected to go 'toe to toe' with airline CEOs who are paid millions of euros per annum and the market for CEOs of this nature is international and, whether it is right or not, very highly remunerated.

The person whom the Board identified in the case referred to by the Deputy is a top class international candidate. He held a position abroad with a salary which was many multiples of the Government's €250,000 cap. In negotiating with this exceptional candidate, the Dublin Airport Authority initially sought to make an offer which they felt would be necessary to attract his services and I supported them. The Deputy will appreciate that judgment calls have to be made in such situations and my judgment was that this was an exceptional circumstance as envisaged by Government.

In the event, I was very pleased that it was possible to secure the services of this candidate without breaching the €250,000 pay cap.

*Question No. 124 answered with Question No. 105.*

*Question No. 125 answered with Question No. 98.*

### **Vehicle Clamping**

126. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport the plans he has to regulate vehicle clamping; and if he will make a statement on the matter. [52646/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In line with the commitment in the Programme for Government to regulate the vehicle clamping industry, I presented a discussion document to the Joint Oireachtas Committee on the Environment, Transport, Culture and the Gaeltacht in which I outlined the principal issues to be addressed in regulating the industry, my proposals on the shape of appropriate legislation and invited their views. The Committee responded to me in a comprehensive report which contained a number of recommendations, many of which I hope to include in the resulting legislation. Preparation of the General Scheme of a Bill is being discussed with the Attorney General's Office and it is hoped that the Bill will be published and introduced in the Oireachtas in the first half of 2013.

### **State Airports**

127. **Deputy Pat Breen** asked the Minister for Transport, Tourism and Sport if he will provide an update on his proposals for Shannon Airport and the next steps in progressing these proposals; and if he will make a statement on the matter. [52676/12]

144. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if he will provide an update on proposals to separate Shannon Airport from the Dublin Airport Authority; and if he will make a statement on the matter. [52519/12]

145. **Deputy Olivia Mitchell** asked the Minister for Transport, Tourism and Sport if he will provide an update on proposals to separate Shannon Airport from the Dublin Airport Authority; and if he will make a statement on the matter. [52584/12]

162. **Deputy Joe Carey** asked the Minister for Transport, Tourism and Sport if he will provide a progress report regarding the separation of Shannon Airport from the Dublin Airport Authority; and if he will make a statement on the matter. [52678/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 127, 144, 145 and 162 together.

As the Deputy will be aware, following the Government decision in principle to separate Shannon Airport from the Dublin Airport Authority and merge it in a new entity with a restructured Shannon Development, a Steering Group of senior officials from five key Departments was established to bring forward proposals for the implementation of that decision. That Steering Group has been assisted by two Task Forces.

The Task Forces recently submitted their Reports to the Steering Group for consideration. On the basis of the work undertaken by the Task Forces and the Steering Group, detailed proposals in relation to the restructuring of the State Airports and Shannon Development have been submitted by myself and Minister Bruton to Government.

*Question No. 128 answered with Question No. 105.*

### **Road Safety Issues**

129. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport his plans to review speed limits and to deal with information that has been brought to his attention in relation to road traffic penalties and fines being written off by Gardaí. [52248/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Earlier this year, I announced that a review of speed limits would be undertaken and to that end, my Department established a stakeholder group to progress this work.

The Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority, the National Transport Authority and representatives of local authorities accepted my invitation to participate in the Working Group. The work of the Group is ongoing and I expect to receive their report by the end of the year.

I understand that a senior garda above a certain level may write off penalty points for legitimate reason and that a procedure exists to allow this. I have, however, been contacted by a possible whistle-blower with regard to allegations that this procedure may have been used inappropriately. My officials have met with person making these allegations at my request, as has the Road Safety Authority separately. While they remain allegations, I do take them seriously. For this reason, I have referred them to the Minister for Justice.

*Question No. 130 answered with Question No. 99.*

### **Museum Projects**

131. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport his views on the establishment of a museum for Irish sport; the efforts he is taking to establish such a body; and if he will make a statement on the matter. [52569/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I believe that a sports museum would be an excellent addition to Ireland's sporting and cultural experience and

has the potential to attract widespread public interest.

A committee, which is being chaired by Minister of State Michael Ring, has been established to examine the feasibility of developing a Museum of Irish Sport. The first meeting of the committee took place on 24th October.

*Question No. 132 answered with Question No. 99.*

*Question No. 133 answered with Question No. 114.*

*Question No. 134 answered with Question No. 103.*

*Question No. 135 answered with Question No. 105.*

### **Road Network**

136. **Deputy Colm Keaveney** asked the Minister for Transport, Tourism and Sport the position regarding the discussions for the proposed Public Private Partnership of the M17/M18 motorway from Gort to Tuam, County Galway, announced in the recent stimulus package; and if he will make a statement on the matter. [51427/12]

147. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport if he will provide an update in the proposed N17/N18 Gort to Tuam road, County Galway; and if he will make a statement on the matter. [52656/12]

156. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport if the N17/N18 Gort to Tuam road, County Galway, as promised in the stimulus plan will be given a starting date; and if he will make a statement on the matter. [52657/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 136, 147 and 156 together.

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.

The Gort-Tuam PPP projects is one of a number of road projects identified in the Government's Financial Stimulus Package. As the Investment and Capital Expenditure Framework 2012-2016 did not include a financial provision for this project, an additional multi-annual allocation is required to cover the Exchequer element of the project costs. As the allocation of such funds is related to the planned sale of State assets, clarification has been sought from the Department of Public Expenditure on the timelines involved. Once appropriate funding arrangements are put in place, the NRA will be in a position to prepare the project implementation schedule.

### **Pilot Training Colleges**

137. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport the work he is doing to see that the full details of the closing of the Waterford Pilot Training College are investigated and that no company will be able to operate in such a manner again, leaving students with debts. [52669/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** On 28 September last the High Court ordered the liquidation of the Pilot Training College Waterford (PTC). I fully understand the frustrations of the students and their families who have lost considerable sums of money to this company and while I have great sympathy for their plight, neither the Government, nor the Irish Aviation Authority (IAA), have any liability in this regard; the taxpayer cannot be liable for the failures of private sector companies.

Flight training organisations in the EU are approved on the basis of common rules and IAA's approval of PTC as a flight training organisation was in accordance with these rules. Unfortunately PTC is not an isolated example – there have been other similar failures in other European Member States in the recent past, including in the UK, where students also suffered losses.

I understand that a complaint has been made to the Office of the Director of Corporate Enforcement in relation to this company and that body is the appropriate body to investigate any potential breaches of company law.

### **Penalty Point System**

138. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport the timeframe for the implementation of mutual recognition of penalty points on both sides of the Border; if this scheme will allow for the alternative of attendance at a recognised speed awareness course, as is the practice in England, Wales and Northern Ireland, to receiving penalty points; and if he will make a statement on the matter. [52542/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The mutual recognition of penalty points between Ireland and Northern Ireland is being dealt with under the auspices of the North South Ministerial Council (NSMC). Initially this work involves the mutual recognition of penalty points in each jurisdiction for the road traffic offences of speeding, drink/drug driving, non-wearing of seatbelts and using a mobile phone while driving.

The detailed timetable agreed at the North South Ministerial Council Meeting held on 5 October 2012 for the drafting, passage and enactment of parallel legislation, North and South, is the 31 December 2014.

Alternative sentencing options that exist in Northern Ireland, in lieu of penalty points, do not form part of the mutual recognition of penalty points project.

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

### **Sport and Recreational Development**

140. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the work being done in the prisons by the street leagues; and if he will make a statement on the matter. [52693/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I am aware of the work that is being done by the Homeless street leagues, including the leagues that are operating in the prisons. Sports programmes such as the homeless street leagues can have a positive impact for those involved and present an excellent opportunity for participants to become involved in sport.

I understand that the street leagues are affiliated to the FAI and that the FAI has been provid-

ing financial support to the Leagues and the Homeless World Cup squad through its Football for All programme since 2006.

*Question No. 141 answered with Question No. 99.*

### **Driving Tests**

142. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the measures he will take to keep the cost of taking driving tests down in view of the large increase in recent years. [52699/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The fee for the driving test was last increased shortly before I became Minister. At that time, the fee for tests in vehicles of category EC1, EC, ED1 or ED, and also C1, C, D1 or D, was raised from €110 to €120, while the fee for all other categories was raised from €75 to €85. The fee is waived where the application relates to vehicles in categories C1, C, D1, D, EC1, EC, ED1 or ED and the applicant has been unemployed for the 12 months immediately preceding the date of application and is registered with Forás Áiseanna Saothair (FÁS).

Driver testing is operated by the Road Safety Authority (RSA). The RSA has been under pressure in recent years, like all public bodies, to reduce its cost to the Exchequer while also increasing the efficiency of its services, and has made significant progress. The most recent fee increase, in 2011, was, I understand, approved in the context of reduced Exchequer funding and further efficiency savings identified by the RSA. The fee increase was necessary to ensure that the RSA could continue to provide services as required.

The RSA will continue to seek efficiencies where possible and I would hope to keep driver testing fees at the current levels.

### **Public Transport Provision**

143. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will report on the extra subvention of €36 million being allocated to CIE; his plans to support and maintain public transport services in 2013; and if he will make a statement on the matter. [52246/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** On 24th July last, the Government decided to provide additional funding of €36 million to CIE to ensure that the companies could continue to operate for the rest of 2012. This would bring the total subvention for this year to €278m, higher than the subvention level for 2010 and is the fifth highest level of subvention ever. To date €16 million of the additional subvention has been paid by the National Transport Authority to CIE and the remaining allocation will be paid before the end of 2012.

The Government plans to again allocate very significant funds to support and maintain public transport services across the country in 2013. There will however also be a need for further cost efficiencies to be achieved so that the public transport system can be effectively delivered.

My Department and the National Transport Authority are working with public transport operators to increase the efficiency and attractiveness of existing public transport services. We are not in a financial position to make further significant investment in our public transport network but we can get a better return from our existing public transport system, through targeted investment, better use of resources and by using smart technology to make public transport

more responsive and user friendly.

Targeted investment is essential in these financially straitened times. An example is the Luas BXD project to link the LUAS lines. Government has also continued to invest in the bus companies, including the recent decision to purchase 80 new buses for Dublin Bus at a cost of €26m and 60 new buses for Bus Éireann in 2011 at a cost to the Exchequer of €19m. Considerable funding has also taken place in recent years on measures to make public transport more attractive such as the Leap Card, Real Time Passenger Information, Automatic Vehicle Location (AVL) and providing wi-fi.

CIÉ is progressing the preparation of a revised 5-year Business Plan to address the underlying financial challenges facing CIÉ so that the CIÉ's public transport services can be provided efficiently and cost effectively over the Plan period.

*Questions Nos. 144 and 145 answered with Question No. 127.*

### **Air Services Provision**

146. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he will provide an update on progress made in improving safety regulations for pilots across the EU but especially in Ireland where some work conditions are not conducive to ensuring that pilots are at their best when flying in particular flight time limitations; if he is concerned that current proposals are not sufficiently in line with what research has found to be best practice; and if he will make a statement on the matter. [52660/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The subject matter of this particular question, the safety regulation of aviation, and in particular, flight time limitations for flight crews, is the statutory responsibility of the Irish Aviation Authority, and I have referred the question to them for direct reply. I would ask the Deputy to contact my office if a reply has not been received within 10 working days.

*Question No. 147 answered with Question No. 136.*

*Question No. 148 answered with Question No. 117.*

### **Bus Éireann Services**

149. **Deputy Luke 'Ming' Flanagan** asked the Minister for Transport, Tourism and Sport if the decision to cut bus routes is taken by the National Transport Authority, Bus Éireann or his Department; and if he will make a statement on the matter. [49429/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I refer the Deputy to my replies to his questions 705 of 23rd October and 1210 of 6th November 2012.

### **Road Safety Issues**

150. **Deputy Pat Deering** asked the Minister for Transport, Tourism and Sport if he will provide an update on the speed limits review that is being undertaken; and if he will make a statement on the matter. [52503/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Earlier this year, I

announced that a review of speed limits would be undertaken and to that end, my Department established a stakeholder group to progress this work.

The Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority, the National Transport Authority and representatives of local authorities accepted my invitation to participate in the Working Group. The work of the Group is on-going and I expect to receive their report by the end of the year.

I will give careful consideration to implementing any recommendations contained in their Report.

*Question No. 151 answered with Question No. 105.*

*Question No. 152 answered with Question No. 99.*

### **Tourism Employment**

153. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the action he has taken to ensure that the tourism sector is delivering added employment from the 9% rate of VAT; if he will outline the effects of the changes; and if he will make a statement on the matter. [52694/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** After the VAT reduction was introduced, I wrote to the main representative bodies in the tourism industry emphasising to them the need to ensure that the reduced rate was passed on to consumers. Since then, I have been in regular contact with sectors within the tourism industry and I have consistently urged them to ensure that the reduced VAT rate is passed on to consumers whenever possible.

Indications to date are that the policy is working. The CSO Quarterly National Household Survey reported that employment among accommodation and food providers increased by 6,300 (seasonally adjusted) from the second quarter of 2011 to the equivalent period in 2012. A recent examination of the VAT rate cut by the Department of Finance found that this 6% increase in employment in the sector compared very favourably to a 3% decline in overall market services employment (excluding accommodation and food and public sector employment) in that period. Accordingly, they estimate that there has been a net employment growth of 9% in accommodation and food services since the introduction of the reduced VAT rate compared to comparable market service sectors. Allowing for inflationary pressures elsewhere in the economy, the evidence also shows that the VAT reduction has had an impact in terms of prices charged to consumers. I am confident that the VAT reduction has helped to sustain employment and businesses by making them more competitive.

That is why the rate is being maintained in 2013. This is a further example of the importance that Government attaches to the tourism industry and its contribution to the economy, particularly in the context of continued pressure on the public finances.

*Question No. 154 answered with Question No. 99.*

### **Air Services Provision**

155. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport if he will develop and publish an aviation policy, setting out a clear vision for the development of this

sector over the coming decade; if Cork Airport will be a central component to this policy; and if he will make a statement on the matter. [52659/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The primary aim of our aviation policy at present as set out in my Department's Statement of Strategy 2011-2014 is to ensure that the sector supports Ireland's economic and social goals in a safe, competitive, cost-effective and sustainable manner and to ensure maximum connectivity for Ireland with the rest of the world. Given the critical importance of the sector to the economy, I have decided to launch a review process for the development of a new civil aviation policy for Ireland. To this end I have invited representatives from all stakeholders to attend a one day conference on 3 December 2012 to launch this process. I expect to have this process concluded and the new civil aviation policy published in early 2014.

Cork airport is an important part of Ireland's civil aviation infrastructure and this will be taken account of as part of the review process. The Government has already decided that the future of Cork airport is best safeguarded by it remaining for the present as part of the DAA.

*Question No. 156 answered with Question No. 136.*

*Question No. 157 answered with Question No. 117.*

*Question No. 158 answered with Question No. 105.*

*Question No. 159 answered with Question No. 104.*

### **Ports Development**

160. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport when he expects to publish the revised Ports Policy; if he will elaborate on the main themes which will feature in the document; if he will outline the role which the Port of Cork will have under the policy; and if he will make a statement on the matter. [52658/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I expect to bring a Memorandum to Government on the matter and I aim to have the document published by February 2013. As I stated to the Deputy in October, it is my view that the existing policy requires revision to ensure that all of our ports are provided with an appropriate development framework, reflective of their particular circumstances as well as their current role and future potential from a national freight facilitation perspective. The new policy will therefore seek to provide all of our ports with a policy framework that will allow for their future development in a manner that best suits their individual circumstances.

The Port of Cork handles approximately 19% of all seaborne trade in the State and offers services in both the unitised and bulk market sectors. It is clearly therefore an integral part of our commercial port network and an important facilitator of trade from both a national and regional perspective. This will be recognised within the new ports policy.

### **Bus Éireann Services**

161. **Deputy Luke 'Ming' Flanagan** asked the Minister for Transport, Tourism and Sport in view of the fact that Bus Éireann is no longer adhering to its social charter and continues to cut bus routes in lower population areas, if he will consider selling it off; and if he will make a statement on the matter. [49428/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The provision of bus services and the routes they take are operational matters for the company in conjunction with the National Transport Authority. Bus Éireann operate a mix of services. Some of these services are commercial services (Expressway) in which they compete on the open market with private operators but do not receive a subsidy either directly or indirectly, while they also operate Public Service Obligation (PSO) services. A PSO payment is made for the company to carry out necessary bus services which would otherwise not be viable. Bus Éireann's services were not as direct as their competition (be that other bus companies, the railways or travelling by car) and due to that, and the recession, they have lost passengers and revenue. In order to gain competitiveness they have, therefore, had to re-design their Expressway services.

I appreciate that changes to the bus services have inconvenienced some passengers. However, given the financial position that Bus Éireann and the CIÉ companies find themselves in, there is no alternative for the companies but to ensure that commercial operations operate on a commercial footing and that, unfortunately, limits their scope for changing the services. I have no plans to privatise Bus Éireann.

*Question No. 162 answered with Question No. 127.*

*Questions Nos. 163 and 164 answered with Question No. 99.*

### Semi-State Bodies Remuneration

165. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will provide details of the number of semi State and State agency executives and employees on an agency by agency basis that have salaries of more than €100,000 per year; if he will provide this information in tabular form, detailing any additional allowances, bonuses and the annual cost to the Exchequer of any pension packages to such employees, in terms of tax reliefs or other costs; if he will provide this information for the past three years; and if he will make a statement on the matter. [52251/12]

**The Taoiseach:** The National Economic and Social Development Office (NESDO), incorporating the National Economic and Social Council (NESC), is the only agency under the aegis of my Department. Three employees had salaries in excess of €100,000 per annum for each of the past three years. Of these, one is in receipt of an allowance of 16.66% of salary in lieu of superannuation. No other additional bonuses or payments were made. Details of the salaries and allowances are shown in the following table:

2010	Salary (€)	Allowance in lieu of super-annuation (€)	Salary and Allowance in lieu of super-annuation (€)
Employee 1	146,191	24,355	170,546
Employee 2	102,124	-	102,124
Employee 3	105,429	-	105,429
2011	-	-	-
Employee 1	146,191	24,355	170,546
Employee 2	102,335	-	102,335
Employee 3	105,429	-	105,429
2012	-	-	-
Employee 1	146,191	24,355	170,546
Employee 2	102,335	-	102,335
Employee 3	105,429	-	105,429

## **Constitutional Convention Agenda**

166. **Deputy Terence Flanagan** asked the Taoiseach his views on whether there should be a constant review of the Constitution and that each generation should have a say on the total document; if such a move will be considered; and if he will make a statement on the matter. [52252/12]

**The Taoiseach:** There are no plans for a referendum on the entire Constitution. I would of course point out that the Programme for Government commits the Government to bringing forward proposals for Constitutional reform in a number of areas. Four matters have already been put to the people in referendums since the Government came into office, three of them in fulfilment of commitments in the Programme. The Government also intends to hold referendums on abolition of the Seanad and on reform of our Courts system.

In addition, the Constitutional Convention will hold its inaugural meeting on Saturday next, 1 December. Over the next year, the Convention will consider a wide range of questions: reducing the Presidential term of office to five years and aligning it with the local and European elections; reducing the voting age to 17; review of the Dáil electoral system; giving citizens resident outside the State the right to vote in Presidential elections at Irish Embassies, or otherwise; provision in the Constitution for same-sex marriage; amending the clause on the role of women in the home and encouraging greater participation of women in public life; increasing the participation of women in politics; removing the offence of blasphemy from the Constitution; and such other relevant constitutional amendments that may be recommended by the Convention.

The Government has formally committed to giving a public response, through the Houses of the Oireachtas, to each recommendation from the Convention within four months of receiving it, and we will arrange for a debate in both Houses on that response. If we accept a recommendation that the Constitution should be amended, our response will include a timeframe for the holding of the necessary referendum.

## **Departmental Staff Remuneration**

167. **Deputy Gerry Adams** asked the Taoiseach if he will provide in tabular form, the number of staff in his Department, or in bodies which fall under the remit of his Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in the relevant pay brackets. [52566/12]

**The Taoiseach:** No member of staff in my Department is paid more than €200,000 per annum. The pay for the Secretary General of my Department has been reduced to €200,000 per annum compared to €285,000 per annum which was payable previously for this position. The pay for the Second Secretary General post in my Department is €188,000 per annum. The two most senior Special Advisers in my Department are paid €168,000 per annum compared to amounts of €222,000 and €213,000 per annum which were payable to the two most senior Special Advisers in the last administration.

The National Economic and Social Development Office (NESDO), incorporating the National Economic and Social Council (NESC), is the only agency under the aegis of my Department. The highest paid official in NESDO is the Chief Officer, who is also a Director of NESC. He is paid €146,191 per annum and an allowance of €24,355 for superannuation in lieu of pension. It should be noted that the pension related deduction is payable on all of the salaries

mentioned above.

### **Departmental Staff Remuneration**

168. **Deputy Gerry Adams** asked the Taoiseach if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in his Department or in any body under the remit of his Department, 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. [52567/12]

**The Taoiseach:** There are no staff whose annual salary is in excess of €200,000 in my Department or in the National Economic and Social Development Office, the only body under the aegis of my Department.

### **Departmental Agencies Issues**

169. **Deputy Billy Timmins** asked the Taoiseach the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53703/12]

**The Taoiseach:** No new State agencies, forums or task forces were established under the aegis of my Department in 2012.

### **EU Presidency Expenditure**

170. **Deputy Thomas P. Broughan** asked the Tánaiste and Minister for Foreign Affairs and Trade his plans to meet all Eurogroup Foreign Ministers and EU Foreign Ministers in advance of the EU Presidency; and if he will make a statement on the matter. [52253/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** With Ireland's Presidency of the Council of the European Union starting in just under five weeks, I will continue to discuss the priority issues for our Presidency with our partners. At all my meetings I shall emphasise that the main focus of the Irish Presidency will be on measures to create jobs and restore growth in Europe. I will also take the opportunity to discuss the busy foreign policy agenda that Ireland, working closely with the European External Action Service (EEAS), will face during its Presidency in 2013. In recent weeks I have held discussions with Catherine Ashton, the High Representative for Foreign Affairs, on plans for Ireland's Presidency and in particular the Foreign Affairs Council agenda.

Last month, I met Mr. Fabius the French Foreign Minister on 6 October, Mr. Westerwelle the German Foreign Ministers on 25 October and Mr Wammen, the Danish European Affairs Minister on 12 October, and addressed a meeting of the Secretaries General of EU Foreign Ministries that was held in Dublin in advance of the Presidency. I also met Mr. Clegg, the British Deputy Prime Minister, where we had useful bilateral discussions on a number of issues including European issues and our forthcoming Presidency.

This week I have a busy schedule of engagements with representatives of the European Parliament which culminates with a Government meeting with the EP Conference of Presidents.

Other engagements include meetings with delegations from the S&D and EPP groups of the European Parliament. The OSCE Ministerial Council next week also affords me the opportunity to meet with a number of my counterparts and arrangements for a number of bilaterals are currently being finalised. I am also meeting the Cypriot Foreign Minister on 19 December 2012. In January the College of Commissioners will come to Dublin to meet the Government.

Next month I will attend the General Affairs and Foreign Affairs Councils and will have the opportunity to meet my counterparts. On 19 November I attended an informal dinner with President Herman Van Rompuy which focused on preparations for the European Council on 22-23 November. I will now be meeting with President Van Rompuy on a regular basis in light of my role as incoming Chair of the General Affairs Council.

### **EU Funding**

171. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide an overview of his negotiations on the State's contribution to the European Union budget in 2014 to 2020; and if he will make a statement on the matter. [52454/12]

172. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade in relation to ongoing negotiations of the European Union budget between 2014 and 2020, if he has adopted a position similar to that of Britain and sought a real-terms freeze on the EU budget between 2014 and 2020. [52455/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 171 and 172 together.

In the negotiations on the EU Budget Multiannual Financial Framework (MFF) Ireland has argued for a properly funded and properly functioning EU, with the right mix of priorities, fair allocation of resources and a focus on jobs and growth. Ensuring a properly-funded Common Agricultural Policy is central to this. Negotiations on the MFF have been taking place since June 2011, when the European Commission presented its proposals. Negotiations have taken place at official level and in the General Affairs Council. Most recently, the European Council met on 22 and 23 November to try to reach agreement.

While a final deal was not reached, it was agreed that President Van Rompuy and President Barroso should continue work and pursue consultation in the coming weeks to find a consensus over the Union's Multiannual Financial Framework for the period 2014-2020. It was also agreed that bilateral talks between President van Rompuy and members of the European Council and the constructive discussion within the European Council had shown a sufficient degree of potential convergence to make an agreement possible in the beginning of next year. The Taoiseach will make a statement to the Dáil on the outcome of the European Council on 28 November.

### **Trade Agreements**

173. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has policy regarding importation of sandblasted denim, and his plans to ban their importation. [52288/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The matter concerned falls within the responsibility of the Minister for Jobs, Enterprise and Innova-

tion.

### **Human Rights Issues**

174. **Deputy Maureen O’Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade further to his comment that Ireland cannot act unilaterally to ban illegal Israeli imports, his response to Ireland’s obligations to uphold and promote international human rights and humanitarian law; his views on the legal opinion provided by EAPPI (details supplied); and if he will make a statement on the matter. [52378/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I am fully conscious of Ireland’s obligations under international law, including human rights and humanitarian law. My Department has received and examined a number of legal opinions on this issue commissioned by NGOs. The legal issues which they raise had already been considered by my Department in advising me on this issue. I remain satisfied that a ban on settlement products can only be introduced, both legally and practically, at EU level

### **Overseas Development Aid Oversight**

175. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide details of all countries whose Governments receive overseas aid from Ireland; the amount of aid each of these Governments received in 2011 and to date in 2012 from the Irish State; the specific purposes of aid funding provided to each of these countries; and if he will make a statement on the matter. [52476/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** Ireland’s aid programme prioritises the fight against global poverty and hunger. The programme is central to our foreign policy, has an enviable international reputation and enjoys consistently high levels of public and political support.

In 2011 Ireland provided €657 million to Official Development Assistance (ODA). This funding was directed to development programmes and to providing life saving emergency humanitarian assistance in over eighty of the world’s least developed countries. The majority of this assistance was delivered through trusted partners - the UN system, International Development Organisations and Non Governmental Organisations and Irish Missionary Organisations.

Ireland also has long term, strategic development partnership programmes with a small number of developing countries, called Programme Countries, namely; Ethiopia, Lesotho, Malawi, Mozambique, Uganda, Tanzania and Zambia in sub-Saharan Africa, and Timor Leste and Vietnam in Asia. Timor Leste will cease to be a Programme Country in 2013. In these countries we aim to build government capacities to deliver the essential services that their populations need – mainly in the areas of health, education and food security. We also work in cross cutting sectors such as governance, gender equality, the environment and HIV and Aids, building systems of accountability that will ensure lasting development results.

In Programme Countries, which are at the very core of our aid programme, Ireland seeks to shape and influence development in a way which will ensure that development assistance as a concept will be obsolete within a generation. We are witnessing human progress and growth rates in our Programme Countries and indeed in Africa, which would have been considered impossible only 10 years ago. There is, of course, much more to be achieved and there is still an enormous burden of poverty, but real and tangible progress is being made. Ireland has played

it's part in this positive change.

In 2011 Programme Countries received approximately €180 million of which two thirds was delivered through Government systems at national, regional and local level. Comprehensive details of how Ireland's total ODA, including this funding, was spent is available in the Irish Aid Annual Report. I am making arrangements for the 2011 Report to be sent to the Deputy. For 2012 we have allocated €178 million to Programme Countries and most of this has been disbursed. The full details of all expenditure will be available in the 2012 Annual Report which will be published in the New Year.

The Government is proud of our aid programme and its achievements. We are determined to maintain and build on its high international reputation, and ensure it continues to build the foundation of real change, future prosperity and well being in the lives of many of the world's poorest people.

### **Overseas Development Aid Oversight**

176. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of the Irish overseas aid budget provided in direct aid to foreign Governments; the amount provided to non-governmental organisation; the factors that are considered when deciding which funding stream is more appropriate; and if he will make a statement on the matter. [52477/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** The Government is strongly committed to Ireland's overseas aid programme, which is a central element in our foreign policy. The programme is recognised internationally for its high quality, its strong focus on the fight against poverty and hunger, and its concentration on the poorest countries and communities of sub-Saharan Africa.

In 2011, €657 million was provided by the Government in Official Development Assistance (ODA). Of this total, approximately €520 million, representing 79% of total ODA, was managed by my Department through Irish Aid. The remaining €137 million (including Ireland's contribution to the EU development cooperation budget) was overseen by other Government Departments.

Irish Aid provides assistance to developing countries either directly through bilateral assistance, or indirectly, through multilateral organisations. Irish Aid delivers bilateral ODA through a variety of channels. These include working in cooperation with Governments, local authorities, local communities, Non Governmental Organisations and international organisations.

A key element of Ireland's bilateral assistance is our support for long term strategic partnerships with selected countries to support programmes for reducing poverty and advancing national development. The Programme Countries benefiting from this support are Ethiopia, Lesotho, Malawi, Mozambique, Tanzania, Timor Leste, Uganda, Vietnam and Zambia. The programme in Timor Leste will conclude in 2013.

When deciding the most appropriate delivery channel for particular aid interventions, Irish Aid takes into consideration the stability of the political environment, the reliability, accountability and transparency of government systems and the existence of effective and accountable locally-based and international Non Governmental Organisations. In 2011, €121.6 million (or 27% of bilateral ODA) was directed through Government systems in Programme Countries. The oversight, implementation and the impact of Irish Aid funded activities is closely supervised by staff based at our Embassies and offices. In addition, all proposals for Irish Aid fund-

ing in Programme Countries are rigorously appraised by Irish Aid staff in the Department of Foreign Affairs and Trade, as well as by the Programme Appraisal and Evaluation Group which includes external appraisal.

In 2011, €167 million (or 37% of bilateral ODA) was directed through Non Governmental Organisations including missionary organisations. Support was directed to these organisations following a full assessment of their capacity to manage and account for Irish Aid funds received and agreement about what results will be achieved as a result of this assistance.

The aid programme seeks to achieve a balance of delivery systems to ensure it remains effective. NGOs are supported because they work closely with local communities and groups. They also work closely with government systems in order to provide and supplement national services such as health, education and agricultural extension. Governments are supported because they have responsibility for implementing programmes and strengthening institutions that will have a lasting impact on reducing poverty. To achieve effective results in development it is important to work with NGOs, governments, local authorities and specialised organisations to bring about the lasting change necessary of development aid to become unnecessary. This is the outcome to which we are all working.

### **Overseas Development Aid Oversight**

177. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of Irish overseas aid that was provided in development aid in 2011 and to date in 2012; the amount that was provided in emergency aid in 2011 and to date in 2012; and if he will make a statement on the matter. [52478/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** In 2011, Ireland provided a total of €657 million in Official Development Assistance (ODA). Approximately €520 million was administered by my Department through Irish Aid with the balance consisting of ODA eligible contributions by other Government Departments and Ireland's share of the EU development cooperation budget.

The total of €657 million in 2011 includes approximately €81 million provided through various Emergency and Recovery funding channels. Irish Aid responded directly to emergency and humanitarian crisis situations throughout the world including Somalia, Sudan, Kenya, Ethiopia, Liberia, Democratic Republic of Congo, Afghanistan and Pakistan. Funding in excess of €20 million was provided through contributions to common humanitarian and pooled funds. This enabled us to provide a rapid response, through trusted and accountable implementing partners, to emergency and crisis situations in countries where there is no direct Irish Aid presence or where such agencies bring additional value and experience.

For 2012 the Government has allocated an estimated €639 million to Ireland's ODA programme. My Department will administer €514 million of this total. It is anticipated that this allocation will be fully spent by the year end and that the funding provided for emergency and recovery assistance will be broadly in line with the 2011 level. However final figures will not be available until after the year end.

A detailed breakdown of Ireland's ODA is published each year in the statistical annexes to the Irish Aid Annual Report. The annexes provide a comprehensive analysis of Ireland's ODA, including the developing countries supported; the areas or sectors in which we engage, and the partner organisations implementing our development programmes. I am arranging for a copy of the most recent publication to be sent to the Deputy.

## Overseas Development Aid Oversight

178. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade when he expects the €4 million in overseas aid which was misappropriated in Uganda to be returned to the Irish taxpayer; and if he will make a statement on the matter. [52479/12]

179. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on whether that the misappropriation of overseas aid from Ireland which occurred in Uganda could not happen again and has not happened in other countries to which Ireland provides overseas aid; and if he will make a statement on the matter. [52480/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 178 and 179 together.

I am deeply concerned about the recent misappropriation of €4 million of Irish development funding in Uganda. Ireland has no tolerance for fraud or any other form of financial irregularity in relation to our development programme. I have suspended approximately €16 million of Irish development assistance which was due to be channelled through the Government of Uganda systems in 2012. I initiated an immediate investigation into the misappropriation of funds by the Office of the Prime Minister which has been undertaken by a team from the Evaluation and Audit Unit of my Department. The team's report which I have now published found that this fraud was very sophisticated and well thought out involving a high level of collusion at a senior level and that the level of collusion was exceptional and could not reasonably or normally have been anticipated. I have strongly emphasised that Irish funding has to be repaid by the Uganda Government and that all necessary actions be taken by the Ugandan authorities to pursue those guilty of this crime.

Our Ambassador in Kampala and the Director General of Irish Aid met with the Prime Minister, Minister for Foreign Affairs and the Minister for Finance and Economic Development of Uganda to underline my deep concerns and to insist that the misappropriated funds be restored by the Ugandan authorities. The Government of Uganda has expressed their own deep concern at the impact of this corruption scandal on Uganda's international reputation and has taken some concrete actions in response. The Ugandan Government have since confirmed that: all Irish Aid misappropriated funds will be reimbursed; that the officials against whom financial impropriety has been established will be fully prosecuted; and that measures will be undertaken to tighten their internal controls.

I welcome this commitment and have directed our Ambassador to work with the Ugandan authorities to ensure that the misappropriated funds are refunded to Ireland. Discussions are underway with the Ugandan Minister for Finance and Economic Development and with the other development partners affected by this fraud, namely Denmark, Norway and Sweden in this regard. Our funding remains suspended until this issue is fully resolved.

*Ireland's aid programme is strongly focused on the poorest people and communities in sub-Saharan Africa and we have strong systems in place for the oversight and monitoring of our aid funding.* All of our aid programmes are regularly examined and evaluated to ensure we achieve effectiveness and value for money. This is done through: auditors based in our Embassies; the evaluation and audit team at headquarters; international accountancy firms whom we commission to carry out audits; the national audit offices of our partner Governments; and my Department's Audit Committee - which provides an independent appraisal of Irish Aid's audit and evaluation and also meets with the Comptroller and Auditor General and publishes an annual report on its work. However, it is clear that notwithstanding all these 'checks and balances' that aid programmes through Governments and other channels in developing countries can be

very challenging. We are currently examining our systems in all Programme Countries with a view to ensuring that they are fit for purpose and that there are no issues in relation to fraud or malfeasance.

I am committed to ensuring that we learn from this to strengthen our systems of risk identification, management, monitoring and audit in the future to minimise the potential for the misuse of funds.

### **Human Rights Issues**

180. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on whether it is appropriate that Ireland continue to provide overseas aid directly to Governments such as the Ugandan Government which continue to propose laws that attach a person's human rights based on their sexuality; and if he will make a statement on the matter. [52481/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The promotion and safeguarding of human rights, particularly those of minority groups, is a central element of Ireland's foreign policy. I share the widespread concerns about the difficult situation faced by the LGBT community in Uganda and certain other countries in the region. I am particularly concerned about developments in relation to the draft Anti-Homosexuality Bill, which was presented as a private member's Bill, and is currently under consideration at committee level in the Ugandan Parliament.

Ireland, together with other donor countries in Uganda, has engaged actively on this issue since it first arose in 2009. We continue to advocate strongly against the adoption of the proposed law. Our Embassy in Kampala has consistently made the case to the Government of Uganda, at all levels, that the passing of any such legislation would be in conflict with Uganda's international human rights obligations and would have a detrimental effect on the country's relations with its international development partners, including Ireland.

I raised the issue directly with the President of Uganda when I visited the country in July. I asked our Ambassador in Kampala to continue to follow developments closely. Last week, she and a group of EU Ambassadors outlined our serious concerns in a meeting with the Prime Minister of Uganda. The official position of the Government of Uganda on the Bill is that it is not part of the Government's legislative programme. President Museveni has made a commitment to engage members of Parliament on the implications of this Bill for Uganda's international relations and reputation. We, and the other international aid donors, remain committed to ensuring that the citizens of Uganda do not suffer violence or discrimination on the grounds of their sexual orientation. Our Embassy in Uganda will continue to monitor developments closely in the coming weeks.

Uganda is a priority country for Ireland's aid programme, with a commitment to long term strategic assistance. As with the other priority countries, our programme is strongly focused on the fight to end poverty and hunger among some of the poorest people and communities, with assistance channelled through government systems, multilateral organisations and NGOs. We fund programmes through government systems in order to empower national governments to deliver and take ownership of the provision of services, which is essential if the improvements achieved are to be sustainable in the long term. Irish Aid funding through governments is for agreed programmes in the social, health and education sectors, which are regularly examined and evaluated to ensure we achieve effectiveness and value for money. In the case of Uganda, as the Deputy will be aware, I have suspended funding of Irish Aid programmes delivered through

the Government as a result of the misappropriation of funds intended for the Peace, Recovery and Development Programme. This suspension will remain in place until the misappropriated funds are returned and we are fully confident that the Government has strengthened its internal financial controls and acted against all officials implicated in the fraud.

### Overseas Development Aid Oversight

181. **Deputy Simon Harris** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide details of all the non-governmental organisations that received overseas aid funding from Ireland in 2011 and to date in 2012; the amount each NGO received and the specific purposes for which this overseas aid was provided; and if he will make a statement on the matter. [52482/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** The Government's aid programme, which is managed by Irish Aid in the Department of Foreign Affairs and Trade, is sharply focused on the fight against global poverty and hunger. It is recognised internationally for its effectiveness, and for its concentration on some of the poorest countries and communities, predominantly in sub-Saharan Africa. Our partnership with Non-Governmental Organisations (NGOs) represents a very important element of the aid programme. Ireland channels a higher proportion of ODA through the NGO sector than most other international donors. In 2011, the Government, through schemes managed by the headquarters of Irish Aid, provided over € 105 million for the long term development work of NGOs. Funding for NGOs is also provided for their work on emergency and recovery assistance, conflict resolution and peace building, and the promotion of human rights.

To date in 2012, Irish Aid has provided some € 95 million to NGOs in Irish Aid headquarters funding. Additional funding is provided to NGOs from the development programmes in Ireland's country programmes where we have a commitment to long-term strategic assistance. Furthermore, a small grants programme is administered by 10 Diplomatic Missions accredited to countries in which Ireland does not have a bi-lateral development co-operation programme.

Set out hereunder is a table detailing funding to NGOs from Irish Aid headquarters for long term development projects and programmes in developing countries, emergency and recovery assistance, conflict resolution and peace building and the promotion of human rights, in 2011 and to date in 2012:

NGO Name	2011	To date in 2012	Purpose
ACTION AID	€1,275,000	€877,473	Long Term Development
ACTION LESOTHO	€90,000		Long Term Development
AIDLINK	€480,000	€548,398	Long Term Development
AIDS PARTNERSHIP WITH AFRICA	€195,300		Long Term Development
ALAN KERINS PROJECT	€21,500		Long Term Development
ANTI-SLAVERY INTERNATIONAL		€140,100	Long Term Development
A-Z CHILDREN'S CHARITY	€168,800		Long Term Development
BÓTHAR LTD		€100,000	Long Term Development
CAMARA EDUCATION LTD		€244,055	Long Term Development
CAMFED INTERNATIONAL	€200,000		Long Term Development
CHERNOBYL CHILDRENS PROJECT INTERNATIONAL	€277,677		Long Term Development
CHILDFUND IRELAND		€619,064	Long Term Development

NGO Name	2011	To date in 2012	Purpose
CHILDREN IN CROSSFIRE	€501,520	€556,252	Long Term Development
CHRISTIAN AID IRELAND	€3,384,618	€3,896,288	Long Term Development / Emergency and Recovery Assistance
CHRISTIAN BLIND MISSION IRELAND	€194,682		Long Term Development
CHURCH MISSION SOCIETY IRELAND	€187,491		Long Term Development
NGO Name	2011	To date in 2012	Purpose
CIVICUS	€200,000		Long Term Development
COMHLÁMH	€403,395	€452,339	Long Term Development
CONCERN UNIVERSAL	€449,950	€250,000	Long Term Development
CONCERN WORLDWIDE	€24,611,610	€22,429,305	Long Term Development / Emergency and Recovery Assistance
CONNECT ETHIOPIA	€15,500		Long Term Development
CORK OMDURMAN PARTNER-SHIP		€14,000	Long Term Development
CRISIS MANAGEMENT INITIATIVE	€50,000		Mediation and Conflict Resolution
DÓCHAS	€250,000	€250,000	Long Term Development
ECPAT INTERNATIONAL	€150,000		Long Term Development
ENT SURGERY FOR ZAMBIA TRUST FUND	€30,000	€29,000	Long Term Development
FRIENDS OF LONDIANI IRELAND		€192,000	Long Term Development
FIDH	€200,000		Human rights
FOUNDATION NEPAL	€30,000		Long Term Development
FRIENDS IN IRELAND	€79,539		Long Term Development
FRONT LINE DEFENDERS	€225,000	€504,394	Human rights
GLENCREE CENTRE FOR RECONCILIATION	€293,000	€136,000	Conflict Resolution and Peace-Building
GLOBAL WITNESS TRUST	€199,800		Human rights
GOAL	€16,329,600	€14,304,185	Long Term Development / Emergency and Recovery Assistance
GORTA	€150,000		Long Term Development

NGO Name	2011	To date in 2012	Purpose
HABITAT FOR HUMANITY	€20,000	€197,930	Long Term Development
HALO TRUST	€1,348,000	€1,637,739	Emergency and Recovery Assistance
HEALTH POVERTY ACTION		€194,100	Long Term Development
HELEN KELLER INTERNATIONAL	€575,000	€500,000	Long Term Development
HELPAGE INTERNATIONAL		€626,476	Long Term Development
HOPE FOUNDATION	€100,000	€117,054	Long Term Development
ICTU (IRISH CONGRESS OF TRADE UNIONS)		€40,000	Long Term Development
INTERNATIONAL ALERT	€100,000		Peace-Building
INTERNATIONAL COMMITTEE OF THE RED CROSS	€9,150,000	€8,800,000	Emergency and Recovery Assistance

Questions - Written Answers

NGO Name	2011	To date in 2012	Purpose
INTERNATIONAL CRISIS GROUP	€100,000	€100,000	Conflict Resolution – Policy and Advocacy
INTERNATIONAL FED. OF RED CROSS AND RED CRESCENT	€3,125,000	€3,000,000	Emergency and Recovery Assistance
INTERNATIONAL RESCUE COMMITTEE - UK	€914,706		Emergency and Recovery Assistance
INTERNATIONAL SERVICE FOR HUMAN RIGHTS	€150,000		Long Term Development
INTERPEACE INTERNATIONAL PEACEBUILDING ALLIANCE	€50,000	€50,000	Peace-Building
IRISH FAIR TRADE NETWORK	€3,774,000		Long Term Development
IRISH FAMILY PLANNING ASSOCIATION	€200,000		Long Term Development
IRISH FRIENDS OF ALBANIA		€55,080	Long Term Development
IRISH LEAGUE OF CREDIT UNIONS INTL DEVT FOUNDATION	€74,000		Long Term Development
INTERNATIONAL UNION CONSERVATION OF NATURE	€50,000		Long Term Development
JAPANESE RED CROSS SOCIETY	€1,000,000		Emergency and Recovery Assistance
KNIGHTS OF ST COLUMBANUS		€4,500	Long Term Development
LINK COMMUNITY DEVELOPMENT		€88,128	Long Term Development
LIVABILITY IRELAND	€100,000		Long Term Development
MARTIN ENNALS FOUNDATION	€40,000		Human rights
MÉDECINS SANS FRONTIÈRES	€900,000	€900,000	Emergency and Recovery Assistance
MENINGITIS RESEARCH FOUNDATION		€10,600	Long Term Development
MERCY CORPS SCOTLAND	€250,000		Long Term Development
NGO Name	2011	To date in 2012	Purpose
NATIONAL COUNCIL OF YMCA'S IN IRELAND	€78,338	€74,983	Long Term Development
OPERATION SMILE IRELAND		€36,600	Long Term Development
ORBIS IRELAND	€200,000		Long Term Development
OXFAM IRELAND	€2,600,000	€2,676,738	Long Term Development / Emergency and Recovery Assistance
PAMODZI - PROMOTING THE RULE OF LAW	€30,000		Long Term Development
PARTNERSHIP AFRICA CANADA	€200,000		Long Term Development
PEACE BRIGADES INTERNATIONAL GUATEMALA PROJECT		€40,000	Long Term Development
PLAN IRELAND	€1,498,965	€2,583,274	Long Term Development
PLAYING FOR LIFE	€148,000		Long Term Development

NGO Name	2011	To date in 2012	Purpose
PRESBYTERIAN CHURCH IN IRELAND BOARD OF MISSION OVERSEAS	€164,500		Long Term Development
Progressio Ireland	€281,487		Long Term Development
RAISING VOICES		€75,350	Long Term Development
RÉALTA GLOBAL AIDS FOUNDATION	€73,189		Long Term Development
SELF HELP AFRICA	€2,800,000	€2,575,215	Long Term Development
SERVE IN SOLIDARITY IRELAND		€355,855	Long Term Development
SIGHT SAVERS INTERNATIONAL		€1,572,908	Long Term Development
SKILLSHARE INTERNATIONAL IRELAND	€117,436		Long Term Development
SOCIAL & HEALTH EDUCATION PROJECT		€122,346	Long Term Development
SPECIAL OLYMPICS IRELAND	€33,750	€37,500	Long Term Development
STICHTING MAMA CASH	€240,000		Long Term Development
SUAS EDUCATIONAL DEVELOPMENT	€100,000		Long Term Development
TEARFUND - UK	€136,500		Long Term Development
TEARFUND IRELAND	€194,600	€200,000	Long Term Development
THE CARTER CENTER INC.		€200,000	Long Term Development
THE HAVEN COMMUNITY FOUNDATION	€333,951	€250,000	Long Term Development / Emergency and Recovery Assistance
THE IRISH AMERICAN PEACE FOUNDATION		€30,000	Conflict Resolution and Peace-Building
THE LEPROSY MISSION IRELAND	€303,030		Long Term Development
NGO Name	2011	To date in 2012	Purpose
THE MARY ROBINSON FOUNDATION	€100,000		Long Term Development
THE MINES ADVISORY GROUP	€200,000		Emergency and Recovery Assistance
THE MINORITY RIGHTS GROUP		€200,000	Human Rights
THE ROSE PROJECT	€200,000		Long Term Development
THE SOUL OF HAITI		€200,000	Long Term Development
THE SUPPORT AFRICA FOUNDATION	€200,000		Long Term Development
TRANSPARENCY INTERNATIONAL	€200,000	€200,000	Long Term Development
TRÓCAIRE	€18,519,676	€18,064,458	Long Term Development / Emergency and Recovery Assistance
UPR INFO		€40,000	Long Term Development
VALID NUTRITION	€270,000		Long Term Development
VALUE ADDED IN AFRICA		€78,000	Long Term Development
VITA		€350,000	Long Term Development
(VIVA) VOLUNTEERS IN IRISH VETERINARY ASSOCIATION	€35,574	€50,000	Long Term Development

*Questions - Written Answers*

NGO Name	2011	To date in 2012	Purpose
VSO IRELAND	€480,000	€531,460	Long Term Development
WAR ON WANT NORTHERN IRELAND	€200,000		Long Term Development
WOMEN'S WORLD BANKING	€197,000		Long Term Development
WORLD VISION IRELAND	€2,333,719	€2,602,820	Long Term Development / Emergency and Recovery Assistance
Total	€105,134,403	€95,011,967	

### Exports Data

182. **Deputy Patrick Nulty** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a breakdown of Ireland's exports to Israel in tabular form; if he will provide a breakdown of which State bodies and semi-State companies are involved in trade with Israel; if he will provide details of the value of these exports; and if he will make a statement on the matter. [52510/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Ireland's exports to Israel currently amount to nearly €900mn per annum. Israel is an important trading partner. Under its trade promotion strategy, the Government is committed to growing Ireland's exports in all foreign markets and expanding our trade footprint outside our main trading partners. All relevant state agencies and semi-state bodies are thus engaged with Israel as they would be with any other market. The total export and import figures are laid out below.

€m	Services Imports	Merchandise Imports	Services Exports	Merchandise Exports	Total Trade
2007	66	83	189	219	557
2008	83	72	199	199	553
2009	72	83	271	197	623
2010	95	71	360	248	774
2011	109	68	417	475	1,069

Ireland's principal merchandise exports to Israel are: electrical machinery; office machines and automatic data processors; essential oils, perfumes and products; miscellaneous edible products; chemical materials; and medical and pharmaceutical products.

### Irish Red Cross Funding

183. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade the level of engagement between his Department and the Irish Red Cross; if he is satisfied that problems related to the internal governance and financial management of the Irish Red Cross have been satisfactorily resolved; and if he will make a statement on the matter. [52529/12]

184. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade the funding given by his Department to the Irish Red Cross for each of the past two years 2011 and 2012; the purpose of such funding; if he is satisfied that the Irish Red Cross has a fully professional overseas relief and development department within its headquarters; the number of staff employed in this Department; the current number of Irish Red Cross delegates serving

overseas; and if he will make a statement on the matter. [52530/12]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** I propose to take Questions Nos. 183 and 184 together.

My Department is aware that the Irish Red Cross has recently undertaken a comprehensive reform of its internal governance structures. However, as the Deputy will know, issues related to the internal governance of the Irish Red Cross fall under the mandate of my colleague, the Minister for Defence, Alan Shatter, T.D. The engagement of my Department, through the Irish Aid programme, with the Irish Red Cross is focused upon the work of the International Department of that organisation.

Funding provided to the Irish Red Cross is channelled exclusively through the International Federation of the Red Cross (IFRC) under a Partnership Agreement signed between Irish Aid and the IFRC, initially in 2010 and renewed again in 2012. Under this agreement, the IFRC allocated a total of €800,000 to the Irish Red Cross for its overseas operations in 2010 and 2011. Of this sum, €700,000 was provided in support of an ongoing livelihoods, food security and capacity building programme in Niger, whilst €100,000 was allocated to health and education programmes in Malawi.

In 2012, as part of the wider Partnership Agreement with the IFRC, the Irish Red Cross received €400,000 for its activities in Niger, one of the poorest and most vulnerable countries in Africa. The programme continues to prioritise activities to reduce food insecurity, whilst also addressing water, sanitation and hygiene issues. A key element of this programme is to build the preparedness and response capacity of the Niger Red Cross and vulnerable communities, including through the implementation of preparedness and disaster management initiatives.

The International Department of the Irish Red Cross is small but effective, currently staffed by six officers at headquarters, including one part-time staff member. There are also five Irish Red Cross delegates deployed overseas in South Sudan, India, the Maldives and Niger. The Irish Red Cross also employs a number of local staff to assist in its operations in Niger, where it works in close partnership with the Niger Red Cross.

### Departmental Staff Remuneration

185. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide in tabular form, the number of staff in their Department, or in bodies which fall under the remit of the Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; if he will provide a breakdown of the positions held by the staff in the relevant pay brackets. [52545/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The information requested by the Deputy is set out in the table.

#### Annual remuneration of staff at 31 December 2011

Number of staff	Grades	Salary Bands
None	-	€400,000 and above
None	-	€300,000 - €399,999
1	Secretary General	€200,000 - €299,999

7	2 Second Secretary 3 Deputy Secretary 1 Chief Adviser to the Tánaiste 1 Economic Adviser to the Tánaiste	€150,000 - €199,999
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There are no State agencies, offices or bodies under the aegis of my Department.

### **Departmental Staff Remuneration**

186. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in their Department or in any body under the remit of their Department, 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 [52546/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Secretary General of my Department is the only member of staff in my Department with a salary exceeding €200,000. He voluntarily surrenders €15,590 of his notional annual salary of €215,590. He does so without me having spoken to him on the matter. There are no State agencies under the aegis of my Department.

### **Foreign Conflicts**

187. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support the FARC cease-fire in Colombia, and ensure that this peace initiative is not jeopardised over the next two months; and if he will make a statement on the matter. [52736/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I am aware of the recent announcement by the Revolutionary Armed Forces of Colombia (FARC) of a ceasefire for a two month period as of 20th November 2012. We in Ireland appreciate the responsibility that rests on all parties to these negotiations. We understand very well the challenges, the opportunities and the imperative of peace building and welcome any action taken to spare the Colombian people from violence.

I hope that the ongoing peace negotiations will result in an end to the long conflict that has caused much suffering in Colombia and provide the people of that country with the peace and stability that they deserve.

### **Passport Applications**

188. **Deputy Patrick Nulty** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding an application for a passport in respect of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [52764/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** This

passport was produced on 15 October 2012 and is in the Passport Office Molesworth St awaiting collection.

### **Middle East Peace Process**

189. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he would support the plight of the Palestinian people and to work at ending the slaughter that is happening in Gaza right now; and if he will make a statement on the matter. [53032/12]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** In statements on 15 and 18 November, I expressed my deep concern at the upsurge of conflict in and around Gaza and called for an immediate ceasefire and an ending of attacks in both directions.

On 19 November, I discussed the situation in Gaza with my EU colleagues at the Foreign Affairs Council, and the Council issued Conclusions on this issue. The Council also supported the efforts of the Government of Egypt and others to talk to both sides and bring about a restored ceasefire.

Thankfully, unlike on some previous occasions, these intensive efforts bore fruit fairly rapidly and a ceasefire came into effect last Wednesday evening, 21 November. At present, this appears to be holding.

I have emphasized before that the underlying problems of Gaza must be addressed if conflict of this kind is to be avoided in future. The present ceasefire agreement amounts essentially to a truce. It includes, however, provision for discussion of these wider issues. This would hold out hope for a substantial relaxation of the blockade of Gaza, something approaching normality for the lives of its citizens and in return a genuine and lasting end to attacks directed from Gaza against Israeli towns and cities.

I very much hope that these provisions will be acted on urgently and creatively, so that the newly achieved cessation of violence can be more than just a pause and lead instead to a lasting improvement in the security and other conditions under which the people of both Gaza and Israel live.

### **Tax Code**

190. **Deputy Brendan Griffin** asked the Minister for Finance the position regarding the transfer of land in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52334/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that Stamp Duty is chargeable at the rate of 2% (non-residential) on the open market value of land, which is being transferred. However, the transfer between a parent and child currently qualifies for consanguinity relief (i.e. half the normal rate of duty that would otherwise apply), and accordingly the effective rate of tax in this case is likely to be 1%. Other reliefs may be available subject to certain conditions. It is suggested that the person in question should contact Dublin Stamping District, Dublin Castle, Dublin 2, telephone 01 – 8589393 who will outline the conditions that must be met before these reliefs can be granted.

## **Customs and Excise Controls**

191. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will invest in more sniffer dogs to fight the war against the illegal importation of drugs; and if he will make a statement on the matter. [52394/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that their Customs Service currently deploys 15 detector dog teams at strategic locations throughout the country. This figure includes two new teams, which are in the course of being commissioned and which will be fully operational from December 2012. The dogs are used to detect drugs, tobacco and cash and are used at ports, airports, mail centres, express courier depots and are also used to assist in the course of certain investigations. Passive response' dogs are used as this maximises their capability, enabling the screening of passengers in addition to merchandise and baggage.

The Deputy may also be interested to note that where previously dogs were trained and deployed to detect only one commodity, where feasible newly deployed dogs are now trained to detect more than one.

The current number of teams, including the 2 new teams about to be deployed represents an increase of 25% in the number of dog teams deployed by Revenue since 2007 and an increase of 150% since 1993. There are no immediate plans for a further increase but the commissioning and deployment of dog detector teams is subject to ongoing evaluation by Revenue.

## **Disabled Drivers Grant Eligibility**

192. **Deputy Arthur Spring** asked the Minister for Finance if the disabled drivers medical board of appeal, when dealing with primary medical certificate appeals, should be allowed to permit exceptions for persons who do not meet the strict criteria currently laid down in regulations but endure the same medical restrictions and disabilities as those who do meet the strict criteria as a result of a combination of extraordinary medical conditions; and if he will make a statement on the matter. [52588/12]

**Minister for Finance (Deputy Michael Noonan):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT (up to a certain limit) on the purchase of a car adapted for the transport of a person with specific severe and permanent physical disabilities, to those who meet certain disability criteria.

The disability criteria for eligibility for the tax concessions under this scheme are set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 (S.I. 353/1994). To get the Primary Medical Certificate, an applicant must be severely and permanently disabled and satisfy one of the following conditions:

- a) be wholly or almost wholly without the use of both legs;
- b) be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
- c) be without both hands or without both arms;
- d) be without one or both legs;
- e) be wholly or almost wholly without the use of both hands or arms and wholly or almost

wholly without the use of one leg;

f) have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

Appeals which are heard by the Disabled Drivers Medical Board of Appeal are interpreted within the terms of these Regulations. I would also point out that the Board of Appeal is independent in the exercise of its functions.

### **Credit Availability**

193. **Deputy Bernard J. Durkan** asked the Minister for Finance if in response to the lack of adequate credit to the hotel industry, he has had any discussions with the lending institutions with a view to addressing this issue; and if he will make a statement on the matter. [53074/12]

195. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which a lack of credit to the transport and tourism sectors is currently deemed to negatively affect national economic performance; if he has in mind any specific proposals to address any such issues; and if he will make a statement on the matter. [53078/12]

255. **Deputy Brendan Griffin** asked the Minister for Finance if his attention has been drawn to the lack of credit availability in the economy; the measures he will take to rectify this fundamental problem in the economy; if his attention has been drawn to the public fury regarding the failure of the banks to release credit despite the huge sacrifices by the Irish people here to bring about a properly functioning banking system; and if he will make a statement on the matter. [52937/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 193, 195 and 255 together.

The Government has imposed SME lending targets on the two domestic pillar banks for the three calendar years, 2011 to 2013. Both banks were required to sanction lending of at least €3 billion in 2011, €3.5 billion this year and €4 billion in 2013 for new or increased credit facilities to SMEs. Both banks achieved their 2011 targets. 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.”

As the Deputies are aware, one of the key priorities of the Programme for Government is to ensure that an adequate pool of credit is available to fund SMEs in the real economy during the restructuring and downsizing programme. The Economic Management Council meets the banks on a regular basis and discusses the key issues pertaining to this priority.

In addition to the lending targets imposed on the banks, the pillar banks are required to submit their lending plans to the Department and the Credit Review Office (CRO) at the beginning of each year, outlining how they intend to achieve their lending targets. My Department, in conjunction with the CRO, subsequently analyses the plans and meets the banks to discuss any issues of note. The banks also meet with my Department and the CRO on a quarterly basis to discuss progress. The monthly management meetings with the pillar banks also provide a forum for the issue of SME lending to be raised by my Department.

I should stress however that the Relationship Frameworks with the banks provide that the

State will not intervene in the day-to-day operations of the banks or their management decisions including with respect to pricing and lending decisions. These frameworks are published on my Department's website at <http://banking.finance.gov.ie/presentations-and-latest-documents/>.

In terms of rejection rates from banks, I would remind the Deputies that 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 CRO is overturning 55% of the refusal decisions referred to them and I would appeal to SMEs and farmers who have been refused credit by the banks to avail of the services of the CRO.

The overall target for lending to SMEs includes lending to the tourism, transport and hotel sectors. The Government is conscious that these sectors need access to credit. In his seventh quarterly report, the Credit Reviewer notes that whilst each banks' balance sheets have contracted recently, the monitoring of these figures show that no sector or geographic region has been adversely disadvantaged by either of the banks.

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

It is vital that the banks continue to make credit available to support economic recovery. However, it is not in the interest of the banks, businesses or the economy for finance to be provided unless the business is viable and has the capacity to meet the interest payments and repay the sum borrowed.

### **Transport Costs**

194. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent if any to which he has had discussions with the private transport sector in the context of possible measures to address the increased fuel or other costs; if he expects to be in a position to identify any alleviation measures; and if he will make a statement on the matter. [53075/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware a working group was set up between officials of my Department, the Irish Road Haulage Association and members of the Oireachtas. This working group had a series of meetings to discuss issues of concern to the haulage industry including the matter of an essential users rebate. I have received a submission from the group. I have also recently met with representatives of the IRHA. I am considering matters raised by the IRHA and the report from the group.

*Question No. 195 answered with Question No. 193.*

### **Promissory Note Negotiations**

196. **Deputy Stephen S. Donnelly** asked the Minister for Finance the projected payment schedule of interest charges on the Promissory Notes; and if he will make a statement on the matter. [52180/12]

198. **Deputy Stephen S. Donnelly** asked the Minister for Finance his estimate of the total amount of the interest payments scheduled on the Promissory Note which will be returned to

the State that is, the total amount forecast to be paid, less the amount of this which will be used to discharge IBRC's liabilities; and if he will make a statement on the matter. [52182/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 196 and 198 together.

As the Deputy is aware, the Promissory Note repayments, both capital and interest, are made to IBRC. As IBRC is wholly owned by the State, any return to the State will be by way of dividends from IBRC or from the projected final net asset position for IBRC.

The bank previously informed me that the projected final net asset position for IBRC is considered both commercially sensitive and subject to material uncertainty given the current uncertainties in markets, the deterioration in asset values and the complexities, timescales and risks involved in deleveraging. Whilst significant progress has been made the final position will be driven by a number of variable factors against the assumptions in IBRC's wind down plan. These factors include actual recovery rates achieved for assets, the performance of the domestic and global economies, and the prevailing interest rates in Europe over the duration of the plan.

The bank's policy is that, due to the commercially sensitive nature of such information as noted above combined with the many external variables involved, it does not issue formal projections.

However, the Bank's CEO has given an indication previously that the likely total cost for Anglo Irish Bank would be in the €25 - €28 billion region. The bank have informed me that since this time there have been a number of changes in market circumstance, the accelerated pace of asset disposal, and the acquisition of Irish Nationwide Building Society. While not issuing a revised projection as noted above, the bank remains of the view that there will be a small return to the State at full resolution, given the assumptions currently being used.

Further in relation to inclusion of interest in the projected ultimate outturn I have been advised that in calculating the projected final net asset position IBRC take into account interest from all assets including customers, securities and Promissory Notes.

As previously shared with the house, the projected payments on the IBRC Promissory Notes are set out below.

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

€bn	Total interest Paid: A	Total Capital Reduction: B	Repayments: A + B	
31/03/2027	0.33	0.58	0.91	
31/03/2028	0.26	0.65	0.91	
31/03/2029	0.19	0.73	0.91	
31/03/2030	0.10	0.81	0.91	
31/03/2031	0.01	0.05	0.05	
	16.8	30.6	47.4	

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

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

### Budget 2013

197. **Deputy Stephen S. Donnelly** asked the Minister for Finance the analyses being done on Budget 2013 / Finance Bill proposals under his remit, for example poverty impact assessment and gender impact assessment; and if he will make a statement on the matter. [52181/12]

234. **Deputy Thomas P. Broughan** asked the Minister for Finance if Budget 2013 will be subject to a process of Equality Budgeting outlining all impacts on citizens with lower incomes; and if he will make a statement on the matter. [52705/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 197 and 234 together.

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

The Deputy might be aware that the Programme for Government does contain a clear commitment requiring all public bodies to take due note of equality and human rights in carrying out their functions. I would also remind the Deputy that the State and its bodies must, of course, comply with all provisions of equality legislation in the development and delivery of policies and services.

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

The Deputy might also be aware that a distributional analysis of proposed budget measures is performed each year based on various income levels for the different categories of income earners, for example single individuals, married one-earner couples with no children and married one-earner couples with children. A distributional analysis which models the impacts on disposable income by income decile using SWITCH, the ESRI Tax-Benefit model, is also undertaken in evaluating various budgetary options. Illustrative examples are contained in the Budget 2012 document.

It is also worth acknowledging that Ireland has been consistently assessed highly by the OECD for the progressivity of our taxation system. In the OECD rating system on the progressivity of taxation, where less than 100 is regressive and above 100 is progressive, most EU countries had a progressivity rate of between 120 and 140. Ireland, in comparison, had a progressivity rate of 182 (OECD Taxes and Wages 2010-2011) which was the most progressive tax

system of the EU members of the OECD.

*Question No. 198 answered with Question No. 196.*

### **Bond Redemption**

199. **Deputy Stephen S. Donnelly** asked the Minister for Finance the information he has on the level of insurance held by the purchasers of senior unguaranteed bank bonds, in the event that they were not paid back in full; and if he will make a statement on the matter. [52184/12]

**Minister for Finance (Deputy Michael Noonan):** Unlike in the case of shares, the holders of banks senior and subordinated debt instruments are not subject to a disclosure regime. When a bank issues a bond, whether by private placement or public issue, it would be usual practice for these to be settled through intermediaries and held by custodians, for example Clearstream or Euroclear.

These securities are traded in the open market and settled by clearing house systems. An issuer does not have any access to the records of the clearing house and as such, cannot identify the underlying ownership.

Therefore, I can confirm that neither the banks nor the Government have an accurate means of establishing the underlying ownership of securities issued by the banks at a particular point in time.

Equally therefore, I cannot advise the deputy in respect of the levels and types of insurance, individual bondholders may maintain in respect to particular bonds held by them.

### **Bank Debt Restructuring**

200. **Deputy Stephen S. Donnelly** asked the Minister for Finance if he will consider legislation to compel all banks to disclose their guidelines for what they will leave borrowers with when restructuring unsustainable debts; and if he will make a statement on the matter. [52185/12]

**Minister for Finance (Deputy Michael Noonan):** It is a matter for the borrower and lender, in the contract agreement for credit or in any subsequent agreement to change or revise that contract, to agree the terms of that arrangement including, as appropriate, the repayment provisions of the loan having regard, inter alia, to the circumstances of the borrower. Any guidelines that a lender may develop to assist it in making commercial decisions in this area is a commercial matter for the individual lender and I do not propose to specifically legislate in this area.

However, as the Deputy is aware, significant reforms are being proposed to personal insolvency law in Ireland and that a Personal Insolvency Bill, which was published last June by the Minister for Justice, Equality and Defence, is now at an advanced stage in the parliamentary process. This Bill, which provides for new more effective insolvency frameworks to enable debtors and their creditors, in either a Debt Settlement Arrangement or Personal Insolvency Arrangement, to agree a sustainable arrangement. The Bill proposes that any such arrangement shall allow for the reasonable living expenses of the debtor and his or her dependants and it also provides that the Insolvency Service may, inter alia, publish guidelines on this matter.

### **Pension Provisions**

201. **Deputy Robert Dowds** asked the Minister for Finance his plans to amend the financial emergency measures in the Public Interest Act 2010 to include the staff of the Irish Bank Resolution Corporation, Allied Irish Bank and Irish Life under the provisions of the Act; and if he will make a statement on the matter. [52259/12]

202. **Deputy Robert Dowds** asked the Minister for Finance if he will provide figures, in tabular form, on the amount of revenue that would be raised for the Exchequer if the Financial Emergency Measures in the Public Interest Act 2010 was amended to include the staff of the Irish Bank Resolution Corporation, Allied Irish Bank and Irish Life respectively under the provisions of the Act. [52260/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 201 and 202 together.

The legislation the Deputy refers to – the Financial Emergency Measures in the Public Interest Act 2010 (No 38) – implemented a reduction in public service pensions to certain retired public servant pensioners.

It only applies to members of public services pension schemes and does not apply to semi-states or the private sector. Irrespective of the State's shareholding in the institutions cited by the Deputy no public service pension schemes exist in those institutions and therefore the pension reduction does not apply.

As the Deputy will be aware the Government has commissioned a Remuneration Review across the Covered Banks and this is designed to inform future policy recommendations in this area.

I have committed to publishing the details underpinning the review in view of the public interest in the matter. The report will provide a comprehensive and professional analysis of remuneration structures and levels across the Covered Banks both now and before the onset of the banking crisis.

The further more detailed information sought in his question is not available to my Department and the compilation of this information is likely to delay completion of the Remuneration Review which is a Government priority.

### **Financial Institutions Support Scheme**

203. **Deputy Jim Daly** asked the Minister for Finance the amount received from each bank operating in the State in terms of Revenue to the Exchequer to include cost of guarantee, operating taxes, income taxes paid on behalf of staff and so on, with a view to establishing what each institution is contributing to the Exchequer for each of the past three years, for each of the institutions, itemising each tax heading individually; and if he will make a statement on the matter. [52275/12]

**Minister for Finance (Deputy Michael Noonan):** I assume the Deputy's question refers to those banks participating in the Government guarantee schemes and reference to the 'cost of the guarantee' relates to the Credit Institutions Financial Support Scheme 2008 (CIFS Scheme) which was in operation between 30 September, 2008 and 29 September, 2010, and the Eligible Liabilities Guarantee Scheme (ELG Scheme) which came into operation on 9 December, 2009, and has a current issuance end-date of 31 December, 2012. Fees are paid by the Participating Institutions in the bank guarantee scheme on a quarterly basis in arrears; the latest payments received are in respect of Q3/2012, ending September, 2012.

The list of Participating Institutions including subsidiaries covered by the ELG Scheme can be accessed on the NTMA website:

[www.ntma.ie/business-areas/funding-and-debt-management/eligible-liabilities-guarantee-scheme/participating-institutions/](http://www.ntma.ie/business-areas/funding-and-debt-management/eligible-liabilities-guarantee-scheme/participating-institutions/)

The total fees received to end-September, 2012, from the covered banks including subsidiaries in respect of both the CIFS and ELG Schemes amount in total to €3.589bn. This amount comprises €758.4m. in respect of the CIFS and €2,830.3m. in respect of the ELG Scheme.

A breakdown of fees paid by year for each of the covered banks including subsidiaries can be seen in the tables below.

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

€ millions	IL&P	BoI	AIB	IBRC	EBS	Total
2010	95.9	275.5	299.3	149.9	34.2	854.8
2011	172.9	448.7	464.9	85.5	62.6	1234.6
2012	122.8	301.9	256.6	20.4	39.2	740.9
Total	391.6	1026.1	1020.8	255.8	136.0	2830.3

#### CIFS fees paid to date by Covered Institutions

€ millions	IL&P	BoI	AIB	Anglo	EBS	INBS	Pos-bank	Total
2008	-	32.3	-	37.9	-	-	0.004	70.20
2009	35.4	138.1	174.7	94.8	9.7	23.8	0.020	476.52
2010	14.8	68.3	58.3	54.9	5.9	8.8	0.015	211.01
2011	-	-	-	0.7	-	-	-	.70
Total	50.2	238.7	233.0	188.3	15.6	32.6	0.039	758.43

I am advised by the Revenue Commissioners that for reasons of taxpayer confidentiality they are not in a position to provide the taxation information on an individual basis as sought by the Deputy.

The aggregate figures available in respect of the yield of corporation tax and PREM (tax, PRSI and levy contributions including USC paid over by employers) from the covered institutions in the years 2009, 2010 and 2011 are as follows:

	2011	2010	2009
-			
CT	€2,420,432	€139,405	€4,593,057
PREM	€555,656,455	€519,726,633	€515,829,035

#### IBRC Investigations

204. **Deputy Finian McGrath** asked the Minister for Finance the due diligence that was undertaken before appointing Alpha Group to recover assets of the Quinn Group; and if he will make a statement on the matter. [52284/12]

205. **Deputy Finian McGrath** asked the Minister for Finance the moneys paid to the Alpha Group for the recovery of assets of the Quinn Group; the guarantees that have been given for the moneys paid up front; and if he will make a statement on the matter. [52285/12]

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

and 205 together.

I have been advised that IBRC considered numerous alternative recovery strategies for all of the Quinn International Property Group assets in Russia and one asset in the Ukraine. This included the consideration of a number of acceptable business partners for this purpose. The Bank received many expressions of interest from both intermediaries and principals in assisting the Bank with the recovery of those assets. Fundamental to the Bank's decision making process in this regard was the quality and financial strength of potential partners, their track record in recovering value from distressed assets in both Russia and the Ukraine and advice the Bank received from numerous independent government and non-government sources in these jurisdictions. Following a comprehensive analysis of all considerations, IBRC concluded that recommending a joint venture with A1 represented the most economically advantageous outcome for the Bank, the State and by extension the Irish taxpayer.

I have been informed that IBRC has not paid any money upfront in relation to its joint venture with A1. The joint venture with A1 involves significant initial monetary commitments by A1 and a waterfall structure to incentivise maximum recovery.

I have also been advised IBRC will not be disclosing any further details regarding the appointment of A1 due to the commercial sensitivities associated with the work to be undertaken and the associated risk that such disclosures may have a detrimental impact on the Bank's efforts to maximise loan recoveries. In addition, as these matters relate to on-going litigation, it would be inappropriate for the Bank to comment any further.

### **Mortgage Interest Relief Application**

206. **Deputy Patrick O'Donovan** asked the Minister for Finance the position regarding an application for mortgage interest relief in respect of a person (details supplied) in County Wexford, if the application has been processed; and if he will make a statement on the matter. [52289/12]

**Minister for Finance (Deputy Michael Noonan):** This is a matter for the Revenue Commissioners who are responsible for the administration of mortgage interest relief through the tax relief at source (TRS) system. I am informed by the Revenue Commissioners that an application for mortgage interest relief was received from the person concerned on 30 April 2012. The application was processed by Revenue on 1 May and forwarded to the lender who applied mortgage interest relief of €40.92 with effect from October. The lender has confirmed to Revenue that arrears of €254.32, for the period April to September, will shortly be applied to the loan account.

### **NAMA Operations**

207. **Deputy Eoghan Murphy** asked the Minister for Finance the number of people that have taken up National Assets Management Agency's 80:20 deferred payment initiative scheme. [52296/12]

**Minister for Finance (Deputy Michael Noonan):** NAMA advises that to date the sale of 81 houses with a combined value of over €15 million have been sold under the 80:20 Deferred Payment Initiative, which was launched on a pilot basis on 8th May in respect to 115 houses and extended on 15th October to an additional 180 houses.

## NAMA Investigations

208. **Deputy Eoghan Murphy** asked the Minister for Finance the number of investigations currently underway in National Assets Management Agency; the number of people being investigated; the reason for these investigations and the person conducting them. [52297/12]

**Minister for Finance (Deputy Michael Noonan):** This is an operational matter for NAMA but I am advised by NAMA that no investigations are currently underway.

## Tax Code

209. **Deputy John Lyons** asked the Minister for Finance his views on a report (details supplied) on pension tax reliefs which highlighted the extent of tax subsidisation of the pensions of higher income earners; if he has any plans to reduce the current threshold and maximum pension pot allowable for tax relief; and if he will make a statement on the matter. [52308/12]

**Minister for Finance (Deputy Michael Noonan):** I am aware of the recently published report referred to by the Deputy. I assume that in his question the Deputy is referring to the annual earnings cap which operates in conjunction with age-related percentage limits to determine the annual amount of tax-relievable contributions that can be made by an employee or individual to pension savings and to the maximum allowable pension fund for tax purposes at retirement (the Standard Fund Threshold - SFT). I would point out that the scale of pension saving reliefs available to higher earners, in particular, has been significantly restricted over recent years. The SFT was reduced from over €5.4 million to €2.3m in Budget and Finance Act 2011 while the annual earnings cap which operates in conjunction with age-related percentage limits to determine the annual amount of tax-relievable pension contributions has also been reduced over a period from its peak of over €275,000 in 2008 to its current level of €115,000 per annum.

In my 2012 Budget speech in December last, I said that the incentive regime for supplementary pension provision will have to be reformed to make the system sustainable and more equitable over the long term. I said that my Department and the Revenue Commissioners would work with the various stakeholders in the next year to develop workable solutions. On foot of this, a broad informal consultation was undertaken this year across a spectrum of stakeholders in the pensions sector to establish their views on further changes to the incentive regime for pension saving.

I will give due consideration to the views of all interested parties in the context of any proposals I may make to Government regarding the incentive regime for pension saving.

## Budget 2013

210. **Deputy Thomas P. Broughan** asked the Minister for Finance if he intends to factor in any possible deals or resolution of the promissory note payments into Budget 2013; and if he will make a statement on the matter. [52310/12]

**Minister for Finance (Deputy Michael Noonan):** The fiscal forecasts contained in the recent *Medium-Term Fiscal Statement (MTFS)*, published on 14 November, assumed Exchequer cash payments of €3,060 million and €25 million respectively for the IBRC and EBS Promissory Notes in each of the years 2013 – 2015. These payments are accounted for as part of non-voted capital expenditure in Table 3.3 on page 26 of the *MTFS*. As the Deputy will be aware, the Government has been working very hard to secure a deal on Irish bank debt and a key item

on the agenda in that regard is the issue of the Promissory Notes. Technical discussions are ongoing. Were there to be any change to the Promissory Notes in advance of Budget day, this would be factored into the Budget.

### **Banking Sector Regulation**

211. **Deputy Thomas P. Broughan** asked the Minister for Finance when he expects the new EU rules on banking supervision to be implemented; if the new bank supervision system is in place in 2013, if he will factor the impact of such a development into Budget 2013; and if he will make a statement on the matter. [52312/12]

**Minister for Finance (Deputy Michael Noonan):** Support for the establishment of Banking Union was given at the highest political level at the Summit of Heads of State & Government of the Euro Area. The principle of breaking the link between the sovereigns and banks has been agreed by Heads of State and Government. In September the Commission presented legislative proposals for a single supervisory mechanism conferring powers on the ECB for the supervision of all banks in the euro area, with a mechanism for non-euro countries to join on a voluntary basis. The European Council discussed the SSM at its October meeting in the context of a report from President Van Rompuy on work being carried out on the Future of Economic and Monetary Union. The timetable set in the October Council conclusions envisages agreement being reached on “the legislative framework” for SSM by end of the year. The imperative is to move ahead urgently to implement all of the important decisions taken on 29 June. I am working with ministers from the other Member States at the Ecofin Council to bring about the SSM. My officials are engaged in technical negotiations on the SSM proposal, the implementation of which is a prerequisite for the ESM to make direct recapitalisations in banks. The Deputy is aware that the June Summit of the Heads of State and Government of the Euro area stated that when the SSM is in “place for banks in the euro area the ESM could, following a regular decision, have the possibility to recapitalize banks directly.” It went on to state that “The Eurogroup will examine the situation of the Irish financial sector with the view of further improving the sustainability of the well-performing adjustment programme.”

The timeframe set by the October Council is for the SSM to be fully operational during 2013. It is important that there is no rolling back on commitments made by the Heads of State and Government. In that context I note that the President of the ECB Mario Draghi indicated at the Council that it would take 6-12 months to get the supervisor up and running. This is realistic and the final text should clearly confirm this timeframe for the full implementation of the regulation, with the ECB assuming supervision of the most significant institutions by 1 July 2013 and the remaining credit institutions in Member States by 1 January 2014 at the latest. My officials are working on intensive negotiations at a high level to reach agreement on the SSM proposal within the deadline set by the October Council. I share the view of the President of the European Council Van Rompuy that Europe must not lose the sense of urgency in taking action to stabilize the euro.

It is anticipated that the single supervisory mechanism will be funded through industry fees and as such there should not be any budgetary impact. The establishment of the single supervisory mechanism is a crucial and significant first step to completing the banking union. The banking union will also require further work to develop a common system for deposit guarantees and an integrated crisis management framework, while negotiations on the bank capital requirements (CRD IV) should also be concluded as called for by the Heads of State and Government at the October European Council.

## Tax Code

212. **Deputy Regina Doherty** asked the Minister for Finance if the relevant contract tax continues to apply to school Board of Managements; and if he will make a statement on the matter. [52326/12]

**Minister for Finance (Deputy Michael Noonan):** Relevant Contracts Tax (RCT) is a withholding tax system that operates in the construction, forestry and meat processing sectors. Principal contractors are defined in section 530A of the Taxes Consolidation Act 1997 as including “any board or body established by or under statute ... and funded wholly or mainly out of funds provided by the Oireachtas”. As such, school Boards of Management are principal contractors for the purposes of RCT and are required to operate RCT. From 1 January 2012, the Revenue Commissioners have substantially modernised the operation of RCT following the introduction of a dedicated online facility which offers principal contractors a fast, efficient and paper free system. This has streamlined the process for the submission of information and payments to the Revenue Commissioners and has had the effect of significantly reducing the administrative burden associated with RCT.

## Tax Compliance

213. **Deputy Maureen O’Sullivan** asked the Minister for Finance if he will support the introduction of country by country accounting and if he will work towards the inclusion of secrecy jurisdictions in the Council of Europe/OECD Multilateral Convention on Tax; and if he will make a statement on the matter. [52349/12]

214. **Deputy Maureen O’Sullivan** asked the Minister for Finance as per recommendations of the recent OECD/IMF/UN (2011) report, if he will carry out a spill over analysis of tax policy here to ensure that it is not negatively impacting on the revenue take of the developing countries [52350/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 213 and 214 together.

There has been increased interest in recent years from civic society groups, the EU and the OECD etc, on how to improve the transparency and tax compliance of multinational companies operating in developing countries, with a particular focus on the extractive industries.

In support of these objectives it has been proposed that multinational enterprises report on a country by country basis their annual financial statements. Recently there has been some agreement at EU level to support the introduction of country by country reporting in the form of the Accounting and Transparency Directives.

Ireland continues to support the ongoing work at EU and OECD level on tax and development issues including work on country by country reporting. In relation to the OECD/IMF/UN report, for such an analysis to be effective it should be carried out at an international level and Ireland stands ready to participate in any such analysis.

## Financial Institutions Support Scheme

215. **Deputy Heather Humphreys** asked the Minister for Finance the public representatives on the board of directors of AIB, Bank of Ireland, Irish Banking Resolution Corporation

and Permanent TSB; the person to whom they are accountable; if they have given a report on their progress to date; their brief; their term in office; their remuneration; if they have any input into salary levels of current employees in excess of €100,000; and if he will make a statement on the matter. [52432/12]

**Minister for Finance (Deputy Michael Noonan):** 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. 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 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 and therefore no formal report has been produced by them for either the Minister or the Department of Finance. As stated in my reply to PQ 49478/12 there are currently no 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, CEO's and ordinary board members under the Anglo Irish Bank Act 2009. Mr Alan Dukes had been appointed as a public interest director in December 2008 and was made Chairman of Anglo Irish Bank in June 2010.

I have previously provided information on the remuneration and the terms in office of the public interest directors, including in response to PQ 49980/12. For the record the public interest directors, their dates of appointment/resignation and the fees they earned in 2011 are shown in the table below:

Bank	Public Interest Directors	Date of Appointment/Resignation	Fees 2011 €
AIB	Mr Dick Spring	January 2009	59,000
	Mr Declan Collier	January 2009/June 2012	71,000
BOI	Mr Tom Considine	January 2009	90,000
	Mr Joe Walsh	January 2009	79,000
PTSB	Ms Margaret Hayes	December 2008	64,000
	Mr Ray MacSharry	December 2008	56,000

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 the NPRFC's investment of €3.5bn in AIB of May 2009.

The public interest directors at Bank of Ireland do not have a specified time in office as stated in response to PQ 49476/12. The same situation applies to the public interest directors at AIB. In PTSB, as stated in PQ 49482/12 the public interest directors were appointed until 30 September 2010 but have 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.

In general the setting of remuneration policies at the covered institutions rests with the Re-

muneration Committee of each institution. The terms of reference of the Remuneration Committee are accessible on the website of each institution. These can be found at:

**AIB:**

[http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&blobwhere=1136826158582&blobcol=urlfile&blobtable=AIB\\_Download&blobheader=application/pdf&blobheadername1=Content-Disposition&blobheadervalue1=document.pdf](http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&blobwhere=1136826158582&blobcol=urlfile&blobtable=AIB_Download&blobheader=application/pdf&blobheadername1=Content-Disposition&blobheadervalue1=document.pdf)

**Bank of Ireland:**

<http://www.bankofireland.com/about-boi-group/corporate-governance/court-committees/terms-of-reference/>

**PTSB:**

<http://www.irishlifepermanent.com/corporate-responsibility/corporate-governance/board-committees.aspx>

Both Bank of Ireland and PTSB have a public interest director sitting on the Remuneration Committee. The public interest director will have a vote on decisions being considered by the Remuneration Committee but they do not have any powers to veto such a decision, nor can they act unilaterally to address salaries paid to particular employees. In the case of AIB there is currently no public interest director on the Remuneration Committee. Declan Collier, who was a public interest director of AIB, served on the Remuneration Committee until his resignation from the board in June 2012.

As the Deputy will be aware officials in my Department have been working with Mercer on a remuneration review of the covered banks. The report will provide a comprehensive and professional analysis of remuneration structures and levels across the covered banks both now and before the onset of the banking crisis.

## **NAMA Operations**

216. **Deputy Pearse Doherty** asked the Minister for Finance further to the announcement by the National Asset Management Agency on 23 May 2012 in which it said that it would invest €2bn in its developments over the next four years, if he will confirm the volume and value of approved investments to date corresponding to this plan; if he will confirm the value of investment actually drawn-down from approvals to date. [52440/12]

217. **Deputy Pearse Doherty** asked the Minister for Finance further to the announcement by the National Asset Management Agency on 23 May 2012 in which it said that it would invest €2bn in its developments over the next four years, if he will provide a schedule showing the planned investment by year in 2012, 2013 2014, 2015 and beyond; and if he will provide an overview of the control mechanism National Asset Management Agency has in place to monitor progress in meeting the planned investment. [52441/12]

218. **Deputy Pearse Doherty** asked the Minister for Finance further to the announcement by the National Asset Management Agency on 23 May 2012 in which it said that it would invest €2bn in its developments over the next four years, if this planned investment is additional to so-called working capital and other advances made by National Asset Management Agency to developers which at February 2012 had totalled €980 million of advances and €740 million of drawdowns, and if so, if he will provide an updated tally of approved and drawn-down ad-

vances, split by region. [52442/12]

219. **Deputy Pearse Doherty** asked the Minister for Finance further to the announcement by the National Asset Management Agency on 23 May 2012 in which it said that it would invest €2bn in its developments over the next four years, if National Asset Management Agency has been consulted to establish if legislators might be able to facilitate NAMA in delivering this planned investment; and if he will make a statement on the matter. [52443/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 216 to 219, inclusive, together.

The National Asset Management Agency (NAMA) announced on 23rd May that it plans to invest, given the right opportunities, at least €2 billion in development capital in order to preserve, enhance and complete commercial and residential projects in Ireland over the period to 2016. NAMA stated at the time that this includes the completion of properties which are currently under development and the development of land in anticipation of future supply shortages and demand.

Prior to the announcement NAMA had already committed over €500 million in new working capital and development capital advances for projects which are located in Ireland. NAMA advises that the €2 billion investment announced in May is in addition to this prior investment.

The €2 billion investment forms part of NAMA's wider operations and is accounted for in the normal manner. The advances and drawdowns by region are set out hereunder from inception to end-September 2012; this figure includes the February 2012 amounts quoted by the Deputy.

New Advance Approvals of €1.5 billion are split between:

Approved Credit Advances by Area	% Total
ROI	41%
GB	51%
NI	1%
Other	7%

Actual drawdown payments of €927 million are split between:

Actual Drawdown Payments by Area	% Total
ROI	46%
GB	46%
NI	1%
Other	7%

NAMA's Annual Report and Financial Statements for the period to end-December 2011 contains extensive information on its working capital and development capital advances, including the structures and mechanisms in place to ensure the delivery of projects in line with proven and anticipated market demand and NAMA's commercial mandate to maximise the return on its acquired bank assets on behalf of the Irish taxpayer. In this regard, NAMA advises that it is currently assessing a wide range of projects that may be suitable for development by reference to projected demand. Decisions to invest will be based on those projects which are considered most likely to generate a strong commercial return to the taxpayer. NAMA advises

that as project appraisal is still on-going it is not possible to provide the schedule sought by the Deputy. NAMA advises that it engages, as appropriate, with public bodies, including government departments, state agencies such as the IDA and local authorities, in both the identification and delivery of critical infrastructure development planning linked to this and other investment activities.

### **IBRC Investigations**

220. **Deputy Pearse Doherty** asked the Minister for Finance further to a report in a national newspaper that the chief executive officer of the Irish Bank Resolution Corporation (details supplied) has stated in relation to a reported bid for assets under the control of Irish Bank Resolution Corporation, it is the bank's policy not to continue relations with organisations that attempt to apply pressure by threatening to make communications public; if he will confirm the number of organisations with which IBRC is not continuing relations as a result of this policy. [52444/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that IBRC 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. The Bank have a responsibility to make commercial decisions in the ordinary course of business and will not allow these decisions to be affected by undue influence. I have been informed that IBRC at all times seeks to maximise returns for the Irish taxpayer.

### **NAMA Operations**

221. **Deputy Pearse Doherty** asked the Minister for Finance further to a report in a national newspaper that the chief executive officer of the Irish Bank Resolution Corporation (details supplied) has stated in relation to a reported bid for assets under the control of IBRC, it is the bank's policy not to continue relations with organisations that attempt to apply pressure by threatening to make communications public, if he will confirm if the National Asset Management Agency has a similar policy, and if so, if he will confirm the number of organisations with which NAMA is not continuing relations as a result of any such similar policy. [52445/12]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA has no such policy in place and deals with all genuine counterparties in a professional manner.

### **NAMA Debtor Agreements**

222. **Deputy Pearse Doherty** asked the Minister for Finance further to a report in a Sunday newspaper, if he will confirm the maximum salary approved by the National Asset Management Agency at Harcourt Developments is €200,000. [52446/12]

223. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm the maximum annual remuneration approved by the National Asset Management Agency at any of its developers, inclusive of pension contribution, consultancy fees and allowances. [52447/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 222 and 223 together.

I am advised by the National Asset Management Agency (NAMA) that information relating to its debtors and properties within their control is, within the meaning of Sections 99 and 202 of the NAMA Act 2009, confidential and that it is therefore precluded from discussing such matters.

As detailed in a response to the Deputy Gerry Adams (Ref No: 39693/12, 20th September 2012), NAMA has no agreements in place with debtor principals which authorise them to retain total remuneration in excess of €200,000 from their assets or businesses.

### **IBRC Investigations**

224. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide an explanation for the contrast between practice at the National Asset Management Agency where salaries of their borrowers are closely monitored and practice at the Irish Bank Resolution Corporation where there is no such monitoring at all. [52448/12]

**Minister for Finance (Deputy Michael Noonan):** The overriding mandate of IBRC is to maximise the recovery of loans on behalf of the State. I have been advised that the Bank seeks to work constructively and consensually with each borrower to identify the most appropriate approach available to it in order to maximise the repayment of the loan. The process followed in managing the recovery process is to assess fully all aspects of a borrower's circumstances to establish the most appropriate repayment strategy. This assessment includes consideration of debt, asset, income/salary and lifestyle considerations. Agreements that are ultimately reached for agreed repayment plans are judged and enforced to provide the best commercial outcome for the shareholder.

In circumstances where consensual agreements cannot be reached the alternative of receivership, examinership or liquidation is pursued resulting in rigorous enforcement of all recovery options and rights.

### **Banking Sector Remuneration**

225. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the appointment of Mercer in June 2012 to examine pay levels across banking institutions, if he will provide the terms of reference attaching to the appointment; the timescales for the production of research or reports; if such timescales form part of the contract with Mercer, the estimated fees payable to Mercer and a copy of any associated tender document, and an overview of the cost and description of any additional resources provided by the him or his Department to Mercer to facilitate the completion of the work. [52449/12]

226. **Deputy Pearse Doherty** asked the Minister for Finance in respect of the appointment of Mercer in June 2012 to examine pay levels across banking institutions, if salaries at the Central Bank of Ireland and National Asset Management Agency were included in the scope of the Mercer work when that company was appointed in June 2012. [52450/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 225 and 226 together.

The Deputy should note that I have already provided the information he seeks when responding to his parliamentary questions of 15 November 2012 (Ref No. 50509/12) and 20 November 2012 (Ref No. 51025/12).

For his convenience I am including the information below.

“The Deputies will be aware that my Department is presently engaged in a Review of Remuneration Practices and Frameworks at the covered institutions. I have recently engaged, as I informed the Opposition Spokespersons on Finance, the services of Mercer (Ireland) Limited following a limited competitive tender competition to assist my Department in bringing this exercise to a conclusion. The estimated cost of the review, at this stage, is approximately €120,000.

The object of the review is to thoroughly review all remuneration practices at the covered institutions with the object of simplifying remuneration and compensation structures, discouraging excessive risk-taking and to better align pay and reward to long term value creation. Present Government policy on remuneration dictates that no employee, at the covered institutions may receive more than €500,000 (excluding pension contributions) per annum and remains in force.

Numerous engagements by my officials and Mercer have taken place since the awarding of the contract. I am expecting the consultant’s report to be delivered by year end whereupon consultations with the various stakeholders will commence.

As I have said previously, I fully recognise that there is a real public interest in the levels of remuneration at the covered institutions and have committed to placing the details underpinning the review into the public domain”.

In relation to his further question on additional resources, no such resources have been provided by me or my Department to Mercer to facilitate the completion of the work.

As the review involves the Covered Institutions the Central Bank of Ireland & the National Asset Management Agency are not included in its remit.

## EU Budget

227. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a forecast for each of 2012 and 2013 of the State’s contribution to the European Union budget and of receipts from the EU and to show if the State is forecast to be a net contributor or net beneficiary from the EU budget. [52453/12]

**Minister for Finance (Deputy Michael Noonan):** The level of Ireland’s contribution to the EU Budget is determined by the 7 year Multiannual Financial Framework, each individual annual EU Budget negotiation between Council and the European Parliament and our economic performance relative to other Member States.

It is currently estimated that Ireland’s contribution to the EU Budget will amount to approximately €1,400 million in 2012 and €1,450 million in 2013, although this will depend on a number of factors including actual budget implementation.

Based on current indications, Ireland expects public sector receipts from the EU budget of approximately €1,850 million in 2012 and €1,700 million in 2013. The change between 2012 and 2013 is partly due to the accounting and budgetary cycle associated with the current rural development programme, which ends in 2013.

This means that Ireland will remain a net recipient until at least the end of the current 7 year Multiannual Financial Framework 2007-2013. Since 1973 Ireland has been a net recipient from the EU Budget to the tune of over €42 billion (The EU makes some payments directly (e.g.

research funding) which are not included in these figures).

### **Bank Debt Restructuring**

228. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a total of debt write-offs, that is, where a portion of an outstanding loan to a borrower including contractually charged or accrued interest is acknowledged by the bank as unrecoverable, at the Irish Bank Resolution Corporation in each of full-year 2011 and half year of 2012 ending 30 June 2012. [52456/12]

229. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in a tabular form a schedule of debt write-offs at the Irish Bank Resolution Corporation in each of full-year 2011 and half year of 2012 ending 30 June 2012 showing the name of the borrower, the book value of the loan outstanding including contractually charged or accrued interest, the amount written off and the date on which the write-off was acknowledged. [52457/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to answer Questions Nos. 228 and 229 together.

I have been advised that it is not the Bank's practice to disclose the specific information requested as it is commercially sensitive. It is however the Bank's clear preference to work constructively with its borrowers on a case by case basis to maximise the recovery of loans. Any proposed restructuring of debt facilities in IBRC is subject to established governance processes and any agreed restructuring of borrowers obligations are designed to ensure the best outcome for the State.

### **Banks Recapitalisation**

230. **Deputy Simon Harris** asked the Minister for Finance the number of meetings officials in his Department have had with public interest directors of Irish Banks in 2011 and to date in 2012; when the next such meetings are due; and if he will make a statement on the matter. [52475/12]

**Minister for Finance (Deputy Michael Noonan):** The primary duty and responsibility of the public interest directors as well as all the other directors is to ensure that the institution on whose board they serve is run properly and appropriately. The responsibility of public interest directors under company law is to the institution on whose board they serve. Public interest directors do not have a formal reporting relationship to the Minister or to the Department of Finance.

My officials don't specifically meet with public interest directors appointed to the covered institutions but the public interest directors have attended meetings with officials from my Department in 2011 and 2012. I am not aware of any meeting currently scheduled between the public interest directors and officials in my Department. However officials from my Department meet with Senior Management of the covered banks on a monthly basis to discuss the achievement of their Business Plans. This is a provision of the Relationship Frameworks agreed with the covered banks. Copies of the Relationship Frameworks can be found at:

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

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.

### Universal Social Charge Payments

231. **Deputy Pádraig Mac Lochlainn** asked the Minister for Finance the reason that since 1 January 2012, workers in this State, who are resident in the north of Ireland and who hold medical cards there are no longer exempt from paying the health levy component of the universal social charge; and his plans to rectify this. [52511/12]

**Minister for Finance (Deputy Michael Noonan):** The Universal Social Charge (USC) was introduced on 1 January 2011. It is charged at rates of 2% on the first €10,036 of income, 4% on the next €5,980 and 7% on the balance.

In certain circumstances different rates are applied. Full eligibility for services under Part IV of the Health Act 1970, by virtue of sections 45 and 45A of that Act or Council Regulation (EC) No. 883/2004, entitles an individual to be charged at a rate of USC of 4% on income over €16,016, rather than 7%.

Full eligibility is means tested and where an individual is fully eligible for health services, he or she receives a medical card. Certain categories of workers from other European member states are automatically entitled to medical cards based on EU Regulations and Health Service Executive (HSE) guidelines, and without the need for means testing.

I am advised by the Revenue Commissioners that during 2011, Revenue applied the 4% rate to workers in this State who were resident in Northern Ireland on the understanding that, as EU workers, they were fully eligible for health services as described and, therefore, automatically entitled to medical cards.

However, following examination of the EU legislation and consultation with the HSE, it was established in 2011 that workers who are resident in other EU Member States and who travel to the State to exercise the duties of their employment (frontier workers) do not have automatic entitlement to a medical card. They may have entitlement to a medical card under Irish legislation where the HSE regards them as being ordinarily resident<sup>1</sup> in the State but such entitlement is subject to a means test as in the case of workers resident in the State.

Revenue published clarification in December 2011 and details can be found at <http://www.revenue.ie/en/practitioner/ebrief/archive/2011/no-812011.html>

Accordingly, with effect from 1 January 2012, frontier workers from another EU Member State (including, Northern Ireland) who do not obtain a full Irish medical card, are liable to the normal maximum 7% USC rate, where they have sufficient income for this rate to apply.

It should be noted that credit for USC paid in Ireland should be available against tax due in a frontier worker's country of residence where there is a tax treaty in place between Ireland and that country. Ireland has double taxation treaties with all member states of the EU.

This and further information on the USC is available from the Revenue website at <http://www.revenue.ie/en/tax/usc/index.html>

<sup>1</sup>The term **ordinarily resident** as distinct from **resident** refers to an individual's pattern of residence over a number of years. If the individual comes to Ireland for the first time and remains resident for three consecutive tax years, he or she will become **ordinarily resident** from the beginning of the fourth tax year.

## Universal Social Charge Payments

232. **Deputy Thomas P. Broughan** asked the Minister for Finance if he will confirm that all State contributory and non contributory pensions are exempt from the universal social charge; and if he will make a statement on the matter. [52525/12]

**Minister for Finance (Deputy Michael Noonan):** Payments that are made under the Social Welfare Acts are specifically excluded from liability to universal social charge. Accordingly, all State contributory and non-contributory pensions are exempt from the charge.

I would also draw the Deputy's attention to the fact that certain payments, which are of a similar character to social welfare payments, are also exempt from universal social charge. A list of such payments is included at Appendix A, page 61, of the FAQs relating to the universal social charge published by the Revenue Commissioners and available at <http://www.revenue.ie/en/tax/usc/universal-social-charge-faqs.pdf> .

## Tax Yield

233. **Deputy Pearse Doherty** asked the Minister for Finance the amount taken in excise duty on petrol and diesel in 2007, 2008, 2009, 2010, and 2011. [52544/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that revenue generated for the State from petrol and auto-diesel in the calendar years 2007 to 2011 in respect of Mineral Oil Tax, Carbon Tax and Value Added Tax is as follows:

Petrol	MOT	Carbon Tax	VAT (Estimated)	Total
-	€m	€m	€m	€m
2007	1,050.7	-	465.2	1,515.9
2008	1,046.3	-	485.9	1,532.2
2009	1,074.5	-	419.0	1,493.5
2010	981.2	65.1	438.8	1,485.1
2011	992.6	60.1	459.0	1,511.7
-	MOT	Carbon Tax	VAT (Estimated)	Total
Auto Diesel	€m	€m	€m	€m
2007	1,076.3	-	57.0	1,133.3
2008	1,051.9	-	64.6	1,116.5
2009	1,060.3	-	49.4	1,109.7
2010	1,040.0	98.4	55.5	1,193.9
2011	1,078.3	97.5	62.0	1,237.8

Please note that the VAT receipts are estimated, as the VAT returns do not require the yield from a particular sector or sub-sector of trade to be identified and the actual VAT yield for each category cannot therefore be determined.

*Question No. 234 answered with Question No. 197.*

## Banking Operations

235. **Deputy Pearse Doherty** asked the Minister for Finance if as part of Irish Bank Resolu-

tion Corporation internal review of historical interest rate settings, the bank is reviewing interest rates applied to loan accounts in the UK and if IBRC has set aside money for repaying customers with loan accounts in the UK. [52731/12]

236. **Deputy Pearse Doherty** asked the Minister for Finance if he or Irish Bank Resolution Corporation are assured by the internal review of historical interest rate settings that Anglo Irish Banks Treasury Department (UK) was not overstating the London Interbank Offered Rate rate in the years under review or in any years beyond those under review. [52732/12]

237. **Deputy Pearse Doherty** asked the Minister for Finance if as part of its internal review of historical interest rate settings, if the Irish Bank Resolution Corporation is reviewing interest rates applied to loan accounts in any jurisdiction after 2004. [52733/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 235 to 237, inclusive, together.

I have been advised by IBRC that the review of historical interest rates applied to loan accounts, which was disclosed in the Bank's annual report of December 2010, covered loans advanced to customers in Ireland, USA, Isle of Man and the UK in the period from 1990 to 2005. The total cost of refunds for all jurisdictions is estimated at €45m to €50m. The Bank is satisfied that the overcharging that was identified and disclosed in 2010 ceased in July 2004 for loans advanced in Ireland, USA and the Isle of Man. In respect of loans advanced in the UK the Bank is satisfied that the overcharging ceased in January 2005.

### **Pension Provisions**

238. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 207 of 13 November 2012, and 224 of 20 November 2012, if he will indicate the part or parts of Section 33AK of the Central Bank Act 1942 as inserted into that Act by Section 26 of the Central Bank and Financial Services Authority of Ireland Act 2003, which prevent him from indicating what forecasts were produced for the cost of addressing the pension deficit at Allied Irish Banks in the stress testing exercise at the start of 2011. [52806/12]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by the Central Bank that section 33AK(1A) prohibits disclosure by the Bank, its officers, employees, and agents, of confidential information concerning-

- (a) the business of any person or body whether corporate or incorporate that has come to the person's knowledge through the person's office or employment with the Bank, or
- (b) any matter arising in connection with the performance of the functions of the Bank or the exercise of its powers,

where the disclosure considered would be prohibited by the Rome Treaty, the ESCB Statute or the "Supervisory Directives", as defined in section 33AK(10).

The most relevant supervisory directive in this instance is Directive 2006/48/EC.

Title V, Chapter 1, Article 44 of Directive 2006/48/EC, for example, imposes an obligation, on "competent authorities" (of which the Central Bank is one) for the purposes of that Directive to operate on the basis of professional secrecy. While a number of pathways for release of information are provided in the Directive (for example, a competent authority may release information where necessary to "bodies involved in the liquidation and bankruptcy of credit

institutions and in other similar procedures” (see Article 44)), none of these facilitate release of information in this case.

### Tax Code

239. **Deputy Dominic Hannigan** asked the Minister for Finance further to Parliamentary Question No. 204 of 20 November 2012, if the employee of a contractor, whose company is based in another jurisdiction but is working on a State contract, stand liable for USC or income tax to the Revenue Commissioner; if so, does the Revenue check to make sure that the charge and taxes are paid; are there any checks with the social protection Departments of other jurisdictions to ensure that the employees are not receiving any payments from them; and if he will make a statement on the matter. [52874/12]

**Minister for Finance (Deputy Michael Noonan):** The position is that, in line with the position prevailing in many other jurisdictions -

(a) an individual who is tax resident in the State for a tax year is liable to Irish income tax and the USC on his or her worldwide income for that tax year, and

(b) an individual who is not resident here for tax purposes is liable to Irish income tax and the USC on his or her Irish source income and gains and on income attributable to duties of an employment exercised here.

I am informed by the Revenue Commissioners that the obligation to deduct income tax and the USC from employment income rests with the employer regardless of the fact that the employer may be based in another jurisdiction. Compliance with the PAYE and USC obligations is an ongoing feature of the Revenue Commissioners’ normal compliance programmes. The entitlement of individuals to payments under the relevant social protection system of another jurisdiction is not a matter for the Revenue Commissioners. Finally, if the Deputy is aware of situations wherein income tax and the USC correctly due to the Exchequer is not being deducted and remitted, he should inform the Revenue Commissioners of the necessary details.

### Financial Services Regulation

240. **Deputy Patrick O’Donovan** asked the Minister for Finance the options open to a person who has made a complaint to the Financial Services Ombudsman, when the Ombudsman refuses to investigate the matter; and if he will make a statement on the matter. [52876/12]

**Minister for Finance (Deputy Michael Noonan):** Firstly, I must point out that the Financial Services Ombudsman is independent in the performance of his statutory functions and it would not be appropriate for me to comment on his work. Part V11B of the Central Bank and Financial Services Authority of Ireland Act 2004 details the functions and powers of the FSO. The Financial Services Ombudsman’s Bureau has informed me that, when a complaint is received, the Bureau will assess the complaint initially to ensure it falls within the Ombudsman. The Bureau consists of the Financial Services Ombudsman, his Deputy and Staff. However, a complaint may not be investigated by the Ombudsman if in his opinion:

*it is vexatious or frivolous or not in good faith,*

*the subject matter is trivial,*

*the conduct complained of occurred at too remote a time to justify investigation (6 year*

rule)

*other redress means were available*

*complainant had no interest or an insufficient interest in the conduct complained of.*

Neither the Ombudsman nor I would advise people on what options are available if the Ombudsman refuses to investigate a complaint. However, the Ombudsman may advise the complainant to seek legal advice.

### **Pension Provisions**

241. **Deputy Pearse Doherty** asked the Minister for Finance the reason the group pension deficit at Allied Irish Bank increased from €763 million at the end of December 2011 to €1,457 million at 30 June 2012. [52879/12]

242. **Deputy Pearse Doherty** asked the Minister for Finance the reason the group pension liabilities at Allied Irish Bank increased from €4,562 million at the end of December 2011 to €5,466 million at 30 June 2012; if this increase is due solely to 2,500 redundancies sought; and if he will confirm that the liabilities have increased by an average of €361,600 for each of the 2,500 redundancies. [52880/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 241 and 242 together.

I am informed that AIB sets out information on its pension deficit in the Bank's annual and half yearly reports and accounts. The following is a summary of that disclosure.

As set out on Note 11 - Retirement Benefits - to the condensed consolidated interim financial statements of AIB Group at 30 June 2012, AIB Group's pension deficit is calculated under International Accounting Standard 19 for the purpose of financial reporting. At 30 June 2012 the deficit stood at €1,457 million compared to €763 million as at 31 December 2011. The increase of €694 million in the net deficit arose following the increase in retirement benefit liabilities by €904 million to €5,466 million while the fair value of schemes assets increased by €210 million to €4,009 million.

I understand that the defined benefit pension liabilities increased by €904 million to €5,466 million during the six months to 30 June 2012 due to a number of factors including:

- Changes in demographic and financial assumptions of €595 million. In particular the discount rate used to value the scheme's liabilities fell significantly in the period which increased sharply the value of the liabilities

- An amount of €124 million has been included in respect of past service costs for those employees expected to opt for early retirement. This represented the best estimate of the amount required to meet the additional past service costs of the early retirement scheme based on the known facts and expectations at 30 June 2012.

- Interest cost of €113 million, being the unwind of the discount on the present value of the defined benefit obligation for the half year

- Experience losses on scheme liabilities of €45 million.

### **Pension Provisions**

243. **Deputy Pearse Doherty** asked the Minister for Finance in view of the statement in Allied Irish Bank's report and accounts for the six months ending 30 June 2012 that the group pension deficit at that date was €1,457 million; if he will confirm the deficit that now exists in the AIB group pension scheme after the transfer of loan assets by AIB to the scheme, announced in August 2012, which have a book value of €1.1 billion. [52881/12]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by AIB that the bank reports the deficit under IAS 19 for financial reporting purposes twice a year, namely June and December after incorporating movements in the scheme liabilities including changes in actuarial assumptions and movement in the scheme assets. The December 2012 results will be announced in Quarter 1, 2013 and the deficit will take into account the loan assets transferred at fair value which will form part of the scheme assets.

### **Pension Provisions**

244. **Deputy Pearse Doherty** asked the Minister for Finance further to reports that Allied Irish Bank has confirmed that the first tranche of €700 million book value of loan assets transferred to the group pension fund in August 2012 as part of the total transfer of €1.1 billion book value loan assets resulted in a loss on these loan assets of €300 million, if he will confirm the loss incurred on the transfer to the AIB group pension fund of the remaining tranche of €400 million book value loan assets. [52882/12]

**Minister for Finance (Deputy Michael Noonan):** As disclosed in AIB's half yearly financial report 2012, the first transfer of loans and receivables, which had a carrying value of €0.7 billion resulted in a loss of €0.3 billion. Any further disclosures in respect of the second transfer of loans and receivables will be disclosed in the Annual Report for 2012 due for release in Quarter 1 2013. I have been informed that all the assets transferred had been scheduled for deleveraging within the Group's Non-Core portfolio. The discount levels on the transfers, conducted at fair value, were in line with the levels assumed as part of the PCAR exercise in 2011.

### **Banks Recapitalisation**

245. **Deputy Mattie McGrath** asked the Minister for Finance the role of the public interest directors in the State funded banks; the way they are representing the taxpayer; the actions they can take or have they taken when a taxpayer has a grievance with their bank; the action that they have taken to review and reduce the remuneration and pension packages of bankers in the best interests of the taxpayer; and if he will make a statement on the matter. [52895/12]

**Minister for Finance (Deputy Michael Noonan):** 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. 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 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.

The public interest directors have no particular role in dealing with individual taxpayer grievances with their bank. Individual taxpayers who have a grievance with their bank can have their issue dealt with through the normal channels, including if necessary the Financial Services Ombudsman. The Remuneration Committee of each bank is generally responsible for setting remuneration policy. The terms of reference of the Remuneration Committee are accessible on the website of each institution. These can be found at:

**AIB:**

[http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&blobwhere=1136826158582&blobcol=urlfile&blobtable=AIB\\_Download&blobheader=application/pdf&blobheadername1=Content-Disposition&blobheadervalue1=document.pdf](http://www.aib.ie/servlet/BlobServer/document.pdf?blobkey=id&blobwhere=1136826158582&blobcol=urlfile&blobtable=AIB_Download&blobheader=application/pdf&blobheadername1=Content-Disposition&blobheadervalue1=document.pdf)

**Bank of Ireland:**

<http://www.bankofireland.com/about-boi-group/corporate-governance/court-committees/terms-of-reference/>

**PTSB:**

<http://www.irishlifepermanent.com/corporate-responsibility/corporate-governance/board-committees.aspx>

Although there is a public interest director on the Remuneration Committees of Bank of Ireland and PTSB the public interest director cannot act unilaterally to review and reduce the remuneration and pension packages of employees. There is currently no public interest director on the Remuneration Committee of AIB, following the resignation of Declan Collier from the Board in June 2012.

### NAMA Staff Remuneration

246. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 228 of 6 November 2012, in which he stated that one National Asset Management Agency employee earned more than €500,000 gross salary, employer pension contribution and where applicable, other benefits and further to Parliamentary Question No. 200 of 20 November 2012, in which he stated that NAMA's chief executive officer's salary is €365,500 and in addition payments of circa €24,000 were made in respect of car and medical, if the NAMA employee referred to in both questions is the NAMA CEO; if so, if he will provide an explanation for the apparent discrepancy between remuneration of more than €500,000 and circa €390,000 of salary and car and medical insurance; and if he will reconfirm the breakdown of salary and additional benefits paid to the NAMA CEO. [52897/12]

**Minister for Finance (Deputy Michael Noonan):** I am informed by NAMA that there is no discrepancy between the two replies. Parliamentary Question No. 200 of 20 November 2012 sought information on the salary and taxable benefits paid to the NAMA Chief Executive in 2010 and 2011. This was provided as follows:

-	2011	2010
Salary	€430,000	€430,000

-	2011	2010
Taxable Benefits (car and health insurance)	€24,483	€23,036

The reply also stated that the Chief Executive agreed to a request from the Minister to a reduction of 15% in salary in respect of 2012, thereby bringing his 2012 salary to €365,500.

Parliamentary Question 228 of 6 November 2012 sought information on the total remuneration package, including pension costs. The reply was therefore prepared by reference not only to contractual salary and benefits but also to the actuarially-determined employer contribution to the NTMA superannuation scheme. Unlike most public pension schemes which are funded on a pay as you go basis, the NTMA superannuation scheme is a funded scheme. Pension contributions are not paid to individual employees – they are paid into the scheme. The level of potential pension payments to members is dependent on length of service, based on final salary or career average earnings, with 1/80th of salary accruing for each year of service.

### NAMA Portfolio Value

247. **Deputy Joanna Tuffy** asked the Minister for Finance the provisions being made by the National Assets Management Agency in relation to a social dividend from its portfolio of land; the way a community organisation should approach NAMA in relation to the delivery of social dividend; and if he will make a statement on the matter. [52910/12]

**Minister for Finance (Deputy Michael Noonan):** Consistent with its overriding commercial mandate as set out in Section 10 of the National Asset Management Agency Act 2009, NAMA has demonstrated its commitment and contribution to the achievement of wider social and economic policy objectives in line with Section 2 of the Act. This includes NAMA's identification of over 3,800 residential units controlled by its debtors and receivers as being available and potentially suitable for social housing and its policy of giving first option to public bodies on the purchase of property in which may be suitable for their purposes. The Agency also works to facilitate engagement between interested parties, including community and sporting organisations, and its debtors/receivers/sales agents and this has led to a number of positive outcomes for both parties.

I am advised by NAMA that in the first instance community groups themselves are best positioned to identify specific properties related to a NAMA loan that may be suitable for their purposes. Such groups are therefore encouraged to make contact with the owners of property and to inform NAMA of their interest. It should be noted that, while NAMA is prohibited by its legislation and by the normal rules of banking confidentiality from disclosing the identity of debtors or details of their properties, the Agency ensures that debtors are aware of interest in their properties and encourages them to engage with potential purchasers. NAMA has published an information guide, which is available on its website, [www.nama.ie](http://www.nama.ie) and which has been circulated to all Oireachtas members, for community organisations and others who may have an interest in properties controlled by NAMA debtors and receivers.

### Tax Code

248. **Deputy Brendan Ryan** asked the Minister for Finance if the recommended exemption in the Commission on Taxation Report 2009 for persons who paid high rates of stamp duty will

be considered in the Government's proposed property tax; and if he will make a statement on the matter. [52930/12]

**Minister for Finance (Deputy Michael Noonan):** It is a longstanding 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. Having said that, the property tax forms an integral part of policy to broaden the tax base, to provide a stable funding base for local government and to assist the strengthening of democracy at local level. Due consideration will be given to a wide range of issues, including fairness, equity and ability to pay in any property tax measures brought forward in the Budget.

### Tax Code

249. **Deputy Brendan Griffin** asked the Minister for Finance the position regarding the introduction of 131 and 132 registration plates on new vehicles sold here in 2013; if he intends to continue this form of licence plate in 2014 and beyond; and if he will make a statement on the matter. [52931/12]

250. **Deputy Brendan Griffin** asked the Minister for Finance his plans to restructure VRT; and if he will make a statement on the matter. [52932/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 249 and 250 together.

I understand the Deputy's question to refer to proposals contained in SIMI's pre-Budget submission. Such proposals, together with a wide range of proposals submitted to my Department from a large number of interested parties in issues across all tax heads, are being considered in the context of the forthcoming Budget. I am sure the Deputy will appreciate that I cannot comment on what might or might not be included in the Budget speech on the 5th of December.

### Tax Code

251. **Deputy Brendan Griffin** asked the Minister for Finance if he will consider reducing the 13.5% VAT rate for car servicing as a road safety measure in view of the increasing number of older cars on our roads and the falling levels of servicing; and if he will make a statement on the matter. [52933/12]

252. **Deputy Brendan Griffin** asked the Minister for Finance if he will reduce or scrap VRT and VAT on optional additional safety equipment and potentially life saving technology in new cars; and if he will make a statement on the matter. [52934/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 251 and 252 together.

VAT is charged on the supply of goods and services and the rate applying is subject to the requirements of EU VAT law with which Irish VAT law must comply. With regard to reducing the VAT rate applied to car servicing, under EU law it is not possible to reduce the VAT rate applying to car servicing below 12%. This is because car servicing, including many of the goods and services to which Ireland applies a reduced rate of VAT, is based on an EU derogation under Article 118 of the EU VAT Directive, which provides that as we applied a reduced rate to these items on 1 January 1991, we are entitled to continue to apply that reduced rate to those items, provided the rate is no less than 12%. Furthermore, while it is possible to reduce the VAT rate

on car servicing to 12%, this could only be done through the application of a 12% VAT rate to all goods and services that currently apply at the 13.5%, and such a move would be very costly to the Exchequer. However, it must be noted that in the majority of EU Member States, where the derogation under Article 118 does not apply, the servicing of cars is subject to a higher VAT rate.

In addition, the EU VAT Directive does not make specific provision for a reduced or zero rate to apply to safety equipment in vehicles and potentially life saving technology in new cars, and as such they are subject to the standard VAT rate, which is currently 23%. With regard to the VRT on optional additional safety equipment and potentially life saving technology in new cars, VRT is charged on the Open Market Selling Price (OMSP) of a vehicle which for new vehicles is defined in Section 133 (2) of the Finance Act 1992 as

*“(2) (a) For a new vehicle on sale in the State which is supplied by a manufacturer or sole wholesale distributor, such manufacturer or distributor shall declare to the Commissioners in the prescribed manner the price, inclusive of all taxes and duties, which, in his opinion, a vehicle of that model and specification, including any enhancements or accessories fitted or attached thereto or supplied therewith by such manufacturer or distributor, might reasonably be expected to fetch on a first arm’s length sale thereof in the open market in the State by retail.”*

There are no plans to reduce or scrap the VRT on optional additional safety equipment as they are “enhancements or accessories fitted or attached” and as such are included in the VRT charge.

### **Budget 2013**

253. **Deputy Brendan Griffin** asked the Minister for Finance if he will focus revenue raising measures in Budget 2013 in higher earners and super wealthy citizens, including tax exiles, in an effort to protect lower and middle income earners, who have little or no disposable income at present; and if he will make a statement on the matter. [52935/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, it is a longstanding 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.

### **Promissory Note Negotiations**

254. **Deputy Brendan Griffin** asked the Minister for Finance the position regarding the impending repayment of Anglo promissory notes; his views on whether will secure a positive outcome on this matter; the monetary and percentage of GDP savings he hopes to achieve; when he expects to have an agreement; and if he will make a statement on the matter. [52936/12]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the next instalment of the IBRC Promissory Note is scheduled for the end of March 2013. The Irish Government has been working extremely hard to secure a deal on the Irish bank debt and detailed work will continue to ensure that the positive moves in Europe are harnessed to maximise the benefit to the Irish taxpayer. A significant item on the agenda is the issue of the promissory notes. The discussions are considering all options in relation to the promissory notes (in terms of the source of funding, the duration of the notes, the interest rate applicable etc.) as well as potential avenues for the wider bank debt deal and the impact of these options on IBRC. This on-going work is one of the Government’s key priorities.

The terms sought by the Government are those which achieve the best possible outcome on behalf of the Irish taxpayer. It is not possible to give guidance on the timing or potential outcome of the discussions as to do so could impede our ability to achieve the best possible results for the Irish taxpayer, but every effort is being made to expedite the on-going process. I have previously stated that I am working to try and achieve a solution before the next scheduled instalment on the Promissory Note scheduled for next March.

*Question No. 255 answered with Question No. 193.*

### **Tax Code**

256. **Deputy Arthur Spring** asked the Minister for Finance if his attention has been drawn to the fact that the report on tax injustice by TASC, which found that several corporate entities based here pay no corporation tax here, through mechanisms such as the Dutch sandwich; his views on whether this may reinforce the risk of Ireland gaining a reputation as a tax haven. [52946/12]

**Minister for Finance (Deputy Michael Noonan):** The relevant section - "*Is the IFSC and Ireland a tax haven?*" - of the TASC report referred to by the Deputy acknowledges that, by reference to the standards established by international organisations such as the OECD, Ireland is not a tax haven. The standards established by the OECD are the most widely accepted standards by which countries assess their tax systems and those of other countries. The OECD and the international community do not regard Ireland as a tax haven. The OECD identifies four key indicators of a tax haven: the first is having no taxes or only nominal taxes; the second is a lack of transparency; the third indicator is an unwillingness to exchange information with tax administrations of OECD member countries; and the fourth indicator is absence of a substantial activity requirement. None of these criteria apply to Ireland.

Ireland has a comprehensive taxation system covering income, capital and indirect taxes and has Double Taxation Relief Agreements with 68 other countries. The January 2011 *Global Forum Peer Review Report* on Ireland's legal and regulatory framework for transparency and exchange of information found that Ireland has an effective system for the exchange of information in tax matters and is fully compliant with OECD standards. The Irish 12.5% corporate tax rate is a general rate for trading income that requires the trade to have real substance and activity. This rate does not distinguish between small and large enterprises or between enterprises that service the local economy and those that have a multinational focus. Ireland is bound by the same rules on State Aid, Code of Conduct on Business Taxation, and rulings of the Court of Justice as all EU Member States. Ireland does not support harmful tax competition and participates fully in the EU Code of Conduct Group, which addresses harmful tax competition, and in the OECD Forum on Harmful Tax Practices.

### **Tax Collection Forecasts**

257. **Deputy Arthur Spring** asked the Minister for Finance if he will provide an estimate for the increase in revenue that would accrue to the Exchequer if all loopholes and reliefs in corporation tax were eliminated, ensuring an effective net corporation tax rate of 12.5% for all corporations carrying out activities here. [52947/12]

**Minister for Finance (Deputy Michael Noonan):** I wish to advise the Deputy that Ireland's corporation tax regime is open and transparent and that companies are fully chargeable to corporation tax at the 12½% rate on profits arising from their trading activities here. A higher

25% rate applies in respect of investment, rental and other non-trading profits as well as profits from certain petroleum, mining or land trading activities, while capital gains are chargeable at a 30% rate. Companies are chargeable to corporation tax on their profits after taking account of allowable deductions and reliefs as provided for in the Taxes Consolidation Act 1997. Expenses that are incurred wholly and exclusively for the purposes of the trade are deductible in computing trading profits, while allowances are available for capital expenditure on plant and machinery, industrial buildings and certain intangible assets used in the trade, with such allowances treated as a deductible trading expense. Companies are chargeable on their net profits after account is taken of any losses they have incurred.

There are certain reliefs available to companies, such as group relief and double taxation relief, which are standard features of corporation tax similar to those applying in other EU and OECD countries. I am advised by the Revenue Commissioners that, based on corporation tax returns for 2010 accounting periods (the latest available), elimination of group relief and relief for double taxation would provide an estimated *nominal* yield of €408 million and €618 million respectively, assuming no behavioral change in response to such a measure. Clearly, however, it would not be an option to disallow double taxation relief. This would result in a double charge, imposing a disproportionate and unreasonable tax burden on companies and would also be in breach of tax treaties concluded with other countries. The availability of group relief recognizes the fact that the operations of the companies concerned are closely inter-related and that the group effectively comprises a single economic entity.

There are also specific tax reliefs for companies which are targeted at promoting investment in key areas of economic importance, including a 25% tax credit for expenditure on research and development, relief for start-up companies, accelerated allowances for investment in energy-efficient equipment, relief for investment in renewable energy and exemption of profits from commercial occupation of certain woodlands. Based on information derived from corporation tax returns for 2010 accounting periods, it is tentatively estimated that the *nominal* full year yield from eliminating these tax reliefs would be approximately €230 million in total, again assuming no significant behavioural change on the part of corporate taxpayers which would cause the expected increase in tax yield to fall below expectation.

I should emphasise that tax reliefs are continually monitored to ensure that they are properly focussed, provide value for money and that there are no loopholes that could be exploited for tax avoidance purposes. Certain tax reliefs, such as the exemption for patent royalty income and incentives for investment in property, have been abolished or significantly curtailed in recent years as these were not providing sufficient economic benefit relative to their Exchequer cost. Also, where a potential loophole emerges or concerns arise in relation to unintended use of a tax relief that the Revenue Commissioners are not in a position to address under existing legislation, amending legislation is introduced in the annual Finance Act to protect the tax base and ensure that the relief is not subject to any abuses.

## Tax Code

258. **Deputy Arthur Spring** asked the Minister for Finance the stance that he will be taking on the proposed action plan put forward by the European Commission to clamp down on tax evasion, through the agreement of a stricter definition of tax havens and the implementation of an anti-abuse clause to prevent double non-payment of corporation tax. [52948/12]

**Minister for Finance (Deputy Michael Noonan):** As the incoming EU Presidency, Ireland will be working closely with fellow Member States and the European Commission on the Commission's forthcoming Communication on Aggressive Tax Planning. We plan to devote a

number of official level meetings to this topic during our Presidency. Ireland just like other Member States believes in fair tax competition but, building on the work of the Global Forum on Tax Transparency, unfair tax competition is an issue that needs to be examined. As the Communication has not yet been finalised or published, it would be inappropriate to comment on what it might or might not propose.

### **Company Closures**

259. **Deputy Róisín Shortall** asked the Minister for Finance in relation to the future of a company (details supplied) in Dublin 12, if all credit balances will be reimbursed to customers of this company. [52955/12]

**Minister for Finance (Deputy Michael Noonan):** I have been advised by the Central Bank that, on 16 April 2012, an official liquidator was appointed to the company mentioned by the Deputy. As such, it is the responsibility of the liquidator to establish the amounts owed to each customer of the company and to distribute accordingly. I have no role with regard to such distribution.

### **Mortgage Arrears Rate**

260. **Deputy Arthur Spring** asked the Minister for Finance the percentage of tracker mortgages that are in arrears; and the percentage that are in arrears of 90 days or more. [52958/12]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank of Ireland publishes quarterly arrears data in respect of all mortgage types on its website at [www.centralbank.ie](http://www.centralbank.ie). The latest figures were published in June 2012 and the Central Bank has advised me that its next quarterly arrears publication for end quarter three will be published in December. However, the Central Bank has advised me that it does not collect the arrears data in the particular format requested by the Deputy.

### **Economic Data**

261. **Deputy Joe McHugh** asked the Minister for Finance the value of imported products (details supplied); if all such items on the Irish market are imported; and if he will make a statement on the matter. [52989/12]

**Minister for Finance (Deputy Michael Noonan):** Ireland is generally considered to be a particularly open economy with imports accounting for over three quarters of GDP. A considerable share of spending by households and firms leaves the economy on imported goods and services, while at the same time a considerable share of the outputs of Irish firms is exported abroad leading to payment coming into Ireland. In relation to SITC 054.61 sweet corn (cooked or uncooked) frozen and SITC 054.69 other vegetables (cooked or uncooked), frozen - the total value of imports in the first eight months of 2012 amounted to €24.9 million, while the value of exports over the same period for these goods was €1.3 million. Official statistics do not outline the share of imports in final consumption of these goods.

### **Vehicle Registration Issues**

262. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will confirm that there will be a second registration period for cars in 2013, that is, 131 in January and 132 in July; and if he will make a statement on the matter. [53031/12]

267. **Deputy Michael Healy-Rae** asked the Minister for Finance with regard to proposed restructuring of the VRT, if he will ensure that any changes will not destabilise the market; and if he will make a statement on the matter. [53066/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 262 and 267.

I understand the Deputy's question to refer to proposals contained in SIMI's pre-Budget submission. Such proposals, together with a wide range of proposals submitted to my Department from a large number of interested parties in issues across all tax heads, are being considered in the context of the forthcoming Budget. I am sure the Deputy will appreciate that I cannot comment on what might or might not be included in the Budget speech on 5 December.

### **Tax Code**

263. **Deputy Arthur Spring** asked the Minister for Finance his views on whether the introduction of a carbon tax on solid fuels will have a detrimental effect on the competitiveness of businesses involved in the sale of solid fuels and employment in the industry; and if he will make a statement on the matter. [53048/12]

264. **Deputy Arthur Spring** asked the Minister for Finance his views on whether the introduction of a carbon tax on solid fuels will have a detrimental effect on social welfare recipients who rely on coal or peat briquettes as the only means of heating their homes; and if he will make a statement on the matter. [53049/12]

266. **Deputy Arthur Spring** asked the Minister for Finance his views on whether the introduction of a carbon tax on solid fuels should be deferred due to the sourcing of coal and peat from Northern Ireland where lower environmental standards apply; and if he will make a statement on the matter. [53051/12]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 263, 264 and 266 together.

These questions relate to potential Budgetary measures. It is the usual practice for the Minister for Finance not to speculate or comment in advance of the Budget what it will contain and I do not propose to deviate from that practice.

### **Budget Submissions**

265. **Deputy Arthur Spring** asked the Minister for Finance his views on the pre-budget submission by the solid fuel trade group; and if he will make a statement on the matter. [53050/12]

**Minister for Finance (Deputy Michael Noonan):** I have received a pre-Budget submission from the Solid Fuel Trade Group. Its contents will be considered in the context of the forthcoming Budget and Finance Bill. As Deputies are aware it would not be appropriate for me to comment in advance on possible Budget decisions.

*Question No. 266 answered with Question No. 263.*

*Question No. 267 answered with Question No. 262.*

### Departmental Agencies Issues

268. **Deputy Billy Timmins** asked the Minister for Finance the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53699/12]

**Minister for Finance (Deputy Michael Noonan):** In response to the Deputy's question one new body was established under the aegis of my Department in 2012. Details of the body are contained in the following table:

Name of Body	Established	No of new Employees
The Credit Union Restructuring Board	Established in 2012 on an administrative basis under the Dept of Finance pending enactment of the Credit Union Bill 2012	It has no employees of its own at this stage.

### Cóiríocht Scoile

269. D'fhiafraigh **Deputy Maureen O'Sullivan** den an Aire Oideachais agus Scileanna cé mhéid bunscoil agus iarbhunscoil atá i gcóiríocht shealadach agus cén céatadán díobh siúd gur scoileanna lán-Ghaeilge iad; cad iad na scoileanna atá ag fanacht le cóiríocht bhuan agus cé chomh fada is atá na scoileanna sin ag fanacht le cóiríocht bhuan. [52328/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Níl an t-eolas atá á lorg ag an Teachta maidir le scoileanna atá i gcóiríocht sealadach le fáil láithreach. Cuirfidh oifigigh mo Roinne an t-eolas le chéile agus cuirfidh siad chuig an Teachta é chomh luath agus is féidir.

### Student Grant Scheme Delays

270. **Deputy Patrick Nulty** asked the Minister for Education and Skills if a student grant application in respect of a person (details supplied) in Dublin 3 will be expedited; and the reason for the delay [52375/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy on 13th November 2012 and the application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

### Irish Language Issues

271. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills his views on whether the Government should include the Irish language and the Gaeltacht in the Education and Training Boards Bill 2012; and if he will make a statement on the matter. [52943/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The 20 year Strategy for the Irish Language 2010 to 2030 promotes an integrated approach to the Irish Language which is

consistent with best international practice. The Government has committed to supporting strategy in the programme for Government 2011 to 2016.

The Deputy will be aware that Vocational Education Committees are public bodies which fall within the terms of the Official Languages Act 2003. It is intended that the Education and Training Boards Bill 2012 will preserve this position and Education and Training Boards will be obliged to meet the relevant Irish language requirements.

In the circumstances, I am satisfied that the new Education and Training Boards will be in a position to meet their requirements in relation to the Irish Language and to the Gaeltacht without specific provisions being made in the Bill.

### **Student Grant Scheme Delays**

272. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the level of additional resources released by his Department to resolve the delay in processing student grant applications; the date by which all outstanding applications will be processed; and the support offered to students struggling financially to stay in education due to this delay. [52171/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In total, there is now 96 staff working in Student Universal Support Ireland (SUSI), 33 of which are permanent and 63 of which are temporary. 20 of the 63 temporary seasonal staff were recruited in the last two months. SUSI is also supported by 129 temporary staff working in the outsourced company engaged by SUSI to support the processing of student grants. This includes 40 additional resources since September and an additional 50 temporary staff since mid-November. An additional 20 temporary staff, on top of the 129, have just been approved and they have yet to take up their positions. In addition, officials in my Department have been providing assistance to SUSI on an on-going basis.

SUSI is aiming to progress all applications received to date between now and the end of the year and is aiming to achieve a target of 33,000 awards in total by the end of the year and I expect that target to be met. SUSI is staffed to the level that has been requested and all the necessary resources should be in place to enable them to process applications to completion, subject to all the necessary documentation being in order to enable them to make a decision in each case.

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.

In addition to the maintenance grant support is also available to students under the Student Assistance Fund which assists students in third-level institutions in exceptional financial need. Information on the fund is available through the Access Officer in the third level institution attended. The Access Officers themselves will also continue to provide support and advice to students to enable them to continue with their studies. My Department has asked the Higher Education Authority for an up to date report on the demand for the scheme.

### **Student Grant Scheme Applications**

273. **Deputy Thomas Pringle** asked the Minister for Education and Skills if he will restore the funding for the Student Assistance Fund to €10 million in view of the hardship that many students are experiencing; and if he will commit to not cutting this fund any further. [52189/12]

280. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he will agree to continue funding the student assistance fund beyond 2013; and if he will make a statement on the matter. [52335/12]

308. **Deputy Jerry Buttimer** asked the Minister for Education and Skills the level of funding provided to the student assistant fund; his plans to continue this important source of financial support for students; and if he will make a statement on the matter. [52797/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 273, 280 and 308 together.

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

The budget for the Student Assistance Fund has been increased from €5m in 2008/09, 2009/10 and 2010/11 to €9m in 2011/12 and stands at €8m for the current academic year.

My Department has asked the HEA for an up to date report on the demand for the scheme. I have no plans at present to discontinue the Fund. Examinations are taking place across all areas of Government spending which will inform funding allocations for the coming years. In this context, I am sure the Deputies will appreciate that in line with normal practice I am unable to comment on the available funding allocation for next year during the budgetary deliberative process.

### **Teacher Training Provision**

274. **Deputy Nicky McFadden** asked the Minister for Education and Skills if he will consider the retention of home economics teacher education at a campus (details supplied) in County Sligo; if he will provide the campus and NUI Galway an opportunity to demonstrate their capacity to fulfil the vision of the initial teacher education report in the most cost efficient manner possible; and if he will make a statement on the matter. [52196/12]

298. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will consider the retention of home economics teacher education at a campus (details supplied) in County Sligo; and if he will make a statement on the matter. [52467/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 274 and 298 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 was to identify possible new 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 there will be a smaller number of centres for ITE offering 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 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 consider the implementation plan when received and make a further announcement at that stage.

### **Schools Building Projects Applications**

275. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills when construction work will commence on building a permanent school building (details supplied) in County Galway; and if he will make a statement on the matter. [52227/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A major capital project for the school referred to by the Deputy was included in the 5 year capital investment programme announced earlier this year, with a view to commencing construction in 2014/2015.

My Department are currently liaising with Galway County Council in relation to the identification and acquisition of a suitable site.

### **State Examinations Issues**

276. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the number and the percentage number of pupils who took honours and pass level maths for the junior and leaving certificate for each of the past five years; the steps being taken to increase that number in the forthcoming years. [52314/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. I wish to inform the Deputy that statistics in relation to the Leaving Certificate examinations (2000 - 2012), including mathematics, can be downloaded from State Examinations Commission website:- [www.examinations.ie/statistics](http://www.examinations.ie/statistics). There are a number of initiatives currently underway to improve the quality of teaching and learning so as to ensure that the outcomes for our students in this curricular area continue to improve over the next number of years. These initiatives include my publication of the National Literacy and Numeracy Strategy last year, the introduction of Project Maths, the prioritisation of Continuing Professional Development for our Maths teachers, the funding by my Department of a post-graduate Diploma in Maths to upskill out-of-field Maths teachers, the request to schools for greater amount of time for teaching maths both at primary and post primary levels. In addition, I welcome provision of 25 bonus points from Higher Education institutions for Leaving Certificate students who achieve a grade D3 or higher in higher level maths. All of these initiatives, including the 25 bonus points, have contributed to much higher number of candidates taking honours level maths in this year's examinations. The number of higher level candidates in 2012 was 11,131 compared to 8,237 in 2011.

## State Examinations Issues

277. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the actual number and the percentage number of pupils who took honours and pass level history for the junior and leaving certificate for each of the past five years; the steps being taken to increase that number in the forthcoming years. [52315/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. I wish to inform the Deputy that statistics in relation to the Junior Certificate and Leaving Certificate examinations (2000 - 2012), including the number of candidates who completed Junior and Leaving Certificate History, can be downloaded from State Examinations Commission website:- *www.examinations.ie/statistics*. In the new Junior Cycle, as described in my Framework for Junior Cycle, all students will be expected to achieve 24 statements of learning over the three years of their Junior Cycle. These include valuing local, national and international heritage and understanding the importance of the relationship between past and current events and the forces that drive change and understanding the origins and impacts of social, economic and environmental aspects of the world around him/her. It is clear therefore that the development of a student's historical awareness skills, will be necessary to achieve the required junior cycle outcomes. Overall, I am in favour of leaving the decisions on what subjects are offered to the discretion of the school, and of students having as broad a range of options to choose from as possible.

## School Staffing

278. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills further to Parliamentary Question No.72 of 24 October 2012, if he will outline the options available to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [52320/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The teacher referred to by the Deputy is a post-primary qualified teacher who was placed on the Special National Subsidiary Redeployment Panel for the 2012/13 school year under the terms of Circular 0012/2012. The terms for the subsidiary special national panel allow for the inclusion of eligible post primary trained teachers on the panel to be appointed to certain permanent posts, i.e., in special schools where a proportion of the pupils are of post-primary age and where second level programmes are being provided by the school. Under the staffing arrangements for the current school year which are set out in Department Circular 0007/2012 the latest date for filling a permanent post on a permanent basis through the subsidiary/supplementary panels was the first working day of November. Thereafter posts are filled on a fixed term basis and if sustained by a school will be filled from the relevant redeployment panel in the 2013/14 school year.

My Department has just recently published Circular 0038/2012 which sets out the revised panel access arrangements for the 2013/14 school year. Under these arrangements the teacher in question has automatic access to the Supplementary Special National Panel for the 2013/14 school year. She retains the right to be offered certain permanent vacancies in special national schools for which she is eligible as outlined above. All circulars referenced are available on the Department website.

## Schools Administration

279. **Deputy Regina Doherty** asked the Minister for Education and Skills if he will consider increasing the funding to boards for administrative costs for the outsourcing of school accountancy work; and if he will make a statement on the matter. [52327/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Given the scale of our economic crisis, I have no scope to introduce new or additional funding measures to assist schools generally or for specific purposes, such as that referred to by the Deputy.

*Question No. 280 answered with Question No. 273.*

### **FÁS Training Programmes**

281. **Deputy Dan Neville** asked the Minister for Education and Skills the position regarding documentation in respect of a person (details supplied) in County Limerick. [52344/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** This is a day to day operational matter for FÁS.

I am informed by FÁS the results of the individual in question were signed off by his local (Mid West) Results Approval Panel (RAPS) on 12th November, 2012. I am informed that his CSCS Card will issue from FÁS in Baggot Street in the coming weeks.

### **Student Grant Scheme Delays**

282. **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 student grant. [52355/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that on reviewing the application of the student referred to by the Deputy that additional documentation is required and a letter requesting this documentation will issue shortly by SUSI directly to the student.

*Question No. 283 withdrawn.*

### **Student Grant Scheme Applications**

284. **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 student grant. [52357/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that on the 23rd November, 2012 a request for further documentation was issued to the student referred to by the Deputy. When the requested documentation is returned the student will be notified directly of the outcome.

### **Student Grant Scheme Applications**

285. **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 student grant. [52358/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that in the case of the student referred to by the Deputy a decision has now been made and a letter will issue shortly directly to the student outlining the position.

#### **Student Grant Scheme Applications**

286. **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 student grant. [52359/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that on the 25th October 2012 a request for further documentation was issued to the student referred to by the Deputy. When the requested documentation is returned the student will be notified directly of the outcome.

#### **Student Grant Scheme Applications**

287. **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 student grant. [52360/12]

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

#### **Student Grant Scheme Applications**

288. **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 student grant. [52361/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that in the case of the student referred to by the Deputy a grant has been awarded and an award letter issued on the 11th November 2012.

#### **Student Grant Scheme Applications**

289. **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 student grant. [52362/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy and her application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

### **Student Grant Scheme Applications**

290. **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 student grant. [52363/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy on the 26th November 2012 and his application is currently awaiting review. SUSI will contact the student directly in relation to the outcome.

### **Student Grant Scheme Applications**

291. **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 student grant. [52364/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that on reviewing the application of the student referred to by the Deputy that additional documentation is required and a letter requesting this documentation will issue shortly by SUSI directly to the student.

### **Student Grant Scheme Applications**

292. **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 student grant. [52365/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that in the case of the student referred to by the Deputy a grant has been refused and a letter outlining the position issued on 13 November 2012.

If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down, in writing, by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board.

### **Student Grant Scheme Applications**

293. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills his views on the case of a person (details supplied) in County Donegal who is a mature student, had their

student grant cut due to assessment of their 81 year old parents pension; the action he will take to ensure that cases like this in which adults are clearly not dependent on their parents, do not have their grants cut like this again. [52373/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that in the case of the student referred to by the Deputy that on 22nd November, 2012 an appeal was submitted to SUSI. A reply will issue directly to the applicant as soon as a determination is made on the appeal.

Where an individual applicant has had an appeal turned down, in writing, by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board.

### **Schools Building Projects Status**

294. **Deputy Brendan Ryan** asked the Minister for Education and Skills if he will confirm that the current site of a school (details supplied) in County Dublin which currently consists of temporary buildings, is in fact the long term permanent site for this school; and if he will make a statement on the matter. [52435/12]

295. **Deputy Brendan Ryan** asked the Minister for Education and Skills if he will indicate a timeframe for when permanent buildings will be constructed on the site of a school (details supplied) in County Dublin; if it is included in current building programmes; if there is any application for permanent buildings with his Department; and if he will make a statement on the matter. [52436/12]

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

I can confirm that the school referred to by the Deputy has made an application to my Department for capital funding for school accommodation. I can also confirm that my Department is in the process of acquiring the site on which the school is currently located together with some additional adjoining land as the permanent site for the school. It is the Department's intention to fully develop the entire site and to add an extension to the existing permanent school building, provided by my Department in 2008, to meet the school's long term accommodation needs.

To that end, an extension project for the school was included as part of the 5 year Capital Investment Programme announced earlier this year. The project is being progressed through the architectural planning process and is intended to proceed to construction in 2015/16.

I am aware that Department officials recently met with the Board of Management of the school in relation to the project.

### **Schools Building Projects Status**

296. **Deputy Pearse Doherty** asked the Minister for Education and Skills the projected enrolling figures used by his Department for prioritisation on the capital schools building programme in relation to a school (details supplied) for the years 2013, 2014, 2015, 2016 and 2017; and if he will make a statement on the matter. [52463/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** A new school on a new site is planned for the school to which the Deputy refers and the Department is currently in the process of acquiring the site. A review of the final project brief is now being undertaken. Following that, the project will be progressed through Architectural Planning in the context of the available funding.

As enrolment increases are not uniformly distributed nationally, my Department has carried out a study of the country including the area referred to by the Deputy, using data from the Central Statistics Office, the General Register Office and the Department of Social Protection in addition to recent schools' enrolment data to identify the areas it is projected that there will be significant future enrolment increases. The information used is the most accurate and up-to-date information available. The area to which the Deputy refers is serviced by sixteen primary schools. Based on an analysis of the data referred to above, primary level enrolments for this area look set to remain relatively stable up to 2018.

Due to competing demands on the Departments 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 this project in the 5 year construction programme announced in March.

### **Site Acquisitions**

297. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide details of the cost incurred by his Department in association with the purchase of land for the construction of a new school (details supplied) in County Donegal; and if he will make a statement on the matter. [52464/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that the acquisition of a site for the school to which he refers is being finalised at present by the Chief State Solicitor's Office. I am advised that this purchase is expected to close soon. Due to the commercial sensitivities attaching to site acquisitions generally, I am not in a position to provide the information sought by the Deputy at this time.

*Question No. 298 answered with Question No. 274.*

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

299. **Deputy Simon Harris** asked the Minister for Education and Skills when the review of the criteria for receiving an Irish exemption in schools will be concluded; if he envisages this review extending the criteria to include special needs such as autistic spectrum disorder and asperger's syndrome; and if he will make a statement on the matter. [52483/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** It has recently been announced that my Department will examine the question of exemptions from Irish. Work has previously been done in relation to the exemptions circular as indicated in replies to earlier questions from the Deputy in September 2011 and January 2012. However, the issues involved are complex and it is clear that we need to gather more detailed evidence on the manner in which exemptions are sought and granted with a view to comprehensively informing further policy actions in this area.

### **Student Grant Scheme Delays**

300. **Deputy Michael Lowry** asked the Minister for Education and Skills the number of students in County Tipperary that are still awaiting payments of their student grant through the Student Universal Support Ireland system; the current turnover time for same; the total number of applications received from County Tipperary; and if he will make a statement on the matter. [52485/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The new centralised grant awarding authority, Student Universal Support Ireland (SUSI), as at the 23rd November, 2012 paid student maintenance grants to some 265 students in County Tipperary. SUSI is continuing to make payments on a weekly basis to ensure students can get paid their grant as expeditiously as possible, once they have been awarded a grant. Those awarded a grant must supply bank account details and confirmation of registration must be received from the institution in order for the first instalment to be paid.

In total SUSI has received some 2,632 applications from County Tipperary. Of these 1,022 are at completion stage with 490 applications awarded, and some 108 applications are at final review stage or awaiting a course acceptance form from the applicant and 424 applications have been refused or cancelled. 62 applications have been appealed to SUSI. 1,513 applications are either awaiting documentation from the student or where the documentation has been submitted by the student and it is being checked by SUSI. 35 applications are awaiting provisional assessment - these are applications received after the closing date. This data has been supplied to my Department by SUSI.

### **Schools Building Projects Status**

301. **Deputy Emmet Stagg** asked the Minister for Education and Skills the number of contractors who indicated their interest in the completion work for a school (details supplied) in County Kildare; the date invitations to tender issued to these contractors; the date by which they must return their tender; and if it is still the intention to have workers on site at the school before Christmas. [52488/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Nine contractors indicated their interest in the completion contract for the project to which the Deputy refers. It is anticipated that tenders will issue within days and will be returned before the end of this year. Subject to no issues arising, it is anticipated that work will commence on site early next year and be completed in quarter 2 of 2013.

### **Student Grant Scheme Applications**

302. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the position regarding a Student Universal Support Ireland application in respect of a person (details supplied) in County Mayo. [52575/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that in the case of the student referred to by the Deputy a grant has been awarded and an award letter issued on 11th October, 2012. In the award letter the student was requested to enter her bank account details online.

All students awarded a grant must supply bank account details. In addition SUSI will seek confirmation of registration from the institution being attended by the student before the first instalment can be paid.

### **School Transport Eligibility**

303. **Deputy Michael McGrath** asked the Minister for Education and Skills if there are any circumstances in which a child attending a primary school other than their nearest primary school may be able to avail of the school transport scheme; and if he will make a statement on the matter. [52592/12]

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

Children who are not eligible for school transport, under the terms of the scheme, may apply to Bus Éireann for transport on a concessionary basis subject to a number of conditions including the availability of spare seats on an existing service and the payment of the annual charge.

### **Student Grant Scheme Eligibility**

304. **Deputy Jerry Buttimer** asked the Minister for Education and Skills if a period of uncompleted undergraduate study in the United Kingdom precludes a student from obtaining a student grant for a similar period of undergraduate study at an Irish third level institution; and if he will make a statement on the matter. [52618/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the terms of the student grant scheme, grant assistance is awarded to students who meet the prescribed conditions of funding including those relating to nationality, residency, previous academic attainment and means. The decision on eligibility for new student grant applications from the 2012/13 academic year is a matter for the new centralised grant awarding authority, SUSI (Student Universal Support Ireland).

The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form and supporting documentation, it would not be possible for me to say whether or not a student should qualify for a grant - this is a matter for SUSI to determine. However I would point out that under the scheme, students who have previously attended, but not completed a course of study are required to complete an equivalent period of study on an approved course before being eligible to be considered for a grant.

### **Departmental Staff Remuneration**

305. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will provide in tabular form, the number of staff in his department, or in bodies that fall under the remit of his Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; if he will provide a breakdown of the positions held by the staff in the relevant pay brackets. [52714/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The following table provides details requested by the Deputy of the number of staff in each of the salary bands.

Details included in the table for Department staff refer to the Chief Inspector who earned between €150,000 and €200,000 and the former Secretary General who earned between €200,000 and €300,000.

Details in the remaining columns refer to senior staff in the Higher Education sector.

Remuneration for Academic Medical Consultants falls in the main within the remit of the Minister for Health.

Framework Appointments are made by universities under the terms of a Departures Framework provided for under Section 25(5) of the Universities Act 1997. This allows universities in very limited and exceptional circumstances, for academic and research posts, to depart from approved levels of remuneration where the governing authority is satisfied that it is necessary to meet the objects of the university. The purpose of the Framework is to enable a university to attract a person to its staff, who would, because of exceptional or scarce expertise and/or qualifications, command remuneration higher than the norm and who would not be prepared to work for the university unless so rewarded.

No. of High Earners (Headcount) in Education Sector – 31 December 2011

Salary Band	Department staff	Higher Education	Academic Medical Consultants	University Framework Appointments	Total
€150,000-199,999	1	42	40	14	97
€200,000-299,999	1	4	97	5	107
€300,000-399,999	0	0	0	0	0
Over €400,000	0	0	0	0	0

### Departmental Staff Remuneration

306. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in his Department or in any body under the remit of his department, 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 [52715/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** On the 22nd July 2011 I wrote to all relevant Bodies requesting them to ask all relevant individuals who earn in excess of €200,000 to make a voluntary waiver of salary. There were eight relevant individuals whose annual salaries were in excess of €200,000 at that date. While two individuals, one of whom is a university Head, agreed to make personal arrangements with their employer regarding a deduction of the amount of salary over €200,000, there have been no voluntary waivers made for the benefit of the State.

I cannot enforce a voluntary waiver nor can I insist that a waiver, if made, follows any particular format. For example, if an employee chooses to waive a portion of his/her salary in favour of a charity or their employer they are free to do so.

### **Student Grant Scheme Eligibility**

307. **Deputy Anthony Lawlor** asked the Minister for Education and Skills the reason Student Universal Support Ireland failed to inform a person (details supplied) upon application for a grant that the income threshold had been lowered for post graduates in 2012; the reason SUSI was allowed to persistently seek further information from the applicant for a number of months despite the fact that their initial application should have indicated that the household income exceeded the limit; in view of the application refusal, the financial supports that are now available for this person in view of the fact that they are well into their postgraduate course without adequate financial resources; and if he will make a statement on the matter. [52748/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will appreciate that in the context of Student Universal Support Ireland (SUSI) having received in excess of 66,000 applications that some errors may inevitably arise when handling a high volume of applications within a relatively short timeframe. While every effort is made by Student Universal Support Ireland (SUSI) to ensure that applicants are not put through the application process unnecessarily, SUSI regrets in this instance that this was the case and regrets the unnecessary time lost by the applicant.

The student may be eligible for tax relief on their tuition fees. Details on this relief are available at [www.revenue.ie](http://www.revenue.ie).

Support is available to students under the Student Assistance Fund which assists students in third-level institutions in exceptional financial need. Information on the fund is available through the Access Officer in the third level institution attended. The Access Officers themselves will also continue to provide support and advice to students to enable them to continue with their studies.

*Question No. 308 answered with Question No. 273.*

### **Schools Building Projects Status**

309. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills the position regarding an application for additional accommodation that is with the devolved scheme unit of his Department in respect of a person (details supplied) in County Limerick; when a decision will issue; and if he will make a statement on the matter. [52804/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In 2011 the school referred to by the Deputy was approved funding to provide 2 mainstream classrooms, 2 resource rooms plus sanitary facilities.

In October, 2012 the school authority applied for additional funding for works associated with planning conditions. My Department has written to the school authority requesting further information related to the application. On receipt of this information, a decision will be made and the school authorities notified accordingly.

### **Teacher Training Provision**

310. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if he will outline recent changes in funding for compulsory student teacher training in the Gaeltacht; if he will confirm that the cost of this training had until recently been funded by the State and that

this is no longer the case; and if he will make a statement on the matter. [52808/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As part of the Government's budgetary considerations and the Comprehensive Expenditure Review last year, a decision was made to abolish the payment of grants by this Department towards the cost of student teachers' attendance at Gaeltacht courses. The decision came into effect for students commencing their programme of primary initial teacher education in the 2012/13 academic year. As the Deputy will be aware, priority is being given to protecting resources for front line services in the coming years.

This move brings the primary ITE courses more into line with other degree programmes, such as language degrees, where students are required to bear the costs of additional special requirements themselves.

### **Special Educational Needs Staff Remuneration**

311. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if reimbursement under the July Provision in respect of tuition received in July 2012 will be sanctioned in respect of a person (details supplied) in Dublin 13. [52842/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The July Education Programme is an educational programme operated by my Department for children who have been diagnosed with Autistic Spectrum Disorder and/or a severe to profound general learning disability.

The Home Based programme is available where a child cannot avail of the school based programme. A maximum of 40 hours' home tuition can be approved for the month of July. This allocation consists of a maximum of 10 hours per week for 4 weeks. Unused hours from any given week cannot transfer to a subsequent week.

Officials of the Department are aware of the case to which the Deputy refers.

Approval for this student to participate in this programme was issued on the 29 June 2012.

Following completion of the programme a claim form for payment was received in the Department. However, it came to light that the approved tutor did not provide the tuition. No grant aid was issued to the parent for tuition provided by an unapproved tutor. The parent received notification on the 26 October as to how to further process with the claim, but to date no additional claim has been received by the Department.

### **School Transport Eligibility**

312. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the reason a bus pass was refused in the case of a person (details supplied) in County Kildare. [52846/12]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Changes to the Post Primary School Transport Scheme mean that from the 2012/13 school year, school transport eligibility for all pupils newly entering a post primary school is determined by reference to the distance they reside from their nearest Post-Primary Education Centre having regard, as heretofore, to ethos and language.

In general, existing eligible and catchment boundary children including those who are not

attending their nearest post primary centre retain their transport eligibility for the duration of their post primary education cycle provided there is no change to their current circumstances.

The child in question is not attending her nearest post primary school and is therefore not eligible for school transport.

Children who are not eligible for school transport, under the terms of the scheme, may apply to Bus Éireann for transport on a concessionary basis subject to a number of conditions including the availability of spare seats on an existing service and the payment of the annual charge.

### **Schools Building Projects Status**

313. **Deputy John Paul Phelan** asked the Minister for Education and Skills the position regarding a proposed development at a school (details supplied) in County Dublin. [52853/12]

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

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 this project in the five year construction programme announced earlier this year.

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**

314. **Deputy John Paul Phelan** asked the Minister for Education and Skills the position regarding a proposed extension at two schools (details supplied) in County Dublin. [52854/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The major building project for the school referred to by the Deputy is at an early stage of architectural planning. My Department has just received the Stage 1 report from the Boards of Management and their Design Team and it is currently under review.

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 this project in the five year construction programme announced earlier this year.

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.

## Special Educational Needs Staff Remuneration

315. **Deputy Sandra McLellan** asked the Minister for Education and Skills the reason permanent special needs assistants do not receive pay for public holidays; and if he will make a statement on the matter. [52892/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** All Special Needs Assistants with a contracted appointment with a school receive an annualised salary (paid fortnightly). Public holiday pay is already included in this salary and no extra public holiday payment is due to be paid.

Substitute Special Needs Assistants receive payment in respect of public holidays in line with the Organisation of Working Time Act 1997, i.e. if the SNA has worked 40 hours in the 5 weeks prior to the public holiday, they will receive an additional day's pay.

## Departmental Contracts

316. **Deputy Clare Daly** asked the Minister for Education and Skills the reason the tender for the process of student grant application was awarded to the City of Dublin Vocational Education Committee; the judging criteria for the award; who were the listed applicants and the tender price submitted by each of the bidders. [52921/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In January 2011, my Department issued an Expression of Interest invitation to the VECs, local authorities or other public bodies who might be interested in taking on administrative responsibility for the centralised student grants awarding and payments function. A total of 10 proposals were received.

These proposals were examined by an independent selection panel against the evaluation criteria which was an integral part of the Expression of Interest procedure. On the basis of the review carried out by the panel at the initial stage of the process, four proposals were short-listed for oral presentation. Following oral presentation these proposals were assigned a ranking depending on their relative strengths under each of the evaluation criteria leading to the preferred proposal.

The selection panel evaluated the proposals under each of the following criteria:

- Organisational capacity to perform the function;
- Experience in dealing with comparable schemes/services;
- Existing core management, expertise and resources available to be deployed to the function;
- Capacity to deliver strong cost and efficiency benefits;
- Overall quality of the proposal for delivery of a central student grants function.

Following this process, the selection panel made a recommendation to the Minister for Education and Skills on the preferred proposal which was the City of Dublin VEC proposal to establish Student Universal Support Ireland (SUSI) as a unit of itself.

Proposals were received from the following public bodies in response to Expression of Interest Invitation:

1. Cork City and County Councils;
2. Donegal County Council;
3. City of Dublin VEC;
4. County Dublin VEC and County Donegal VEC;
5. Dún Laoghaire Rathdown County Council;
6. Local Government Computer Services Board;
7. Kerry County Council;
8. Kerry Education Service;
9. Pobal;
10. Waterford City & County Councils.

While indicative delivery costs, were provided by each of the bodies they were not as such tender prices, as this was an expression of interest process.

These indicative costs were considered under the evaluation criteria which examined the capacity of the bodies to deliver strong cost and efficiency benefits. Each of short-listed proposals was marked under all of the evaluation criteria heading.

### **School Enrolments**

317. **Deputy Clare Daly** asked the Minister for Education and Skills the reason some pupils of a secondary school (details supplied) in County Dublin, are being refused entry because they don't fall into the criteria of having an older sibling that attends the school or where they are an only child, and the steps he will take to address this perceived discrimination. [52925/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The enrolment of pupils in a school is a matter for the individual school. It is the responsibility of the managerial authorities of schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an enrolment policy a school must, however, ensure it is lawful and applied fairly to all applicants.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB may be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB are, National Educational Welfare Board, Block 3, Floor 1, Grove Court, Blanchardstown, Dublin 15, phone number 01-8103260.

The Deputy will be aware that last year, I launched a discussion paper on school enrolment. The “Discussion Paper on a Regulatory Framework for School Enrolment” contains suggestions on how to make the process of enrolling in schools more open, equitable and consistent.

I invited education partners and interested parties to submit their views to my Department by the 28 of October last year. The feedback from this consultation will help inform the nature and scope of a new regulatory framework for school enrolment.

### **Student Grant Scheme Applications**

318. **Deputy Róisín Shortall** asked the Minister for Education and Skills if he will expedite a higher education grant in respect of a person (details supplied) in Dublin 11, in view of the fact that this person was wrongly advised on a number of occasions to apply through the Student Universal Support Ireland system; the reason SUSI will not now communicate with the CDVEC to assist with the processing of this application at the earliest possible date; and if he will make a statement on the matter. [52938/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with CDVEC, that in the case of the student referred to by the Deputy who is a renewal applicant that a grant has been awarded and an award letter issued on 22 November, 2012.

### **Schools Building Projects Status**

319. **Deputy Michael McCarthy** asked the Minister for Education and Skills if funding has been sanctioned for a school (details supplied) in County Cork; the timeframe for the completion of the proposed project; and if he will make a statement on the matter. [52960/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The major building project for the school referred to by the Deputy is at an early stage of architectural planning. The stage 2(a) submission is currently with my Department for review. 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.

### **Student Grant Scheme Applications**

320. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the position regarding an application to Student Universal Support Ireland in respect of a person (details supplied) in County Mayo; when a decision will issue and if the application will be expedited.

[53035/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy and the application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

### **School Patronage**

321. **Deputy John Paul Phelan** asked the Minister for Education and Skills if he is satisfied that legislative measures to protect the religious ethos of schools do not act as a barrier to enrolment; if any complaints have been made to his Department in respect of pupils being denied the opportunity to enrol in a school on grounds of religious ethos; if any cases against the State have been taken on these grounds; his plans to review these legislative provisions; and if he will make a statement on the matter. [53037/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15 (2) (d) of the Education Act 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the rights of parents to send their children to a school of the parents choice are respected.

Equality legislation, which also outlaws discrimination in relation to the admission of a student, makes provision for exemptions to apply in the case of single sex schools and in the case of schools where the objective is to provide education in an environment that promotes certain religious values. The legislation provides that any school that has this objective may admit a student of a particular religious denomination in preference to other students.

The Deputy will be aware that last year, I launched a discussion paper on school enrolment. The "Discussion Paper on a Regulatory Framework for School Enrolment" contains suggestions on how to make the process of enrolling in schools more open, equitable and consistent.

I invited education partners and interested parties to submit their views to my Department by the 28 of October last year. The feedback from this consultation will help inform the nature and scope of a new regulatory framework for school enrolment, the primary aim of which will be to ensure that every child is treated fairly and that every child has a place at school.

### **Teachers' Remuneration**

322. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the position regarding teachers who were employed in the vocational education committee sector prior to January 2011 when new pay rates and conditions were introduced and who have since transferred to the primary school sector teaching; if they will they be paid on the pre-2011 pay rate; and if he will make a statement on the matter. [53038/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will appreciate

that it is difficult to reply to the issues raised in the absence of specific details. As the query relates to payment of the personnel in two different sectors issues regarding the qualifications held by them have to be considered.

The overall principle is that teachers who taught in the VEC Sector before 1 January 2011 and commenced in a primary school teaching post after 1 January 2011 will be paid at the pre-2011 rates of pay as set out in my Department's circular 40/2011.

### Student Grant Scheme Applications

323. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills when the Student Universal Support Ireland application will be processed in respect of a person (details supplied) in County Cavan; the date on which first payment will be made; and if he will make a statement on the matter. [53039/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy and his application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

### Student Grant Scheme Applications

324. **Deputy John Browne** asked the Minister for Education and Skills when an application for a higher education grant will be approved in respect of a person (details supplied) in County Wexford. [53079/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with SUSI, the new centralised grant awarding authority, that further supporting documentation was received from the student referred to by the Deputy and her application will be reviewed shortly. SUSI will contact the student directly in relation to the outcome.

### Departmental Agencies Issues

325. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53697/12]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Information in respect of the number of new State agencies and Forums that have been established in 2012 are in the following table. For the Deputy's information, no Task Forces were established in 2012.

Name of Entity	State Agency	Forum	No. of new employees
Talk Talk consultative Forum	-	Forum	Nil
Quality and Qualifications Ireland (QQI) (Note 1)	State Agency	-	Nil
Anti-Bullying Forum and Working Group on Anti-Bullying	-	Forum and Working Group	Nil
European Globalisation Adjustment Fund (EGF) Review Forum	-	Forum	Nil

*Questions - Written Answers*

Name of Entity	State Agency	Forum	No. of new employees
Residential Institutions Statutory Fund Board (Note 2)	State Agency	-	-
Irish Research Council (IRC) (Note 3)	State Agency	-	Nil
National Forum for the Enhancement of Teaching and Learning (Note 4)	-	Forum	-

**Note 1** The Further Education and Training Awards Council (FETAC) the Higher Education and Training Awards Council (HETAC) and the National Qualifications Authority of Ireland (NQAI) were merged to form Quality and Qualifications Ireland (QQI). QQI was established on the 6 November 2012.

**Note 2** The establishment of the Residential Institutions Statutory Fund Board is provided for in the relevant legislation which was enacted earlier this year. The arrangements for its establishment are currently being pursued.

**Note 3** The IRC is an amalgamation of the Irish Research Council for Humanities and Social Sciences and the Irish Research Council for Science, Engineering and Technology

### **Consultancy Contracts Issues**

326. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform in respect of the appointment of Mercer in June 2012 to examine pay levels across banking institutions, if he has made any similar appointments to examine pay levels in quangos, Government agencies, Government Departments or other organs and bodies funded by the State. [52451/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The appointment of Mercer in June 2012 to examine pay levels across banking institutions is a matter for the Minister for Finance.

Pay rates in the public service were reduced by up to 30% and a progressive pension related reduction (averaging approximately 7%) applied through the Financial Emergency Measures in the Public Interest Acts of 2009-2011. The rates of reduction applied to senior grades were based on the recommendations of the Body tasked with reviewing pay rates for senior levels of public servant.

The legislation under which the salary reductions were effected provide for an annual review in June each year by me, as Minister for Public Expenditure and Reform, of the measures implemented. Completed reports on the reviews undertaken are laid before the Houses of the Oireachtas. In the most recent reviews of the Financial Emergency Measures in the Public Interest Acts of 2009-2011, I concluded that there is a need to continue to apply the reductions in remuneration of public servants, and other measures controlling the cost of the public service pay and pensions bill, provided for under the Acts.

I have no plans to appoint consultants to undertake a separate examination of public service pay levels in public service bodies. I have no responsibility for pay levels in bodies outside of the public service (with the exception of CEO's in the commercial semi-state bodies).

### **Departmental Bodies**

327. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform when problems with the website [www.etenders.gov.ie](http://www.etenders.gov.ie) of the National Procurement Office will be ironed out; his views on the nature of those problems; and if he will make a statement on the matter. [52704/12]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The upgrade to the eTenders website was launched on Monday 12 November. Even allowing for the trebling of the server capacity for the initial days following the launch, the volume of users accessing the system caused a delay in the server response times. Some incorrect server settings were also detected that day. These access and response issues were resolved that day and have not arisen since. Contrary to reports carried in the press, the upgraded system did not crash nor was it launched with any bugs in the system.

In relation to live tenders that transferred from the old system to the new system, over the weekend of 10 November, some data migration issues arose and were resolved within a few days.

Data migration issues from the previous operator to the new operator of the eTender website also created problems for Suppliers to receive alerts within their area of business about new tenders published from Monday 12 November.

The National Procurement Service has communicated with all Suppliers and public sector bodies registered on eTenders, advised of the solutions, apologised for the early problems and acknowledged the inconvenience arising.

Separately, users to the national portal informed the NPS of claims that they had received unsolicited marketing emails from the previous operator of the service, marketing a new service. This caused confusion among public sector buyers and suppliers.

The NPS is in discussions with the Office of the Data Protection Commission and is aware that the previous operator has issued an apology to users of the old eTenders website for using their contact details for this purpose.

### **Consultancy Contracts Issues**

328. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform his proposals to reduce costs incurred in respect of engaging external consultants across Government Departments and State agencies; and if he will make a statement on the matter. [51632/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy is aware, as part of the *Comprehensive Expenditure Report 2012-2014*, published by my Department on 5 December 2011, I set out expenditure ceilings for all Departments. These ceilings act as an upper limit on expenditure and ensure Departments seek to maximise efficiency gains in all areas. In order to facilitate Departments in driving these efficiency gains, and to ensure better value for money and maintain service levels where possible, the Government have agreed the following reforms to the public procurement function:

- i. integrating procurement policy, strategy and operations in one office through the establishment of a National Procurement Office (under the aegis of my Department) which will be headed by a Chief Procurement Officer;
- ii. strengthening spend analytics and data management;

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

I would also remind the Deputy that, in addition to the downward pressure on overall expenditure exerted by the Departmental ceilings, fees on professional services engaged by Departments have been subject to a minimum 8% reduction since 2009.

### **Departmental Agencies Issues**

329. **Deputy Billy Timmins** asked the Minister for Public Expenditure and Reform the position regarding the number of quangos, State agencies, forums and task forces that have been abolished in 2012; the position in relation to staff members of the agencies that have been abolished; and if he will make a statement on the matter. [52257/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I refer the Deputy to my answer to Question No. 16 answered on Wednesday 21 November, 2012 regarding progress on the agency rationalisation measures contained in the Public Service Reform Plan.

With regard to the position of the staff members of the agencies involved, one of the guiding principles which inform the Government's approach to agency rationalisation is respect for staff interests, and specifically that the Government will abide by the commitments given in the Croke Park Agreement in considering and implementing specific agency rationalisation proposals, subject to the necessary flexibilities, in particular on redeployment, being delivered.

From the start of this reform process, I have made clear that these proposals to rationalise specific agencies are in no way a reflection on the dedication, commitment and professionalism of the staff and agencies involved. It is rather that the Government's commitment to providing a leaner and more focused public service requires us all to look at new ways of delivering services.

### **Departmental Agencies Issues**

330. **Deputy Billy Timmins** asked the Minister for Public Expenditure and Reform the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [52258/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** No new State agencies, forums or task forces have been established by my Department in 2012.

### **Budget Statement**

331. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he will make a budget statement on 5 December next before or after the Minister for Finance or on the preceding day, as happened in December 2011; and if he will make a statement on the matter. [52311/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As stated in my reply to the Deputy on 20 November, 2012, I will be making a statement to the House on Wednesday, 5 December, pertaining to the 2013 expenditure estimates, while my colleague Minister Noonan will make a separate financial statement on the same day. At this stage, it is anticipated that Minister Noonan will deliver his financial statement after which I will be announcing the 2013 expenditure measures.

### Departmental Staff Remuneration

332. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will provide, in tabular form, the number of staff in his Department or in bodies which fall under the remit of his Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in relevant pay brackets. [52507/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question the following table outlines the number of staff in my Department or in bodies which fall under the remit of my Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of 400,000 and above, between 300,000 to 399,999, between 200,000 to 299,999 and between 150,000 to 199,000; and a breakdown of the positions held by the staff in relevant pay brackets:

Pay Bracket	Number of Staff	Position held
>400,000	None	
300,000 – 399,999	None	
200,000 – 299,999	1	-Secretary General, Department of Public Expenditure and Reform
150,000 – 199,999	4	- Director General, Institute of Public Administration - Chairman, Office of Public Works - Principal Architect, Office of Public Works - Chief Medical Officer, Department of Public Expenditure and Reform

### Departmental Staff Remuneration

333. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he has made any contacts requesting staff whose annual salary is more than €200,000 in his Department or in any body under the remit of his Department, 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 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. [52508/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** No staff in my Department or in any body under the remit of my Department are in receipt of an annual salary of more than 200,000.

### National Lottery Licence Sale

334. **Deputy Gerald Nash** asked the Minister for Public Expenditure and Reform if he will

make provision under the new lottery licensing regime to provide funding for organisations currently in receipt of resources from the Department of Justice and Equality under the charitable lotteries scheme which will be gradually wound down; and if he will make a statement on the matter. [52611/12]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** There are no plans to make provision under the next National Lottery licence regime for the funding of specific organisations.

It is the intention that under the next licence, money raised by the National Lottery for good causes will continue to be applied for the following purposes: sport and other recreation, national culture and heritage (including the Irish language), the arts, health of the community, youth, welfare and amenities.

### **Regional Aid**

335. **Deputy Arthur Spring** asked the Minister for Jobs, Enterprise and Innovation the position regarding Ireland's regional aid discussions and the new 2014-2020 regional aid map with the European Commission; and if he will make a statement on the matter. [53045/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The process of Member States agreeing the 2014-2021 Regional Aid Guidelines is under way and initial multilateral discussions between Member States and the Commission, which has responsibility for the Regional Aid Guidelines, have taken place. The Commission is scheduled to forward proposals to Member States in December 2012, documenting the structure and provisions that will form the basis of the revised Guidelines. Further discussions will then ensue.

For the 2014-2021 Regional Aid Map, economic data for all counties will once again be analysed afresh. My Department is actively engaged in this process in close consultation with relevant stakeholders.

The current Regional Aid Map for 2007-13 was drawn up in accordance with the Commission's Current Regional Aid Guidelines. The details of the support in terms of aid intensity for each county are available on my Departments website [www.djei.ie](http://www.djei.ie).

### **Departmental Agencies Expenditure**

336. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the level of spend per head of population, on a county basis, by Enterprise Ireland and by the Industrial Development Agency since 2006. [52167/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Using population breakdown by county and region as a measure of industrial activity is not an appropriate method of presenting spend by the Enterprise Development Agencies.

While Enterprise Ireland can break down data on a county basis (see Table 1), the Industrial Development Agency only collect data on a regional basis (see Tables 2 and 3).

With regard to Enterprise Ireland the table reflects the fact that payments under the temporary Employment Subsidy Scheme and the Enterprise Stabilisation Fund terminated in 2010 in accordance with the rules governing the temporary State Aids Framework.

**Table 1 - Enterprise Ireland**

County	2006	2007	2008	2009	2010	2011
Carlow	415,385	494,218	1,505,564	2,474,270	3,854,592	1,893,411
Cavan	2,730,841	2,897,764	2,629,879	8,452,986	9,509,764	3,333,883
Clare	10,000	947,269	1,555,143	1,644,108	3,267,837	1,123,660
Cork city	4,844,912	1,987,401	4,704,498	7,377,961	8,399,450	4,562,661
Cork County	4,104,339	7,360,185	16,029,248	20,798,682	13,973,645	7,801,342
Donegal	3,106,780	2,765,340	2,646,111	3,358,109	5,350,472	2,793,673
Dublin City	13,137,793	13,613,921	22,228,794	31,624,784	39,431,197	21,823,293
Dublin Fingal	2,344,505	2,862,942	2,938,418	11,422,411	9,264,870	4,888,852
Dublin South County	2,396,865	2,470,112	3,739,329	11,606,845	16,007,994	5,241,796
Dun Laoghaire / Rathdown	7,577,818	6,579,434	7,068,587	9,758,601	10,304,179	8,053,644
Galway	4,734,201	7,086,446	6,881,686	8,527,609	12,060,529	5,306,313
Kerry	960,823	2,264,165	4,125,090	7,512,136	3,424,849	2,422,961
Kildare	2,302,806	2,008,777	3,837,461	12,093,417	7,439,782	3,854,637
Kilkenny	639,820	1,291,717	11,075,767	8,214,917	6,007,018	2,244,961
Laois	461,973	1,364,661	1,113,987	1,796,384	2,289,457	815,168
Leitrim	433,820	874,845	380,827	1,037,613	942,437	53,869
Limerick	230,578	2,516,432	5,476,068	6,149,182	8,878,153	4,123,458
Longford	260,946	215,221	1,715,510	2,674,985	1,822,459	2,825,588
Louth	1,512,482	1,884,308	1,948,982	5,750,297	6,436,017	2,617,431
Mayo	1,476,833	1,070,305	2,583,181	8,099,160	3,956,789	2,099,363
Meath	969,314	1,631,337	1,485,364	2,165,136	5,762,191	1,678,397
Monaghan	1,824,119	2,475,839	2,591,356	6,134,007	6,925,838	2,598,817
Offaly	1,190,234	1,013,276	4,689,726	2,086,211	2,897,868	1,434,904
Roscommon	700,605	625,268	719,803	726,874	2,593,524	1,240,080
Sligo	731,807	1,114,943	1,308,340	2,232,801	2,433,456	1,258,144
Tipperary Nth		17,191	1,816,250	3,149,246	3,352,468	1,458,055
Tipperary Sth	1,044,511	3,885,008	1,149,910	5,518,629	4,370,397	3,377,090
Waterford	1,022,855	1,279,119	2,018,838	2,742,763	8,962,747	2,848,642
Westmeath	1,026,657	1,236,019	1,178,978	1,856,444	4,036,361	1,476,835
Wexford	1,845,470	538,647	2,272,252	2,999,315	7,600,454	3,944,442
Wicklow	1,156,846	2,109,528	3,414,839	5,968,098	4,100,385	1,790,637
TOTAL	65,195,938	78,581,639	126,829,788	205,953,981	225,657,177	110,986,007

**Table 2 – Industrial Development Agency**

Regions	North West	West	Mid West	South West	Midlands
2006	€2,176,514	€11,770,199	€5,432,622	€28,466,211	€2,693,203
2007	€2,712,400	€8,658,845	€2,367,535	€10,354,690	€1,862,404
2008	€836,217	€13,035,766	€3,343,562	€14,465,108	€1,707,837
2009	€1,835,587	€10,272,311	€6,385,694	€16,734,473	€2,388,917
2010	€3,845,440	€14,142,020	€5,866,962	€20,336,201	€2,691,098

Questions - Written Answers

Regions	North West	West	Mid West	South West	Midlands
2011	€1,504,986	€15,308,360	€8,645,736	€15,245,281	€2,288,466

**Table 3 - Industrial Development Agency**

Regions	South East Region	East Region	North East Region
2006	€7,558,915	€38,373,892	€246,434
2007	€13,928,920	€39,201,479	€348,127
2008	€7,947,182	€37,691,166	€1,245,000
2009	€2,652,596	€39,721,446	€870,882
2010	€19,738,753	€52,440,158	€1,379,552
2011	€5,364,688	€47,712,539	€689,164

**Departmental Expenditure**

337. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the grant aid or other payments made by his Department to Chambers Ireland, IBEC, ISME and the SFA for each of the past five years. [52173/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Details of grant-aid or other payments

-	2012	2011	2010	2009	2008
Chambers Ireland	Nil	Nil	Nil	Nil	Nil
IBEC	Nil	Nil	Nil	Nil	<p>€329,298 from the Workplace Innovation Fund. The Workplace Innovation Fund consisted of three Strands. Strand 2 provided 'Support for Capacity Building among Social Partners' and was intended to support a range of social partner practices impacting on workplace innovation. IBEC used the Fund for the following publications- HR Best Practice Series, Essential Guide to Alternative Dispute Resolution, Essential Guide to Employee Engagement, Essential Guide to Change, Essential Guide to Reward and Recognition, HRM Survey, and focused on the following areas</p> <p>Development Programme: High Performance through Emotional Intelligence, New Approaches to Change Management, Innovation in 3rd Level Education, Innovation in Education and Training Provision, HR Best Practice (Launch Seminar), Engagement Seminar</p> <p>Information and Consultation: Regional Workshops Employee Financial Involvement: Regional Workshops Project Support: Executive Support, Resource Person</p>
ISME	Nil	Nil	Nil	Nil	Nil

-	2012	2011	2010	2009	2008
SFA	Nil	Nil	Nil	Nil	<p>€3,722 sponsorship of Work Life Balance Seminar. The National Framework Committee for Work Life Balance Policies, formerly known as the National Framework Committee for Family Friendly Policies was originally established under the Programme for Prosperity and Fairness in 2000. The Committee was disbanded in 2010.</p> <p>The Committee comprised representatives from IBEC, ICTU, the Equality Authority, a number of Government Departments including the Departments of the Taoiseach, Finance, Justice, Equality and Law Reform, Social and Family Affairs and was chaired by the Department of Enterprise, Trade and Employment. The Committee was charged with supporting and facilitating the development of family friendly policies at the level of the enterprise through the development of a package of practical measures. In this context the Small Firms Association received financial support from the Committee for organising a Work Life Balance seminar in June 2008.</p>

### Employment Appeals Tribunal

338. **Deputy Colm Keaveney** asked the Minister for Jobs, Enterprise and Innovation if he will confirm when the Employment Appeals Tribunal will hear claims (details supplied) which have been referred to the Department in March 2012. [52175/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Employment Appeals Tribunal (EAT) is independent in the exercise of its quasi-judicial function and I have no direct involvement in its day to day operations. It is long established practice that Ministers do not get involved with its adjudication function. However, I understand that the Tribunal received a claim from this claimant on 12th March 2012, under the Unfair Dismissals Acts 1977 to 2007, the Organisation of Working Time Act 1997 and the Minimum Notice Acts 1973 to 2005. A notice of appearance has been entered by the employer and a notice of hearing will issue in due course.

All claims are listed for hearing in accordance with their date of lodgement with the EAT. I am informed that the waiting periods at the end of September, 2012, ranged from 9 weeks to 94 weeks. The reason for the variance in these waiting times is because the Tribunal conducts hearings in about 36 locations. Where the number of cases is relatively small, the Tribunal may wait until a sufficient number of cases are on hand so as to maximise value for money. Once a critical mass of hearings is assembled, 5 days of hearing in a single location can reduce the waiting time in the area concerned significantly. I have asked the Tribunal to examine if further efficiencies can be achieved through rationalizing their hearing venues. Delays are also impacted upon by the number of postponement or adjournment applications made by either party. I understand that the Tribunal targets areas with the longest waiting period and highest level of claims outstanding; using the resources it has currently available. The Tribunal is actively working to meet this challenge, notwithstanding the high level of claims in recent years and the administrative resources available.

I believe it is essential that we have efficient and effective mechanisms to develop harmonious and productive workplaces and to assist employers and employees to avoid and resolve disputes.

When I came into office last year I inherited a system for resolving employment disputes

that did not achieve this. The system was frustrating for employers, employees and professionals representing them. Notwithstanding the efforts of the EAT and others to reduce backlogs, I believe the delays that users of the service are experiencing are unacceptable.

It is for these reasons I am undertaking a root and branch reform of all five Workplace Relations Bodies. The Reform Programme I have commenced will deliver a World-Class Workplace Relations structure. I propose to establish a two-tier Workplace Relations structure. This means that from next year two statutorily independent bodies will replace the current five. We will have a new single body of first instance to be called the Workplace Relations Commission and a separate appeals body, which will effectively be an expanded Labour Court. All complaints will be dealt with by a single body of first instance where the aim will be to have a hearing within three months from the time the case is lodged.

The activities of the Labour Relations Commission, the National Employment Rights Authority, the Equality Tribunal and the first instance functions of the Employment Appeals Tribunal and the Labour Court will be merged into the new Body of First Instance, to be known as the Workplace Relations Commission (WRC). The appellate functions of the Employment Appeals Tribunal will be incorporated into an expanded Labour Court. Work has commenced on the drafting of a Workplace Relations Bill to give effect to the new two-tier structure. I fully expect the work that I have commenced with regard to the reform of the Workplace Relations Bodies, including the EAT, to significantly improve the quality of service to users including a reduction in waiting times.

Since I announced my reform proposals we have undertaken two public consultation processes; published two policy documents; published a new website; introduced a single complaint form and single contact portal and commenced delivery of an Early Resolution Service. In addition we have prepared the Scheme of the Workplace Relations Bill and secured Government Approval for priority drafting of the Bill.

I am extremely happy with the pace and quality of the delivery of this important Reform Programme. It is proof that the public sector can be reformed in a way that can save money for the tax payer, while at the same time greatly improving services for users. The significant progress to date means we now have:

A new single contact portal called “Workplace Relations Customer Services” dealing with all Workplace Relations complaints which has replaced the five separate entry points.

- Complaints are now acknowledged, on average, within a week of receipt. This was previously taking up to eight months in some cases.

- The employer is also notified, on average, within a week of the complaint being lodged thus increasing the possibility of a resolution being reached without the need for a hearing. Again this was taking up to eight months.

- There are now no backlogs for Rights Commissioner hearings.

- A Single Complaint Form that deals with over 100 first instance complaints has replaced the 30 forms previously in use.

- A new workplace relations interim website [www.workplacelrelations.ie](http://www.workplacelrelations.ie) is in place.

- A pilot Early Resolution Service is now seeking to resolve disputes at an early stage without the need for adjudication.

I am determined to progress the next phase of the reform and the enactment of the legisla-

tion with the same determination and priority that has delivered excellent results so far.

*Question No. 339 withdrawn.*

### Departmental Staff Remuneration

340. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide, in tabular form, the number of staff in his Department or in bodies which fall under the remit of his Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in relevant pay brackets. [52514/12]

341. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he has made any contacts requesting staff whose annual salary is more than €200,000 in his Department or in any body under the remit of his Department, 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 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. [52515/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 340 and 341 together.

The following table identifies the number of persons employed in my Department and its offices, broken down by annual remuneration including salary, pension and benefits at 31 December 2011 as requested by the Deputy. There are no staff with remuneration of more than €200,000.

Annual remuneration including salary, pension and benefits at 31 December 2011	Numbers Employed
€150,000 to €199,000	4*
€200,000 to €299,999	0
€300,000 to €399,999	0
€400,000 and above	0

The details of remuneration, pensions and benefits of staff in the Agencies under the remit of my Department, is a day to day matter for the respective agencies. I have asked the Agencies to respond directly to the Deputy concerned.

\*This figure comprises the Secretary General of my Department, the Chairman of the Labour Court, the Chief Executive of Labour Relations Commission and one of the Deputy Chairmen of the Labour Court.

### Departmental Agencies Expenditure

342. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the action he and the agencies under the remit of his Department are taking to ensure that the shift in the technology market away from PCs towards mobile devices has no adverse effect on employment here; and if he will make a statement on the matter. [52543/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Ireland is

recognised internationally as an excellent ICT business location. There are almost 97,000 people employed in ICT firms in Ireland. Of these, almost 74,000 are employed in ICT companies that are clients of Enterprise Ireland, IDA Ireland, Shannon Development and Údarás na Gaeltachta. These client companies exported goods and services to the value of almost €50 billion in 2010, representing 30% of national exports.

In terms of attracting foreign direct investment (FDI), the ICT sector is one of the country's leading sectors and continues to be an active source of investment and employment. 9 of the top 10 US ICT companies and 9 of the top 10 global software companies have a presence in this country.

The Government's 2012 Action Plan for Jobs identified the ICT sector as having potential for further significant growth in job creation. The Action Plan, with its focus on, amongst other things, cloud computing, digital games, ICT skills enhancement and broadband connectivity enhancement, will play an important role in helping win new international investment and job creation. Research Prioritisation in future networks and communications, data analytics, digital platforms and applications, and in enabling technologies such as nanotechnology, microelectronics, photonics and software engineering will also have a role in job creation and new investment.

Both the Jobs Action Plan and Research Prioritisation Strategy will ensure that our country fully capitalises on the shift in technologies in the ICT sector, including the growth in mobile devices and will assist PC companies to adapt to changing technologies in the sector.

The Action Plan for Jobs outlines a range of short, medium and long term measures to develop a sustainable domestic supply of high quality ICT graduates to support the further expansion and development of the ICT sector. It also identifies a number of other challenges that must be addressed in order for Ireland to realise the potential for future growth in the ICT sector:

- Maintaining cost competitiveness in the midst of intensifying competition globally, especially in manufacturing, vis-à-vis low cost economies where more mature sectoral activities continue to be outsourced.

- The need to ensure ongoing availability of competitively priced high speed broadband networks.

- The limited scope for software SME's to engage in public procurement initiatives from which strong reference clients and partnerships can emerge.

- Supporting and fostering digital innovations and the emergence of digital start-up companies.

These challenges are being addressed by a number of Departments and Agencies in the context of implementing the 2012 Action Plan for Jobs. A report outlining progress made in this regard will be published shortly.

### **Proposed Legislation**

343. **Deputy Paschal Donohoe** asked the Minister for Jobs, Enterprise and Innovation if there is any legislation governing the establishment of federations or associations representing an entire business sector; and if he will make a statement on the matter. [52722/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Depart-

ment provides a legislative basis for a number of different corporate entities, including companies, industrial and provident societies and trade unions. There is no legislative obligation on representative federations or associations to register, although many do so to avail of the various protections and privileges offered by the corporate form.

The Trade Union Acts, in particular, provide for the registration of trade & employer associations, not just the more commonly understood employee trade unions. If a representative organisation wishes to engage in negotiations for the fixing of wages or other conditions of employment it must, unless it is an excepted body, hold a negotiation licence, which may only be held by an authorised trade union (as defined in Section 7 of the Trade Union Act, 1941).

It is, of course, open to each individual entity to choose the corporate model, if any, which best suits its ethos and the nature of its business.

### **Unfair Dismissals**

344. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation if he will support the matter of a reinstatement of an employment application with the Labour Relations Commission in respect of a person (details supplied). [52730/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I understand that the matter to which your constituent refers relates to a claim before the Rights Commissioner Service under the Unfair Dismissals Acts. The Rights Commissioner Service which is operated by the Labour Relations Commission (LRC) is independent in the exercise of its quasi-judicial function and I have no direct involvement in the day to day exercise of its functions.

Where a claim is heard by a Rights Commissioner under the Unfair Dismissals Acts, the Rights Commissioner will issue a recommendation and either party may appeal that recommendation to the EAT. It is long-established practice that I as Minister do not get involved with the adjudication/mediation process and as such, you will appreciate that as Minister I can have no role in the handling or conduct of individual cases. It would therefore be totally inappropriate for me to comment on the case concerned.

### **Wastewater Treatment Issues**

345. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the fact that a company (details supplied) who manufactured and installed sewerage treatment plants have stopped making and selling the system since March 2009 and the implications this will have for the over 900 tanks that were sold, now that they are no longer certified. [52922/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The company in question manufacture a whole range of treatment plants. The National Standards Authority of Ireland certified one of the range, namely “Biofilter Package sewage treatment system”. It was certified until March 2009, when it was withdrawn at the manufacturer’s request.

The Department of the Environment, Community & Local Government use NSAI Agrément as a mechanism to show compliance with the Building Regulations. NSAI Agrément certifies that a product is fit for purpose at the time of installation. The householder is obliged to register the treatment system with the Department of the Environment, Community & Local Government.

The NSAI has no role in the ongoing monitoring of the unit.

### Industrial Development

346. **Deputy Arthur Spring** asked the Minister for Jobs, Enterprise and Innovation the number of visits the Industrial Development Agency has arranged and undertaken in County Kerry in 2012; and if he will make a statement on the matter. [53046/12]

347. **Deputy Arthur Spring** asked the Minister for Jobs, Enterprise and Innovation the percentage of County Kerry jobs that have come from Industrial Development Agency companies; and if he will make a statement on the matter. [53047/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 346 and 347 together.

I am informed by IDA Ireland that in the period 1st January 2011 to 31st October 2012 there were two IDA sponsored site visits by potential investors to County Kerry.

Through its network of overseas offices IDA Ireland markets the linked hub locations of Killarney in South Kerry and Tralee in North Kerry for new foreign direct investment (FDI). In addition, IDA Ireland actively promotes other locations as part of its marketing efforts in response to specific client queries on an opportunistic basis.

Based on the strengths of the region, IDA is particularly targeting the ICT, International Financial Services and Globally Traded Business sectors. IDA Ireland also works closely with educational institutions and with FÁS to develop the skill sets necessary to attract high value added employment to the county.

At the end of 2011 there were 12 IDA Ireland supported companies in Kerry employing 1,294 permanent staff. Statistics are not maintained on job numbers in IDA client companies as a percentage of total employment in a county.

### Departmental Agencies Issues

348. **Deputy Billy Timmins** asked the Minister for Jobs, Enterprise and Innovation the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53701/12]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The following table sets out details of the new State Agencies, Forums and Task Forces that I have established in 2012 and the associated number of new employees in each case.

Name of New State Agency/Forum/Task Force	No. of New Employees
Implementation Working Group on Restructuring of the County and City Enterprise Boards	0
Shannon Airport Development Change Management Task Force	0
Manufacturing Development Forum	0
Games Cluster Development Team	0

### Back to Education Allowance Payments

349. **Deputy Patrick Nulty** asked the Minister for Social Protection if she will commit to the restoration of the cost of education once off payment, paid to those in receipt of the back to education allowance, from €300 to €500; and if she will make a statement on the matter. [52336/12]

**Minister for Social Protection (Deputy Joan Burton):** The Revised Estimates for the Department of Social Protection provide for expenditure in 2012 of nearly €20.55 billion. These include expenditure of just over €183million on the back to education allowance including some €8 million on the cost of education allowance.

The Government is considering the appropriate level of expenditure on the wide variety and schemes and services to be operated by the Department in 2013, including back to education allowances and grants, in the context of the forthcoming Budget. The outcome will be announced next week on Budget Day.

### **Youth Unemployment Data**

350. **Deputy Simon Harris** asked the Minister for Social Protection the strategies in place to address youth unemployment; if she is considering any further initiatives in this area; if she has had discussions at a European level in relation to this issue; and if she will make a statement on the matter. [52484/12]

**Minister for Social Protection (Deputy Joan Burton):** In the first instance, the Government's primary strategy to tackle youth unemployment is to create the environment for a strong economic recovery by promoting competitiveness and productivity. Economic recovery will underpin jobs growth. Past experience suggests that youth unemployment, which tends to rise relatively rapidly in a downturn, can be expected to fall relatively rapidly during the recovery.

In addition to promoting economic recovery, the Government recognises the need for interim measures to support the young unemployed and keep young jobseekers close to the labour market. There are five main approaches being taken to tackle youth unemployment: education, training, job search assistance/guidance, work experience, and encouraging job creation. These actions range across a number of Departments and Agencies.

In terms of education, the Youthreach programme provides integrated education, training and work experience for unemployed early school leavers without any qualifications or vocational training who are between 15 and 20 years of age. There are almost 6,000 places available nationwide under the Youthreach umbrella.

The Vocational Training Opportunities Scheme (VTOS) scheme, operated through VECs, provides a range of courses to meet the education and training needs of unemployed people over 21 years of age (particularly early school leavers). The most recent data indicate that there are almost 1,000 participants on VTOS who are under 25 years of age.

The Back to Education Allowance scheme run by my Department provides income maintenance, along with a contribution to education costs, for unemployed people returning to further or higher education. Over 6,500 young people participated in the BTEA in the last academic year.

Approximately 10,000 persons aged under 25 completed a training course with FÁS in 2011 (excluding apprenticeships and evening courses). Training allowances on eligible courses exceed what a young person would receive in jobseekers' payments, providing an incentive to take up training programmes.

The Labour Market Education & Training Fund (LMETF) is part of the Government's 2012 Action Plan for Jobs initiative. The Department of Education & Skills has committed €20m to fund a range of education and training interventions for up to 6,500 individuals who are long term unemployed. There are four themes to the funding, one of which is dedicated to the cohort of under 25s.

In terms of job search assistance, some 17,000 young people registered with Employment Services this year up until September 2012, representing 37% of all registrants. Registering with Employment Services gives job-seekers access to guidance interviews, job search assistance, and training courses, as well as self-service job-seeking options.

Under the National Employment Action Plan (EAP) persons between the ages of 18 and 65 years who are approaching 3 months on the Live Register are identified by the Department of Social Protection and referred to Employment Services for interview with the aim of assisting them to enter/re-enter the labour market. Last year, there were 35,400 referrals of under 25s to the EAP, affecting approximately 25,000 individual jobseekers (those who do not attend initially are referred again). Of those referred, 62% of clients had signed off the Live Register by the end of the year. For the first eight months of this year, there were 23,700 referrals affecting 18,300 young jobseekers. The EAP process is being changed on a progressive basis across the country to one where referral will take place immediately on becoming unemployed for those identified, through profiling, as being at greatest risk of remaining unemployed for long periods.

There are a number of schemes/programmes available that are focussed on work experience. The most relevant for young people are JobBridge (the National Internship Scheme), and its predecessor the Work Placement Programme. Over 1,500 young people are currently participating on these schemes. The total number of placements of young people on JobBridge during its first year of operation was 2,600. Young people will also benefit from the reduced rate of employer's PRSI, the purpose of which is to support job creation, as well as from the impact of Revenue Job Assist and the Employers PRSI Incentive Scheme.

Finally the European Commission is currently reviewing relevant youth policies across the Member States with a view to making proposals for a European-wide approach to a "youth guarantee" that are to be discussed during Ireland's Presidency of the EU Council. The Commission's proposals are expected to be published in December, and achieving political agreement on these proposals in the Council will be a major objective of Ireland's Presidency in the first half of 2013.

### **Social Welfare Code Issues**

351. **Deputy Michael Colreavy** asked the Minister for Social Protection if there will be a derogation provided to her Department from European competition law to continue using post offices to administer social welfare payments into the foreseeable future; and if she will make a statement on the matter. [52702/12]

**Minister for Social Protection (Deputy Joan Burton):** An Post currently issues payments on behalf of the Department in respect of various social welfare schemes. The contract under which An Post provides this service will expire on 31st December 2013.

The award of public sector contracts with a significant financial value is subject to various EU directives and are usually awarded following a competitive tender process. This ensures that the taxpayer receives value for money and it also ensures that all potential suppliers are given the opportunity to put forward efficient, effective and competitive solutions for consider-

ation and evaluation.

Because of the financial value of this particular service, the Department is required to tender for any new contract for the delivery of social welfare payments when the current contract with An Post expires in 2013. It will of course be open to the current provider to bid for any new contract. The procurement process will be completed in advance of the termination of the contract in order to ensure continuity of service to the Department's customers. In the circumstances, the question of seeking a derogation from EU competition requirements in regard to the provision of social welfare payments through An Post facilities does not arise.

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

352. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision on a Carers Allowance application will be reviewed in respect of a person (details provided) in Co. Kerry; and if she will make a statement on the matter. [52168/12]

**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 17th February 2012. The person concerned was refused carer's allowance on the basis that they were deemed not to be habitually resident in the State. A letter issued on the 7th November 2012 notifying the person concerned of the decision, the reasons for it, and of his right of review or appeal.

If additional or supplementary evidence is forward to carer's allowance section the decision will be reviewed by a deciding officer. Alternatively, the person may appeal the decision in writing to the Social Welfare Appeals Office, setting out the grounds for the appeal.

### **Supplementary Welfare Allowance Eligibility**

353. **Deputy Thomas Pringle** asked the Minister for Social Protection if she will consider making supplementary welfare allowance available to those who are awaiting their student grants. [52188/12]

**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).

With the exception of those participating in approved education schemes, such as back to education allowance, people who are in full-time education are not eligible for assistance under the terms of the SWA scheme.

### **Family Income Supplement Applications**

354. **Deputy Gerry Adams** asked the Minister for Social Protection the number of new family income supplement applications and renewal applications from County Louth that were awaiting a decision from before the 5 November; if these applications have been transferred to be processed in Letterkenny County Donegal; if she expects these applications to be processed before Christmas; the longest waiting time among those applicants; and the average waiting time. [52205/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department is committed to providing a quality service to all its customers.

FIS claims, both new and renewal, received on or after the 5th November 2012 are currently being processed on receipt.

There are 266 new family income supplement (FIS) applications and 294 renewal applications from the County of Louth pending decision since before 5th November. Almost all of these cases date from between 1st June and 2nd November 2012. There are some earlier cases which have already been actioned by FIS section but which are awaiting further information or have been referred to a social welfare inspector for investigation.

An in-depth business process improvement (BPI) project has recently been completed for the FIS scheme. This project focused on optimising output, improving customer service and the elimination of backlogs. Part of the project was a detailed examination of workloads and a full assessment of existing capacity within the area and what capacity is needed in order to process the volumes of claims, both new and renewal, being received on a weekly basis.

The outcome of this review is a detailed plan outlining the process required to manage both the continuous weekly intake and backlog claims clearance. This plan sees the current weekly new claim and renewal intake processed by one team, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination.

The team including additional temporary resources has been identified and is already assigned and working on the backlog claims. In order to reduce the time it will take to eliminate the backlog, some claims are being processed outside of Longford Social Welfare Services Office. This team is fully focussed on the elimination of the backlog of claims in the shortest possible timeframe, concentrating in the first instance on those claims which were previously in payment but where payment has expired and continuing on to first-time new claims. Within those categories, those waiting the longest will be processed first.

While it is not possible to clear all claims in the backlog before Christmas, every effort will be made to pay as many eligible claims as possible in that timeframe. It is expected that the backlog will be fully eliminated by the end of March 2013. Claims which are approved by the backlog team will be backdated to the date of claim or the date of expiry of the previous claim, as appropriate, and all arrears due will be paid.

### **Family Income Supplement Eligibility**

355. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the basis it could be reasonably assumed that entitlement to family Income supplement can now be determined by reference to the earnings of a person (details supplied) in County Kildare from the period December 2010 to December 2011, now almost two years previous, if she will further examine the reason reference was not made to his earnings in the year 2011-2012 the current year, in view of the fact that in a short time a new tax year will become relevant [52207/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied to have his FIS payment renewed from 30th August 2012. His average earnings were calculated having regard to his earnings in the year ended 31 December 2011, the latest available P60. His most recent payslips were also examined but these gave him a higher weekly net income than his P60. The income from his P60 was used in his FIS assessment as this gave a more representative view of his net income over a longer period of time and resulting in him qualifying for a more favourable rate of FIS.

It appears that the income of the person concerned changed again from October 2012. However as his entitlement to FIS is determined from 30th of August 2012 for 52 weeks, income changes from October 2012 will not be taken into account until his renewal application in August 2013.

An integral part of the FIS scheme is that once the level of payment is determined, it continues to be payable at that rate for a period of 52 weeks, provided that the person remains in full-time employment. The rate of payment may be increased if an additional child is born during the 52 week period.

On the other hand, the rate of payment will not change if there is an increase or decrease in the recipient's earnings. A key advantage of this approach, which is unique to the FIS scheme, is that claimants can be certain that they will receive a guaranteed level of income support throughout the period. This certainty is important to the success of the scheme as it provides a real incentive to workers with families to avail of employment opportunities.

### **Family Income Supplement Application Numbers**

356. **Deputy Charles Flanagan** asked the Minister for Social Protection if any steps will be taken to address the backlog in application for family income supplement as applicants are informed that these will not be dealt with until January 2013 at the earliest, even though some people applied over six months ago and having regard to the anxiety and hardship accruing; and if she will make a statement on the matter. [52210/12]

393. **Deputy Seán Conlan** asked the Minister for Social Protection the measures being taken to address the backlog of family income supplement payments; and if she will make a statement on the matter. [52599/12]

424. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the current waiting time for family income supplement applicants; if applicants who have been waiting for 18 or 19 weeks for their application to be processed will not now be dealt with until after Christmas; and if she will make a statement on the matter. [52891/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 356, 393 and 424 together.

The Department is committed to providing a quality service to all its customers.

FIS claims, both new and renewal, received on or after the 5th November 2012 are currently being processed on receipt.

An in-depth business process improvement (BPI) project has recently been completed for the FIS scheme. This project focused on optimising output, improving customer service and the elimination of backlogs. Part of the project was a detailed examination of workloads and a full assessment of existing capacity within the area and what capacity is needed in order to process the volumes of claims, both new and renewal, being received on a weekly basis.

The outcome of this review is a detailed plan outlining the process required to manage both the continuous weekly intake and backlog claims clearance. This plan sees the current weekly new claim and renewal intake processed by one team, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination.

This team including additional temporary resources has been identified and is already as-

signed and working on the backlog claims. In order to reduce the time it will take to eliminate the backlog, some claims are being processed outside of Longford Social Welfare Services Office. This team is fully focussed on the elimination of the backlog of claims in the shortest possible timeframe, concentrating in the first instance on those claims which were previously in payment but where payment has expired and continuing on to first-time new claims. Within those categories, those waiting the longest will be processed first.

While it is not possible to clear all claims in the backlog before Christmas, every effort will be made to pay as many eligible claims as possible in that timeframe. It is expected that the backlog will be fully eliminated by the end of March 2013. Claims which are approved by the backlog team will be backdated to the date of claim or the date of expiry of the previous claim, as appropriate, and all arrears due will be paid.

### **Child Benefit Rates**

357. **Deputy Nicky McFadden** asked the Minister for Social Protection if child benefit payments in relation to multiples will be maintained; and if she will make a statement on the matter. [52255/12]

**Minister for Social Protection (Deputy Joan Burton):** Child benefit is a monthly payment made to families with children in respect of all qualified children up to the age of 16 years. The payment continues to be paid in respect of children up to their 18th birthday who are in full-time education, or who have a physical or mental disability. The estimated expenditure on child benefit for 2012 is around €2 billion and it is paid to around 600,000 families in respect of some 1.15 million children.

Parents of multiple birth children receive an additional monthly premia paid at one and a half times the monthly child benefit payment rate for each twin and double the monthly payment rate for each child in other multiple births. While Budget 2012 maintained this additional monthly payment, the multiple births grant of €635 paid at birth, at 4 years of age and at 12 years of age was discontinued.

As a universal payment child benefit assists parents with the cost of raising children and it contributes towards alleviating child poverty. The Government is also conscious that child benefit is an important source of income for all families, especially during a time of recession and high unemployment. Bearing this in mind, 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.

I am conscious that achieving a better design of the overall system of child income supports, including child benefit, raises complex issues about the effectiveness of the full range of income supports currently provided to families and their children. In this context and in line with a commitment in the Programme for Government, I established an Advisory Group on Tax and Social Welfare last year, which has been tasked with recommending cost-effective solutions as to how employment incentives can be improved and better poverty outcomes achieved, particularly child poverty outcomes. The Advisory Group prioritised the area of family and child income supports and has completed its work on this area. Their report is currently receiving my consideration and will assist the Government in its deliberations.

### **Departmental Bodies**

358. **Deputy Charlie McConalogue** asked the Minister for Social Protection the reason there is only a 2.5 day service provided in a Citizens Information Service instead of a full time service in a town (details supplied) in County Donegal; and if she will make a statement on the matter. [52269/12]

**Minister for Social Protection (Deputy Joan Burton):** Donegal Citizens Information Service (CIS) is funded through the Citizens Information Board to provide information, advice and advocacy services to the citizens of Co. Donegal. There are offices in Ballyshannon, Letterkenny, Buncrana, Carndonagh, Dungloe, Milford and Donegal Town as well as a number of outreach services.

Between 2002 and February 2011, a full time information officer service was provided in Buncrana. The combination of funding available under the Jobs Initiative Scheme operated by Inishowen Development Partnership Ltd and a funding allocation from Donegal CIS equivalent to a 0.5 post allowed for the delivery of a service five days a week in Buncrana Citizens Information Centre.

Since February 2011, the Jobs Initiative Scheme resource is no longer available. In order to provide a service in Buncrana, Donegal CIS reallocated resources to provide cover on two days each week pending recruitment to fill the 0.5 post allocated to the Centre. Following recruitment in October, a part-time Information Officer has now been permanently allocated to the Buncrana office so that a service can be provided on three days per week.

In addition information and assistance on the range of services and schemes offered by my Department can be obtained in Buncrana Social Welfare Local Office.

Donegal CIS also provides targeted information sessions to local groups and communities where a need is identified or to meet specific requests.

The Citizens Information Board also operates a national helpline, telephone 0761 07 4000, which provides a comprehensive and confidential information service to people throughout the country, Monday to Friday from 9am to 9pm. Further information is provided on a broad range of subjects on the citizen's information website [www.citizensinformation.ie](http://www.citizensinformation.ie), which aims to meet customer demands for fast, easy access to comprehensive information on rights and entitlements.

I am satisfied that Donegal CIS is monitoring demand and keeping the level of service provided in all its locations under regular review in line with available resources.

### **Invalidity Pension Appeals**

359. **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 invalidity pension; and if she will make a statement on the matter. [52271/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 01st November 2012, 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 Welfare and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

## **Rent Supplement Scheme Applications**

360. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the decision to disallow payment under the rent allowance scheme in the case of a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [52277/12]

**Minister for Social Protection (Deputy Joan Burton):** The application for rent supplement by the person concerned was disallowed for two reasons; the failure to establish a housing need with his local authority and that his rent level exceeded the limit for a single person. When this decision was appealed the Appeals Office overturned the first part of the decision, as they were satisfied that he had established a housing need, but upheld the second part on the basis that the rent payable was above the maximum limit for his circumstances.

If his circumstances have changed, the person concerned is free to make a new application for rent supplement at his local office.

## **Carer's Allowance Appeals**

361. **Deputy Olivia Mitchell** asked the Minister for Social Protection the waiting times for carer's allowance appeals to be processed; the position regarding carer's allowance appeals in respect of persons (details supplied) in South Dublin; and if she will make a statement on the matter. [52278/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeals, by the persons concerned, were registered in that office on 10th July 2012 and 10th September 2012 respectively. 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 cases will be referred to an Appeals Officer who will make a summary decision on the appeals based on the documentary evidence presented or, if required, hold an oral hearing.

The average waiting time for carer's allowance appeals is 32.7 weeks for summary decisions and 43.3 weeks for oral hearings.

These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary.

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

## **Invalidity Pension Application Numbers**

362. **Deputy Peadar Tóibín** asked the Minister for Social Protection the current number of outstanding applications for invalidity pension, broken down by months outstanding, the number of medical staff employed to conduct medical reviews and the number of additional staff deployed to clear the backlog. [52292/12]

**Minister for Social Protection (Deputy Joan Burton):** The following is a breakdown of Invalidity Pension claims pending, illustrated in tabular form for ease of reference.

## INVALIDITY PENSION CLAIMS - DURATION PENDING

<1 month	>1 month and <6 months	<6 months and <1 year	>1 year
818	1109	1225	1409

The processing times of individual invalidity pension claims may vary in accordance with their relative complexity in terms of the qualifying criteria. In addition, factors outside the Department's control can have an impact, for example, insufficient information received from claimants at time of application and delays in claimants furnishing the information requested. The above figures include approximately 900 EU and bilateral cases awaiting decision which have a significantly longer processing time, the majority of which fall into the >1 year category.

Following an intensive backlog elimination project in invalidity pension section, all claims which were backlogged have now been examined and are awaiting a medical assessment and/or any additional information requested from the customer. Upon receipt of the necessary information, a decision will be made without delay. The majority of those claims fall into the category of >1 month and <1 year.

It should also be noted that claims from customers whose illness benefit was due to expire were prioritised for processing. Therefore, most of the customers currently awaiting decision are in receipt of illness benefit at present.

At present, approximately 220 new invalidity pension claims are received in the Department each week and these are examined within two days of receipt. Where a medical assessment and/or further information are required these are requested. Upon completion of the medical assessment and receipt of any further information required, these claims are processed without delay.

There is a current cadre of 27 medical assessors including the Chief Medical Advisor and the Acting Deputy Chief Medical Advisor. The medical assessors are fully qualified and experienced medical practitioners who must have at least 6 years satisfactory experience in the practice of medicine since registration with the Medical Council. Many of the medical assessors have specialist post-graduate qualifications and all have experience/training in human disability evaluation.

The delay in processing medical assessments is due to a number of factors such as the increase in volume of customer claims to particular schemes, the time involved in assessing cases where there is lengthy medical evidence to be assessed and the recent retirement of 4 of the medical assessors. The Department is addressing this issue and 3 new medical assessors have commenced employment with the Department since 1 November 2012, from a panel of 14 which was set up following a competition as arranged by the Public Appointments Service.

Six additional staff were assigned to the invalidity pension area in an effort to deal with the backlog which has been reducing steadily since June 2012. The number of invalidity pension claims awaiting decision at the end of May 2012 was 7007 – this has reduced to 4561 at the end of October 2012 and is continuing to reduce.

### **Rent Supplement Scheme Applications**

363. **Deputy Sean Fleming** asked the Minister for Social Protection if and when an application for rent allowance will be issued in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52293/12]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned made an application for rent supplement on the 24th September 2012. He returned information to the Department on the 4th November. His rent however remains in excess of the appropriate limit and has been subsequently refused. The person concerned did also not provide all of the necessary information required to complete his application.

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

364. **Deputy Dominic Hannigan** asked the Minister for Social Protection when an application for carer's allowance will be processed in respect of a person (details supplied); and if she will make a statement on the matter. [52298/12]

**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 May 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Invalidity Pension Appeals**

365. **Deputy Derek Keating** asked the Minister for Social Protection when a decision will be made on an appeal for invalidity pension in respect of a person (details supplied).. [52304/12]

**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 17th 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 09th November 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. 366 withdrawn.*

### **Social Welfare Offices**

367. **Deputy Patrick Nulty** asked the Minister for Social Protection if steps will be taken to address the reportedly large queues for "signing-on" at Blanchardstown Social Welfare Local Office; if her attention has been drawn to the fact that those signing on have had to queue outside the office in the open air for a number of hours on occasion; if measures will be put in place to ensure that the numbers of people who have to sign on at the same time will be reviewed at so as to reduce the need for queuing outside; and if she will make a statement on the matter. [52319/12]

**Minister for Social Protection (Deputy Joan Burton):** My Department acknowledges the recent difficulties experienced by our customers when they attend Blanchardstown Social Welfare Local Office on their signing-on day. To address the issue of overcrowding in the public area, we are shortly commencing pilot scheme that will significantly reduce the numbers in the this area of the office at any one time. This should greatly reduce queuing and ensure that no client has to stand outside in future.

### **Invalidity Pension Appeals**

368. **Deputy Derek Keating** asked the Minister for Social Protection when a decision will be made on an appeal for invalidity pension in respect of a person (details supplied). [52351/12]

**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 17th 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 09th November 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.

### **Family Income Supplement Eligibility**

369. **Deputy Stephen S. Donnelly** asked the Minister for Social Protection the reason family income support is not paid to the self employed; and if she will make a statement on the matter. [52367/12]

**Minister for Social Protection (Deputy Joan Burton):** The family income supplement (FIS) payment provides income support for employees on low earnings with children. In 2011 expenditure on FIS amounted to almost €205 million in respect of some 29,000 families. The FIS payment is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be marginally better off in employment than on social welfare payments. To qualify for payment of FIS, a person must be engaged in insurable employment which is expected to last for at least three months and be working for a minimum of 38 hours per fortnight or 19 hours per week.

There are a number of factors that would have to be taken in to account in any consideration of extending eligibility criteria for FIS to include self-employed persons. In particular, there would be considerable practical difficulties in defining and controlling an alternative to the hours worked condition. It would be impossible to establish satisfactorily a self-employed person's hours of employment and certify this on an ongoing basis. Extending FIS eligibility to the self-employed would also need to take into account the fact that there are already arrangements in place to provide income support to self-employed people on low incomes, such as through jobseeker's allowance and through farm assist for low-income farmers. Furthermore, the cost of extending the scheme to the self-employed would be considerable and could only be considered in a budgetary context. Therefore, an extension of the FIS scheme to the self-employed would in effect change the nature of the scheme and it would not be feasible or desirable to extend FIS in this regard in its current form.

Nonetheless, I am conscious that achieving a better design of the overall system of child income supports, including the FIS, raises complex issues about the effectiveness and efficiency of the full range of income supports currently provided to families and their children. In this context and in line with a commitment in the Programme for Government, I established an Advisory Group on Tax and Social Welfare last year, which has been asked to recommend cost-effective solutions as to how employment incentives can be improved and better poverty outcomes achieved, particularly child poverty outcomes. The Advisory Group prioritised the area of family and child income supports and has completed its work on this area. Their report is currently receiving my consideration and will assist the Government in setting out a pathway towards a more appropriate system of child income supports.

### **Invalidity Pension Appeals**

370. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if an appeal for an invalidity pension will be expedited in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52377/12]

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

### **Sick Pay Scheme Reform**

371. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection her views on correspondence (details supplied) regarding statutory sick pay; and if she will make a statement on the matter. [52380/12]

**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 indicated 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 and in the event that the Government was to proceed with such a scheme, an impact assessment – in particular focusing on small and medium enterprises – would form part of the preparatory measures.

### **Disability Allowance Appeals**

372. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a disability allowance appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52388/12]

**Minister for Social Protection (Deputy Joan Burton):** The disability allowance applica-

tion by the person concerned was disallowed by a Deciding Officer of the Department following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance.

I am advised by the Social Welfare Appeals Office that an appeal was opened and in the context of that appeal her case was reviewed by a second Medical Assessor who also expressed the opinion that she was medically unsuitable for disability allowance. In accordance with statutory procedures the relevant Departmental papers and comments by or on behalf of the Deciding Officer have been sought. On receipt of their response 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 Appeals**

373. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a carer's allowance appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52410/12]

**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 22nd 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 the 25th September 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

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

374. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on carer's allowance will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52417/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 21st January 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on the 20th September 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

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

375. **Deputy Pat Breen** asked the Minister for Social Protection when an application for carer's allowance will be processed in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [52418/12]

**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 3rd August 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**

376. **Deputy Patrick O'Donovan** asked the Minister for Social Protection when a person (details supplied) in County Mayo may expect to receive a decision regarding their disability allowance appeal; and if she will make a statement on the matter. [52422/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 08th November 2012, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

### **Invalidity Pension Appeals**

377. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on an invalidity pension appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52424/12]

**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 28th 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 06th November 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

### **Invalidity Pension Appeals**

378. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on invalidity pension will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52425/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that, having carefully considered all of the evidence in the case, an Appeals Officer allowed the appeal of the person concerned. The person has been informed of this 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.

### **Invalidity Pension Appeals**

379. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on an invalidity pension appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52429/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an appeal, by the person concerned, was registered on 13th November 2012. He has been contacted by that Office and asked to set out the complete grounds of his appeal. On receipt of his response the relevant Departmental papers and the comments on the grounds of the appeal by or on behalf of the Deciding Officer will be requested from the Department.

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

### **Disability Allowance Appeals**

380. **Deputy Patrick O'Donovan** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their disability allowance appeal; and if she will make a statement on the matter. [52468/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 08th November 2012, 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 Welfare and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Employment Support Services**

381. **Deputy Willie O'Dea** asked the Minister for Social Protection her plans to extend access to the jobbridge scheme to the self employed; and if she will make a statement on the matter. [52490/12]

**Minister for Social Protection (Deputy Joan Burton):** The National Internship Scheme provides internship opportunities of either 6 or 9 months for unemployed individuals in organisations in the private, public and community/voluntary sectors and at present is limited to individuals who are in receipt of one of the following claims (Jobseekers Allowance/Jobseekers

Benefit/One Parent Family Payment/Disability Allowance) or are signing on for credits for at least 3 of the last 6 months (78 Days). The aim of JobBridge is to assist individuals in breaking the cycle where they are unable to get a job without experience. It provides them with an opportunity to gain valuable experience, relevant knowledge and skills within a working environment.

The JobBridge Scheme has made significant progress to-date since it came into operation on the 1st July 2011. 12,308 internships have commenced to date with 5,427 participants currently on an internship as at 22nd November 2012 and over 2,000 opportunities presently advertised on [www.jobbridge.ie](http://www.jobbridge.ie).

In response to the Deputy's specific query, it must be stated that the Scheme is open to self-employed individuals or companies in all sectors including private, public, voluntary and community sectors provided they have a minimum of 1 full time employee (employed for 30 hours or more per week, subject to tax and PRSI).

A host organisation participating in JobBridge must be in a position to provide a substantial commitment to their intern so as to ensure the provision of a quality internship.

To this end, a clear set of rules have been developed to protect the intern and safeguard the Scheme from potential abuse. Potential host organisations can avail of the JobBridge guidelines and full eligibility criteria available on the JobBridge website [www.jobbridge.ie](http://www.jobbridge.ie).

I wish to advise the Deputy that the interim evaluation report conducted by Indecon published on the 5th of October 2012 found that the majority (58%) of host organisations are small organisations employing less than 50 persons across a broad range of sectors.

Furthermore, I wish to advise that the existing terms and conditions of the Scheme including eligibility will be examined as part of this independent evaluation of the Scheme. This report will also present recommendations on how the Scheme might be improved. It is anticipated that this Report will be available by year end 2012. It is at this stage that further consideration will be given to amending the terms and conditions of the Scheme. Any such amendment or changes will then be notified via the website

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

382. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding carer's allowance in respect of a person (details supplied) in County Limerick. [52494/12]

**Minister for Social Protection (Deputy Joan Burton):** I can confirm that this application was received on the 18th October 2012. On completion of all the necessary investigations, a decision will issue directly to the person in question.

*Question No. 383 withdrawn.*

### **Jobseeker's Allowance Applications**

384. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress made to date in determination of an application for jobseeker's allowance in the case of a person (details supplied) in County Kildare; when payment will issue; and if she will make a statement

on the matter. [52504/12]

**Minister for Social Protection (Deputy Joan Burton):** The jobseeker's allowance claim of the person concerned has been awarded, her first payment issued on 23 November 2012.

### **Illness Benefit Appeals**

385. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an appeal hearing date for illness benefit will be offered to a person (details supplied) in County Galway; and if she will make a statement on the matter. [52509/12]

**Minister for Social Protection (Deputy Joan Burton):** Payment of illness benefit, to the person concerned, was disallowed by a Deciding Officer of the Department following an examination by a Medical Assessor who expressed the opinion that he was capable of work. An appeal was registered on 7th November 2012 and the Social Welfare Appeals Office has advised me that, in accordance with statutory requirements, the Department was asked for the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context, an examination by another Medical Assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed.

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**

386. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in Dublin 5. [52534/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal, by the person concerned, was registered in that office on 21st August 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 Staff Remuneration**

387. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will provide, in tabular form, the number of staff in her Department or in bodies which fall under the remit of her Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if she will provide a breakdown of the positions held by the staff in relevant pay brackets. [52535/12]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is as shown in the table below.

The information provided is in respect of basic salary only as there are no other allowances or benefits in payment to the staff members concerned. In addition, their pension entitlements are based on the standard civil service model pension schemes.

It should be noted that the Pensions Board is self-financing and that consequently there is no cost to the Exchequer in relation to salary involved.

Organisation	€400,00 +	€300,000 -€399,999	€200,000 -€299,999	€150,000 - €199,999	Position held
Social Protection	Nil	Nil	Nil	2	Secretary General & Deputy Secretary General
Pensions Board	Nil	Nil	Nil	1	Chief Executive
Citizens Information Board	Nil	Nil	Nil	Nil	-
Office of the Pensions Ombudsman	Nil	Nil	Nil	Nil	-

### Departmental Staff Remuneration

388. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she has made any contacts requesting staff whose annual salary is more than €200,000 in her Department or in any body under the remit of hers Department, to waive 15% of their salary or such amount in excess of €200,000 whichever is the lesser; if she has, the date on which he first made this contact; 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. [52536/12]

**Minister for Social Protection (Deputy Joan Burton):** None of the staff in my Department or the agencies that operate under its aegis, namely the Pensions Board, the Citizens Information Board and the Office of the Pensions Ombudsman, are in receipt of salaries in excess of €200,000.

### Domiciliary Care Allowance Appeals

389. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an appeal in respect of domiciliary will be granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52556/12]

**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, including that adduced at oral hearing, disallowed the appeal of the person concerned.

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 Chief Appeals Officer agreed to review the case. The Chief Appeal Officer has a number of reviews under consideration at present and this case will be finalised shortly.

The Social Welfare Appeals Office functions independently of the Minister for Social Pro-

tection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 390 withdrawn.*

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

391. **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. [52574/12]

**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 29th June 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

### **Public Services Card**

392. **Deputy Thomas Pringle** asked the Minister for Social Protection the progress of the roll out of the public services card; and her views on the duration of the validity of these cards. [52598/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department of Social Protection has developed, in conjunction with a number of other Government Departments, a rules based standard for establishing and authenticating an individual's identity for the purposes of access to public services.

This programme of work, which is known as the Standard Authentication Framework Environment or SAFE for short, also provided for the introduction of a Public Services Card (PSC) to enable individuals to gain access to public services more efficiently and with a minimum of duplication of effort, while at the same time preserving their privacy to the maximum extent possible

There are 4 main sub-programmes to the PSC Project:

1. PSC design and delivery: The projects to design, develop and deliver the PSC along with the capability to issue, interact with, manage and provide customer support for the card,
2. SAFE Registration development: The projects to develop and deliver the SAFE registration business processes and the ICT systems within the Department to support them (and generate PSC requests),
3. DSP Deployment: The projects to deploy the functionality in the Department's offices, register clients and issue cards to them, and
4. Future use: Projects to oversee the future development and use of the PSC and its infrastructure, including possible use for on-line and financial services both internally and in other public service bodies.

The first two programmes of work are essentially complete for issue of the standard PSC. The detailed project plan to produce a PSC containing the Free Travel application (PSC-FT) and a variant suitable for issue to juveniles is currently being finalised. The DSP's main focus

now is on the deployment of the registration process throughout the Department's offices and rapidly increasing its ability to issue standard PSC's.

A PSC is currently issued following a "face-to-face" registration process which involves the capture of an individual's photograph and signature, the verification of identity and current address as well as the capture of additional data such as answers to security questions to be used in ensuring the future integrity of customers' data.

Letters which are issuing from the Department to a number of customers in relation to registration for their PSC ask them to bring proof of identity and evidence of current address with them.

The roll-out of the SAFE registration functionality on a national basis began in June this year, following recruitment and training of staff. The creation of a SAFE registration environment in a local office involves improving the technical connectivity, installing new equipment and training staff in these offices to support the registration process. To date, this process has been completed in 41 DSP Offices with 72 SAFE Stations in production and some 500 staff have been trained. The total number of Public Services Cards issued now exceeds 60,000.

Work is continuing on developing the required bandwidth, installing the appropriate equipment and training staff across the remainder of the Department's local office network. In addition, a number of dedicated public services card registration centres are being progressed. One such centre has already opened in Gandon House on Dublin's Amiens Street and others will start to come on stream over the coming months.

On the specific issue of the validity period of the cards, this was determined with regard to two issues in particular: the security of the data held electronically and the physical resilience of the card. After receipt of external expert advice including comparison with other cards, the validity period for the PSC was set at 7 years. This initial policy will be kept under review and changes to it may occur depending on practical experience of the cards' durability in the field.

*Question No. 393 answered with Question No. 356.*

### **Disability Allowance Application Numbers**

394. **Deputy Seán Conlan** asked the Minister for Social Protection the measures being taken to address the backlog of applications for disability allowance; and if she will make a statement on the matter. [52601/12]

**Minister for Social Protection (Deputy Joan Burton):** Disability allowance is a weekly allowance paid to people with a specified disability who are aged over 16 and under 66. The disability must be expected to last for at least one year and the allowance is subject to a medical assessment, a means test and a habitual residency test.

The processing time for individual disability allowance claims may vary in accordance with their relative complexity in terms of the three main qualifying criteria, the person's circumstances and the information they provide in support of their claim. In addition, a request for a review or an appeal by a person adds to the length of time taken to deal with the claim.

Approximately 380 disability allowance applications are received for processing each week and, at the end of October, there were 7,338 applications awaiting decision.

A major service delivery modernisation project has been recently completed for disability

allowance to improve the efficiency of administration and to help deal with the increased volumes. This involved the deployment of information technology solutions and associated business process re-organisation.

An in-depth business process improvement initiative will shortly be commenced and a programme will be put in place to ensure that there is adequate capacity to deal with the weekly intake and to eliminate the backlog of new applications. In the meantime, temporary staff have been assigned to disability allowance section to support the modernisation project and to assist in reducing the backlog.

Any person who is awaiting a decision on their disability allowance application may apply for means-tested supplementary welfare allowance from their local community welfare officer.

### **Carer's Allowance Delays**

395. **Deputy Seán Conlan** asked the Minister for Social Protection the measures being taken to address the backlog of applications for carer's allowance; and if she will make a statement on the matter. [52602/12]

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

Initial focus was placed on clearing the backlog of CA applications awaiting scanning and registration. An additional 4 temporary staff were allocated to this effort. Over July and August 2012, 4,414 applications were scanned and registered - clearing the scanning backlog completely. Applications are now scanned within a day or two of being received. The focus then moved to the processing of new applications. Processing of applications was divided into two streams. One concentrates on dealing with new application 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. The 4 temporary staff originally allocated to scanning duties were reassigned to CA application processing to support this plan. Implementation of the plan commenced on Monday 3 September. During the month of September 2012 1,147 CA applications were received, while 1,317 were decided. In October 2012 1,061 CA applications were received, while 2,520 were decided.

Under the initial plan, elimination of the backlog of CA applications was targeted for the end of May 2013. However, within the current month, a further additional 10 temporary staff have been assigned to CA section. This further injection of resources brings the target for elimination of the backlog of CA forward to the end of March 2013.

The allocation of available resources to this task continues to be monitored and managed to ensure that the backlog is eliminated in the quickest possible time.

*Question No. 396 withdrawn.*

### **Carer's Allowance Delays**

397. **Deputy Seán Conlan** 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 Monaghan; and if she will make a statement on the matter. [52605/12]

**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 5th April 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**

398. **Deputy Michael McNamara** asked the Minister for Social Protection when a final decision will issue on an appeal for carer's allowance in respect of a person (details supplied) in County Clare; if she will expedite the matter; and if she will make a statement on the matter. [52615/12]

**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 7th February 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. 399 withdrawn.*

### **Illness Benefit Appeals**

400. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding an appeal for illness benefit in respect of a person (details supplied) in County Limerick; when a decision will issue; and if she will make a statement on the matter. [52734/12]

**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 17th July 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on the 6th September 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

### **Domiciliary Care Allowance Appeals**

401. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal against the decision to refuse an application for domiciliary care allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52738/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on

6th November 2012, 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. 402 withdrawn.*

### Social Welfare Appeals Status

403. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will provide data in terms of the number of appeals being processed by the Appeals office in the past 6 months; if she can provide details in tabular format of the various benefits; the number of these that are approved and the number that are refused; if she is satisfied with the time taken to process appeals; and if she will make a statement on the matter. [52770/12]

**Minister for Social Protection (Deputy Joan Burton):** The number of appeals decided by Appeals officers and their outcome by scheme type for the period 1st May 2012 to 31st October 2012 is given in the following table.

The current average turnaround time for appeals dealt with by way of a summary decision is 27 weeks, and for those requiring an oral hearing is 40 weeks.

There has been a rapid and sustained increase in the number of appeals received from 2009 to date which has placed extraordinary pressure on the Social Welfare Appeals Office. Significant resources and efforts have been put into reducing backlogs and improving processing times for appellants, including the assignment of 15 additional Appeals Officers, retaining 8 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 in 2009 to 34,027 in 2011 and, when compared to 2011, the processing times have reduced by an overall 10.2 weeks in the nine months to September 2012 (the oral hearing time is down by 12.5 weeks and the summary decision time is up by 2.3 weeks).

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.

**Table - Outcome of Appeals Processed 1st May 2012 to 31st October 2012**

Scheme	Al- lowed	-	-	Partially Allowed	-	-	Allowed Revised Decision	Disal- lowed	-	-	Total Pro- cessed
-	O. H.1	Sum Dec2	Total	O.H.	Sum Dec	Total	-	O. H.	Sum Dec	Total	-
Adoptive Benefit	0	0	0	1	4	4	1	0	0	0	5
Blind Pension	1	0	1	1	9	1	4	3	4	7	13
Carers Allowance	176	154	330	52	797	68	309	173	226	399	1106
Carers Benefit	12	10	22	3	47	5	47	8	12	20	94
Child Benefit	30	36	66	8	368	23	96	38	241	279	464

Questions - Written Answers

Scheme	Al- lowed	-	-	Partially Allowed	-	-	Allowed Revised Decision	Disal- lowed	-	-	Total Pro- cessed
Disability Allowance	566	564	1130	31	2,214	49	454	363	672	1035	2668
Illness Benefit	108	66	174	7	538	10	747	152	202	354	1285
Domiciliary Care	265	181	446	8	917	19	512	160	292	452	1429
Deserted Wives Benefit	1	0	1	0	4	0	0	2	1	3	4
Deserted Wives Allowance	0	0	0	0	3	0	0	2	1	3	3
Farm Assist	11	4	15	8	91	10	25	22	44	66	116
Bereavement Grant	0	1	1	0	31	0	9	0	30	30	40
Family Income Supplement	6	9	15	2	73	5	53	6	47	53	126
Invalidity Pension	288	386	674	2	990	4	194	107	205	312	1184
Liabile Relatives	0	0	0	0	19	0	5	2	17	19	24
One Parent Family Payment	50	28	78	17	286	23	133	93	92	185	419
Maternity Benefit	1	1	2	0	11	0	1	3	6	9	12
State Pension (Contributory)	7	10	17	8	101	11	6	22	51	73	107
State Pension (Non-Con)	5	1	6	0	40	0	41	20	14	34	81
State Pension Transition	1	0	1	0	8	0	0	4	3	7	8
Occupational Injury Benefit	2	0	2	0	7	0	0	2	3	5	7
Occupational Injury Benefit (Medical)	0	0	0	0	0	0	1	0	0	0	1
Disablement Pension	52	6	58	19	6	25	35	58	42	100	218
Incapacity Supplement	3	0	3	0	0	0	1	0	1	1	5
Guardian's Payment Con	4	3	7	1	0	1	1	9	8	17	26
Guardian's Payment Non - Con	0	0	0	0	0	0	2	4	5	9	11
Pre-Retirement Allowance	0	0	0	0	1	1	1	0	0	1	3
Jobseeker's Allowance (Means)	129	54	183	54	37	91	723	256	704	960	1957
Jobseeker's Allowance	185	214	399	45	35	80	478	250	451	701	1658
Jobseeker's Benefit	45	45	90	11	7	18	274	79	269	348	730
Respite Care Grant	24	20	44	1	0	1	37	29	45	74	156
Insurability of Employment	8	0	8	1	1	2	12	26	38	64	86
Supplementary Welfare Allowance	197	323	520	38	41	79	505	270	1435	1705	2809
Treatment Benefit	0	0	0	0	0	0	0	0	2	2	2

Scheme	Al- lowed	-	-	Partially Allowed	-	-	Allowed Revised Decision	Disal- lowed	-	-	Total Pro- cessed
Survivor's Pen- sion (Con)	2	0	2	1	0	1	2	3	5	8	13
Survivor's Pen- sion (Non-Con)	2	1	3	0	0	0	5	4	4	8	16
Widow's Parent Grant	0	0	0	0	0	0	0	0	1	1	1
-	2181	2117	4,298	318	209	527	4,714	2170	5173	7343	16,882

<sup>1</sup> O.H. – decided following Oral Hearing

<sup>2</sup> Sum Dec – decided by Summary Decision

*Questions Nos. 404 to 406, inclusive, withdrawn.*

### Departmental Staff Remuneration

407. **Deputy Willie O'Dea** asked the Minister for Social Protection if her attention has been drawn to the fact that two members of staff who are redeployed from FAS to her Department and are carrying out all of the higher grade duties whilst on secondment to LES Limerick on a continuous basis for 16 years, have not received the acting up allowance currently €16,135 since January 2012; that they have been informed that this allowance will not be paid until they sign their transfer contracts; however this allowance is not reckonable for superannuation purposes even though they now pay full pension contributions due on their full salary for the past 16 years; her plans to regularise this situation and if not, what recourse the employees have to ensure regularisation of their situation whilst retaining their rights as civil servants; and if she will make a statement on the matter. [52795/12]

**Minister for Social Protection (Deputy Joan Burton):** As the matter referred to by the Deputy is the subject of discussion between the individuals' union representative and my Department it would not be appropriate to make a statement on the matter.

### Family Income Supplement Application Numbers

408. **Deputy Michael Lowry** asked the Minister for Social Protection the number of family income supplement applicants and renewals submitted from persons in Co. Tipperary since June 2012; the number of these applications still awaiting a decision; the average turnover time for such applications; the steps being taken to tackle these cases; and if she will make a statement on the matter. [52799/12]

**Minister for Social Protection (Deputy Joan Burton):** The Department is committed to providing a quality service to all its customers. FIS claims, both new and renewal, received on or after 5 November 2012 are currently being processed on receipt. There are 284 new family income supplement (FIS) applications and 340 renewal applications from the County of Tipperary pending decision since before 5th November. An in-depth business process improvement (BPI) project has recently been completed for the FIS scheme. This project focused on optimising output, improving customer service and the elimination of backlogs. Part of the project was a detailed examination of workloads and a full assessment of existing capacity within the area and what capacity is needed in order to process the volumes of claims, both new and renewal, being received on a weekly basis. The outcome of this review is a detailed plan outlining the

process required to manage both the continuous weekly intake and backlog claims clearance. This plan sees the current weekly new claim and renewal intake processed by one team, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination.

The team, including additional temporary resources has been identified and is already assigned and working on the backlog claims. In order to reduce the time it will take to eliminate the backlog, some claims are being processed outside of Longford Social Welfare Services Office. This team is fully focussed on the elimination of the backlog of claims in the shortest possible timeframe, concentrating in the first instance on those claims which were previously in payment but where payment has expired and continuing on to first-time new claims. Within those categories, those waiting the longest will be processed first. It is expected that the backlog will be fully eliminated by the end of March 2013. Claims which are approved by the backlog team will be backdated to the date of claim or the date of expiry of the previous claim, as appropriate, and all arrears due will be paid.

*Questions Nos. 409 and 410 withdrawn.*

### **Redundancy Payments**

411. **Deputy Noel Coonan** asked the Minister for Social Protection when enhanced redundancy packages will be finalised in respect of persons (details supplied) in County Tipperary; and if she will make a statement on the matter. [52811/12]

**Minister for Social Protection (Deputy Joan Burton):** As previously advised, on the 7th December 2011 the issue of statutory redundancy was heard before the Employment Appeals Tribunal (EAT) with 22 appellants seeking a redundancy payment. The EAT upheld that 20 of the 22 appellants were entitled to a statutory redundancy payment from their former employer, the organisation to which the Deputy refers. The appeals of the other two appellants were withdrawn at the hearing.

Following the EAT decision, redundancy lump sum claims in respect of the 20 eligible employees were received by the Department. The 20 claims have been awarded and payment of their statutory redundancy entitlement, issued directly to those former employees in May 2012. It should also be noted that when the project closed, FÁS offered each JI Participant on the scheme alternative employment with other community employers in Tipperary including the retention of accumulated service and pay. These positions were approved by FÁS, were additional to existing positions and would not have displaced jobs of existing workers. Only one person took up this offer.

In relation to an enhanced severance package, to which the Deputy refers, I am advised that no basis exists to enable payment of an enhanced severance package to Job Initiative participants, where such sponsors did not have adequate funds for this purpose. The Department has no outstanding statutory redundancy payment claims on hand in respect of the organisation to which the Deputy refers.

### **Illness Benefit Costs**

412. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if her statement reported in the media in August 2012 (details supplied) that her proposal to transfer the initial cost of illness benefit to employers would not apply to companies employing fewer than 100

workers remains her intention; and if she will confirm that her estimated saving figure of €89 million is based on the exclusion of all companies employing fewer than 100 workers and or any other exclusions. [52831/12]

**Minister for Social Protection (Deputy Joan Burton):** Before any decision could be taken by Government on the possible introduction of a statutory sick pay scheme, the range of complex issues associated with the matter would need to be addressed to the satisfaction of the Government.

These issues include the appropriate rate of payment involved, how a statutory sick pay scheme would be enforced and policed, the extent of coverage of any such scheme and, in particular, the potential for including compensatory mechanisms for certain vulnerable employers, and while no final positions have been adopted in relation to any of these issues, the position of such smaller and vulnerable employers is a key concern and is central to our considerations.

The estimated savings of €89 million was based on the total number of claims of less than four weeks duration, regardless of the size of the enterprises involved.

### **Carer's Benefit Appeals**

413. **Deputy Pearse Doherty** asked the Minister for Social Protection the position regarding a carer's allowance refusal in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [52834/12]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that an application for carer's allowance was received from the person in question on the 17th June 2011. This application was disallowed both on medical grounds and due to the fact that the carer was working in excess of 15 hours per week. The person in question appealed the decision. Upon consideration of all the evidence available, an appeals officer allowed the appeal in respect of 30 June 2011 to the 4 July 2012 only. Following the subsequent submission of additional evidence in this case, the file and papers have been returned to the Social Welfare Appeals Office for review. The person in question will be informed directly regarding the outcome of this review.

### **Social Welfare Appeals Status**

414. **Deputy Pearse Doherty** asked the Minister for Social Protection the reason a social welfare appeal submitted by a person (details supplied) in Dublin 22 on 12 July 2011 to which the person received a reply from the Appeals Office dated 15 July 2011 has not yet been completed; the reason the person has received no written correspondence from the Appeals Office or any other section of her Department on the matter since July 2011; and if she will make a statement on the matter. [52839/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that no appeal was registered in that office for the person concerned. There is no record of any correspondence with the Office around the dates mentioned in the question. 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 Delays**

415. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when a carer's allowance will be granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52843/12]

**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 8th June 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. 416 withdrawn.*

### **Domiciliary Care Allowance Applications**

417. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on domiciliary care scheme review will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52852/12]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received on the 21st May 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for DCA. A letter issued on the 17th July 2012 refusing the allowance. The person concerned subsequently lodged an appeal against this decision. As part of the appeal process, the case has been forwarded to another of the Department's Medical Assessors for further consideration, including a review of any new information supplied. Upon receipt of the Medical Assessor's opinion, the case will be further examined and will be forwarded for consideration by the Appeals Office, if necessary.

### **Family Income Supplement Applications**

418. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding a family income supplement application in respect of a person (details supplied) in County Mayo; if the application will be expedited; and if she will make a statement on the matter. [52855/12]

**Minister for Social Protection (Deputy Joan Burton):** Family Income Supplement (FIS) is designed to provide support for people with families who are on low earnings. In the matter of the person concerned, her renewal application was received on 7 November 2012 and was referred to a social welfare investigator on 8 November 2012 for confirmation that all the statutory conditions for the receipt of FIS are satisfied. Once the report of the social welfare investigator is received in FIS section, a decision will be made on her renewal application without delay and the person concerned will be notified of the outcome.

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

419. **Deputy Michael Creed** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [52856/12]

**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 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 case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Family Income Supplement Applications**

420. **Deputy Gerry Adams** asked the Minister for Social Protection when a person (details supplied) in County Louth may expect to have their application for family income supplement processed; and if she will make a statement on the matter. [52870/12]

**Minister for Social Protection (Deputy Joan Burton):** The Family Income Supplement (FIS) is designed to provide support for people with families who are on low earnings. This preserves the incentive for them to remain in employment in circumstances where they might only be marginally better off than if they were claiming other social welfare payments. The payment amount is based on a fixed proportion of the gap between the assessable income (net of income taxes, PRSI, Pension contribution and USC) of the household and prescribed FIS income thresholds. In relation to the person concerned, I can confirm that no FIS application has been received to date. An application form has now issued and once it is returned fully completed, a decision will be given without delay.

### **Illness Benefit Applications**

421. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on illness benefit will be made on an application in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [52875/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence allowed the appeal of the person concerned by way of summary decision. The person concerned was notified of the Appeals Officer decision on 23 November 2012. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Application Forms**

422. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding pension forms in respect of a person (details supplied) in Dublin 13; and if she will make a statement on the matter. [52878/12]

**Minister for Social Protection (Deputy Joan Burton):** My Department produces a range of application forms for the various schemes it administers.

While downloadable versions of all primary application forms are available on my Department's website [www.welfare.ie](http://www.welfare.ie), I am very conscious of the fact that some customers may not have access to, or may not feel comfortable using the website. For that reason, these forms are

made available through alternative channels.

Supplies of the most popular forms are distributed annually to Social Welfare Local Offices, Citizens Information Centres and post offices throughout the country and arrangements are in place for the distribution and, if necessary, printing of further supplies if the need arises.

Application forms are available from headquarter buildings of my Department and from the Department's Information & Customer Service area, based in the Sligo Social Welfare Services Office. This area can be contacted on LoCall 1890 66 22 44. Forms can also be requested by calling my Department's LoCall Leaflet Request Line at 1890 20 23 25.

Customers can also use their mobile phone to request an application form by sending an SMS (text) message containing the relevant Form Code, followed by their name and address to 51909. The details of how to do so are contained in the table. I am satisfied that the various channels offered allow the Department's customers access application forms in a way that best meets their needs.

#### SMS Form Request Service

For example, to request a Bereavement Grant form, text FORM BG Mary Murphy, 1 New Street, Old Town, Co. Donegal to 51909.

Application form for	Form code
Bereavement Grant	FORM BG
Carer's Allowance	FORM CARA
Carer's Benefit	FORM CARB
Child Benefit (Form CB1)	FORM CHILD
Disability Allowance	FORM DA
Family Income Supplement	FORM FIS
Free Travel	FORM TRAVEL
Fuel Allowance	FORM FUEL
Household Benefits	FORM HHB
Invalidity Pension	FORM INV
Living Alone Allowance	FORM LAA
Maternity Benefit	FORM MAT
One Parent Family Payment	FORM OPFP
Redundancy Claim Form	FORM REDUNDANCY
Respite Care Grant	FORM RCG
State Pension (Non-Contributory)	FORM SPNC
State Pension (Transition/Contributory)	FORM SPC
Widow(er)'s Contributory Pension	FORM WCP
Widow(er)'s Non-Contributory Pension	FORM WNCP

#### One-Parent Family Payment Appeals

423. **Deputy Pat Breen** asked the Minister for Social Protection when a decision will issue on a one parent family payment in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [52886/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who has decided that an oral hearing will be held. The person will be informed when arrange-

ment have been made. 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. 424 answered with Question No. 356.*

### **Domiciliary Care Allowance Appeals**

425. **Deputy Pat Breen** asked the Minister for Social Protection when a decision on a domiciliary care allowance appeal will issue to a person (details supplied) in County Clare; and if she will make a statement on the matter. [52896/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence allowed the appeal of the person concerned by way of summary decision. The person concerned was notified of the Appeals Officer decision on 23 November 2012. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Appeals Status**

426. **Deputy Pat Breen** asked the Minister for Social Protection when a person (details supplied) in County Clare will be facilitated with an oral hearing; and if she will make a statement on the matter. [52907/12]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an oral hearing for the person concerned was scheduled for 3 July 2012 but was cancelled at the person's request. The hearing will be rescheduled as soon as possible. She will be informed when arrangements have been made. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Domiciliary Care Allowance Appeals**

427. **Deputy Michael Creed** asked the Minister for Social Protection if a decision has been made on an appeal in respect of a person (details supplied) in County Cork for a domiciliary care allowance; and if she will make a statement on the matter. [52909/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an oral hearing of the appeal of the person concerned took place on 20th November 2012 and the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer decision when the appeal has been determined. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Jobseeker's Benefit Appeals**

428. **Deputy Ann Phelan** asked the Minister for Social Protection if she will investigate the case of a person (details supplied) in County Kilkenny who appealed the decision to refuse payment of jobseeker's benefit and subsequently won the appeal following an oral hearing; the person complied with all relevant criteria, however, they have been refused payment of arrears due to them from the period of initial application dating from January-July 2012; if she will fully investigate the circumstances surrounding this refusal and fully reimburse the applicant back to their application in January 2012; and if she will make a statement on the matter. [52914/12]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that Appeals Officers are statutorily appointed to decide on appeals by persons against decisions made by Deciding Officers of the Department. In doing so, they must have regard to the merits of each individual case and also to the legislative conditions underpinning the relevant scheme.

In the case of the person concerned, an Appeals Officer, having fully considered all the evidence, including that adduced at an oral hearing, allowed the appeal with effect from the date of the oral hearing. In the circumstances, no arrears are due in this case.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed in the light of new evidence or new facts or if an error in law has occurred.

*Question No. 429 withdrawn.*

### **Exceptional Needs Payment Applications**

430. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 342 of 20 November 2012, if she will accept this Parliamentary Question as a written request for an exceptional needs payment in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52953/12]

**Minister for Social Protection (Deputy Joan Burton):** This Department has no record of a recent application for an exceptional needs payment from the person concerned. An application form for an exceptional needs payment has been issued to the person concerned.

### **Jobseeker's Allowance Applications**

431. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 402 of 13 November 2012, if she will accept this Parliamentary Question as a written request for a review in respect of an application for jobseeker's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52954/12]

**Minister for Social Protection (Deputy Joan Burton):** A review of this case is being undertaken at present and the person concerned will be informed of the outcome once the review is completed.

*Question No. 432 withdrawn.*

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

433. **Deputy Pat Breen** asked the Minister for Social Protection when a decision will issue on a carer's allowance in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [52986/12]

**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 15 October 2012. Once all the necessary investigations have been carried out, a decision will issue directly with the outcome to the person in question.

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

434. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal against the decision to refuse an application for carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [53033/12]

**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 20 July 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 5 November 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.

### **Fuel Allowance Payments**

435. **Deputy Arthur Spring** asked the Minister for Social Protection her views on an introduction of a vouched scheme or smart card for redemption of the winter fuel allowance to ensure the purchase of legitimate and tax compliant coal; and if she will make a statement on the matter. [53052/12]

**Minister for Social Protection (Deputy Joan Burton):** The current fuel allowance season commenced in October this year and will run for 26 weeks until April 2013. My Department will spend almost €215 million in 2012 on the scheme benefitting almost 400,000 people.

The purpose of the fuel allowance scheme is to assist 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.

The allowance is €20 per week and is paid with the person's weekly social welfare payment. This allows the recipient to purchase whatever type of fuel they wish, be that oil, coal or natural gas. Vouchers have been used in the past but such schemes, by their nature, introduce stigma to a scheme. It is also the experience of the Department that voucher systems are administratively complex, inordinately costly and raise fraud and control issues.

Given that the face value of any vouchers issued would be relatively small, the administration would significantly add to the cost of the scheme. Such a system would have to operate across a wide diversity of fuel suppliers, given the range and type of home heating products

available, including suppliers based outside the jurisdiction. It would also require the putting in place of a separate administrative arrangement, adding further complexity to service provision for customers. Issues would arise with the distribution, reconciliation and control of vouchers. In addition, vouchers are easily lost and there would be much greater fraud potential, requiring more involved control procedures to minimise risks.

Given the Department's previous experience with vouchers and the Department's current e-payment strategy, it is not intended that a voucher system will be introduced in connection with any aspect of the payments made at this time. I am satisfied that the scheme as it is currently administered allows the greatest flexibility and meets the needs of the customers of my Department.

The regulation of coal standards is a matter for my colleague, the Minister for the Environment, Community and Local Government.

### **Departmental Agencies Issues**

436. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if she will make a statement on the matter. [53702/12]

**Minister for Social Protection (Deputy Joan Burton):** No new State agency or task force has been set up under the aegis of the Department in 2012. I established the Migrant Consultative Forum on 3 October 2012 to examine issues of particular concern to migrant workers. The administrative support required to facilitate the work of the Forum is being provided from within the Department's existing resources. No new employees were engaged.

### **Grazing Rights**

437. **Deputy Martin Ferris** asked the Minister for Arts, Heritage and the Gaeltacht if the terms of the roll-over lease for Drummin Mountain, Laragh, County Wicklow will be made public. [52317/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The lands referred to in the Deputy's Question are subject to grazing licences which are renewed on an annual basis. In acquiring this land for Wicklow National Park, it was agreed at the time of the transfer to the State that the Department would continue to renew these licences to existing holders as tenants of good standing. Should the leases no longer be required by the current holders, they may become available in the future by way of public tender. I am advised that it has not been the practice to release the details of individual leases.

### **Turbary Rights**

438. **Deputy Pat Breen** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 326 of 2 October 2012 when payment of bog compensation will issue to persons (details supplied) in County Clare; and if he will make a statement on the matter. [52220/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As outlined

in my reply to Question No. 326 of 2 October last, the individuals referred to in the Deputy's Question sold their interest in land in a raised bog special area of conservation under the voluntary bog purchase scheme, administered by my Department. An incentive bonus of €5,400, available under the scheme, was also paid to the applicants at the time of purchase on the condition that they were selling all plots of bog land in their possession and registered or unregistered turbary rights within a designated area.

The individuals have applied for compensation under the cessation of turf cutting compensation scheme. The qualifying criteria for this scheme are that:

- The claimant must have a legal interest in one of the 53 raised bog special areas of conservation – ownership or turbary right;
- The claimant must have been the owner or entitled to exercise turbary rights on the land in question on 25 May 2010;
- The turbary on the site must not be exhausted;
- The claimant must have been cutting turf on the lands in question during the relevant five year period; and
- No turf cutting or associated activity is ongoing on the property.

The application is being assessed within my Department. My officials expect to be in contact with the applicants shortly to seek clarification in relation to outstanding issues.

### **Foras na Gaeilge**

439. D'fhiafraigh **Deputy Dessie Ellis** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cén maoiniú atá curtha ar fáil don áisíneacht trasteorann, Foras na Gaeilge, don bhliain 2012 [52299/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Is í an Chomhairle Aireachta Thuaidh-Theas a shocraíonn buiséad Fhoras na Gaeilge, atá mar ghníomhaireacht den Chomhlacht Forfheidhmithe Thuaidh-Theas, An Foras Teanga. Táthar ag súil go gceadófar buiséid 2012 don Fhoras Teanga go foirmiúil ag an gcéad chruinniú eile den Chomhairle ar 12 Nollaig 2012.

Is é €15.438 milliún an tsuim airgid atá ar fáil i Vóta mo Roinne féin i leith an Fhorais Teanga i mbliana. Áirítear sa soláthar seo na buiséid a cheadóidh an Chomhairle d'Fhoras na Gaeilge agus do Ghníomhaireacht na hUltaise, mar aon le nithe imfhálaithe i ndáil le Clár na Leabhar Gaeilge agus Colmcille. San idirlinn, tá Foras na Gaeilge ag obair ar bhonn buiséid táscaigh.

### **Foras na Gaeilge**

440. D'fhiafraigh **Deputy Dessie Ellis** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cén céatadán de mhaoiniú Fhoras na Gaeilge a caitheadh ar thuarastail gach bliain ó 2008 [52300/12]

441. D'fhiafraigh **Deputy Dessie Ellis** den an Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil fostaithe Fhoras na Gaeilge atá lonnaithe ó dheas ag feidhmiú faoi ráta tuarastail atá

bunaithe ar an gCiorclán is déanaí de chuid na Státseirbhíse, Ciorclán 28/2009 [52301/12]

442. D'fhiafraigh **Deputy Dessie Ellis** den an Aire Ealaíon, Oidhreacht agus Gaeltachta ar íocadh incrimintí le foireann Fhoras na Gaeilge ó 2008 [52302/12]

443. D'fhiafraigh **Deputy Dessie Ellis** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cén céatadán de mhaoiniú Fhoras na Gaeilge a caitheadh ar phinsin iarfhostaithe gach bliain ó 2008 [52303/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Tógfaidh mé Ceisteanna Uimh. 440, 441, 442 agus 443 le chéile.

Leagtar amach sa tábla seo a leanas na céatadáin de mhaoiniú Fhoras na Gaeilge a caitheadh ar thuarastail agus ar phinsin d'iarfhostaithe gach bliain ó 2008 go dáta:

Bliain	% Tuarastal	% Pínean d'iarfhostaithe
2008	11%	1%
2009	11%	2%
2010	13%	2%
2011	16%	2%
2012 (go 31.10.12)	15%	2%

Comhairlítear dom go bhfuil Foras na Gaeilge ag feidhmiú faoi rátaí tuarastail atá leagtha síos i gCiorclán 28/2009 agus go bhfuil incrimintí á n-íoc le foireann Fhoras na Gaeilge ó 2008.

### National Archives

444. **Deputy Anne Ferris** asked the Minister for Arts, Heritage and the Gaeltacht the number of State papers, older than 30 years, that have not been released as a result of exceptions to the 30 year rule; if he will provide a breakdown by year for Department and agency; and if he will make a statement on the matter. [52318/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The position is that I do not have statutory responsibility for the withholding of official records over 30 years. This lies with each Department under the National Archives Act 1986.

### Arts Funding

445. **Deputy Tom Fleming** asked the Minister for Arts, Heritage and the Gaeltacht if he will acknowledge the role played by communities and individuals involved in the Arts throughout the country and ensure that there are no further cuts to the Arts Council budget; if he will ensure that a film festival (details supplied) is adequately funded to enable them to continue to run their vibrant and professional programme of events; and if he will make a statement on the matter. [52341/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Government policy on the arts 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 provision for them during 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, to make the arts an integral and valued part of our national life, and to 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 Acts, is independent in its funding decisions. In 2012, the Arts Council received an allocation of over €63 million – a curbing of the budgetary decline of previous years. Under statute I may not intervene in its funding decisions.

The Government appreciates the importance of the arts, culture and the creative industries to both our society and to our economy. I am fully aware of the challenges for those involved in the arts and culture sectors and of the tremendous work they are doing. I am committed to supporting the essential elements of the arts and culture sectors, within the available financial resources and in the light of the evolving budgetary and Estimates processes.

### **Departmental Staff Retirements**

446. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 147 of 10 November 2012, if he will confirm if the person (details supplied) received at any time other payments or severance payments from the State or State bodies including but not limited to Campus and Stadium Ireland Limited and the National Sports Campus Development Authority; and if he will make a statement on the matter. [52718/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am advised that my Department is not aware of any payments of the nature referred to being made to the person in question, other than those in respect of which details were provided in my previous reply to the Deputy (Ref No 147 of 10 October 2012). If, however, the Deputy has any specific issue in this regard that he wishes to bring to my attention, I will be glad to look further at the matter.

The Deputy will appreciate that I have no statutory responsibility in relation to the two bodies to which he makes specific reference in his Question.

### **Turbary Rights**

447. **Deputy Pat Breen** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 327 of 2 October 2012, when payment of bog compensation will issue to a person (details supplied) in County Cork; and if he will make a statement on the matter. [52850/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** An application for compensation under the cessation of turf cutting compensation scheme has been received by my Department from the individual referred to in the Deputy's Question. As outlined in my reply to Question No. 327 of 2 October last, a payment of €1,500 in respect of the first year has been made to the applicant. I am advised that a payment of €1,500 in respect of the second year was made to this applicant in early October and a letter confirming same was sent to her on 9 October 2012.

### **Irish Language Issues**

448. **Deputy Tom Fleming** asked the Minister for Arts, Heritage and the Gaeltacht when

will the scheme for families who wish to raise their children through Irish, *Clár Tacaíochta Teaghlaigh*, be rolled out in County Kerry; the number of many families that have availed of this scheme in each Gaeltacht area to date; his views on whether the scheme should be made more attractive; and if he will make a statement on the matter. [52890/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** An Clár Tacaíochta Teaghlaigh, or the Family Language Support Programme, has as its key objective the strengthening of Irish as a household and community language in the Gaeltacht in accordance with the *20-Year Strategy for the Irish Language 2010-2030*. It seeks to achieve this objective as a result of various practical measures which will better support Gaeltacht families who are raising their children through Irish or who wish to raise their children through Irish. The specific target groups under the Family Language Support Programme include expectant parents and parents of children of preschool and primary school age.

Insofar as the Kerry Gaeltacht is concerned, I am glad to report that, as a result of a recent meeting between my Department and relevant stakeholders, a number of specific measures are being progressed. These measures include the dispersal of an information leaflet *Ag tógáil do pháiste le Gaeilge/Raising your child through Irish* via ante-natal services in Tralee General Hospital and relevant health service facilities in the Kerry Gaeltacht. Arrangements are also in hand which will see the umbrella organisation Comhar Naíonraí na Gaeltachta Teo. involved in the dissemination of the leaflet to all preschools operating under its auspices; the introduction of a presentation as part of the ante-natal classes around the issue of language choice. This presentation will include the usage of a short video highlighting the advantages of raising children through Irish which has been developed by my Department as part of the Family Language Support Programme. While my Department is spearheading the programme, it should be noted that Comharchumann Forbartha Chorca Dhuibhne Teo. will play a key role in delivering this part of the programme in the Kerry Gaeltacht as part of their overall remit; and the provision and dispersal of information posters through appropriate public facilities, including libraries and health facilities, in conjunction with Kerry County Council, throughout the Kerry Gaeltacht.

The content of the language support pack developed under the programme has been further developed. Almost 300 support packs have been distributed to date, including 57 support packs to Gaeltacht-based families. It is anticipated that this figure will increase as the roll-out of this part of the overall programme continues.

The Family Language Support Programme also targets Gaeltacht households with primary school children. In order to better support such families – insofar as the Kerry Gaeltacht is concerned – my Department recently sanctioned an allocation of €241,075 to Oidhreacht Chorca Dhuibhne in respect of the Language Assistants Scheme, which this organisation operates on behalf of my Department in the Kerry Gaeltacht. This represents an increase in funding of almost €30,000 for the current school-year and will facilitate the further development of the scheme in order to better support primary school children in the Kerry Gaeltacht with improved opportunities for both acquiring and improving their fluency in the language.

### National Parks and Wildlife Service Remit

449. **Deputy Tom Hayes** asked the Minister for Arts, Heritage and the Gaeltacht if the review of all issues relating to the ongoing management of lakes in Muckross Park County Kerry and in particular its boating activities has been completed; the present position regarding the issue of mooring permits; and if he will make a statement on the matter. [52917/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** It is neces-

sary to limit the scale of boating activity on the lakes in Killarney National Park so as to balance recreational use with the conservation imperative of the flora and fauna of the lakes and surrounding areas, and also taking account of obligations under the EU Birds and Habitats Directives. My Department has commenced a review of all issues relating to the ongoing management of the lakes in the Park, including all boating activities, with a view to developing a long-term sustainable strategy for the lakes as an integral part of the Park. It is expected that the review will be completed in the early part of next year.

Private boats on the lakes in the Park are regulated by way of mooring discs. Under a scheme introduced in 1991, mooring discs were issued to all boat owners having a recognised traditional mooring on the lakes, subject to an overall limit on the number of discs issued.

My Department receives numerous requests for mooring spaces but, unfortunately, the demand far exceeds the number of spaces available. My Department does not permit the placing of boats on the lakes on a daily or casual basis, as boats and engines coming from outside the Park carry the risk of spreading invasive alien species such as zebra mussels and various pond weeds. To facilitate others who would wish to use the lakes, persons applying for discs are placed on a waiting list and, as discs become available, they are allocated to those on the waiting list. In addition, a lottery is held annually to allow 20 additional people use the lakes for a year.

### **Irish Language Issues**

450. **Deputy Michael Healy-Rae** asked the Minister for Arts, Heritage and the Gaeltacht if his Department recognises the Gaeltacht and Irish speaking communities as stakeholders in the implementation of the 20 Year Strategy for the Irish Language; if he will put in place an essential structure between the authorities and the Gaeltacht and Irish-language community organisations; and if he will make a statement on the matter. [52941/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** The Deputy may be aware that under the Gaeltacht Act 2012, the Gaeltacht will in future be based on linguistic criteria instead of on geographic areas which has been the position to date. The Act provides for a statutory language planning process under which language plans will be prepared at community level in areas seeking to achieve statutory recognition. This approach puts communities at the centre of the language planning process since it gives them the opportunity to take ownership of their own plan in their own community.

In addition to Gaeltacht Language Planning Areas, areas located outside the Gaeltacht may achieve statutory recognition as Gaeltacht Service Towns or as Irish Language Networks, subject to fulfilling language planning criteria. Gaeltacht Service Towns are defined as towns in, or adjacent to, Gaeltacht Language Planning Areas which play a significant role in the delivery of services to those areas. Irish Language Networks are defined as areas, located outside Gaeltacht Language Planning Areas, in which there is a basic critical mass of community and State support for the Irish language.

Since Údarás na Gaeltachta is central to community development in the Gaeltacht and provides funding to various community-based organisations, it will assist communities in preparing and implementing language plans in the 19 Gaeltacht Language Planning Areas. Údarás na Gaeltachta, or Foras na Gaeilge, as appropriate, will assist organisations in towns seeking statutory recognition as Gaeltacht Service Towns with the preparation and implementation of language plans, depending on whether the town is located inside or outside the Gaeltacht Language Planning Areas. In addition, Foras na Gaeilge will assist organisations in areas seeking

statutory recognition as Irish Language Networks with the preparation and implementation of language plans in those areas.

There will be a need for capacity building in the various community-based organisations involved in the language planning process. Údarás na Gaeltachta, in conjunction with Acadamh na hOllscolaíochta Gaeilge, NUI Galway, are preparing a practical training programme to this end.

### **Public Sector Reform Review**

451. **Deputy Michael Healy-Rae** asked the Minister for Arts, Heritage and the Gaeltacht his views on whether the Irish language should be protected in the public sector reform currently underway, in the Government's work in general, and if he should avail of any other opportunity to enhance the status of Irish in their work; and if he will make a statement on the matter. [52942/12]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** At the outset, I should point out that responsibility for public sector reform in general rests with my colleague, the Minister for Public Expenditure and Reform.

The *20-Year Strategy for the Irish Language 2010-2030* recognises the need for the development and strengthening of language awareness and language training programmes so that a higher proportion of public service staff are truly functional in Irish and can deliver services in Irish to customers who seek them. In this context, the Strategy proposes that the Department of Public Expenditure and Reform and the Public Appointments Service should devise appropriate arrangements over time to increase the cohort of public servants who are functional bilinguals, having regard to the present constraints on public sector recruitment.

The Strategy also provides for these arrangements to be supported by the development, within the existing overall national qualifications framework, of an independent, standards-based accreditation system for Irish language competency within the public service and proposes that a National Diploma in Bilingualism and Language Practice should be designed and offered, so as to support the delivery of quality services to the public in both Irish and English.

It should be noted also that the Official Languages Act 2003 has adopted the language scheme as a core instrument for the provision of bilingual services by the public sector and the Strategy provides for future language schemes to specify the posts within organisations that have an Irish language competency requirement.

Clearly, the implementation of initiatives such as these would significantly advance the objective of enhancing the delivery of public services in Irish in a satisfactory manner. My Department is in discussion with relevant stakeholders, including the Department of Public Expenditure and Reform, with a view to progressing this objective, while taking account of the significant resource restraints at this time. As a first step, it has been agreed in principle with the Department of Public Expenditure and Reform that my Department will assume responsibility for advancing arrangements that will facilitate the training and proficiency assessment of staff in the use of the Irish language in the civil service and certain areas of the public service. It is expected that arrangements to this end will be put in place from early next year.

### **Turbary Rights**

452. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the number of applications on a county basis submitted under the 2011 and 2012 cessation of turf cutting compensation scheme to date in 2012; the number of applications for compensation and the number for relocation under each category; the number approved, rejected and on hand in each category; the total moneys paid to date; the estimated cost by year end; and if he will make a statement on the matter. [53040/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Details are set out in the following tables on a bog by bog basis, of the number of applications under the cessation of turf cutting compensation scheme received by my Department, the number of applicants opting for financial compensation and the number of applicants expressing an interest in relocation to non-designated bogs. Out of the 2,510 applications received in my Department to date under the cessation of turf cutting compensation scheme, 1,763 applicants have opted for financial compensation and 747 applicants have expressed an interest in relocation.

To date, a total of 2,008 payments and 180 turf deliveries have been made to applicants at a total cost of €3,282,232. It is envisaged that, by year end, the total expenditure by my Department on compensation under the scheme will be of the order of €3.4m.

Payments and turf deliveries have been made on the basis that applicants have indicated in their application forms that they fulfil all the qualifying criteria of the cessation of turf cutting compensation scheme. My Department has been checking, and will be continuing to check, that all of the qualifying criteria of the scheme have been met in each case.

I am advised that at this stage one applicant has been informed that he does not fulfil the qualifying criteria. He has requested a Departmental review of the decision. Arrangements are also being considered by the Peatlands Council to put in place an appeals system where applicants wish to appeal the outcome of a review by the Department. While it may be anticipated that there will be further instances where applicants do not qualify, current priority is being given to processing payments to those who clearly appear to meet the qualifying criteria on the basis of the information provided in their application forms.

Three applicants have been rejected because the areas on which they have been cutting turf are not within a raised bog special area of conservation.

#### **Sites nominated for designation between 1997 and 1999**

Site Code	Name	County	No. of applications received	No. opting for financial compensation	No. expressing an interest in relocation
000006	Killyconny Bog (Cloghbally)	Cavan	45	37	8
000231	Barroughter Bog	Galway	56	35	21
000248	Cloonmoylan Bog	Galway	73	65	8
000285	Kilsallagh Bog	Galway	30	21	9
000296	Lisnageeragh Bog and Ballinstack Turlough	Galway	20	11	9
000297	Lough Corrib	Galway	83	75	8
000301	Lough Lurgeen Bog/ Glenamaddy Turlough	Galway	29	20	9
000326	Shankill West Bog	Galway	9	5	4

Questions - Written Answers

Site Code	Name	County	No. of applications received	No. opting for financial compensation	No. expressing an interest in relocation
000382	Sheheree (Ardagh) Bog	Kerry	1	1	0
000391	Ballynafagh Bog	Kildare	56	27	29
000497	Flughany Bog	Mayo/Sligo	17	14	3
000566	All Saints Bog and Esker	Offaly	6	4	2
000572	Clara Bog	Offaly	107	50	57
000575	Ferbane Bog	Offaly	3	0	3
000580	Mongan Bog	Offaly	5	4	1
000581	Moyclare Bog	Offaly	25	4	21
000582	Raheenmore Bog	Offaly	0	0	0
000585	Sharavogue Bog	Offaly	2	2	0
000592	Bellanagare Bog	Roscommon	171	129	42
000597	Carrowbehy/Caher Bog	Roscommon	3	3	0
000600	Cloonchambers Bog	Roscommon	26	21	5
000604	Derrinea Bog	Roscommon	1	1	0
000614	Cloonshanville Bog	Roscommon	7	7	0
000641	Ballyduff/Clonfinane Bog	Tipperary	2	2	0
000647	Kilcarren-Firville Bog	Tipperary	25	22	3
000679	Garriskil Bog	Westmeath	0	0	0
001242	Carrownagappul Bog	Galway	128	59	69
001818	Lough Forbes Complex	Roscommon	12	8	4
002110	Corliskea/Trien/Cloonfelliv Bog	Galway/Roscommon	75	62	13
	Totals		1,017	689	328

**Sites nominated for designation in 2002**

Site Code	Name	County	No. of applications received	No. opting for financial compensation	No. expressing an interest in relocation
000440	Lough Ree	Roscommon/Longford/Westmeath	275	189	86
000595	Callow Bog	Roscommon	91	73	18
002298	River Moy	Mayo/Roscommon/Sligo	65	56	9
002331	Mouds Bog	Kildare	92	54	38
002332	Coolrain Bog	Laois	54	45	9
002333	Knockacoller Bog	Laois	25	20	5
002336	Carn Park Bog	Westmeath	59	26	33

Site Code	Name	County	No. of applications received	No. opting for financial compensation	No. expressing an interest in relocation
002337	Crosswood Bog	Westmeath	69	37	32
002338	Drumalough Bog	Roscommon	18	17	1
002339	Ballynamona Bog and Corkip Lough	Roscommon	60	30	30
002340	Moneybeg and Clareisland Bogs	Meath/Westmeath	83	71	12
002341	Ardagullion Bog	Longford	40	29	11
002342	Mount Hevey Bog	Meath/Westmeath	66	28	38
002343	Tullaheer Lough and Bog	Clare	191	164	27
002346	Brown Bog	Longford	6	6	0
002347	Camderry Bog	Galway	14	6	8
002348	Clooneen Bog	Longford	10	9	1
002349	Corbo Bog	Roscommon	66	39	27
002350	Curraglehanagh Bog	Galway	45	26	19
002351	Moanveanlagh Bog	Kerry	27	24	3
002352	Monivea Bog	Galway	41	37	4
002353	Redwood Bog	Tipperary	76	70	6
002354	Tullaghanrock Bog	Roscommon	1	1	0
002356	Ardgraique Bog	Galway	19	17	2
	Totals		1,493	1,074	419

### Turbary Rights

453. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the number of alternative bogs which have been sourced for turf cutters forced to relocate; the location of each bog; the number of turf cutters who can be accommodated; if works have to be performed on the bogs to facilitate turf cutting; when it is envisaged to carry these works out in each case; and if he will make a statement on the matter. [53041/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Out of the 2,510 applications received in my Department to date for compensation under the cessation of turf cutting compensation scheme, 747 applicants have expressed an interest in relocation.

Arrangements for the relocation of turf cutters to non-designated bogs have been made as regards a group from Clara Bog in County Offaly and a group from Carrownagappul Bog and Curraglehanagh Bog special areas of conservation in County Galway. These arrangements involve the groups moving to nearby bogs, with the group from Clara Bog having commenced turf cutting at the relocation site in Killeranny, County Offaly, in June last. Progress has also been made with a view to the relocation of qualifying turf cutters from Ballynafagh Bog special area of conservation in County Kildare in a similar manner. My Department envisages that qualifying turf cutters from Carrownagappul Bog, Curraglehanagh Bog and Ballynafagh Bog

special areas of conservation will be able to commence turf cutting in the relocation sites in the 2013 turf cutting season.

Some 24 qualifying turf cutters have been accommodated at the relocation site in Killerranny. It is envisaged that more will be accommodated at the site for the 2013 cutting season.

Some 69 applicants for compensation under the cessation of turf cutting compensation scheme from Carrowmagappul Bog special area of conservation, 19 applicants from Curraghlehagh Bog special area of conservation, and 29 applicants from Ballynafagh Bog special area of conservation have expressed an interest in relocation to non-designated bogs.

I understand that works to facilitate turf cutting are well advanced in all relocation sites with the exception of that for qualifying turf cutters from Ballynafagh Bog special area of conservation. It is anticipated that works will also be required at this site and that these works will commence in early 2013.

I am advised that of the remaining 49 raised bog special areas of conservation, potential relocation sites have been identified for a further 30 bogs and work is ongoing on identifying and investigating potential relocation sites. Relocation is unlikely to be required or is likely to be small scale for another 15 raised bog special areas of conservation due, for example, to the small number of turf cutters that have been active on these sites.

The Deputy will appreciate that relocation is a very complex process, in terms of investigating suitable sites for turf quality and quantity, the infrastructure/drainage works required, establishing the number who can be accommodated on the site, the cost and feasibility of land purchase or lease, and possible planning and Environmental Impact Assessment requirements. Accordingly, it will only be possible to bring this process to a conclusion over time in respect of all the relocation sites.

### **Departmental Agencies Issues**

454. **Deputy Billy Timmins** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53694/12]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I can advise the Deputy that no new State bodies/agencies have been created from within my Department's Vote Group during 2012. With regard to other forums and task forces referred to in the Deputy's Question, the relevant groups that have been established since 1 January 2012 are referenced. I am assuming that it is not intended that routine internal committees or working groups established by my Department to support the delivery of its goals be included:

- My Department was instrumental in establishing a task force with regard to the 'Historic Towns Initiative' in 2012. Fáilte Ireland, the Heritage Council and representatives from the relevant local authorities are represented;

- In April 2012, responsibility for commemorative events transferred from the Department of the Taoiseach to my Department, which now has responsibility for the All-Party Oireachtas Group on Commemorations and the Expert Advisory Group on Commemorations;

- A Departmental/Bord na Móna Working Group was established this year in the context of the relocation of turf cutters to non-designated bogs. No new employees have resulted from the

establishment of these groups.

### **Better Energy Homes Scheme Applications**

455. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position is in relation to the Sustainable Energy Authority of Ireland better energy homes scheme and better energy warmer homes scheme for energy efficient works; his plans to change the above grants; his plans to introduce a replacement scheme if a person has been approved this year and has six months to carry out the work; if there are any plans to change this time frame; and if he will make a statement on the matter. [52716/12]

461. **Deputy Derek Nolan** asked the Minister for Communications, Energy and Natural Resources his plans to extend the free home insulation scheme or make home heating grants more accessible to middle income earners who are often very financially stretched; his plans to allow home owners insulate their homes and pay off the bills over a number of years; and if he will make a statement on the matter. [52939/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):**  
I propose to take Questions Nos. 455 and 461 together.

The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Homes and the Better Energy Warmer Homes schemes under the Better Energy Programme. The scheme is a demand-led programme and the Government has committed €76.146 million in Exchequer funding to the programme in 2012.

The Better Energy Homes scheme provides financial assistance for improving energy performance of older homes, built any time before 2006. The scheme enables homeowners to save money, while improving comfort and reducing harmful greenhouse gas emissions. Fixed grants are provided towards the cost of a range of measures including attic insulation, wall insulation, heating systems upgrades, solar thermal panels and accompanying Building Energy Rating (BER).

The Better Energy Warmer Homes scheme delivers a range of energy efficiency measures to households that are vulnerable to energy poverty. The scheme is delivered through a combination of SEAI appointed Community Based Organisations (CBOs), augmented by a panel of private contractors in order to ensure national coverage. Measures available include draught proofing, attic insulation, lagging jackets for hot water tanks, low energy light bulbs and cavity wall insulation.

The Programme for Government includes a commitment to roll out a Pay-As-You-Save (PAYS) retrofit scheme after 2013, to replace the Exchequer funding currently being provided to the Better Energy Programme. The PAYS concept is an innovative financing mechanism that would allow consumers to finance energy efficient upgrades. This should allow consumers to avail of energy efficiency measures, including measures to insulate dwellings, using the money that they would have spent on their energy bill. The PAYS project team has commenced and is working on bringing a detailed design to Government in summer 2013.

However, at this point in time, I have no plans to make any changes to the grants provided under the Better Energy Homes and Better Energy Warmer Homes schemes or to amend how the schemes are currently administered.

456. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the implementation of Warmer Homes: A Strategy for Affordable Energy in Ireland; the progress made on implementing its key objectives; and if he will make a statement on the matter. [52170/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Affordable Energy Strategy was published in November 2011 and developed by the Inter-Departmental/Agency Group on Affordable Energy (IDGAE) as part of the Department's commitment in the Programme for Government to help mitigate energy poverty. The Affordable Energy Strategy provides a framework for building upon the many measures already in place to protect households at risk from the effects of energy poverty, which include the thermal efficiency-based measures delivered through the Better Energy: Warmer Homes programme. This programme is a key element of the Affordable Energy Strategy. The energy efficiency measures, which it funds, are targeted at low income families and will make a lasting impact on fuel poverty in the case of individuals benefiting under the scheme. Exchequer funding of €23.647 million has been allocated to this programme in 2012. The scheme has addressed 87,789 fuel poor homes since 2000 of which 7,401 have been delivered since the start of 2012 to the end of October. So far this year, over €9 million has been spent under Better Energy: Warmer Homes.

There are forty-eight actions identified in the strategy that are being implemented over the life-time of the report (3 years). Five priority measures are identified including a commitment to review the National Fuel Scheme in the context of examining the feasibility of aligning income supports with the energy efficiency and income of the home, the phased introduction of minimal thermal efficiency standards for rental accommodation, ensuring greater access to energy efficiency measures, reforming the eligibility criteria for energy efficiency schemes and the introduction of an area based approach. Work is ongoing by the IDGAE on the implementation of all the actions contained in the strategy.

### **Alternative Energy Projects**

457. **Deputy Marcella Corcoran Kennedy** asked the Minister for Communications, Energy and Natural Resources the reason the DS3 process launched in 2008 and in view of our obligations in the provision of wind energy has not proceeded; when we may expect the document from Éirgrid to be published which was expected June 2012. [52609/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The multi-year, multi-stakeholder programme for Delivering a Secure, Sustainable Electricity System (DS3) was launched by EirGrid in 2011. The DS3 programme is about developing solutions to the challenges associated with increasing levels of renewable generation, particularly with regard to secure power system operation, as we work to achieve the 2020 renewable targets.

The DS3 programme brings together many different strands, including development of financial incentives for better plant performance, and development of operational policies and system tools to use the portfolio to the best of its capabilities. Standards for wind farms and conventional plant are also being reviewed to give enhanced operational flexibility for the future.

A central aspect of the DS3 programme is the System Services Review. System Services are products, other than energy, that are required for the continuous, secure operation of the power system. The System Services Review is being carried out to identify the new system services that are needed to complement the transition towards a power system with high levels of wind generation. To date, two public consultations have been held related to System Services; a third

public consultation is expected in the coming months. The exact timing of the consultation will be determined by the Single Electricity Market Committee (SEMC).

It is important to note that the DS3 programme involves a variety of different stakeholders, including the Distribution System Operators, Regulatory Authorities, Conventional Generators and Renewable Generators, as well as the TSOs.

### **Energy Policy Review**

458. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources the impact of the key findings of the World Energy Outlook Report on Ireland for the period 2013/2020; and if he will make a statement on the matter. [52706/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The 2012 edition of the World Energy Outlook was published on 12 November 2012. It highlights the global nature of world energy markets and that no country is an energy island. It re-affirms the requirement for a sustainable global energy system and highlights, inter alia, the vital role that energy efficiency and renewable energy will play in meeting global energy demands and reducing carbon emissions. My officials are considering the findings of the report, which will inform the development of the new energy policy framework.

The Government's priority energy policy objectives are to ensure secure, sustainable and competitive energy supply for the economy and for consumers. The energy regulatory framework for energy markets must also reflect and address evolving energy policy challenges and deliver compliance with the requirements of both EU and national energy legislation.

The overriding objectives of Irish energy policy remain consistent security of supply, competitiveness and sustainability and will continue to be the pillars of energy policy and are generally consistent with the findings of the World Energy Outlook.

### **Telecommunications Services Provision**

459. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources if the prospective 4G service will cover the whole of the Republic of Ireland in view of the reports that there may only be 10% nationwide 4G coverage by 2015; and if he will make a statement on the matter. [52707/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The management of the radio spectrum is a statutory function of the Commission for Communications Regulation (ComReg) under the Communications Regulation Act, 2002 as amended.

ComReg's recently held auction awarded spectrum rights in the 800 MHz, 900 MHz and 1800MHz for the period 2013 to 2030. ComReg's Information Notice, available on the ComReg website [www.comreg.ie](http://www.comreg.ie), sets out the population coverage obligations that apply to these licences. In this regard it requires that all licence holders must attain and maintain a minimum coverage of 70% of the population within 3 years.

The Government's recently-published National Broadband Plan aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses during the lifetime of the Government and well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible.

One of the first steps in delivering on the commitments outlined in the National Broadband Plan will be the completion of a formal national mapping exercise to identify commercial service providers' where existing and planned broadband services will be rolled out throughout the country. Preparatory work has commenced within my Department to expedite this task.

The mapping exercise will identify the areas of the country where there is likely to be market failure in the provision of high speed broadband services and where State intervention will be required. Rollout will be targeted to commence in 2014, when it is hoped that the mapping, State Aids and procurement processes are complete and when the current contract for the National Broadband Scheme expires. I would reiterate the key commitment of 30 Mbps being available to all citizens and business as referred to above.

### **Broadcasting Service Provision**

460. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources his views on the criticism that existing Public Service Multiplex stations are being underused especially by RTE, TG4 and TG3; if any other applicants have been encouraged such as the Irish Film Board; if a third MUX will now go ahead; and if he will make a statement on the matter. [52708/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** There is currently a single multiplex in operation on the SAORVIEW service. This provides access to eight TV channels including a HD channel, plus 10 radio stations. This multiplex is not underused.

The Broadcasting Act 2009 provides that a second multiplex could be operated by RTÉ in the event that additional capacity is required. This is intended to provide for HD versions of the 4 public service channels, an Irish film channel and an Oireachtas channel. Any additional capacity on the multiplex could be made available for other TV services.

There are substantial costs associated with the development and ongoing operation of new TV services and the development of these services is a matter for the broadcasters themselves.

*Question No. 461 answered with Question No. 455.*

### **Broadband Services Provision**

462. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources the time frame in which he will ensure that there is an adequate broadband provision throughout rural Ireland; and if he will make a statement on the matter. [52964/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Government accepts that the widespread availability of high speed broadband is a key requirement in delivering future economic and social development. With basic broadband services now widely available across Ireland, the challenge is to accelerate the roll out of high speed services.

The National Broadband Plan, which I published recently, aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible.

The Plan commits to high speed broadband availability across the country – specifically 70Mbps – 100Mbps will be available from the commercial market operators to more than half of the population by 2015; at least 40Mbps, and in many cases faster speeds, to at least a further 20% (and potentially as much as 35%) of the population during the lifetime of the Government; and a minimum of 30Mbps for every remaining home and business in the country, also during the lifetime of the Government.

During the preparation of the Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. The areas to be provided with those services will be determined by the commercial market operators.

One of the first steps in delivering on the 30Mbps and 40Mbps commitments will be the completion of a formal national mapping exercise to determine the exact position in relation to commercial service providers' existing and planned broadband services throughout the country. Preparatory work has commenced within my Department to expedite this mapping exercise.

The mapping exercise will identify the areas of the country where there is market failure in the provision of high speed broadband services. It will also identify where the market is expected to succeed and fail in the delivery of high speed broadband over the coming years. Until that process is complete, the precise areas of the country which will require State intervention will not be known, nor is it possible to set out a definitive timeframe for the roll out of services.

I would reiterate however, that the Government remains committed to the delivery of the speeds referred to above, to ensure that all parts of Ireland will have at least 30Mbps connectivity in the shortest possible time.

### **Departmental Agencies Issues**

463. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53695/12]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I wish to advise the Deputy that I have not established any new State Agencies, forums or task-forces this year.

The Next Generation Networks (NGN) Taskforce completed its work in 2012 and the National Broadband Plan for Ireland, which was published recently, is informed by the findings of the report of the NGN Taskforce. The NGN Taskforce involved no additional staff.

### **Motor Tax Collection**

464. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his plans to restructure road tax; and if he will make a statement on the matter. [52932/12]

468. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government with regard to proposed restructuring of road tax, if he will ensure that any changes will not destabilise the market; and if he will make a statement on the matter. [53066/12]

477. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he has considered introducing sub-categories to the current motor tax bands, which would see for example, band A sub divided into sections reflecting the car size, with larger cars paying more tax. [52527/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 464, 468 and 477 together.

A review of options for improvement in Vehicle Registration Tax (VRT) and motor tax revenues in future years was announced on Budget day, 6 December 2011. Interested parties were invited to make submissions regarding the proposed revision in the current system of VRT and motor tax to adjust CO<sub>2</sub> bands and rates in line with technological advances in motor vehicles while maintaining a positive environmental incentive to reduce transport emissions.

The public consultation period ran to 1 March 2012. Submissions were received from motoring representative organisations, motor dealers and other stakeholders in the motoring industry, and also from private individuals. My Department and the Department of Finance have considered the submissions and possible options and the outcome of the review will be announced in the context of Budget 2013.

### **Property Taxation Collection**

465. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government if the proposed property tax will be collected and spent locally by local authorities, or if it will be collected by the central Exchequer and then redistributed to local authorities. [52949/12]

466. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government the way he plans to deal with the inequalities in revenues that will accrue to local authorities from the proposed property tax, in view of large differences in average home values in different local authority areas. [52950/12]

467. **Deputy Arthur Spring** asked the Minister for the Environment, Community and Local Government in the context of the proposed property tax which will be the primary source of revenue for local authorities, the extent to which central Government will provide supplementary funding for local authorities whose budgets are in a deficit situation. [52959/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 465 to 467, inclusive, together.

The EU/IMF Programme of Financial Support for Ireland contains a commitment to introduce a property tax for 2012. The Programme reflects the need, in the context of the State's overall financial position, to put the funding of locally-delivered services on a sound financial footing, improve accountability and better align the cost of providing services with the demand for such services. It was considered that, in light of the complex issues involved, a local property tax would take time to introduce and accordingly to meet the requirements in the EU/IMF Programme, the Government decided to introduce a household charge in 2012 as an interim measure. This was done via the Local Government (Household Charge) Act 2011.

An appropriate broadening of the revenue base for local government will be achieved through the household charge and the forthcoming full local property tax. Income from the household charge and from a future local property tax is critical in ensuring that local authorities have the necessary resources to continue to deliver services to their communities.

An independently-chaired Inter-Departmental Expert Group was established earlier this year to consider the structures and modalities for an equitable Local Property Tax to replace the Household Charge. The Group submitted its report and proposals will be brought to Government which will decide on the exact details of implementation .

The Government has decided that the Local Property Tax will be collected and administered by the Revenue Commissioners.

*Question No. 468 answered with Question No. 464.*

### **Water and Sewerage Schemes Provision**

469. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government in view of the fact that Donegal County Council are awaiting approval from his Department in relation to the Gweedore sewerage scheme, if he will confirm that approval for the scheme will be forthcoming from his Department by the end of 2012 to allow the scheme to progress to the next phase; and if he will make a statement on the matter. [52264/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Gweedore Sewerage Scheme is included in my Department's Water Services Investment Programme 2010 - 2013 as a scheme to commence construction during the lifetime of the Programme. My Department is awaiting the submission by Donegal County Council of their Contract Documents for the scheme.

### **Septic Tank Registration Scheme**

470. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government his plans to put back the latest date for registration under the Water Services Act, 2012, in view of the fact that no inspection plan has yet been published; and if he will make a statement on the matter. [52343/12]

494. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government when the inspections of septic tanks will commence; if there be grants available for person's who have to upgrade their tanks; and if he will make a statement on the matter. [52961/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 470 and 494 together.

The Water Services Acts 2007 and 2012 Domestic Waste Water Treatment Systems (Registration) Regulations 2012 prescribe 1 February 2013 as the date by which owners of domestic waste water treatment systems must register their systems. Registration facilities have been available since 26 June 2012 and I consider that ample time is provided for owners to comply with the requirement to register. I have no plans to amend the date specified in the legislation.

The Water Services (Amendment) Act 2012 provides that the Environmental Protection Agency will make the National Inspection Plan for domestic waste water treatment systems. A public consultation on the proposed plan was commenced by the Agency on 11 October 2012. Submissions received are currently being reviewed by the Agency with a view to finalising the Plan. A training course for persons who will be appointed to carry out inspections is also

currently being finalised and this is being overseen by the Water Services Training Group. I understand that the Plan and the training course will be finalised shortly. The training course for inspectors will be rolled out to suitably qualified local authority staff in early 2013. This will be followed by the commencement of inspections, which will be based on the national inspection plan.

I have stated on a number of occasions that I am prepared to consider all possible options to provide financial support to householders whose wastewater treatment systems are deemed, following inspection under the new legislation, to require substantial remediation or upgrading. The provision of any financial support will have regard to the overall budgetary situation and to the financial position of the individual households concerned.

### **Planning Issues**

471. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government if he will provide an update on a planned review into Part V of the Planning and Development Act 2000 particularly in the context of possible changes to legislation which may affect shared ownership schemes; and if he will make a statement on the matter. [52403/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The Government’s housing policy statement, published in June 2011, announced the standing down of all affordable housing schemes, including the shared ownership scheme, in the context of a full review of Part V of the Planning and Development Act 2000. That review is now underway. I will shortly publish material on my Department’s website, in furtherance of the review, and this will facilitate stakeholder consultation which is likely to take place early next year.

### **Pyrite Remediation Programme Issues**

472. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government if he will report on the latest developments within the Pyrite Resolution Board; and if he will make a statement on the matter. [52460/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I have made my intention clear, in recent communications with stakeholders, to proceed with the establishment of the Resolution Board as recommended by the independent Pyrite Panel. Discussions are on-going with the stakeholders and sufficient progress has been made in trying to arrive at mechanisms to provide a solution for the affected homeowners to justify the continuation of the engagement for a further short period. However, I will not allow the discussions to drag on and I expect them to conclude very shortly. I am hopeful that the outcome of the discussions will be positive but in any event I will be seeking to advance solutions for homeowners in the context of the recommendations of the Panel.

### **Local Authority Housing Maintenance**

473. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that section 5 of the Derelict Sites Act is not robust enough to deal with uncooperative landowners or in cases where the ownership of land may be disputed and particularly in relation to a property (details supplied) in

Dublin 3. [52465/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Under the Derelict Sites Act 1990 local authorities are required to take all reasonable steps, including the exercise of appropriate statutory powers, to ensure that any land within their functional area does not become or continue to be a derelict site. To this end, they have been given substantial powers under the Act in relation to any such sites, including powers to require specified measures to be taken in relation to a derelict site, to impose a levy on derelict sites, or to compulsorily acquire any derelict site. I expect local authorities to use their statutory powers as they consider appropriate. While I have no plans to amend the Derelict Sites Act at this time, I will keep the need for further legislative reforms to assist local authorities in addressing issues of dereliction under review. Local authorities also have powers under other legislation to deal with derelict sites or structures, for example, under the Sanitary Services Act 1963.

### **Departmental Staff Remuneration**

474. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, the number of staff in his Department or in bodies which fall under the remit of his Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in relevant pay brackets. [52517/12]

475. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he has made any contacts requesting staff whose annual salary is more than €200,000 in his Department or in any body under the remit of his Department, 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 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. [52518/12]

479. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form, the number of staff in their Department, or in bodies which fall under the remit of the Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; if he will provide a breakdown of the positions held by the staff in the relevant pay brackets [52554/12]

480. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in their Department or in any body under the remit of their Department, 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/she 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. [52555/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 474, 475, 479 and 480 together.

The current salary of the Secretary General of my Department is €215,590 per annum. In line with the general Government policy of a €200,000 pay ceiling for senior positions across the Public Service, she has voluntarily waived salary in excess of the €200,000 pay ceiling under Section 483 of the Taxes Consolidation Act 1997.

Pension contributions are deducted from salary and there are no other benefits paid. There are no other staff in my Department in receipt of an annual salary of more than €200,000 or in receipt of a salary between €150,000 and €199,000. Information on bodies under the aegis of my Department is set out in the following table.

Salary Range	Number	Position Held
€150,000 to €199,000	3	CEO, Local Government Management Agency Chairperson, An Bord Pleanála Director General, Environmental Protection Agency
€200,000 to €299,999	n/a	n/a
€300,000 to €399,999	n/a	n/a
€400,000 +	n/a	n/a

Individuals are entitled to pensions in accordance with the rules of their organisation's pension scheme. In general, pension entitlements are based on final salary and length of service, including added years where appropriate, capped at 40 years.

### Motor Tax Yield

476. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the total amount of motor tax returned in the 10 months to October in 2012; the full year in 2006, 2007, 2008, 2009, 2010 and 2011; and to set out the tax as it was paid according to bands. [52526/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Total gross motor tax receipts from 2006 to the end of October 2012 are set out in the following table. A breakdown of the receipts by band for each year is being compiled and will be forwarded to the Deputy as soon as possible.

YEAR	TOTAL GROSS MOTOR TAX RECEIPTS €
2006	879,705,213
2007	956,731,400
2008	1,058,605,132
2009	1,057,822,734
2010	1,023,823,935
2011	1,010,419,164
2012 (to 31 October 2012)	900,493,004

*Question No. 477 answered with Question No. 464.*

### **Social and Affordable Housing Eligibility**

478. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government the advice and support available in respect of a person (details supplied) [52531/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned.

Section 22 of the Housing (Miscellaneous Provisions) Act 2009 requires all housing authorities to make an allocation scheme. The making and amendment of such an allocation scheme for social housing is a reserved function of the elected members of each housing authority. The Social Housing Allocation Regulations 2011, which commenced on 1 May 2011, set out the conditions that housing authorities must take into account when making their allocation schemes. These include requiring authorities to set out how they will determine the order of priority for the allocation of dwellings.

*Questions Nos. 479 and 480 answered with Question No. 474.*

### **Local Authority Charges Application**

481. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government if he will provide details in tabular form the development levies applicable on a county basis for new businesses looking to locate in a particular location; if there are any waivers available to attract new businesses to a location; and if he will make a statement on the matter. [52595/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department does not collect the information sought in the question. As Minister, my role is to provide the necessary statutory and policy framework within which individual development contribution schemes are adopted by each local authority. The adoption of individual development contribution schemes is a reserved function of the locally elected members of each planning authority. It is a matter for the members to determine the level of contribution and the types of development to which they will apply. My Department is finalising updated guidance for local authorities on the issue of development contributions which will recommend that, *inter alia*, development contribution schemes facilitate job creation through targeted support for specific development types. As part of the new guidance, planning authorities will be asked to consider whether there are any measures open to them to support new or existing enterprises in their areas by, for example, reduced development contribution rates, deferral of payments, etc. These guidelines will issue to all local authorities shortly.

### **Leader Programmes Funding**

482. **Deputy John O’Mahony** asked the Minister for the Environment, Community and Local Government when new applications for funding may be made to North East Leader Com-

pany; and if he will make a statement on the matter. [52612/12]

483. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government if he will outline the outcome of an investigation into the procedures used by North East Leader Company and the effects it is having on the allocation of funding to projects in the community; and if he will make a statement on the matter. [52613/12]

484. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government when the backlog of applications of funding of projects for local communities to North East Leader will be cleared; and if he will make a statement on the matter. [52614/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 482 to 484, inclusive, together.

Mayo North East Leader Partnership (MNELP) is the Local Action Group contracted by my Department to deliver both the Rural Development Programme (RDP) and the Local Community Development Programme (LCDP) to the North Mayo area.

On foot of correspondence I received in 2011 regarding a possible governance issue at Mayo North East LEADER Partnership Company, I directed my Department to investigate the matter. This investigation is complex but advanced, and approval of projects under the LEADER element of the Rural Development Programme is currently suspended pending its completion. My Department will act on the recommendations of the investigation as soon as is possible following its completion and is committed to providing the resources of the Rural Development Programme (LEADER) to the area going forward.

### **Unfinished Housing Developments**

485. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if Dublin City Council is involved with his Department in negotiations with the National Assets Management Agency regarding empty or unfinished homes and estates and the housing waiting list especially Housing Area B of Dublin City Council; and if he will make a statement on the matter. [52709/12]

486. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if Fingal County Council is involved with his Department in negotiations with the National Assets Management Agency regarding empty or unfinished homes and estates and the housing waiting list of Dublin Fingal County Council; and if he will make a statement on the matter. [52710/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** I propose to take Questions Nos. 485 and 486 together. I refer to the reply to Question No. 437 of 20 November 2012.

### **Local Authority Housing Provision**

487. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that more than 7,000 housing applicants were cancelled by Dublin City Council in 2007 and 2011 housing assessment reviews; if council contacts with its clients can be improved when an applicant genuinely believed they remained on the housing list even following a move to another tenancy; and if he

will make a statement on the matter. [52711/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Decisions on the eligibility of specific persons for social housing support and the allocation of that support are a matter solely for the housing authority concerned. A household may be determined to be in need of social housing support where, in accordance with the 2011 social housing assessment regulations, a housing authority considers that the household’s current accommodation is unsuitable for its adequate housing, having regard to particular household circumstances or on exceptional medical or compassionate grounds. The household must also meet the other need and eligibility criteria prescribed in the 2011 regulations in order to qualify for social housing support. It is a matter for the housing authority to communicate with both applicants for social housing support and current tenants, and I would expect such communication and access to information to be provided using all reasonable means to facilitate an efficient and effective service.

### **Social and Affordable Housing Provision**

488. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he is planning a major housing investment programme in view of the fact that 100,000 families and persons are waiting for social housing and if €400 million from the sale of 4G spectrum space is hypothecated for housing; and if he will make a statement on the matter. [52712/12]

491. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the supports available to voluntary organisations who wish to build social housing units; and if he will make a statement on the matter. [52877/12]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 488 and 491 together.

The Government’s housing policy statement, published in June 2011, clearly identifies that the priority for Government will be to meet the most acute needs of households applying for social housing support. It also recognises the approved housing body sector as a key partner in the delivery of social housing solutions for low-income families and persons with specific categories of housing need.

I am determined to ensure that the social housing programme is framed in a manner which optimises the delivery of social housing and the return for the resources invested. To achieve this it is essential that we tailor the use of available Exchequer supports to prevailing conditions and explore the full range of solutions to address housing needs. The social housing capital budget has been reduced from €1.535 billion in 2008 to just over €333.7m this year and the financial parameters within which we will be operating for the coming years rule out a return to large capital funded construction programmes. Nevertheless, the Government is committed to responding more quickly and on a larger scale to social housing support needs through a variety of mechanisms, including through increased provision of social housing. In spite of the challenging circumstances within which local authorities are now operating, a tentative projection of 4,000 to 4,500 housing units is anticipated for 2012.

Delivery of social housing will be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing, but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms will include options to purchase, build to lease and the

sourcing of loan finance by approved housing bodies (AHBs) for construction and acquisition. In this regard, the Housing Finance Agency has received eighteen applications from AHBs for Certified Borrower status and awarded such status to five bodies, with a number of others currently being assessed. The Agency has approved six applications for 128 social housing units in total (at a valuation of €11.6 million). It is envisaged that further lending will be generated for the Agency in 2013, under this Scheme, with more AHBs applying for Certified Body status and subsequent loan applications for social housing schemes.

I am conscious that the move from capital funded programmes of construction and acquisition by AHBs to more revenue funded options presents challenges for them. I intend to develop an enabling regulatory framework for the sector that will provide support and assurance both to the sector itself and to its external partners as it takes on the expanded role envisaged for it by Government and to underline its status as a viable and attractive investment opportunity for financial institutions. My Department is actively working with the sector on the development of a voluntary code which I expect most bodies will endorse. This code, which should be finalised and agreed in the coming months, will serve as a learning opportunity for the sector and for my Department as we develop a longer-term statutory framework that will best support the enhanced role of AHBs.

Specifically under the Capital Assistance Scheme (CAS), funding of up to 100% of the approved cost is available for the provision of accommodation to meet the needs of persons with specific categories of housing need including older people, people with an intellectual, physical or mental health disability, the homeless, returning emigrants and victims of domestic violence. My Department's involvement with these voluntary and co-operative housing schemes relates primarily to the provision of funds for individual projects. The detailed administration of the schemes, and the certification that projects comply with the terms and conditions of the funding schemes, are the responsibility of the relevant local authority.

In early 2012, some €46 million in CAS funding was allocated to local authorities in respect of existing commitments on CAS projects then underway. In July I announced details of a €35 million programme of special needs housing provision which is intended to deliver some 377 housing units at 55 locations across the country. Approvals were based on local housing need and on the priority afforded to individual proposals by local authorities.

There is also obvious potential, across a range of housing programmes, for the Government's objective of sourcing and providing suitable residential units for use as social housing to be aligned with the commercial objectives of the National Asset Management Agency (NAMA). My Department and the Housing Agency are working closely with NAMA with the aim of ensuring that a significant number of housing units are made available in this way by NAMA.

Projected levels of activity in 2013 will be subject to the financial provision for housing, which will be determined in the context of the 2013 Estimates process.

### **Animal Welfare Issues**

489. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the review procedure that he intends to take with the Department for Agriculture, Marine and Food to ensure that the dog welfare standards being developed in the Animal Health and Welfare Bill will apply to dog pounds, rescues and dog transportation operators. [52771/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Ho-**

**gan):** The application of all aspects of the Animal Health and Welfare Bill 2012, including those relating to dogs, are a matter for my colleague, the Minister for Agriculture, Food and the Marine. My Department is responsible for matters relating to control of dogs.

### **Departmental Budgets**

490. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the areas of the 2012 Departmental Budget both capital and current if any that remain underspent and which will either be re-allocated, rolled over into 2013 or returned to revenue; and if he will make a statement on the matter. [52873/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department is responsible for a wide range of programmes, including in the areas of housing, water services, environmental protection, local government services, and community and rural development.

The Revised Estimates for Public Services 2012, published by the Department of Public Expenditure and Reform in February 2012, detail gross expenditure of €467 million on the current side of the Vote and gross capital expenditure (including carryover) of €895 million in respect of my Department in 2012. Current spending in 2012 is running close to the profile established at the start of the year. While capital spending in the housing, water services and rural development areas is behind profile, I expect significant further expenditure to take place by end 2012. Where savings emerge in the finalisation of Department spending in 2012, consideration will be given, in consultation with the Department of Public Expenditure and Reform, to the appropriate use of the resources concerned.

*Question No. 491 answered with Question No. 488.*

### **Fire Service Issues**

492. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he has received and reviewed the draft document by the National Directorate for Fire and Emergency Management, Keeping Communities Safe; if he is concerned by any proposals to reduce minimum manning levels in the Fire Service; and if he will make a statement on the matter. [52902/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Management Board of my Department's National Directorate for Fire and Emergency Management has approved a policy document called Keeping Communities Safe (KCS) which is intended to set the future direction of fire services in Ireland. The policy document seeks to define an integrated approach to fire safety by ensuring an appropriate incident response from the fire service while strengthening the service's role in fire prevention and community fire safety. The KCS document is the outcome of a wide ranging review of fire services activities, and considers future roles and appropriate structures to deliver services effectively and efficiently. Its preparation involved broad stakeholder consultation and its provisions are in line with international best practice.

I will be bringing Keeping Communities Safe to the attention of Government and I expect to publish it as national policy in the near future.

## **Building Regulations Amendments**

493. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 462 of 13 November 2012, the reason the specification on hardcore is being developed in conjunction with recommendation 21 of the Pyrite Panel which deals with general insurance issues, rather than recommendation 22. [52923/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The reference to Recommendation 21 in reply to Question No. 462 is to Standard Recommendation (SR) 21, Guidance on the use of I.S. EN 13242 – Aggregates for unbound and hydraulically bound materials for use in civil engineering work and road construction, not to recommendation 21 in the Pyrite Report.

*Question No. 494 answered with Question No. 470.*

## **Water Quality Issues**

495. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government if he will confirm that each local authority has complied with the letter issued by the water quality section of his Department on 25 November 2002 that all public and private supplies of drinking water sourced from groundwater is tested for uranium; and if he will make a statement on the matter. [53042/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The communication referred to in the Question was issued on foot of elevated levels of uranium being found at that time by the EPA's groundwater monitoring programme in Co. Wicklow. Details of how this situation was addressed are contained in the EPA's State of the Environment Report 2004.

Since that communication issued in 2002, the European Communities (Drinking Water) (No. 2) Regulations 2007 have been introduced. These Regulations 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. Drinking water samples are assessed for compliance with 'total indicative dose' (TID) which is the parametric standard for radiation set out in the Regulations.

Under the Regulations, the EPA is responsible for the supervision of the provision of public water supplies by local authorities, while local authorities are responsible for supervising other water suppliers. All water suppliers are required to ensure that water is clean and wholesome and this is verified by regular monitoring and sampling. The Regulations also refer to exempted supplies; these are individual supplies of less than 10 cubic metres per day or serving less than 50 persons and not serving any commercial or public activity. These supplies are not required to meet the monitoring requirements of the Regulations.

It is a responsibility of the EPA, 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 report produced by the Agency, The Provision and Quality of Drinking Water in Ireland, A Report for the Year 2010 was published in 2011. These reports set out details on the monitoring results for drinking water quality.

## Waste Disposal

496. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his plans to provide a grant for the removal of asbestos sheeting or roofing in view of the amount of this material that is still in use and the considerable cost involved in its removal; and if he will make a statement on the matter. [53053/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I have no plans to provide grant assistance for the removal of asbestos sheeting or roofing. Under Section 32 of the Waste Management Act 1996, the management and control of any waste arising from the removal of this material is the responsibility of the producer or holder of such waste.

Asbestos waste is classified as a hazardous material, and must therefore be disposed of according to strict procedures. Advice on its proper disposal is available from the website of the Environmental Protection Agency, *www.epa.ie*.

## Departmental Agencies Issues

497. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53698/12]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The following State Agencies were established in 2012:

**Local Government Management Agency** - merger of the Local Government Management Services Board, the Local Government Computer Services Board and residual functions of An Comhairle Leabharlanna; no new employees.

**Housing and Sustainable Communities Agency** – rationalised functions of the National Building Agency, the Affordable Homes Partnership and the Centre for Housing Research; no new employees.

The following Forums/Task Forces were established in 2012:

**Waste Forum** - provides a mechanism for its membership, drawn from a wide range of stakeholders, to discuss and consider waste management matters, including policy, practices and outcomes; no new employees.

**Commission for the Economic Development of Rural Areas** – has a defined remit and timeframe to investigate the future economic potential of rural Ireland. Its main output will be a report that aims to inform medium term economic development of rural areas for the period to 2025. It operates within existing resources, drawing upon shared services and facilities, including a secretariat provided by the partnering institutions, i.e. the Department, Teagasc and the Western Development Commission. The Commission hopes to recruit a small number of trainees under the JobBridge programme to work in Teagasc; otherwise, no new employees.

## Legislative Programme

498. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality his plans in

the forthcoming year to publish the Mental Health Capacity Bill with particular reference to the many persons currently affected by the Wards of Court process; and if he will make a statement on the matter. [52486/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I assume the Deputy is referring to the Mental Capacity Bill and I refer him to my response to Question No. 467 of 20 November 2012 in which I said the following:

“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.”

The Bill proposes replacement of the Wards of Court system with a modern statutory framework to support persons with impaired decision-making ability.

### **Citizenship Applications**

499. **Deputy Derek Nolan** asked the Minister for Justice and Equality the reason there has been a delay in the processing of an application for citizenship in respect of a person (details supplied); and if he will make a statement on the matter. [52209/12]

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

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Citizenship Applications**

500. **Deputy Michael McNamara** asked the Minister for Justice and Equality when a naturalisation application will be finalised in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [52256/12]

**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 January, 2009.

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 hand, the nature of the naturalisation process is such that for a broad range of reasons some cases will take longer than others to process. It is a statutory requirement that, inter alia, applicants for naturalisation be of good character. In some instances that can be established relatively quickly and in other cases completing the necessary checks can take a considerable period of time. I can, however, inform the Deputy that enormous progress has been made in dealing with the backlog and steps are being taken to process all outstanding applications as quickly as possible.

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### **Departmental Funding**

501. **Deputy Thomas Pringle** asked the Minister for Justice and Equality if he will list all integration funding currently available for prospective applicants. [52261/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Office for the Promotion of Migrant Integration in my Department has channelled significant funding for the promotion of migrant integration to local authorities, national sporting bodies and other national organisations in recent years. This funding is continuing but on a limited scale because our resources are reduced in line with public expenditure generally. There is unfortunately little or no scope at present to take on new projects.

The Office is also responsible for the European Refugee Fund and the European Fund for the Integration of Third-Country Nationals. Consideration will be given to conducting a call for applications under these Funds early next year.

In 2012, the non-pay provision for the Office for the Promotion of Migrant Integration is €1.344 million with a further €1.5 million for the two European Funds referred to earlier. The allocations for 2013 will be published in the Book of Estimates.

### **Proposed Legislation**

502. **Deputy Clare Daly** asked the Minister for Justice and Equality in view of the recent tragedy in Galway Regional Hospital and the Coombe University Women and Children's Hospital, Dublin, where two women died within 48 hours in October 2012, if he will confirm when legislative changes to the Coroner's Act will take place to make an inquest an automatic event following all maternal deaths. [52306/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The requirement to report a death to a coroner and whether to subsequently conduct an inquest is set out in sections 17 and 18 of the Coroners Act 1962. Under Coroners' Rules of Practice, as outlined on the Coroners website [www.coroners.ie](http://www.coroners.ie), all maternal deaths relating to childbirth are required to be reported to the coroner. The Coroners Bill 2007, confirms this by providing, inter-alia, in the Third Schedule on Deaths Reportable to Coroner, for the reporting of "any maternal death that occurs during or following pregnancy (up to a period of six weeks post-partum) or that might be related to pregnancy".

The cases cited by the Deputy are indeed tragic and we are all conscious of the anguish of the families concerned. However, it is the case that maternal deaths in this State are very rare and we have one of the lowest maternal mortality rates in the world. Where such deaths occur, they must be reported to a coroner who would normally require that a post-mortem examination be held. It is then a matter for decision by the coroner, having regard to the circumstances of the maternal death, whether an inquest is necessary to determine the circumstances. While an inquest would normally be held, there may be cases where an inquest would be unnecessary and leaving it to the discretion of the coroner is, therefore, considered to be the most appropriate public policy position.

The Coroners Bill 2007 is before the Seanad having been restored to the Order Paper on my initiative. The Bill is in the course of being reviewed in my Department with a view, among other matters, to making it as cost-effective as possible. The Bill, as published, provides for the comprehensive reform of the existing legislation and structures relating to coroners and provides for the establishment of a new Coroner Service. The Bill incorporates many of the recommendations made by the Coroners Review Group in 2000 and the Coroners Rules Committee in 2003 and it aims to fulfil various obligations placed on the State by the European Convention on Human Rights and, particularly, the Article 2 requirement in relation to the investigation of deaths of persons involving the State.

It would be my hope to progress the Coroners Bill next year.

### **Coroners Service**

503. **Deputy Clare Daly** asked the Minister for Justice and Equality the reason repeated requests from family members for an inquest into the death of a person (details supplied) which took place on the Rotunda Hospital, Dublin, in March 2010 have not been granted. [52307/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** Under the Coroners Act, 1962, a Coroner is a statutory officer exercising quasi-judicial functions in relation to which he/she is independent and neither I nor my Department has any role in individual cases. However, to be of assistance to the family in question, inquiries have been made and it is understood that this case is with the Dublin Coroner. I understand that the Coroner has decided to revisit his original decision not to hold an inquest into this death, and he is currently waiting for outstanding reports. A decision in relation to an inquest will be made shortly after all reports are received

and will be conveyed to the next of kin.

### Departmental Staff Remuneration

504. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he will provide, in tabular form, the number of staff in his Department or in bodies which fall under the remit of his Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by staff in the relevant pay brackets. [52461/12]

505. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in his Department or in any body under the remit of his Department, 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. [52462/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 504 and 505 together.

There were no staff in my Department or in any of the agencies or bodies that fall under its aegis whose annual salaries at 31 December 2011 were in excess of €200,000. At the end of 2011 there were 16 individuals in positions across the Justice Sector with annual salaries of between €150,000 and €199,000 the details of which are set out as follows.

Department/Agency	Position
Department of Justice & Equality	Secretary General
	Chairperson of the Mental Health (Criminal Law Review Board)
	Chairperson of the Smithwick Tribunal of Inquiry
	State Pathologist
	Deputy State Pathologists (2)
	Bureau Legal Officer
	Chief Inspector of the Garda Inspectorate
	Assistant Secretary PPC scale
Irish Prison Service	Director General
Garda Síochána Ombudsman Commission	Chairperson
Irish Human Rights Commission	President
Courts Service	Chief Executive Officer
	Master of the High Court
An Garda Síochána	Commissioner
	Deputy Commissioner

### Departmental Bodies

506. **Deputy Eamonn Maloney** asked the Minister for Justice and Equality further to Parliamentary Question No. 502 of 13 November 2012, if he will explain the purpose of the allowance paid to staff of the National Disability Authority at Assistant Principal level in terms of the

additional work carried out or additional responsibilities held or additional services provided by the staff that receive this allowance, that is, what the employer receives in return for the allowance. [52501/12]

**Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch):**

The allowance in question was made as a pay award under the Programme for Competitiveness and Work (PCW) which was agreed in 1999 for Assistant Principal and Principal Officer grades on a selective basis across the Civil Service. The intention of such an allowance, as agreed with the Unions, was the enhancement of efficiency and effectiveness, rewarding of special or scarce skills etc. The scheme provided for regrading e.g. from Assistant Principal to Assistant Principal (Higher) where this was regarded as appropriate within the terms of the scheme.

### **Crime Prevention**

507. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the steps the Gardaí are taking in an area (details supplied) in County Meath to reduce crime; and if he will make a statement on the matter. [52547/12]

508. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of arrests that have been made in an area (details supplied) in County Meath in the past two years; and if he will make a statement on the matter. [52548/12]

509. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the steps the Gardaí are taking in an area (details supplied) in County Meath to reduce crime; and if he will make a statement on the matter. [52549/12]

510. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of arrests that have been made in an area (details supplied) in County Meath in the past two years; and if he will make a statement on the matter. [52550/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 507 to 510, inclusive, together.

I am informed by the Garda authorities that the areas referred to are in the Navan Garda District.

I am further informed that the areas are subject to regular patrols by local uniformed and plain clothes personnel, augmented by the Detective Unit and Community Policing Unit, 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, 2,493 persons have been arrested and 1,404 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.

I am further informed that the number of persons arrested and in custody in Navan Garda station was 686 in 2010, 660 in 2011 and 599 in 2012, up to 21 November. These figures would include arrests made in the Navan and Kentstown areas and brought to Navan Garda Station for custody purposes, as well as arrests made in other areas within the Navan Garda District.

### **Residency Permits**

511. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 266 of 8 November 2012, the reason a person (details supplied) in County Kildare is ineligible for consideration under the 2004 student probationary extension when they were informed they were going to be considered under same; if he will review this case with a view to update of Stamp 4; and if he will make a statement on the matter. [52560/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my responses to Dáil Questions No. 171 of 25 October and 8 November 2012 in which I set out the circumstances of the person referred to by the Deputy. The most recent reply follows. The person concerned availed of the 'Timed Out' Student transitional measure introduced under the New Regime for Students in January 2011 as a concession to those student affected by the changes brought about by the New Regime. The position remains that the person concerned has not secured a work permit or a green card employment permit and is now required to leave the State.

I can inform the Deputy that as a final measure in assisting in the transition to the New Immigration Regime for Non-EEA Students, a student probationary extension has been made available to those students who have been continuously resident in the State since before 1 January 2005 (i.e. the student must have received a GNIB certificate of registration during or before 2004 and for each year thereafter) and who commenced their studies on or before the 31st December 2004. These new arrangements will allow eligible students to reside in Ireland for a further period of 2 years on specified conditions. Students who either entered the State or commenced their studies after the 31st December 2004 are not eligible for this extension as they do not satisfy the above conditions. The person referred to by the Deputy arrived in Ireland on 19 May, 2006 and as a consequence is ineligible for consideration under the 2004 Student Probationary Extension.

Any student who either first entered the State or commenced their studies after 31 December 2004, including the person concerned, is subject to the rules set out under the New Immigration Regime for Full Time non-EEA Students, which was published in September 2010 and which has operated since 1 January 2011. Comprehensive information notes for non-EEA students are available on the dedicated student page of the Irish Naturalisation and Immigration Service website at [www.inis.gov.ie](http://www.inis.gov.ie).

Queries in relation to the status of individual immigration cases may be made 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 Service Issues**

512. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality his future plans regarding Kilcock Court House with particular reference to the need to maintain adequate services for this area; his plans to refurbish the current building in view of the fact that it has fallen into disrepair; and if he will make a statement on the matter. [52576/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions, which includes the provision of accommodation for court sittings.

However, in order to be of assistance to the Deputy, I have had enquiries made and have been informed that the Courts Service has been reviewing all aspects of its organisational and operational structures throughout the country with the specific objective of ensuring that the Service can continue to maintain the delivery of front line court services and an appropriate level of service to court users. I understand that no court venue has been singled out for or indeed exempted from the review and that Kilcock Courthouse is included in this process.

In this context the Courts Service has established a general framework within which venues are being considered for closure taking into account a range of criteria such as caseload, proximity to an alternative venue, physical condition of the building, availability of cells etc. The likely impact on other Justice agencies, such as An Garda Síochána and the Irish Prison Service, is also taken into account. The review identified a range of venues nationwide which, based on the criteria applied, could be considered for closure subject to a detailed assessment and the preparation of a business case in respect of each identified venue which has now commenced.

However, the Courts Service has assured me that no decision in relation to the future of Kilcock courthouse will be taken without prior consultation with local interested parties and court users. Such consultation has already begun and the views received will be taken into account in the decision making process which will be a matter for the Courts Service Board.

### **Departmental Reports**

513. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will guarantee that the delayed inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries report will be published by year end. [52591/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy that I expect to receive the report before the end of this year but I do not have an exact date. When the report is received it will be submitted to Government and then published.

### **Court Procedures**

514. **Deputy Jack Wall** asked the Minister for Justice and Equality the mechanism available to a person (details supplied) regarding establishing the payment of compensation; and if he will make a statement on the matter. [52700/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that, under the provisions of the Courts Service Act 1998, the Courts Service is independent in exercising its functions.

However, in order to be of assistance to the Deputy, I have had enquiries made and have been informed by the Courts Service that if the judge makes a compensation order as part of an overall fine order then the money will be payable to the Courts Service via the court office, on-line or by post. When a manual payment is received, the defendant will be issued a receipt if it is paid in an office or by post. For on-line payments, the defendant has the option to print or email a receipt. This receipt is then proof of payment. If a receipt is lost then either the relevant court office or the Courts Accounts Office can provide a duplicate receipt.

I am also informed that, on occasion, a judge may order the defendant to pay compensation directly to a victim, thereby bypassing the Courts or alternatively pay the compensation to the prosecuting Garda for onward transmission to a victim. In those circumstances the availability of evidence of payment will depend on what is required by the judge. As the Deputy will appreciate, the Courts are subject only to the Constitution and the law independent in the exercise of their judicial functions and the decision made in any case is a matter for the presiding judge. However, I have asked the Garda authorities to provide any relevant information on this matter and I will contact the Deputy when the Garda report is to hand.

### **Deportation Orders Data**

515. **Deputy Paschal Donohoe** asked the Minister for Justice and Equality the reason an order for deportation was made against a person (details supplied); and if he will make a statement on the matter. [52721/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned arrived in the State on 11 July 2003 on foot of a student visa. The permission was subsequently renewed until 30 June 2005 with no further renewals thereafter.

By letter dated 29 November 2005, the person concerned was notified that he had no current permission to remain in the State. By letter dated 30 November 2005, the person was notified that the Minister proposed to make a Deportation Order in respect of him. He was given the option, *inter alia*, of making representations to the Minister within 15 working days as to why he should be allowed to remain temporarily in the State. The case was considered in August 2008 pursuant to section 3(6) of the Immigration Act 1999 (as amended). A Deportation Order was signed on 9 September 2008.

The person applied for a declaration as a refugee on 16 September 2009 and withdrew the application on 17 September 2009. By letter dated 6 October 2009, the person was notified that his permission to remain in the State had expired. The person instituted Judicial Review proceedings on 1 September 2009 challenging the Deportation Order made in respect of him and accordingly, as the matter is *sub judice*, I do not propose to comment further.

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.

### **Criminal Prosecutions Issues**

516. **Deputy Aodhán Ó Ríordáin** asked the Minister for Justice and Equality if he will clarify the application of the Non-Fatal Offences Against the Person Act (1997) to instances of cyber bullying and the way Gardai should interpret the law in such cases; and if he will make a statement on the matter. [52728/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I take the opportunity presented by the Deputy's question to set out generally the legislative provisions relating to the investigation and prosecution of offences which may arise from cyberbullying. Bullying in any form, including cyberbullying, may amount to harassment and may therefore be an offence under section 10 of the Non-Fatal Offences against the Person Act 1997, as amended.

Section 10 provides that any person who, without lawful authority or reasonable excuse, by any means including by use of the telephone, harasses another by persistently following, watching, pestering, besetting or communicating with him or her, is guilty of an offence. For the purposes of Section 10, a person harasses another where (a) he or she, by his or her acts intentionally or recklessly, seriously interferes with the other's peace and privacy or causes alarm, distress or harm to the other, and (b) his or her acts are such that a reasonable person would realise that the acts would seriously interfere with the other's peace and privacy or cause alarm, distress or harm to the other.

A person convicted of an offence under Section 10 is liable on summary conviction to a class C fine or to imprisonment for up to 12 months or to both, or on conviction on indictment to a fine or to imprisonment for up to seven years or to both. As I stated in the House on 7 November, my attention has been drawn to the difficulty which, it seems, is presented by the need to demonstrate persistence in the harassment. As I said on that occasion, I have asked the Law Reform Commission to examine the issue and I await its conclusions.

The offence of threatening to kill or cause serious harm in section 5 of the 1997 Act may also be relevant. Anyone convicted of an offence under that section is liable on summary conviction to a class C fine or to imprisonment for up to 12 months or to both, or on conviction on indictment to a fine or to imprisonment for a term not exceeding ten years or to both. The Prohibition of Incitement to Hatred Act 1989 may be relevant to some instances of cyberbullying. The Act prohibits incitement to hatred on account of race, religion, nationality or sexual orientation.

The Communications (Retention of Data) Act 2011 facilitates the investigation of cyberbullying offences. It permits the retention of and access to data for the purposes of the prevention, detection, investigation or prosecution of serious offences. A serious offence is an offence punishable by imprisonment for a term of five years or more as well as offences listed in schedule 1 to the Act. The Deputy will note that the offences at Sections 5 and 10 of the 1997 Act meet the criteria and are therefore considered to be serious offences for the purposes of the 2011 Act.

On the question of interpreting the law, the practice in this jurisdiction is that the Oireachtas enacts the legislation, the Garda (or other relevant agency) enforces it and the courts interpret and apply it.

## Immigration Policy

517. **Deputy Brian Walsh** asked the Minister for Justice and Equality the reason for the recent increase in the fee for an Immigration Certificate of Registration; and if he will make a statement on the matter. [52729/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my reply to Dáil Questions Nos. 153, 155, 156 & 157 of the 22 November as follows which deals with the recent increase in fees for the issue of a Certificate of Registration under the Immigration Act, 2004.

Section 9 of the Immigration Act, 2004 provides that a register of non-nationals who have permission to be in the State (in general for a period of three months or longer) shall be established and maintained by registration officers. Registration officers are members of An Garda Síochána: in the Dublin Metropolitan Area, it is the officer in charge of the Garda National Immigration Bureau (GNIB); outside of that area it is the Superintendent of An Garda Síochána in a Garda Síochána district. The Act provides that a non-national is required to pay a fee to the registration officer for the issue of a registration certificate. This fee is set by regulations made by the Minister for Justice and Equality with the consent of the Minister for Public Expenditure and Reform. There is no requirement to consult with other bodies when contemplating a revision of these or other fees. Moreover, it is difficult to see what useful purpose would be served by such an exercise as it is unlikely that affected parties or their representatives would signal support for such an increase. The fee was first introduced in 2006 and was then set at €100. It was increased to €150 in 2008 and remained at that level until the latest increase came into effect on 19 November, 2012.

The introduction of the registration fee in May, 2006 resulted from a policy decision that the fee income was required for the ongoing development of immigration services - both in the Irish Naturalisation and Immigration Service (INIS) and the Garda National Immigration Bureau (GNIB). Our migrant population have made a valuable contribution to the economic, cultural and social life of Ireland and will continue to do so. However, I believe that it is not unreasonable to ask those who benefit from the immigration system to make a reasonable contribution to the cost of services and particularly so in a time when we are seeking to reduce public expenditure. It is common practice throughout Europe to charge a fee for immigration services; in some instances these may be set at a level above the estimated direct administrative cost of the service based on the value of the service. By comparison with many jurisdictions the current registration fee represents very good value.

I am also very conscious of the need to maintain and develop good service levels to customers. In this regard, the Irish Naturalisation and Immigration Service (INIS) of my Department is undertaking a number of projects with the aim of developing and improving immigration services. These include the introduction of a new common format EU Residence Permit for non-nationals which will replace the current registration certificate. It will provide the user with a more secure immigration document including individual biometrics indicators protected by a sophisticated encryption system and showing the holders' immigration status in the State. This high quality, secure document will be easily recognisable for employers and Government agencies.

Furthermore, INIS as part of its reform of in-country aspects of immigration services, is developing a range of measures including online application and appointment systems for certain services. Such a service is badly needed, but it costs money to implement. The nature of immigration requirements such as registration necessitates, to a very great extent, the personal attendance of the applicant. At certain times of the year this can give rise to long queues and

significant delays. A self-selecting online system will help to greatly alleviate these difficulties and the increased registration fee income will be used to meet a portion of the cost involved in this and other developments.

Other projects being progressed are proposals for the civilianisation of certain port of entry functions at Dublin Airport. For this purpose, a trial is underway at Dublin airport to test the feasibility of a new model for delivery of immigration services at ports of entry to the State by using a combination of civilian staff and members of An Garda Síochána. I refer the Deputy to my answer to Dáil Question No. 171 of 4 October, 2012 which sets out the latest position in respect of this project.

In recognition of the circumstances of certain categories of person, there are specific exemptions from paying the registration fee set out in the regulations; these are the following:

- UN Convention Refugees;
- Family members of such refugees who have been admitted to the State in accordance with section 18 of the Refugee Act 1996;
- Persons who are under 18 years of age at the time of registration;
- Spouses, civil partners, widows and widowers of Irish citizens;
- Spouses and Dependants of EU nationals who receive a residence permit under EU Directive 38/04;
- Programme Refugees, as defined by section 24 of the Refugee Act, 1996;
- Persons subject to arrangements for victims of human trafficking.

The above categories of non-nationals exempted from the fee payment are almost 20% of the total numbers registering. Last year alone, this amounted to 21,443 persons and €3.2 million in fees waived”.

### **Community Policing**

518. **Deputy Seán Kenny** asked the Minister for Justice and Equality if he will request Gardaí to provide with greater attention to a road (details supplied) in Dublin 13 to deal with illegal parking between now and year end; and if he will make a statement on the matter. [52744/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the location referred to is within the Coolock Garda Sub-District. Local Garda management is aware that the road concerned, which runs adjacent to a local shopping centre, attracts a high volume of traffic, particularly in the period approaching Christmas. I am further informed that the area referred to is patrolled by uniform and plain-clothes units, including the Community Policing Unit, supplemented as required by Traffic Corps personnel. A Community Garda also patrols the location and is in contact with local residents. I am advised that An Garda Síochána regularly conduct road traffic enforcement operations in this area and issue fixed charge notices in respect of vehicles that are parked illegally or causing obstructions.

I am assured that additional mobile and foot patrols have been assigned to this location during the Christmas period. Local Garda management continue to monitor this area with appropriate action taken where breaches of road traffic legislation are detected.

## **Garda Vetting Applications**

519. **Deputy Patrick Nulty** asked the Minister for Justice and Equality the current procedure by which Irish citizens seeking employment as teachers in England can secure a Garda Síochána police check, as required by prospective employers there; if his attention has been drawn to the difficulties reportedly facing teachers seeking work in England due to Garda procedure in this regards; and if he will make a statement on the matter. [52757/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that Garda vetting certificates for employment purposes are provided for those seeking employment in Ireland with organisations registered with the Garda Central Vetting Unit (GCVU) where the employment involves substantial unsupervised access to children or vulnerable adults. Criminal history vetting for general employment purposes, here or abroad, is not available on demand.

The GCVU continues to roll out the provision of vetting to a number of organisations who require the service because those employed or engaged by these organisations may have substantial unsupervised access to children or vulnerable adults. This incremental roll out is necessary because of the resource demands on the vetting service.

It is not possible to register organisations from outside this jurisdiction with the GCVU. The Deputy will appreciate that its priority, particularly taking into account resource issues, must be on providing vetting information within this jurisdiction.

I should mention that an individual may apply to the Garda Síochána for a disclosure under Section 4 of the Data Protection Act 1988 (as amended) for a copy of the personal data which is maintained by An Garda Síochána. Such a disclosure is made to the individual to whom the data relates.

## **Immigrant Investor Programme**

520. **Deputy Pearse Doherty** asked the Minister for Justice and Equality further to his announcement on 24 January 2012 of the Immigrant Investor Programme and Start-up Entrepreneur Programme; the number of visas issued to date with respect to both programmes, and an analysis of visa numbers by country of origin of visa recipients. [52766/12]

521. **Deputy Pearse Doherty** asked the Minister for Justice and Equality further to his announcement on 24 January 2012 of the Immigrant Investor Programme and Start-up Entrepreneur Programme; if he will provide an update on the creation of the special low interest Irish bond, referred to in his announcement. [52767/12]

522. **Deputy Pearse Doherty** asked the Minister for Justice and Equality further to his announcement on 24 January 2012 of the Immigrant Investor Programme and Start-up Entrepreneur Programme; the overall volume and value of property sold to date by the National Asset Management Agency to visa recipients. [52768/12]

523. **Deputy Pearse Doherty** asked the Minister for Justice and Equality further to his announcement on 24 January 2012 of the Immigrant Investor Programme and Start-up Entrepreneur Programme; the overall total investment to date in Irish business by visa recipients. [52769/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 520 to 523, inclusive, together.

The Immigrant Investor Bond is one of the investment options available to potential candidates for the Immigrant Investor Programme which has been open for applications since April of this year. Details of the bond can be viewed in the guidelines for the programme which are available from the web page of the Irish Naturalisation and Immigration Service, [www.inis.gov.ie](http://www.inis.gov.ie). The bond has a term of five years and pays an annual interest rate of 1%. The bond has been created by the National Treasury Management Agency and cannot be traded or transferred during its term.

Details of the options on property investment are also outlined in the guidelines for the Immigrant Investor Programme. My officials inform me that, to date, no candidates have applied for consideration of investments in property or bonds as eligible investments under the programme.

On foot of recommendations from the Evaluation Committee meeting of 9 August 2012, I have approved immigration permission for one successful applicant under the Immigrant Investor Programme and two successful applicants under the Start-up Entrepreneur Programme. The Deputy will be aware that I cannot give details of individual immigration cases, but I will say that the three successful candidates originate from North America, Africa and Asia. Both projects under the Start-up Entrepreneur Programme fulfilled the requirement for a minimum of €75,000 funding for their respective high potential start-ups. The investment proposal in an existing Irish business approved under the Immigrant Investor Programme significantly exceeded the requirements of the scheme.

My officials have informed me that the Evaluation Committee will meet later this week to consider four applications under the Immigrant Investor Programme and thirteen applications under the Start-up Entrepreneur Programme. The Irish Naturalisation and Immigration Service continues to receive a significant level of inquiries on these programmes.

### **Criminal Prosecutions Data**

524. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of prosecutions for fraud and the number of convictions for fraud during each of the past ten years broken down by categories of offence; and if he will make a statement on the matter. [52815/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy.

### **Garda Bureau of Fraud Investigations**

525. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of Gardaí attached to the Garda Bureau of Fraud Investigations. [52816/12]

526. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of civilians employed in the Garda Bureau of Fraud Investigations. [52817/12]

527. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of forensic accountants employed in the Garda Bureau of Fraud Investigations and in the Criminal Assets Bureau. [52818/12]

528. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of outsourced or temporary staff employed by the Garda Bureau of Fraud Investigations. [52819/12]

529. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of jobbridge staff employed by the Garda Bureau of Fraud Investigations. [52820/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 525 to 529, inclusive, together.

The Deputy will be aware that the Commissioner is responsible for the detailed allocation of resources, including personnel, throughout the organisation and I have no direct function in the matter. This allocation of resources is constantly monitored in the context of crime trends, policing needs and other operational strategies in place on a District, Divisional and Regional level to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

I have been informed by the Garda Commissioner that there are no JobBridge staff, outsourced or temporary staff employed by the Garda Bureau of Fraud Investigations (G.B.F.I.). There are two forensic accountants employed on a full time basis, 72 Gardaí and 13 civilians attached to the G.B.F.I. There are three personnel with forensic accountant qualifications employed at the Criminal Assets Bureau.

### **Proposed Legislation**

530. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality his plans to introduce new legislation regarding white collar crime. [52821/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy that I attach the highest priority to the investigation of white collar crime and to ensuring that An Garda Síochána has the necessary legislative and other supports to do so effectively. Accordingly, and very shortly after taking up office, I moved urgently to introduce new legislation, the Criminal Justice Act 2011, which provides vital assistance to An Garda Síochána in the completion of current and future white collar crime investigations. The main purpose of the Act is to facilitate the more effective investigation of white collar crime and to reduce associated delays. In this regard, the Act provides for new procedures to facilitate Garda access to essential information and documentation to assist in the investigation of white collar crime.

I am pursuing other measures in the form of the Criminal Justice (Corruption) Bill which, when enacted, will clarify and strengthen the law on corruption. The General Scheme of the Bill is being considered by the Joint Oireachtas Committee on Justice, Defence and Equality prior to formal drafting by the Office of the Parliamentary Counsel to the Government. The Bill will replace and update existing offences relating to giving or receiving bribes in both the public and private sectors. It will also introduce new offences in relation to corrupt influence peddling. The recommendations of the Mahon Tribunal have been taken into account in provisions to be contained in the Bill such as a new offence of making payments knowingly or recklessly to a third party who intends to use them as bribes.

I am briefed on an ongoing basis by the Garda Commissioner on the progress of the major white collar crime investigations which are underway and the Commissioner is also aware that any further legislative proposals which he feels would assist in the investigation and detection of white collar crime, or of fraud offences generally, will be positively considered by me.

### **Recidivism Rate**

531. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality his views on the recent report by the Central Statistics Office on criminal re-offending in Ireland. [52822/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** As I said when welcoming its publication, this is the first time there has been such an assessment of the impact and effectiveness of non-custodial measures on rates of re-offending. The results are interesting with the study showing that almost 63% of offenders who were given an alternative sanction by the Courts in 2007 had not re-offended after two years.

This study has established reliable recidivism data on offenders under probation supervision and on community service orders and considers variations in recidivism as they relate to the type of original order, gender and age of offenders, category of offence and subsequent offence. Its findings show that the recidivism or re-offending rate was 37.2% for the particular cohort of offenders who were under probation supervision in the two years after their supervision ended.

I believe the value of the work that has been done to produce this report is that it provides a clearer overview of community sanctions outcomes which will better inform the work of the Probation Service in helping to make our communities safer. I look forward to receiving such evidence-based material on an annual basis.

### **Recidivism Rate**

532. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if his attention has been drawn to the fact that studies on recidivism consistently show that offenders who go through restorative processes are less likely to reoffend than those who proceed through criminal courts. [52823/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am not clear as to which research studies or findings on recidivism and restorative justice practice the Deputy may have in mind. That said, I believe the concept of restorative justice is central to the pursuit of public protection, not just as a concept or principle, but as a model for practice by the various criminal justice agencies.

The Probation Service, in partnership with community based organisations, is engaged in the promotion, development and delivery of restorative justice initiatives. Extending the range of restorative justice schemes is a strategic priority for the Probation Service.

As I have said before, my focus is to encourage the use, to the greatest extent possible, of the menu of non-custodial options available to the courts. I believe the restorative justice concept has a place in that range of available options and it is my intention to build on the progress being made.

### **Legal Services Regulation**

533. **Deputy Brendan Ryan** asked the Minister for Justice and Equality the progress made on the Programme for Government's commitment to establish independent regulation of the legal professions to ensure adequate procedures for addressing consumer complaints; if he is considering the appointment of an Ombudsman for the legal profession; and if he will make a

statement on the matter. [52872/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Programme of the Government for National Recovery 2011-2016 undertakes to “establish independent regulation of the legal profession to improve access and competition, make legal costs more transparent and ensure adequate procedures for addressing consumer complaints”. These undertakings complement those structural reforms in the EU/IMF Programme of Financial Support for Ireland aimed at removing restrictions to trade and competition relating to the legal professions and at reducing legal costs.

Effect is being given to these structural reform commitments in the form of the Legal Services Bill 2011 which was published, in keeping with the relevant time-line under the Troika Programme, at the end of Quarter 3 of 2011. The Bill, which remains a priority under the Government Legislation Programme, completed Second Stage in the Dáil in February and is awaiting Committee Stage. I have made comprehensive statements on the Bill and its continuing development to the Dáil during Second Stage, at the Annual Conference of the Law Society on 14 of April, and at the conference hosted by my Department on *Regulatory Reform for a 21st Century Legal Profession* that took place on 6 July. The full text of these statements is available on the Department website, [www.justice.ie](http://www.justice.ie), for ease of reference. During the Second Stage debate I also recalled to the House the decision taken in May 2011 not to proceed with the appointment of a Legal Services Ombudsman. This is because the oversight model proposed in the Legal Services Ombudsman Act of 2009 does not meet this Government’s policy commitment to greater independence in the regulation of the legal professions. The Legal Services Regulation Bill, therefore, sets out an alternative and more independent supervisory regime.

As the Legal Services Regulation Bill approaches Committee Stage it is set to provide for the establishment of a new Legal Services Regulatory Authority that will be independent of the Government, the Law Society and the Bar Council in its appointment and in the discharge of its functions. The Bill will also establish an independent complaints framework to deal with allegations of professional misconduct to which the public will have direct access - at present such complaints are made through the professional bodies. There will also be an independent Legal Practitioners’ Disciplinary Tribunal dealing with both solicitors and barristers. These changes are being augmented by a more modern, consumer friendly and transparent legal costs regime under the Office of the Legal Costs Adjudicator that will take over the duties of the existing Taxing Master. The Bill sets out, for the first time in legislation, a set of Legal Costs Principles and the determinations of the Legal Costs Adjudicator, who may also issue legal costs guidelines, will be made public. The Bill will also open the legal services sector to new business models that will provide new opportunities for legal services providers while also providing greater choice and competition for the benefit of consumers.

I continue to receive submissions in relation to the Bill from various stakeholders and these are being considered in preparation for Committee Stage. Work on the details of the proposed amendments to the Bill is ongoing at my Department, in conjunction with the Offices of the Attorney General and of Parliamentary Counsel. As I have previously stated, the relevant amendments will be made available in advance of Committee Stage, along with the relevant Regulatory Impact Analysis. It remains my objective, notwithstanding the competing legislative demands of our EU/IMF/ECB Programme commitments - notably the Personal Insolvency Bill which continues to occupy Members of both Houses - that Committee Stage of the Legal Services Regulation Bill should commence early in the new year.

**Common Travel Area**

534. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if the common travel area between Ireland and the UK still exists; if so, the reason passengers with Irish and British passports arriving from the UK have to go through passport control on arrival here; and if he will make a statement on the matter. [52899/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can assure the Deputy that the Common Travel Area remains in effect and that the continuing existence of the CTA is of immense political, economic and social significance to both Ireland and the United Kingdom. It is of critical importance that both Ireland and the United Kingdom work closely together to enhance the protection of the CTA. Indeed, It was very much with this in mind that I agreed a programme of action with the then UK Minister of State for Immigration, Mr. Damien Green MP, as set out in the Joint Statement on the Protection of the CTA. It was signed by both sides in Dublin on 20 December, 2011. The Deputy will recall that in the *Joint Statement on British Irish relations - the Next Decade*, signed by the Taoiseach and the British Prime Minister on 12 March, 2012 reference is made to the Common Travel Area in the following terms: “We remain firmly committed to preserving and protecting the Common Travel Area, which allows ease of travel for our people. We will continue to work together on immigration issues, and to combat potential vulnerabilities from terrorism, illegal immigration and organised crime.”

There is no requirement for citizens of either jurisdiction to carry passports when travelling within the CTA. However, it is the case that airline carriers in many instances require their passengers to have a passport in their possession before allowing them to board aircraft. As such, this is not an immigration requirement. Unlike the operational practices at some UK airports, there is generally no segregation of arriving passengers at Irish ports of entry to the State. Consequently, Immigration Officers performing immigration control duties at airports in the State do not know where passengers have travelled from when such passengers present at immigration control desks. It is, therefore, necessary for Immigration Officers to establish where passengers have arrived from, and in order to do this, an Immigration Officer may ask passengers questions with a view to establishing their nationality and port of embarkation. Once satisfied that a person is a citizen of the Common Travel Area (CTA) and that such person has travelled from the United Kingdom, the Immigration Officer will make no further requirement of that person.

In circumstances where a person, who is a national of the jurisdictions that form the Common Travel Area, and who has travelled from within the CTA and is not in possession of a passport, an Immigration Officer, in compliance with their duties under immigration legislation, is duty-bound to ask questions designed to establish that the person is a national of the jurisdictions that form the CTA and has travelled from within the CTA and as such is entitled to benefit from its immigration arrangements.

For the sake of completeness, I should add that border entry practices in the UK for CTA arrivals vary considerably from place to place. For example, in some UK regional airports, police officers on occasion seek identity documents for passengers from this jurisdiction. In other cases, evidence of having boarded an aircraft in Ireland is sought.

In recent years, personnel at the Garda National Immigration Bureau (GNIB) and in the UK immigration authorities have detected abuses within the Common Travel Area. Movements of illegal persons, suspected human trafficking, illegal immigration and substantial levels of social welfare fraud are among the consequences of such abuse. The co-operation of all passengers arriving in the State, including Irish and UK citizens who have travelled from the UK, greatly enhances the ability of Immigration personnel, both here and in the UK, to prevent and detect

illegal immigration and associated criminality.

It should be noted that in fulfilling their duties at the frontiers of the State, members of An Garda Síochána utilise a range of legislative provisions. In particular, such officers will, where necessary, enforce the provisions at section 33 of Air Navigation and Transport Act, 1988, which states, an authorised officer, in the interest of the proper operation or the security or safety of an aerodrome, or the security or safety of persons, aircraft or other property thereon, may require any person on an aerodrome to:-

- (i) give his name and address and to produce other evidence of his / her identity;
- (ii) state the purpose of his being on the aerodrome;
- (iii) account for any baggage or other property which may be in his possession.

### **International Agreements**

535. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his plans to enter into the Schengen agreement; and if he will make a statement on the matter. [52900/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Schengen Convention is an agreement among European States which allows for the abolition of systematic border controls between participating States. It also includes provisions for the development of enhanced cooperation in relation to law enforcement matters and judicial cooperation.

There are currently 25 fully participating States comprising all EU Member States with the exception of Ireland, the United Kingdom, Cyprus, Romania and Bulgaria and three non-EU States: Iceland, Norway and Switzerland. Border posts have been removed between Schengen area States and a common Schengen visa allows tourist or visitor access to the area.

The Schengen agreement was incorporated into the framework of the European Union under the Treaty of Amsterdam. The relevant Protocol recognised the fact that Ireland and the United Kingdom are not parties to the Schengen agreement and made provision to allow those Member States to accept some or all of its provisions at any time.

Ireland has successfully applied to take part in certain elements of the Schengen agreement. The activities which Ireland has applied to participate include police cooperation, mutual assistance in criminal matters, extradition and drugs co-operation. Ireland also applied to participate in related aspects of the Schengen Information System - a European search database which assists Member State authorities in carrying out border checks and police and customs checks.

Ireland's application to participate in these specified articles of the agreement was approved by Council Decision in 2002. In accordance with this Council Decision, these provisions will come into effect only after a range of technical and legislative measures have been put in place and successfully evaluated by the Council. The measures which will enable Ireland to meet its Schengen requirements are currently being progressed.

Ireland has not, however, applied to participate in the Schengen arrangements to the extent that they deal with the abolition of border checks. This decision has been taken to maintain the common travel area (CTA) with the United Kingdom which remains a priority for Ireland. The reality is that the common travel area could not continue to operate if Ireland were to remove border checks with Schengen States generally while the United Kingdom did not do so. To do so would result in a situation where the land border with Northern Ireland would become the

border between the Schengen area and the United Kingdom. In such circumstances, land border controls would appear inevitable and this is obviously something that no Irish Government would seriously contemplate bringing about.

The Government's focus instead is on doing what it can to maximise the potential of the Common Travel Area as evidenced by the CTA visa waiver programme already introduced and ongoing talks with our UK colleagues on the possibility of a common CTA visa.

### **Immigration Policy**

536. **Deputy Clare Daly** asked the Minister for Justice and Equality if his attention has been drawn to the fact that persons seeking visa renewals at the Garda National Immigration Bureau last week who were not seen because of the large number were told to return next week, however the charge for the visa renewal increased the following week from €150 to €300; his views on whether these persons should be penalised for insufficient staff available to deal with them. [52924/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** The increase in the fee in respect of the issue of a registration certificate under the Immigration Act, 2004 came into effect on 19 November, 2012. Any person issued with a registration certificate from that date will be required to pay the new fee of €300 unless they come within those categories exempted from the charge.

In respect of persons who may have been seeking to obtain a re-entry visa, I should point out that the fees for same have not changed.

It is an unavoidable consequence, and unrelated to resources, that people seeking to register will fall on the either side of the fee increase introduction. It is understandable that many people would have sought to avail of the lower rate in advance of the fee increase resulting in numbers at the public office Garda National Immigration Bureau (GNIB), rising to exceptional levels at certain times. However, I reject the contention that there is insufficient staff in the GNIB public office. Indeed, there are extended opening hours in operation in the office from Monday to Thursday (8:00 AM to 10:00 PM); on Friday the hours are 8:00 AM to 4:00 PM. Furthermore, as happens every year, special arrangements are put in place in September and October to facilitate the registration of students in major public and private colleges (who form the bulk of registrations in those months) as they begin or return to their studies. Periods of time are set aside in the public office of the Garda National Immigration Bureau (GNIB), Burgh Quay, Dublin 2 specifically for registration of students which this year extended into November. I understand that the bulk of students were in a position to complete their registration obligations in advance of the fee increase.

In addition, it should be noted that in recognition of the circumstances of certain categories of person, there are specific exemptions from paying the registration fee set out in the regulations; these are the following:

- UN Convention Refugees;
- Family members of such refugees who have been admitted to the State in accordance with section 18 of the Refugee Act 1996;
- Persons who are under 18 years of age at the time of registration;
- Spouses, civil partners, widows and widowers of Irish citizens;

- Spouses and Dependants of EU nationals who receive a residence permit under EU Directive 38/04;
- Programme Refugees, as defined by section 24 of the Refugee Act, 1996;
- Persons subject to arrangements for victims of human trafficking.

The above categories of non-nationals exempted from the fee payment are almost 20% of the total numbers registering. Last year alone, this amounted to 21, 443 persons and €3.2 million in fees waived.

### **Departmental Legal Cases**

537. **Deputy Clare Daly** asked the Minister for Justice and Equality his understanding of the history and status of a case (details supplied). [52926/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy there are no aspects of this case relating to the person named currently under examination in my Department. I am aware that the members of the family in question have pursued complaints in respect of a number of issues over a long period of time and that there was also protracted civil litigation which I believe was concluded a number of years ago.

There is no action being taken or open to my Department in relation to these matters. Moreover, aspects of these matters relate to in camera family law proceedings in respect of which it would be inappropriate to comment.

### **State Properties**

538. **Deputy John Lyons** asked the Minister for Justice and Equality his plans to pull down the administration block built in 2005 at Templemore, County Tipperary, because it is not safe for use; and if he will make a statement on the matter. [52956/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** While I understand that there are some safety concerns in relation to the accommodation buildings which are being addressed in conjunction with the Office of Public Works, I am advised by the Garda authorities that there are no safety concerns in relation to the administration block in the Garda College and that, accordingly, there are no plans to demolish it.

### **Departmental Properties**

539. **Deputy John Lyons** asked the Minister for Justice and Equality what is being done with the lands bought at Clonmore for €5 million intended for use for firearm training; and if he will make a statement on the matter. [52957/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Garda authorities that plans for the site referred to by the Deputy are being developed by An Garda Síochána in consultation with the Office of Public Works, which has responsibility for the funding of Garda capital works.

As the proposals are at the development stage, and are dependent on the availability of resources within the Vote of the Office of Public Works, it is not currently possible to give a

timeframe for their completion.

### **Deportation Orders Data**

540. **Deputy Joanna Tuffy** asked the Minister for Justice and Equality the position regarding failed asylum seekers and persons illegally present in the State who have been served with a notification of intention to deport (details supplied); and if he will make a statement on the matter. [52967/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that in the years 2008, 2009 2010, 2011 and 2012 (to end the October) a total of 3,185, 5,037, 4,326, 2,471 and 1,779 notifications of intention to deport were issued by the Irish Naturalisation and Immigration Service (INIS). During the same period, 757, 1,077, 1034, 1334 and 1,234 deportation orders were signed and a total of 161, 338 343, 280 and 246 persons have been removed from the State together with 529, 539 461, 475 and 387 who have voluntarily returned to their country of origin. These figures do not include approximately 2,500 persons per annum who have been refused leave to land and are subsequently removed from the State.

As outlined in my response to PQ Numbers 962, 968 and 971 of 18th April last, a total of 1,052, 512, 232, 1957 and 951 were granted leave to remain in accordance with the provisions of the immigration acts. The increase in the figures in 2011 and in 2012 to date is mainly due to the impact of the Zambrano judgement which was delivered by the European Court of Justice on 8th March, 2011.

With regard to the numbers evading deportation, it is difficult to produce precise figures. Persons against whom a deportation order has issued may for short periods fail to report to their local immigration office but many subsequently do so. In addition, I am informed that a significant number of persons who are the subject of a Deportation Order will have left the jurisdiction.

The processing of cases at the repatriation stage is a complex one with obligations to adhere to both domestic and international law and to make decisions in accordance with the UN Convention on Human Rights. The process can be a lengthy one often punctuated with judicial reviews taken by the applicants at various stages including at deportation stage. Accordingly, not all cases fit neatly into particular categories. For example, in the case of families, one member of the family may have lodged a judicial review which in turn may mean that the remainder of the family may not be processed until its outcome is determined. In addition, some applicants may also be party to an application under EU Treaty Rights or through marriage to an Irish citizen or may have been granted leave to remain as a result of these applications. Therefore, it is not possible to provide figures in respect of the remainder of the case load without engaging in a very detailed exercise which could not be justified as it would divert resources from case processing.

Finally, I might add that I recently approved an initiative to put in place a panel with legal expertise who will assist INIS in processing a cohort of repatriation cases thus speeding up the overall process and reducing the time spent by persons in the direct provision system.

### **Equality Issues**

541. **Deputy John Paul Phelan** asked the Minister for Justice and Equality if any cases have been taken against the State, or any emanation or agency of the State, in regard to Section

7(3)(c) of the Equal Status Acts 2000-2008 which allows schools to offer preferential treatment in admittance of pupils of certain religious backgrounds; if he is satisfied that the provision has operated satisfactorily to date; his plans, if any, to amend the provision; and if he will make a statement on the matter. [53036/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department has been informed by the Department of Education and Skills that there is no record of a case having been taken against the State in relation to this provision.

Equal status legislation aims to strike a necessary and appropriate balance between the right to the free profession and practice of religion, recognised by the Constitution and the principle of equality and has done so by providing a qualified exception, of limited scope, in Section 7(3) of the Equal Status Act 2000. A denominational primary or post-primary school may, under this provision, admit pupils of one religious denomination in preference to others and may refuse to take someone who is not of that denomination if this is essential to protect its religious ethos. Application of this provision is, moreover, subject to review by a court or tribunal, such review being on an objective basis and having regard to the need to reconcile the various constitutional rights involved. I have no plans at present to amend these provisions of the Equal Status Act.

### Departmental Agencies Issues

542. **Deputy Billy Timmins** asked the Minister for Justice and Equality the position regarding the number of new State agencies, forums and task forces that have been established in 2012, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53083/12]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that the information he requested is set out below. The Property Services Regulatory Authority was established on a statutory basis on 3 April 2012. Prior to this date it was operational on a non-statutory basis since 2006. The Authority has a total of 11 employees. I can further inform the Deputy that no task forces or forums have been set up in my Department in 2012. Finally, I would like to mention that legislation is currently before the Houses of the Oireachtas that will establish the Insolvency Service of Ireland as a Statutory Body.

### Defence Forces Properties

543. **Deputy Gerald Nash** asked the Minister for Defence his future plans for the Slaugh Hall facility in Drogheda, County Louth, in view of his decision to restructure the Reserve Defence Forces; and if he will make a statement on the matter. [52610/12]

**Minister for Defence (Deputy Alan Shatter):** My Department's property portfolio is kept under review to ensure the most effective use of military resources having regard to the roles assigned by Government to the Defence Forces. Once vacated, a property is disposed of with the proceeds being used to fund the upgrading of Defence Forces equipment and infrastructure. The normal procedure is that my Department writes to each Government Department and various agencies and local authorities seeking expressions of interest in acquiring the property. If the property is not disposed of in this way it is normally sold by public tender/auction. I anticipate that similar arrangements will apply in relation to the Reserve Defence Force property in Drogheda.

## **Defence Forces Reserve Funding**

544. **Deputy Mattie McGrath** asked the Minister for Defence the criteria used when deciding the Reserve Defence Force bases that would be removed as opposed to those that would be retained under the value for money review of the Reserve Defence Force and reorganisation of the Reserve Defence Force; the reason it has been proposed to remove the base from Clonmel, a town with such a rich military history; if he will consider reviewing this decision based on his plans for the future uses of Kickham Barracks in Clonmel where a perfectly suitable base could be provided for the RDF alongside the Clonmel Garda Station and where the RDF would not require rental of another premises; and if he will make a statement on the matter. [52841/12]

**Minister for Defence (Deputy Alan Shatter):** The report of the VFM Review of the Reserve Defence Force, which was recently published, concluded that the current Reserve organisation was not fit for purpose and required radical reform. The current effective strength of the Army Reserve and Naval Service Reserve at 4,500 personnel is less than half that for which the organisational structures were designed. The Permanent Defence Force (PDF) support framework for the Reserve was, therefore, inefficient and the retention of the numbers of full time PDF personnel assigned to Reserve duties was no longer sustainable within a strength ceiling of 9,500 PDF personnel.

A central recommendation from the VFM Steering Committee is for the retention of the Reserve with 4,000 personnel spread countrywide, based in PDF barracks and in 16 other locations. This requires the consolidation of existing Reserve Units throughout the country into a smaller number of full-strength Units. I accepted the Steering Committee's recommendations. I also accepted the consequent proposals for new organisational structures submitted jointly by the Chief of Staff and the Secretary General. These proposals had due regard to capability requirements and the retention of a broad geographic spread.

A new "Single Force" concept will see PDF Units having Reserve components, rather than a separate stand-alone Reserve as at present. Reserve Units within barracks will be supported by their parent PDF Unit and the 16 Units outside of PDF installations will be supported by dedicated full time PDF personnel.

The fact that Clonmel was not selected is not a negative reflection on the quality or participation of the Reserve Unit in Clonmel, but reflects that it is not possible to retain all current locations. I sincerely hope that members of the Reserve in Clonmel will continue to serve in an alternative Reserve Unit in another location and re-training will be available in that regard.

## **Departmental Agencies Issues**

545. **Deputy Billy Timmins** asked the Minister for Defence the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53696/12]

**Minister for Defence (Deputy Alan Shatter):** No new State agencies, forums and task forces have been established by my Department in 2012.

## **EU Funding**

546. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if

he will provide an explanation for the line on the October 2012 Exchequer statement that refers to FEOGA Intervention and which is shown as a total receipt to the State of €720m to the end of October 2012, and if he will provide a statement on the derivation of the figure shown. [52452/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Department of Agriculture, Food and the Marine must initially provide finance for payments under EU-funded schemes. Such expenditure is normally reimbursed by the European Commission two months later. The largest scheme, the Single Payment Scheme, is paid out in the final quarter of the year. In the last quarter of 2011, a total of €720m was borrowed by the Exchequer to fund EU payments and the receipts of €720m shown represents the repayment of the borrowed funds in January and February 2012 upon receipt of the EU funds.

Borrowings are undertaken under the provision of Regulation 6 of the European Communities (State Financial Transactions) Regulations 1972 (S.I. No. 329 of 1972).

### **Installation Aid Scheme Applications**

547. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if he will provide details in relation to correspondence received by this Deputy (details supplied); if he will confirm the two applicants who lodged the appeals to the Young Farmers Installation Scheme; if he will further confirm the decision of the Agriculture Appeals' Office which allowed the appeal to be upheld; and if he will make a statement on the matter. [52202/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the Deputy is aware, the Young Farmers' Installation Scheme was closed to new applications on 14 October 2008 as part of the decisions taken in the context of the 2009 Budget. Accordingly, grant applications which were received under the Scheme after that date were not processed by my Department on the basis of strict compliance with the terms of the decision.

In the two cases in question, applicants who had lodged applications on 17 and 22 October 2008 respectively submitted appeals to the Agriculture Appeals Office in relation to the failure by the Department to process their applications. In two separate decisions taken by that Office, which were subsequently confirmed by the Acting Director of that Office following requests for a review, that Office upheld the appeals and the Department processed the two applications concerned notwithstanding the fact that they had been received after the date of suspension of the Scheme.

### **Scéim na Limistéar faoi Mhíbhuntáiste**

548. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Talmhaíochta, Bia agus Mara cén uair a íocfar deontas faoi Scéim na Limistéar faoi Mhíbhuntáiste (Disadvantage Area Scheme) 2012 d'fheilméoir (sonraí tugtha); agus an ndéanfaidh sé ráiteas ina thaobh. [52203/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney) :** Fuarthas iarratas faoi Scéim na Limistéar faoi Mhíbhuntáiste 2012 ón duine ainmnithe an 11 Bealtaine 2012. Níl aon íocaíocht eisithe fós, áfach, mar nach gcomhlíonann gabháltas an té ainmnithe íos-cheanglais dlús-stoic na Scéime. A luaithe is a dheimhneofar go bhfuil an gabháltas ag comhlíonadh na gceanglas seo cuirfean an cás chun cinn le súil is íocaíocht a dhéanamh chomh luath agus is féidir ina dhiaidh sin.

## **Scéim na Limistéar faoi Mhíbhuntáiste**

549. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Talmhaíochta, Bia agus Mara cén uair a íocfar deontas faoi Scéim na Limistéar faoi Mhíbhuntáiste (Disadvantage Area Scheme) 2012 d'fheilmear (sonraí tugtha) [52204/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Fuarthas iar-ratas faoi Scéim na Limistéar faoi Mhíbhuntáiste 2012 ón duine ainmnithe an 11 Bealtaine 2012. Níl aon íocaíocht eisithe fós, áfach, mar nach gcomhlíonann gabhálas an té ainmnithe íos-cheanglais dlús-stoic na Scéime. A luaithe is a dheimhneofar go bhfuil an gabhálas ag comhlíonadh na gceanglas seo cuirfear an cás chun cinn le súil is íocaíocht a dhéanamh chomh luath agus is féidir ina dhiaidh sin.

### **Disadvantaged Areas Scheme Applications**

550. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of a 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. [52226/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As processing of the 2012 Disadvantaged Areas Scheme application has recently been finalised, payment will shortly issue, directly to the nominated bank account.

### **Fish Farming**

551. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the position regarding EU pilot 764/09 environmental infringement case regarding sea lice management on Irish salmon farms; and if he will make a statement on the matter. [52270/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The infringement case referred to by the Deputy was closed by the EU Commission on 11 October 2012 following the submission to the Commission by my Department of the facts in relation to the case.

In Ireland the control protocols in respect of sea lice are operated by the Marine Institute on behalf of the State and are more advanced than those operated in other jurisdictions for the following reasons: the inspection regime is totally independent of the industry; data obtained as a result of inspections is published; and treatment trigger levels are set at a low level. These controls are widely accepted as representing best practice internationally.

### **Disadvantaged Areas Scheme Applications**

552. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding an application for disadvantaged area scheme grant in respect of a person (details supplied) in County Donegal, when payment will issue. [52280/12]

**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 5 May 2012. However, payment has not yet issued as, at this stage, the holding concerned has not yet satisfied the Scheme minimum stocking density requirements, which have been notified to all Scheme applicants. 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.

### **Single Payment Scheme Payments**

553. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding an application for single farm and area aid scheme grant in respect of a person (details supplied) in County Donegal, when payment will issue. [52281/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment under the 2012 Single Payment Scheme issued to the person named on 6 November 2012. Payment under the 2012 Disadvantaged Areas Scheme will shortly issue, directly to the nominated bank account.

### **Disadvantaged Areas Scheme Appeals**

554. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding an application for disadvantaged area scheme grant in respect of a person (details supplied) in County Donegal. when payment will issue. [52282/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation application having been unsuccessful, who were offered the option to appeal to the independently chaired DAS Appeals Committee. To date, this option has not been availed of. Should the applicant choose to appeal, it will be referred to the DAS Appeals Committee.

### **Single Payment Scheme Payments**

555. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding an application for single farm scheme grant in respect of a person (details supplied) in County Donegal, when payment will issue. [52283/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Single Payment was received from the person named on 14th May 2012. Advance payment under the Single Payment scheme issued on 23rd October 2012 to the nominated bank account. Balancing payments under the 2012 Single payment scheme are due to commence on 1 December 2012.

### **Single Payment Scheme Payments**

556. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine the reason the lease for Drummin Mountain, Laragh, Co. Wicklow was not publicly advertised and that farmers with grazing rights have not been paid, and the date on which those with outstanding claims will be paid. [52317/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Responsibility for the lease of the named commonage lies with the Department of Arts, Heritage and the Gaeltacht.

As regards the payment aspect, the position is that during processing of applications under the Single Payment Scheme, Disadvantaged Areas Scheme and other area-based Schemes, it was established that the parcel in question was over-claimed, meaning that none of the claimants is eligible for payment. Officials from my Department attended a number of meetings involving the claimants of the commonage with a view to facilitating a resolution to the problem.

Despite the efforts of my Department and other third parties, it has not been possible for the claimants to reach agreement on the area claimed. Until this matter is resolved and the area of the commonage claimed does not exceed the total eligible area of the commonage, it is not possible to make payments to any of the claimants.

### **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. [52321/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The appeal of the person named was recently forwarded to the DAS Appeals Committee for consideration; immediately that Committee has adjudicated on this appeal, the person named will be notified of their decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

558. **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. [52322/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The appeal of the person named, in support of which additional evidence was provided, will shortly be considered by the independently chaired DAS Appeals Committee. The applicant will be notified, in writing, immediately the Committee has adjudicated on the appeal.

### **Disadvantaged Areas Scheme Appeals**

559. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a decision has been made on an appeal to disadvantaged area appeals committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52323/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The appeal of the person named was recently forwarded to the DAS Appeals Committee for consideration; immediately that Committee has adjudicated on this appeal, the person named will be notified of their decision, in writing.

### **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. [52324/12]

**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 27 April 2012.

However, payment has not yet issued as, at this stage, the holding concerned has not yet satisfied the Scheme minimum stocking density requirements. My Department has been in direct contact with the person named, on foot of which documentation concerning additional stock is due to be submitted. Immediately on receipt of this, the application will be further processed and, should it be then confirmed that the holding of the person named has satisfied the minimum stocking density requirements, payment will issue as soon as possible thereafter.

### **Forestry Grants**

561. **Deputy Michael Lowry** asked the Minister for Agriculture, Food and the Marine the position regarding the reconstitution grant for repair works to damaged forestry; if his attention has been drawn to the hardship being caused due to the lack of funding for this scheme; if funds will be made available for the continuation of this grant aid in 2013; and if he will make a statement on the matter. [52329/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Because of concerns about the budgetary position for 2012 the Department was not in a position to open all of the forestry support schemes this year, including the Reconstitution Scheme. Following discussions with the forestry industry it was decided to prioritise the Afforestation, Forest Road and Tending and Thinning of Broadleaves Schemes, all of which have remained open. The position with regard to the Reconstitution Scheme will be reviewed once the 2013 budgetary allocation for forestry is known.

### **Disadvantaged Areas Scheme Payments**

562. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the position regarding the disadvantaged area based payment in respect of a person (details supplied). [52331/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment under the 2012 Disadvantaged Areas Scheme has not yet issued as, at this stage, the holding concerned has not yet satisfied the Scheme minimum stocking density requirements for 2012. 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 Applications**

563. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantaged area scheme grant application in respect of a person (details supplied) in County Donegal will issue. [52340/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment

under the 2012 Disadvantaged Areas Scheme is due to issue shortly, directly to the nominated bank account.

### **Single Payment Scheme Applications**

564. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine the position regarding all single farm payments in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [52342/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A 2012 Single Farm Payment Application was received on 30 April 2012 from the person named. He subsequently submitted an amendment form, the processing of which has now been fully completed. Payment will issue shortly to the nominated bank account.

### **Disadvantaged Areas Scheme Appeals**

565. **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. [52382/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The appeal of the person named was recently forwarded to the DAS Appeals Committee for consideration; immediately that Committee has adjudicated on this appeal, the person concerned will be notified of their decision, in writing.

### **Rural Environment Protection Scheme Payments**

566. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a REP scheme 2011 payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52389/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in June 2008 and received payments for the first 4 years of their contract.

REPS 4 is a measure under the 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 nearing completion for 2012 REPS 4 applications and I expect that payments will commence shortly.

### **Organic Farming**

567. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when an organic farming scheme payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52393/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted an application to join the Organic Farming Scheme (OFS) in May 2012.

The Organic Farming Scheme is a measure under the 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 nearing completion for 2012 Organic Farming Scheme applications and I expect that payments will commence shortly.

### **Rural Environment Protection Scheme Payments**

568. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine when he will approve a REP scheme payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [52402/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** REPS 4 is a measure under the 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 nearing completion for 2012 REPS 4 applications and I expect that payments will commence shortly.

### **Disadvantaged Areas Scheme Appeals**

569. **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 appeal committee in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52405/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While the person named submitted an application for derogation, the supporting documentation, which the person named had indicated would be provided, has yet to be received by my Department. Immediately the documentation in question is furnished, the application in question will be reviewed and the person named notified of the decision, in writing.

### **Disadvantaged Areas Scheme Appeals**

570. **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. [52406/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation application having been unsuccessful, who were offered the option to appeal to the independently chaired DAS Appeals Committee. To date, this option has not been availed. Should the applicant choose to appeal, her this will be referred to the DAS Appeals Committee.

### **Disadvantaged Areas Scheme Appeals**

571. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding funding in respect of a person (details supplied) in County Kerry; and if

he will make a statement on the matter. [52466/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is one of a number, their derogation application having been unsuccessful, who were offered the option to appeal to the independently chaired DAS Appeals Committee. To date, this option has not been availed of. Should the applicant now choose to appeal, this will be referred to the DAS Appeals Committee.

### **Agri-Environment Options Scheme Appeals**

572. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding an agri environment options scheme payment appeal in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [52505/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 September 2010.

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. The person named was selected for a ground inspection which took place on 12 May 2011. During this inspection, issues of non-compliance with the terms and condition of the scheme were noted in relation to Tree Planting Standard and the Coppicing of Hedgerows which resulted in a penalty being imposed. A letter issued to the person named informing him of this penalty and giving him the option to appeal the decision. An appeal was lodged with the Agriculture Appeals Office and an oral hearing took place. Officials in the Agriculture Appeals Office are currently reviewing the case. Once a decision has been reached the person named will be notified of the result and the application will be further processed.

### **Rural Environment Protection Scheme Payments**

573. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding REP scheme payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52538/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** REPS 4 is a measure under the 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 nearing completion for 2012 REPS 4 applications and I expect that payments will commence shortly.

### **Single Payment Scheme Applications**

574. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding national reserve entitlements in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52541/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted an application for an allocation of entitlements from the 2012 National Re-

serve. The 2012 National Reserve caters for farmers who commenced farming after 17 May 2010. Applicants are required to submit a 2012 Single Payment application form detailing all lands which they are currently farming. In addition, applicants are required to meet certain criteria with regard to income limits and educational qualifications. Off-farm income cannot exceed €30,000 and total income, including farm income, cannot exceed €40,000. Applicants must have obtained a FETAC Level 6 Advanced Certificate in Agriculture or its equivalent. The green certificate in farming is regarded as equivalent for this purpose.

The person named was deemed ineligible as he does not hold the necessary farming qualification. The National Reserve is a scarce resource and applicants must therefore fulfil all of the eligibility criteria before an allocation can be made.

Funds in the National Reserve are very limited and the Reserve is only replenished by the value of entitlements that remain unused. Where the value of unused entitlements at the end of 2012 is insufficient to meet the requirements of all eligible applicants under the 2012 National Reserve, a linear cut will be applied to the allocation of successful applicants. It is important therefore that available funds are directed at young trained farmers. This matter was thoroughly considered by the Single Payment advisory Committee comprising members of the main farming organisations, Teagasc and officials from my Department who recommended that this change be introduced.

It is for the reasons stated above that, regrettably, an exception cannot be made in these circumstances.

### **Disadvantaged Areas Scheme Payments**

575. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a payment under the disadvantaged area scheme will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52562/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the holding of the person named has recently been confirmed as satisfying the stocking density criteria of the 2012 Scheme, payment will shortly issue, directly to the nominated bank account.

### **Departmental Staff Remuneration**

576. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will provide in tabular form, the number of staff in his Department, or in bodies which fall under the remit of his Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in the relevant pay brackets. [52571/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Two members of staff of the Department fall within the bands referred to by the Deputy. The salary of the Secretary General is €200,000. The Chief Inspector has a current salary of €154,839. No member of staff in my Department earns a salary of €300,000 or above. The details of salaries for the State Agencies under the aegis of my Department are matters for the Agencies themselves.

### **Departmental Staff Remuneration**

577. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in his Department or in any body under the remit of his Department, 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. [52572/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The position in relation to my Department is that the salary paid to the Secretary General in my Department is currently €200,000 which takes account of a salary surrender of 15% and is in line with the Government decision of 21 June 2011 to adopt a general policy of a €200,000 pay ceiling for senior positions across the Public Service. The Minister wrote to the Chief Executive Officers of both the non-commercial and commercial State bodies informing them of the government decision in relation to the voluntary waiver of 15% or such amount in excess of €200,000, or in the case of the commercial State bodies such amount in excess of €250,000, whichever is the lesser, on 22 July 2011.

### **Animal Disease Controls**

578. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the proposals if any to change the compensation regime for TB and brucellosis reactors particularly where herds have only a single reactor; and if he will make a statement on the matter. [52573/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has been examining options for implementing the TB eradication programme more efficiently, in particular by leveraging the investment made by the Department in recent years in information technology. In this context, one of the options under consideration is a change to the valuation of single reactors (with the exception of pedigree beef or elite dairy animals) such that single reactors would have a value assigned to them based on an extrapolation of the values assigned to similar animals in valuations of breakdowns where there are 2 or more reactors. The advantage of this approach for farmers who have a single reactor is they will receive their valuation in a more prompt manner which will allow reactors to be moved off the holding earlier and consequently for the next test cycle to commence. It would also eliminate the requirement for herd keepers to meet a valuer on a separate date to value their reactor. This proposal would reduce the cost to my Department of valuing reactors by approximately €230,000 per annum. My Department is involved in a consultation process with the farming organisations on this and other proposals designed to reduce the cost of administering the TB eradication scheme and at the same time reduce the administrative burden on farmers. I will make a decision on implementation of these proposals shortly following the conclusion of the consultation process.

### **Single Payment Scheme Appeals**

579. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52578/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named is an applicant under the 2012 Single Payment Scheme. In order to comply with EU

requirements, the application was one of a number which was selected for inspection. Following the completion of the inspection and related processes, an over-claim was confirmed and accordingly a reduced advance payment issued on 1 November. A letter also issued outlining how the over-claim arose and explaining the appeals procedure in place. An appeal has been received and is being processed. The applicant is due to receive the balancing payment under the Single Payment Scheme on 1 December.

### **Single Payment Scheme Payments**

580. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason a single payment scheme net payment has been cut by €900 per annum since 2010 in respect of a person (details supplied); the reason the Department have cut his commonage area by c. 20 ha, have not stacked his entitlements; and if he will make a statement on the matter. [52589/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the provisions of the governing EU Regulations, payments under area-based schemes, including the Single Payment Scheme and the Disadvantaged Areas Scheme, may be made only in respect of eligible land. Applicants under these schemes are obliged annually to declare the land parcels available to them. Details of the eligible area of the land parcels are recorded on my Department's computer-based land parcel tracking system (Land Parcel Identification System). Details of use and area claimed for each of some one million parcels on the Land Parcel Identification System are monitored by my Department on an ongoing basis. In this context, a specific review was conducted by my Department of the reference areas for all commonages. I can confirm that this review, which is a complex exercise requiring verification of the level of premia payments made to an applicant during one or more of the years in the 2000 to 2002 SPS reference period, has recently been finalised in this case. Arising from this, I am glad to confirm that the Single Payment Entitlements of the person named have now been definitively recalculated. The additional payments due since 2010 will be paid as soon as possible.

### **Single Payment Scheme Payments**

581. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Galway has received no payment in relation to disadvantaged area scheme or single farm payment; and if he will make a statement on the matter. [52594/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Following correspondence with the person named, issues relating to an overclaim and an overlap in respect of two of the land parcels declared have recently been resolved. The application is currently being further processed, with a view to payments issuing shortly.

### **Disadvantaged Areas Scheme Payments**

582. **Deputy Seán Conlan** asked the Minister for Agriculture, Food and the Marine the reason for the delay in payment under the 2012 disadvantaged area scheme to a person (details supplied) in County Monaghan [52603/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As process-

ing of the 2012 Disadvantaged Areas Scheme application has recently been finalised, payment will shortly issue to the nominated bank account.

### **Single Payment Scheme Applications**

583. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the position regarding farm payments in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [52739/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted an application under the Single Payment Scheme and the Disadvantaged Areas Scheme on 19 April 2012. Payment has already issued in respect of the latter. However, as regards the Single Payment Scheme, 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. Since the person named did not receive such payments during these reference years, no Single Payment Scheme entitlements were established and therefore no payment is due. My Department will contact the person concerned directly to explain the position fully.

### **Agri-Environment Options Scheme Payments**

584. **Deputy Paudie Coffey** asked the Minister for Agriculture, Food and the Marine when the agri environment options scheme grant payment will issue to a person (details supplied) in County Waterford; and if he will make a statement on the matter. [52832/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 September 2010 and full payment totalling €1,673.16 issued in respect of 2010. 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. These checks have been successfully completed in respect of 2011 and full payment totalling €5,000 has issued to the person named in March 2012. Payments in respect of the 2012 Scheme year are subject to a similar administrative checking process. These checks have been successfully completed and payment will issue shortly to the person named.

### **Departmental Reports**

585. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Questions Nos. 844 and 867 of 6 November 2012, if he will provide an update given to him, by the High Level Group, on the progress made on the delivery of jobs in the Killybegs region in the key areas other than the seafood sector as identified in the Report of the High Level Group; his views on the rate of progress on this issue and if he believes that the project remains on target to deliver the 250 jobs as identified in the report by 2014 [52840/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As stated in my response to previous questions on 6 November last, I am anxious to see the potential for job creation as identified in the Report of the High Level Group on the Jobs Initiative for the Killybegs region, materialise. I also want to see the greatest possible number of the actions identified

in the five Key Areas delivered on so that the potential for job creation can be realised to the greatest extent possible in the current economic climate. The last meeting of this group took place on Monday, 5 November in Killybegs where I understand progress across a range of other areas, in addition to the Seafood area, was reviewed. I can confirm, as I have responsibility for that area, that the seafood development aspects remain on track at this stage to deliver its target of new jobs.

### **Disadvantaged Areas Scheme Payments**

586. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will receive their disadvantaged area payment; and if he will make a statement on the matter. [52847/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As processing of the 2012 Disadvantaged Areas Scheme application has recently been finalised, payment will shortly issue to the nominated bank account.

### **Disadvantaged Areas Scheme Applications**

587. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No.1394 of 18 September 2012, the position regarding a headage payment appeal in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [52849/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As processing of the application of the person named has recently been finalised, payment under the 2012 Disadvantaged Areas Scheme will shortly issue directly to the nominated bank account.

### **Disadvantaged Areas Scheme Applications**

588. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantaged area payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [52893/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The derogation application of the person named has now been considered and accepted and the person concerned is being notified, in writing, of this positive outcome. Payment will, therefore, follow shortly.

### **Single Payment Scheme Appeals**

589. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 1405 of 18 September 2012, when a decision on single farm payments will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [52898/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A 2011 Single Farm Payment Application was received from the person named on 09 May 2011. This case

was selected for inspection following which penalties were applied to the payment made. That decision was subject to an internal appeals procedure and the penalty was upheld.

The applicant has exercised the right of appeal to the Agricultural Appeals Office and that Office will now communicate directly with the applicant in relation to this matter.

### **Disadvantaged Areas Scheme Payments**

590. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine when payment under the disadvantaged area scheme will issue to a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [52918/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The payment which issued to the person named on 26 September was calculated on the basis that the applicant's main holding/residence, as known to my Department at that time, was not located in a Disadvantaged Area. However, following further contact with the applicant and a review of the maps of the holding concerned, the 'farm hub' has now been confirmed as being located in a Disadvantaged Area. Accordingly, a balancing payment will issue shortly.

### **Disadvantaged Areas Scheme Application Numbers**

591. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of applicants and value of payments made under the disadvantaged area scheme on a county basis; the corresponding figures for the same period in 2011; the number of outstanding applications in each; the number of these which are awaiting approval pending reaching the stocking rate rules in 2012; the number who applied for a derogation on a county basis and the numbers accepted; and if he will make a statement on the matter. [53029/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The information requested is being complied at present and will be forwarded to the Deputy directly.

### **State Agencies**

592. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the total number of interested parties to date in purchasing Coillte; his views on the possible conclusion of a sale or if he now feels Coillte should be kept in State ownership; and if he will make a statement on the matter. [53081/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Further to the Government decision that a concession for the harvesting rights to Coillte's forests be put forward for sale, Coillte Board and management have been actively engaged in recent months with NewERA, the Department of Public Expenditure and Reform and my Department to examine the financial and other implications of developing the potential of Coillte's forest assets.

The identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed harvesting rights concession are at an advanced stage. It is not appropriate to pre-empt the outcome of that analysis which will be considered by the Government upon its conclusion.

## Departmental Agencies Issues

593. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53693/12]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has not established any State agencies, forums or task forces since the start of 2012.

## Health Services Staff Issues

594. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs if the 10 posts of social care leader as advertised and interviewed for in 2011 have been filled; where the 10 posts have been filled; if they have not all been filled, if she will explain the reason; when same will be filled; and if she will make a statement on the matter. [52176/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information sought by the Deputy has been requested from the HSE and I will forward this to the Deputy upon receipt.

## Departmental Expenditure

595. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs the amount experts such as Geoffrey Shannon, Norah Gibbons and Helen Buckley have been paid in the last decade for their services; and if she will make a statement on the matter. [52838/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Mr Geoffrey Shannon has received the following;

- €74,133.58 for his work over two years in producing the Report on the Independent Child Death Review.

- €44,405.30 for his work over two years in producing reports in his capacity as Special Rapporteur on Child Protection.

- €8,237.19 for his work over two years on adoption policy.

No payments were made directly by my Department to Ms Norah Gibbons. With respect to her membership of the Independent Child Death Review Group the Department entered into an arrangement with her employer.

Ms Helen Buckley was not in receipt of an individual payments by this Department in the last two years.

## Children in Care

596. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason only 92.6 per cent of children in care had an allocated social worker at the end of September; if she expects the Health Service Executive target of 100 per cent for 2012 to be met; the action being taken to ensure that it is; and if she will make a statement on the matter. [52368/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information sought by the Deputy has been requested from the HSE and I will forward this to the Deputy upon receipt.

### **Children in Care**

597. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason 90.4 per cent of children in care currently have a written care plan, as defined by Child Care Regulations 1995; if she expects the Health Service Executive target of 100 per cent for 2012 to be met; the action being taken to ensure that it is; and if she will make a statement on the matter. [52369/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information sought by the Deputy has been requested from the HSE and I will forward this to the Deputy upon receipt.

### **Health Services Staff Issues**

598. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason there were 80 fewer social workers at the end of September 2012 in comparison to the end of 2011; the prospects there are for meeting the end 2012 target; and if she will make a statement on the matter. [52370/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** 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, compared to 1220 at the end of December 2011. The July 2012 figure has since been adjusted upwards arising from work which is ongoing on the disaggregation of the Children and Families resource base from the HSE in preparation for the establishment of the new Agency. The increase has arisen as a consequence of some remapping and classification of social work posts into distinct care groups. It is anticipated that the number of social workers assigned to the Child and Family Support Agency will be subject to some further change as the remapping process is refined between now and the establishment of the Agency.

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 as had been committed to. A further 10 social worker posts which were to be recruited after 2011 are currently at various stages of recruitment, with the first 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.

### **Child Abuse Issues**

599. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason there is a disparity between Health Service Executive Regions regarding the percentage of referrals of child abuse where a preliminary enquiry took place within 24 hours; and if she will make a statement on the matter. [52371/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The disparity

referred to by the Deputy is, I am informed by the HSE, in the main, attributable to the use of different systems of child abuse management across HSE regions. This is a legacy issue from the time of the former Health Boards and is being addressed in the context of the Child and Family Services Reform Programme. This programme is seeing the development of a single national service delivery model.

Further, HSE Children and Families Services are streamlining a national standardised Child protection Notification System and national standardised business process to seek to ensure that data and systems are unified across all regions.

### **Health Services Staff Issues**

600. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the reason no additional posts under Children and Families 2010 - the Ryan Report - were filled in September 2012; and if she will make a statement on the matter. [52372/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** 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. In advance of the establishment of the new Child and Family Support Agency, work is ongoing regarding the disaggregation of the Children and Families resource base from the HSE. Consequently the number of social workers assigned to the Children and Families Service area will be subject to change as the mapping/classification of posts into care groups is further refined between now and year end.

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 as had been committed to. A further 10 social worker posts which were to be recruited after 2011 are currently at various stages of recruitment, with the first 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.

### **Childhood Obesity**

601. **Deputy Simon Harris** asked the Minister for Children and Youth Affairs if her attention has been drawn to the growing problems with child nutrition here, particularly a recent study by the Food Safety Authority of Ireland showing that babies here are having fizzy drinks, cakes and so on at ages of less than six months old; his plans to address issues regarding child nutrition and to support families; and if she will make a statement on the matter. [52474/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government shares with many other agencies and professional groups, concerns about the growth and nutrition of infants and children. The large scale, government funded, 'Growing Up in Ireland' longitudinal study has shown that one in four, 4 year olds and one in three 9 year olds are overweight or obese. Some 15% of 3rd and 4th class children report drinking soft drinks daily or more according to the recent Health Behaviour in School Children study and 28% of 3rd and 4th class children report eating sweets once a day or more.

The HSE plans in 2013 to revise the training module on infant nutrition and growth measurement Public Health Nurses and Community Medical Officers receive as part of their continuing

education in delivering the HSE's 'Best Health for Children' programme of child health checks. The Food Safety Authority of Ireland recently published "Scientific Recommendations for a National Infant Feeding Policy" which draws on the latest scientific evidence of best practice.

The World Health Organisation has also produced guidelines on infant nutrition which are supported by the Department of Health and which promote breastfeeding and healthy weaning practices, and compliment the Department's own breastfeeding strategy. New growth charts developed by the World Health Organisation, and supported by the department of Health are also currently being rolled out nationally by the HSE, which will enable professionals and parents to more accurately monitor a child's growth and development.

The Minister for Health's Special Advisory Group on Obesity which includes a range of relevant stakeholders, including the Food Safety Authority of Ireland and an Official of my Department, has also been considering a number of issues, including Healthy Eating Guidelines, restricting the marketing of food and drink high in fat, sugar or salt to children, nutritional labelling, calorie posting on restaurant menus, the detection and treatment of obesity and the promotion of physical exercise.

### **Departmental Staff Remuneration**

602. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she will provide, in tabular form, the number of staff in her Department or in bodies which fall under the remit of her Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if she will provide a breakdown of the positions held by the staff in relevant pay brackets. [52521/12]

603. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she has made any contacts requesting staff whose annual salary is more than €200,000 in her Department or in any body under the remit of her Department, to waive 15% of their salary or such amount in excess of €200,000 whichever is the lesser; if she has, the date on which she first made this contact; 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. [52523/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 602 and 603 together.

I can confirm to the Deputy that there are no staff in any Agency under the remit of my Department whose annual remuneration exceeds €150,000 per annum. With regard to my own Department, I can confirm that my Secretary General earns €180,000 per annum. As such, the Deputy's question in relation to waiving 15% of salary does not apply.

### **Education Welfare Service Provision**

604. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs if he will report on the status of the document one child, one team, one plan; if he will arrange to make this document available on his Department's website and if he will outline his plans for each of the services covered by this document. [52597/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The National

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

Following a decision by Government in 2009, the Board undertook strategic and operational responsibility for the School Completion Programme and the Home School Community Liaison Scheme in addition to its Education Welfare Service. The Board was tasked with developing a single strategic approach to attendance, participation and retention in the education system to effectively utilise and target the significant resources available across the three service strands.

In working to deliver this integrated approach to school support services the Board has committed to a practice model based on the principle of “*One Child, One Team, One Plan*”. I am advised by the Board that this practice model is now in the final stages of development.

The model will sit within the wider continuum of practice encompassing universal and preventative work at one end with targeted and intensive intervention at the other. It has been designed to ensure that the approach used by NEWB services is systematic, professional and based upon best practice. Significantly, this proposed referral-based model takes a consistent approach to working with pupils from point of referral to achievement of outcomes across all schools. The development and implementation of this service model will enhance delivery of NEWB services to children, families and schools with a view to improving educational outcomes. This is a significant step towards realising the commitment in the Programme for Government to protect and enhance the educational experience of children and young people.

The Board has drawn upon contributions and feedback received from schools over the last 12 months in the development process to date. A consultation process around One Child, One Team, One is currently being undertaken by the Board with staff services and relevant stakeholders. Both the draft practice model and related schools guidance document are publicly available on [www.newb.ie](http://www.newb.ie).

The Board envisages that the model will be finalised shortly with implementation to commence in 2013.

### **Being Young and Irish Initiative**

605. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the number of proposals from the Being Young and Irish initiative she will pursue and the timeline for implementation; in view of the fact that the Being Young and Irish report has been sent to all Government agencies and Departments, the way she is going to follow up and monitor the progress of the report’s recommendations within each Department and agency; and if she will make a statement on the matter. [52701/12]

606. **Deputy Aodhán Ó Ríordáin** asked the Minister for Children and Youth Affairs the number of the proposals from the Being Young and Irish initiative, established by President Higgins; if she will pursue and if she has a timeline for implementation; and if she will make a statement on the matter. [52737/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 605 and 606 together.

Given the experience of my Department in consulting with children and young people, it was represented on the oversight group for the President’s Being Young and Irish initiative.

The recommendations of the report, where they concern policies related to children and young people, will be taken into account in drafting both the Children and Young People's Policy Framework and the Youth Strategy, both of which are due to be published in 2013.

In the last nine years my Department, and previously the Office of the Minister for Children and Youth Affairs, has worked to ensure the establishment or consolidation of the following key structures:

- Comhairle na nÓg (local youth councils);
- Dáil na nÓg (national youth parliament);
- the children and young people's participation support team and consultations/dialogues with children and young people.

In March 2009 the Children and Young People's Participation Support Team was created. The Team is made up of the staff in the Citizen Participation Unit of my Department and three regional Children and Young People's Participation Officers, from two national youth organisations (Foróige and Youth Work Ireland). The reports of the independent evaluation of the Comhairle na nÓg Development Fund (2008-2009) and (2009-2010) highlight the value of the support, information and training provided by the three regional Participation Officers. They note the marked improvement in the operation of many child and youth councils resulting from the involvement of the Participation Officers. They also note the important role played by these officers in creating a strong link between child and youth councils at local level and my Department at national level.

In addition to their direct work with organisers of the 34 child and youth councils, the DCYA Participation Officers were involved in the planning and management of a wide range of children's participation initiatives including consultations with children and young people on Reform of the Junior Cycle, the National Children and Young People's Strategy (2013-2017) and the Forum on Patronage and Pluralism in Primary Schools.

Some 500 teenagers from the 34 Comhairle na nÓg around the country attended the first-ever Comhairle na nÓg National Showcase on Friday, 9th November 2012.

On the day there were four TOPIC ZONES run by key decision-makers where young people could seek advice and support on how to become more effective improving the lives of young people in relation to mental health, sexual health, youth facilities and engaging with Decision Makers.

My Department provides opportunities for children and young people to contribute their views on issues of national and personal importance, and has conducted national consultations/dialogues with children and young people on a range of issues, including:

- the *Taskforce on Active Citizenship* (2006);
- the age of consent for sexual activity (2006);
- the Irish Youth Justice Strategy (2007);
- the misuse of alcohol among young people (2007) and
- Teenage Mental Health: What Helps and What Hurts (2008).

A Thematic Group on the development of a national policy on children and young people's participation in decision-making was established in 2011, comprising representatives of Gov-

ernment Departments, State Agencies, the research community and other key stakeholders. Its work will feed into the National Children and Young People's Policy Framework (2013-2017).

### **Child and Family Support Agency Staff**

607. **Deputy Jerry Buttimer** asked the Minister for Children and Youth Affairs the reasons for not including public health nurses in phase one of the new Child and Family Agency; and if she will make a statement on the matter. [52798/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government has formally decided to proceed with the drafting of a Bill to establish the Child and Family Support Agency. From its establishment the Child and Family Support Agency will have service responsibility for:

- Child welfare and protection services currently operated by the HSE including family support and alternative care services.

- Child and family related services for which the HSE currently has responsibility including pre-school inspections and domestic, sexual and gender-based violence services.

- Community-based psychology services (this does not encompass psychologists operating within acute, disability, mental health or other specialist settings). The Department of Children and Youth Affairs and the Department of Health will work jointly on an impact analysis of proposed future arrangements for this service as they relate to children and family services covered by the Child and Family Support Agency and to services provided by the HSE.

- The Family Support Agency which currently operates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency.

- The National Educational Welfare Board which also currently operates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency.

The above decisions are in line with the recommendations made in the report of the Task Force on the Establishment of the Child and Family Support Agency which I published in July on this year. The Task Force also recommended that certain other services, including the children and family aspects of public health nursing, should transfer to the new Agency. I believe further work is required on the additional services to be considered for transition to the new agency. I am committed to working with the Minister for Health on the Task Force's proposals in this regard. I share with the view of the Task Force that in order to achieve genuine improvements for children and families, the Agency must have a broader focus than child protection. The inclusion of both the Family Support Agency and the National Educational Welfare Board functions will broaden the base of the organisation and bring on board a range of additional expertise and service infrastructure which highly is relevant to the children and their families at both universal and targeted level. My priority is to get these services well established and integrated as quickly as possible and to continue to examine in parallel, opportunities for further expansion of the Agency's functions once it is up and running.

### **Child and Family Support Agency Establishment**

608. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs the anticipated increased cost of the constitutional changes to the taxpayer in terms of the establishment of the new Child and Family Support Agency and any other costs which may be incurred; the

anticipated savings; and if she will make a statement on the matter. [52824/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** A dedicated new budget sub-head had been established for the first time in the HSE Vote in 2012, in preparation for the planned establishment of the Child and Family Support Agency (CFSA) in 2013. In preparation for the establishment of the Agency a comprehensive due diligence and disaggregation process is underway to further review and refine the detailed components of this sub-head. In terms of the establishment of the Agency, it is anticipated that while there will be some costs attaching to its establishment but such costs will be kept to a minimum and the Agency will seek to maximise efficiencies across services through economies of scale and the usage of shared services wherever possible.

It is my intention that the new Agency will address the persistent issues which have been raised regarding the standardisation of services, communication, coordination and sharing of risk assessment, management and treatment for many of the children and families with the most complex needs. At the same time, the Agency will have a role in supporting families - providing less complex, less intrusive, less expensive responses which have a preventive function.

The new Agency and the wider transformation of children's services represents one of the largest, and most ambitious, areas of public sector reform embarked upon by this Government.

### **Departmental Funding**

609. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs the State contribution to Barnardos; ISPCC; Children's Rights Alliance and the Campaign for Children; the amount of money spent by these organisations; if the proposed change in the constitution will affect the amount of money that the State funnels into these organisation; and if she will make a statement on the matter. [52835/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has allocated the following funding in 2012 to the Organisations referred to:-

Barnardos - €915,759

ISPCC - €100,730

Children's Rights Alliance - Nil

Campaign for Children - Nil

The amount of money spent by the named Organisations does not come within the remit of my Department.

It is not possible to comment at this point in time on the amount of money that may be allocated to these Organisations by my Department in 2013.

### **Children in Care**

610. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs the cost of a Guardian ad Litem; who supplies Guardian ad Litem services; if Guardian ad Litem will be a feature of every case involving a child under Amendment 31; the cost to the taxpayer; if Barnardos, ISPCC and Children's Rights Alliance offer Guardian ad Litem services; and if she

will make a statement on the matter. [52836/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Appointment of a guardian *ad litem* (GAL) in child care cases is a matter for the Courts. Under section 26 of the Child Care Act 1991, the Court may appoint a guardian *ad litem* to a child who is the subject of care proceedings, if it is satisfied that it is necessary in the interests of the child and in the interests of justice to do so. They are always appointed where a child is subject to Special Care proceedings.

Currently GAL services are provided by Barnardos, a small number of agencies and a number of self employed independent guardian *ad litem*. The HSE has advised me that the total GAL costs for 2011 amounted to €4.6 million.

The amendment to the Constitution makes explicit reference to the best interests of the child as the paramount consideration when significant decisions in relation to the child are being made. It means that legislation must be enacted to require that the best interests of the child must be the paramount consideration when a Court is making any decision in relation to proceedings taken by the State where it intervenes to protect the safety and welfare of a child and issues of adoption, guardianship, custody of, or access to, a child in proceedings between any persons. In addition, the amendment gives recognition at constitutional level to the rights of the child to have their views heard and given due weight in such Court proceedings.

The ascertaining of the views of the child as specified in the Amendment in other judicial proceedings, will require a review of all the related legislation to ensure it meets the new constitutional standard. The views of a child do not necessarily have to be mediated by a guardian *ad litem*, although this is appropriate in some cases. It is likely a range of arrangements will be put in place across both child protection, guardianship, adoption, access and custody proceedings to ensure children's views are heard. The Minister for Justice and I are reviewing the needs in this area.

### **Child and Family Support Agency Staff**

611. **Deputy Mattie McGrath** asked the Minister for Children and Youth Affairs when the child protection staff currently employed by the Health Service Executive will be transferred to the new agency; the number of staff that will be transferred; if they receive will redundancy payments and if so what is the estimated cost; and if she will make a statement on the matter. [52837/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government has approved the Heads of the Child and Family Support Agency Bill and has also agreed to the priority drafting of this Bill. The necessary legislative and organisational preparations are being prioritised so that the Agency can be established early in 2013. A precise target date for the transfer of staff will be set when consideration of the legislation is advanced. From its establishment the Child and Family Support Agency will have service responsibility for:

- Child welfare and protection services currently operated by the HSE including family support and alternative care services.

- Child and family related services for which the HSE currently has responsibility including pre-school inspections and domestic, sexual and gender-based violence services.

- Community-based psychology services (this does not encompass psychologists operating within acute, disability, mental health or other specialist settings). The Department of Children

and Youth Affairs and the Department of Health will work jointly on an impact analysis of proposed future arrangements for this service as they relate to children and family services covered by the Child and Family Support Agency and to services provided by the HSE.

- The Family Support Agency which currently operates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency.

- The National Educational Welfare Board which also currently operates as a separate body under the Department of Children and Youth Affairs and will be merged into the new Agency.

At this point it is envisaged that approximately 4,500 staff will transfer to the new Agency after its establishment. Staff who are transferring are not being made redundant. In the circumstances the issue of redundancy payments does not arise.

### **Youth Services Provision**

612. **Deputy Eric Byrne** asked the Minister for Children and Youth Affairs the position regarding a programme (details supplied); if a decision will be made to reverse a cut in funding; and if she will make a statement on the matter. [52858/12]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Youth Affairs Unit of my Department supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects.

Funding of €56.806m has been provided to my Department to support the provision of youth services in 2012. Some 477 projects and youth services throughout the country receive support under the schemes. The annual funding allocations for youth projects are determined by my Department and the funding is administered, on behalf of my Department, by a number of grant administering agencies that includes the City of Dublin Youth Services Board (CDYSB) of the CDVEC.

My Department is working on the funding allocation for youth services in 2013. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department is seeking to ensure that, in the determination process for the allocations, the front line youth services, particularly those for the most vulnerable young people are protected as far as is possible from the impact of any necessary reductions in funding.

No decisions have been made by my Department neither in relation to the 2013 funding for youth services throughout the country, nor in relation to the funding allocations to be provided for individual projects, including Common Ground. My Department has been advised that the CDYSB, in anticipation of reductions in the funding allocations next year, has been holding a series of meetings with the projects within its area in relation to 2013. Any proposals or recommendations that a body administering funding on behalf of my Department, such as CDYSB, makes in relation to the distribution of funding in its locality on account of its local knowledge of the needs of young people would require the approval of my Department before they are implemented. My Department will be making every effort to advise organisations and projects of their 2013 allocations as soon as possible.

### **Mobility Allowance Eligibility**

613. **Deputy Pat Breen** asked the Minister for Health the reason a mobility grant has been discontinued in respect of persons (details supplied) in County Clare; and if he will make a statement on the matter. [52813/12]

**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.

### **Hospital Procedures**

614. **Deputy Billy Kelleher** asked the Minister for Health the date on which his Department was first notified of the death of a person (details supplied) and the date on which he was first notified; the persons who notified him and the person who notified his Department; the action if any that was taken by the Health Service Executive prior to him or his Department being notified; and if he will make a statement on the matter. [53108/12]

699. **Deputy Billy Kelleher** asked the Minister for Health the date on which his Department was first notified of the death of a person (details supplied) and the date on which he was first notified; the person who notified him and the person who notified his Department; the action, if any, that was taken by the Health Service Executive prior to he or his Department being notified; and if he will make a statement on the matter. [52908/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 614 and 699 together.

It would not be customary for my Department to be routinely advised of deaths which have occurred in hospitals, nor to be informed of inquiries being carried out by the Health Service Executive (HSE) into such deaths. However, in this case my Department became aware of the death of Ms Savita Halappanavar on 12th November as a result of a press query.

On receipt of this query my officials checked with the HSE and were informed that this incident was escalated directly from the hospital for the attention of the HSE's National Incident Management Team (NIMT) on 1st November, in accordance with its Risk and Incident Escalation Procedure' which outlines the steps that must be taken by each manager to escalate risks and incidents, as appropriate, that occur within their own service. This procedure is to be used in circumstances where a national or integrated response is required.

In addition, in the case of a maternal death, a number of standard procedures are followed including a risk review of the case and the completion of a maternal death notification form, through Maternal Death Enquiry Ireland. Ms Halappanavar's death was also notified to the Coroner as is standard practice and will be the subject of a Coroner's Inquest.

On 23rd November the Board of the Health Information and Quality Authority (HIQA) following a request from the HSE and in accordance with Section 9(1) of the Health Act 2007, announced that it will investigate the safety, quality and standards of services provided by the HSE at University College Hospital Galway (UCHG) to critically ill patients, including critically ill pregnant women as reflected in the care and treatment provided to Savita Halappanavar.

I am most anxious that we can establish all the facts and address any possible safety concerns that may arise as a result of the investigation and that could have implications for women attending our maternity services as expeditiously as possible. However, while it is vital that the investigation is expedited, it is also vital to ensure the circumstances surrounding Ms Halappanavar's death are investigated thoroughly.

## National Dementia Strategy Publication

615. **Deputy Nicky McFadden** asked the Minister for Health if a national dementia strategy will be published in 2013; and if he will make a statement on the matter. [52172/12]

660. **Deputy Finian McGrath** asked the Minister for Health if he will support a commitment to a whole of Government approach to develop a comprehensive and robust dementia strategy and creating a clinical and policy leadership in dementia and delivering solutions through actions in relation to services and supports for persons throughout the dementia journey [52528/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 615 and 660 together.

The Programme for Government gives a commitment to develop a *National Strategy on Dementia* by 2013 which will increase awareness, ensure early diagnosis and intervention, and enhance community based services for people living with this condition. The first stage of the process was to assemble the research and evidence upon which the strategy will be developed. This was completed earlier this year and the report of the findings *Creating Excellence in Dementia Care: a Research Review for Ireland's National Dementia Strategy* has been published. A guide for the general public, *Future Dementia Care in Ireland: Sharing the Evidence to Mobilise Action* was compiled to disseminate the report's findings and to give a better understanding of dementia. Both the report and the guide are available at [www.doh.ie](http://www.doh.ie).

A public consultation process which sought the views of interested parties, to help inform the development of the strategy concluded at the end of August and officials are currently examining the responses. Following on from this process a working group will be established to develop the strategy in 2013.

## Hospital Bed Data

616. **Deputy Gerald Nash** asked the Minister for Health his plans for the retention and continued development of a facility (details supplied) in County Louth. [52177/12]

617. **Deputy Gerald Nash** asked the Minister for Health his plans for the development of certain facilities (details supplied) in County Louth [52178/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 616 and 617 together.

In relation to the particular matters raised by the Deputy, as these are service matters, I have asked the Health Service Executive to respond directly to the Deputy.

## Medical Card Eligibility

618. **Deputy Terence Flanagan** asked the Minister for Health the position regarding plans for free general practitioner visit cards for under fives (details supplied); and if he will make a statement on the matter. [52190/12]

**Minister of State at the Department of Health (Deputy Alex White):** Under the provisions of the Health Act 1970, medical cards are provided to persons who, in the opinion of the Health Service Executive, are unable without undue hardship to arrange general practitioner

medical and surgical services for themselves and their dependants. The assessment for a medical card is determined primarily by reference to the means of the applicant and his/her dependants.

In 2005, the GP Visit Card was introduced as a graduated benefit, so that people on lower incomes, particularly parents of young children, who do not qualify for a medical card, would not be deterred on cost grounds from visiting their GP. Where a person's application for a medical card is unsuccessful, the application is then automatically considered to determine whether the person is entitled to a GP visit card. The assessment income threshold for GP visit cards was initially 25% higher than for the medical card. In June 2006, the differential was doubled to 50%. It is the Government's intention to extend free GP services to the entire population during the course of this Government.

### **Departmental Funding**

619. **Deputy Mick Wallace** asked the Minister for Health the amount of State funding given to the Irish Patients' Association and Patient Focus in each of the years 2010, 2011 and to date in 2012. [52191/12]

**Minister for Health (Deputy James Reilly):** My Department has not allocated funding to the organisations in question during this period. I have requested the HSE to reply to the Deputy directly in respect of any funding it may have made to the respective organisations.

### **Health Services Staff Issues**

620. **Deputy Joe Carey** asked the Minister for Health when a post (details supplied) will be advertised; and if he will make a statement on the matter. [52195/12]

**Minister for Health (Deputy James Reilly):** In regards to this particular issue, I have asked the Health Service Executive to reply directly to the Deputy.

### **Home Care Packages**

621. **Deputy Dan Neville** asked the Minister for Health if an application for the home care package will be processed in respect of a person (details supplied) in County Limerick; if they will be considered for extra home help hours; and if he will make a statement on the matter. [52199/12]

**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.

### **Hospital Procedures**

622. **Deputy Billy Kelleher** asked the Minister for Health if he will provide information regarding the exceptions funding available to hospitals to allow them carry out cochlear implants; and if he will make a statement on the matter. [52206/12]

**Minister for Health (Deputy James Reilly):** The HSE National Service Plan sets out the health and personal social services that will be delivered during 2012 from within the HSE bud-

get. In relation to the specific service which is the subject of the Deputy's query, it has therefore been referred to the HSE for direct reply.

### **Health and Social Care Professionals Registration Fee**

623. **Deputy Nicky McFadden** asked the Minister for Health if the new annual fee for Health and Social Care Professionals to commence from 31 May 2013 can be reduced; if he will acknowledge that the set annual registration fee of €295 is significantly higher than the fees required of similarly paid and qualified professionals, that the registration fee would be a significant burden on social care staff; and if he will make a statement on the matter. [52208/12]

665. **Deputy John McGuinness** asked the Minister for Health his views on the proposed annual fee of €295 which all social workers will have to pay from next May to register in order to continue practising in the State; if it is his intention to reduce this fee; and if he will make a statement on the matter. [52579/12]

678. **Deputy Brendan Griffin** asked the Minister for Health if he will review the proposed annual fee for the registration of social workers with a view to settling on a more affordable fee; and if he will make a statement on the matter. [52745/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 623, 665 and 678 together.

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 in early 2013.

All the registration boards and their registers for the remaining designated professions should be established 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.

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 is considered the minimum required to enable the Council to operate. The fee charged by the Council, 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 controlling 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. This 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.

### **Hospital Staff Issues**

624. **Deputy Patrick Nulty** asked the Minister for Health if he will provide a breakdown of the number of midwives working in Irish maternity hospitals in tabular form. [52222/12]

625. **Deputy Patrick Nulty** asked the Minister for Health if he will confirm the correct number of midwives per mother working in maternity wards should be. [52223/12]

626. **Deputy Patrick Nulty** asked the Minister for Health if he will provide a breakdown of the number of midwives per mother in each of the maternity hospitals in tabular form; and if he will make a statement on the matter. [52224/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 624 to 626, inclusive, together.

There is no set ratio of midwives to mothers in maternity hospitals. The staffing level in such services varies according to the clinical needs and midwifery dependency of mothers. I have asked the HSE to provide figures relating to midwifery staffing levels in maternity hospitals directly to the Deputy.

### **Medical Card Eligibility**

627. **Deputy Mattie McGrath** asked the Minister for Health the reason a medical card has been refused for a seriously ill child who requires palliative care; if he will have this decision reviewed; and if he will make a statement on the matter. [52262/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

### **Nursing Home Accommodation**

628. **Deputy Niall Collins** asked the Minister for Health if a long term stay bed will be approved in respect of a person (details supplied) in County Cork [52266/12]

**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.

### **Services for People with Disabilities**

629. **Deputy Niall Collins** asked the Minister for Health if he will ensure that a specific area (details supplied) will continue to receive maximum assistance and that there will be no further cutbacks in this area [52267/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Pending completion of the national estimates, budgetary and service planning process for 2013 it is not possible to predict the service levels to be provided next year. In relation to the specific queries raised by the Deputy, as these are service issues they have been referred to the HSE for direct reply.

### **Health Insurance Cover**

630. **Deputy Finian McGrath** asked the Minister for Health if he will advise and assist citizens who have V.H.I membership, and have been refused cover for their medical expenses. [52287/12]

**Minister for Health (Deputy James Reilly):** The main legislative provisions for the regulation of the Irish private health insurance market are included in the Health Insurance Acts 1994 to 2011. Within that statutory framework, all private health insurers are free to design their own health insurance schemes and to enter into agreements with health service providers. As Minister for Health I do not have statutory powers to direct the VHI or any insurer as to what specific benefits are payable under any particular contract. However, the Health Insurance Act 1994 (Minimum Benefit) Regulations 1996 (S.I. 83/1996 as amended by S.I. 333/2005) set out a minimum level of cover which must be provided by insurers. In addition, the Health Insurance Act 1994 (Open Enrolment) Regulations 1996 (S.I. 81/1996 as amended by S.I. 332/2005) outline the waiting periods which insurers may require customers to serve in different circumstances, including in relation to pre-existing conditions.

Cover for medical expenses under a customer's health insurance contract is a private contractual matter between the customer and the insurer. If the customer is not satisfied with any decision made by an insurer relating to the benefits payable under their contract, they should

first discuss it with the insurer concerned. However, if the customer remains dissatisfied with the insurer's response, they may contact the Financial Services Ombudsman. The Financial Services Ombudsman is a statutory officer who deals independently with unresolved complaints from consumers about their individual dealings with all financial service providers. His service is provided free of charge to the complainant. The decision of the Financial Services Ombudsman is binding on all parties unless the decision is appealed to the High Court. Customers also have rights of access to the courts in disputes with insurers.

Insurers provide a 14 day cooling off period where they will cancel a customer's contract and give a full premium refund. However, I would advise all private health insurance customers to consider carefully the full range of plans and levels of cover available within the market before taking out a contract, so that they can be sure that their own needs are fully met. It is important to note that once entered into, health insurance contracts are of one year duration. Even if the customer is paying the premium in instalments over the twelve month contract term, this does not alter the contract in that respect.

The Health Insurance Authority (HIA) is the independent regulator of the private health insurance market in Ireland. It provides information to policy holders in relation to rights and health insurance plans and the benefits provided. The HIA's web-site is [www.hia.ie](http://www.hia.ie) and has a very useful health insurance comparison tool which may assist the public in finding the most suitable and competitive health insurance plan to meet their needs. The HIA can also be contacted at Lo-Call 1850 929 166.

### **Orthodontic Services Provision**

631. **Deputy Charles Flanagan** asked the Minister for Health if his attention has been drawn to the fact that the consultant orthodontist serving the midlands area of counties Laois and Offaly, currently transferring to the southern region has left; if he will outline the steps he proposes to take in order to ensure a replacement to deal with the backlog in respect of orthodontic treatment in counties Laois and Offaly; and if he will make a statement on the matter. [52313/12]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE has commissioned an independent review of orthodontic services. The outcome of this review will give guidance as to what changes will be desirable to provide the best possible model of care delivery, given the current resources available and future demand for services. The HSE has been asked to reply directly to the Deputy regarding the provision of orthodontic services in Laois and Offaly.

### **Universal Health Insurance Provision**

632. **Deputy Mattie McGrath** asked the Minister for Health the progress that has been made on the plans to extend free general practitioner care to all claimants of medicines under the long term illness scheme as announced in Budget 2012; and if he will make a statement on the matter. [52330/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Programme for Government commits to reforming the current public health system by introducing Universal Health Insurance with equal access to care for all. As part of this, the Government is committed to introducing, on a phased basis, GP care without fees within its first term of office. Primary legislation is required to give effect to Government commitment to introduce a univer-

sal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP services without fees to persons with prescribed illnesses is currently being drafted by this Department and the Office of the Attorney General and will be published shortly. Implementation dates and application details will be announced in due course.

### **Mental Health Services Funding**

633. **Deputy Dan Neville** asked the Minister for Health the role of the mental health services in the Strategic Framework for Reform of the Health Service 2012 to 2015 [52332/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Our Programme for Government lays a strong emphasis on mental health and provided for special additional funding from 2012 onwards primarily to strengthen our multidisciplinary community based mental health services, to also enable access to mental health services in primary care settings and to advance suicide prevention measures. In line with this policy and as set out in the recently published Strategic Framework for Reform of the Health Service 2012 - 2015, it is proposed that as far as possible mental health care should be treated in a similar way to other acute episodes of care and funded on a 'Money Follows the Patient' basis. However, international evidence indicates that this is not easy to achieve in mental health services.

I would refer the Deputy to Chapter 10 of the Framework document which describes the plans for the reform of all Social and Continuing Care Services including Mental Health. As part of the move to Hospital Groups/Trusts, specific arrangements will be put in place to accommodate acute in-patient mental health services. Such services are increasingly being delivered in or on the grounds of general hospitals. Specialist Mental Health Services are, however, also provided in a variety of other settings including through day hospitals, day centres, respite houses, community and home based treatment teams. The strategy is that resources must be efficiently managed, targeted at areas of greatest need, and delivered at the point of lowest complexity.

It is anticipated within 'Future Health' that all these services will eventually be provided through a strategic commissioning model which will commission or procure packages of services specified by a care needs assessment. In the mental health sector, services outside the acute in-patient hospital based services will largely continue to be provided by the public sector in whatever structure or framework is found to best suit its needs and it will be the responsibility of the new Director of Mental Health to ensure the development of effective and efficient governance arrangements to give effect to the new policy within the context of the overall health reform programme.

### **Mental Health Services Funding**

634. **Deputy Dan Neville** asked the Minister for Health the expenditure on mental health services as a percentage of the overall health services expenditure in each of the years 2005 to 2012 inclusive [52333/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Details of the overall gross non-capital health and mental health budgets are published annually in the Revised Book of Estimates. Based on that information, the following table details the mental health budget as a percentage of the total non-capital health budget for each of the years 2005

- 2012 inclusive:

2005	2006	2007	2008	2009	2010	2011	2012
7.0%	8.3%	7.8%	7.3%	6.9%	6.8%	5.3%	5.8%

About 1 in 4 people will experience some mental health problems in their lifetime, approximately 90% of mental health problems are dealt with in primary care and some 30% of people who attend primary care have a mental health problem and expenditure on these services is not captured in the mental health budgets or the percentages above.

### Hospital Charges

635. **Deputy Billy Kelleher** asked the Minister for Health if he will define a virtual bed and a virtual chair as is used for billing of private patients; and if he will make a statement on the matter. [52338/12]

**Minister for Health (Deputy James Reilly):** The current in-patient charges are provided for by Section 55 of the Health Act 1970 (as amended). These charges are levied in respect of each day or part of a day during which in-patient services are availed of in respect of private, semi-private and day-care accommodation in public hospitals. These rates are set out in the following table.

-	Hospital Category	Private Accommodation	Semi-Private Accommodation	Day-care
1	HSE Regional Hospitals, Voluntary & Joint Board Teaching Hospitals	€1,046	€933	€753
2	HSE County Hospitals Voluntary Non-Teaching Hospitals	€819	€730	€586
3	HSE District Hospitals	€260	€222	€193

The private in-patient daily charge of €75, subject to a maximum payment of €750 in any period of 12 consecutive months also applies.

### Hospital Services

636. **Deputy Billy Kelleher** asked the Minister for Health what constitutes day care services in relation to hospital procedures; the minimum standard of care to qualify as a day procedure; if there is a defined location as to where procedures should be carried out to qualify; and if he will make a statement on the matter. [52339/12]

**Minister for Health (Deputy James Reilly):** A patient is described as a day case where they are admitted on an elective basis for care and/or treatment, do not require the use of a hospital bed over night, and have been admitted and discharged on the same day. The procedure or treatment must be codeable in the Hospital In-Patient Enquiry System (HIPE) as a daycase; this typically requires that the procedure or treatment take place in a dedicated daycase ward/area. Treatments or tests are performed for many different surgical or medical conditions and the decision on whether the patient should be treated as a daycase is a clinical one.

## Nursing Home Accommodation

637. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the amount invested by the Health Service Executive and St. James's Hospital on nursing home facilities at Brú Caoimhghnín, Cork Street, Dublin, each year for the past 10 years. [52345/12]

**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.

## Hospitals Building Programme

638. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the intended future use of each of the three existing paediatric hospitals once the new national children's hospitals has been completed and opened; and if he will make a statement on the matter. [52346/12]

**Minister for Health (Deputy James Reilly):** The new children's hospital is a key commitment in the Programme for Government and the largest project within the current Capital Plan. I recently announced the Government's decision to develop the new children's hospital at the campus of St James's Hospital in Dublin.

This decision has been made in the best interests of children, with clinical considerations being of paramount importance. Co-location, and ultimately tri-location with a maternity hospital, on the St James's campus will support the provision of excellence in clinical care that our children deserve.

The intended future use of the existing paediatric hospitals, once the new national children's hospital has been completed and opened remains to be considered.

## Maternity Services

639. **Deputy Aengus Ó Snodaigh** asked the Minister for Health his future plans for the maternity hospitals in Dublin city; and if he will make a statement on the matter. [52347/12]

**Minister for Health (Deputy James Reilly):** A comprehensive review of maternity and gynaecology services in the greater Dublin area was completed in 2008. The 2008 KPMG Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area report noted '*it is well recognised that for optimal clinical outcome, maternity services should be co-located with adult acute services, or in the case of neonatology and fetal medicine tri-located with adult and paediatric services*'. The report noted that Dublin's model of stand alone maternity hospitals is not the norm internationally and recommended that the Dublin maternity hospitals should be co-located with adult acute services and that one of the three new Dublin maternity facilities should be built on the site of the new national paediatric hospital. Maternity and paediatric service co-location has advantages for infants with congenital malformations, for fetal medicine or complications which require neonatal surgery. Maternity and adult service co-location has advantages for mothers in providing on-campus rapid and ready access to non-obstetric specialist expertise, and to specialist surgery and intensive care in the case of major obstetric emergency.

In this context the proposal in 2008 was that the National Maternity Hospital be relocated to St Vincent's, the Coombe to Tallaght and the Rotunda to the Mater, and the maternity hospitals have been working with the relevant adult sites to progress this.

There will be early discussions with the maternity hospitals regarding their maternity /adult co-location plans in the context of the recent Government decision to build the new children's hospital on the St James's campus. Notwithstanding this, I am committed to the intent of the report - that the Dublin maternity hospitals be located alongside adult acute services - while also bearing in mind the need to plan for the provision of tri-located paediatric, adult and maternity services, as is the intention in relation to the new children's hospital. Management and delivery of health infrastructure programmes, including financing, is the responsibility of the Health Service Executive. However, maternity service capital projects cannot be dealt with in isolation – they must be considered in the context of the HSE's multi-annual programme. In prioritising capital projects within its overall capital allocation, the HSE must take into account existing capital commitments and costs to completion over the period.

Work on the draft Capital Plan for the next multi-annual period, 2013-2017, is in progress and will be submitted to my Department in due course. My Department will then review the proposals and follow up with the HSE where further details may be required. The draft Capital Plan 2013-2017 will require my approval, with the consent of the Minister for Public Expenditure and Reform.

My concern, with maternity services as with all health issues, is with patient benefit and patient outcomes. There is a real opportunity for the Dublin maternity service providers to further strengthen their relationship with their partner adult hospital at the earliest opportunity to realise clinical and financial benefits and efficiencies well in advance of physical co-location. We must use, within the acute system, our extremely limited health resources for the maximum possible benefit and to deliver safe, modern services. Any decision on the future delivery of maternity services in Dublin, including the location of those services, will be made in this context.

### **Hospital Waiting Lists**

640. **Deputy Billy Kelleher** asked the Minister for Health when a person (details supplied) in County Cork will receive a hip replacement; and if he will make a statement on the matter. [52366/12]

**Minister for Health (Deputy James Reilly):** The management of daycase and inpatient waiting lists for patients awaiting public health care is based on the principle that after urgent and cancer patients are treated, then clinically assessed routine patients should be seen in chronological order (i.e. longest waiter first).

Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved.

In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

### **Mental Health Services Report**

641. **Deputy Patrick Nulty** asked the Minister for Health if the €5 million allocated in the Health Service Executive's 2012 National Service Plan for mental health in primary care and access to psychotherapy services will be spent for this purpose in 2012; the date on which the 10 posts for mental health in primary care and access to psychotherapy services will be filled; and if he will make a statement on the matter. [52374/12]

706. **Deputy Billy Timmins** asked the Minister for Health the position regarding the promised investment of €35 million annually in community mental health (details supplied) [52952/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 641 and 706 together.

Funding from the €35 million special allocation for mental health will be used primarily to further strengthen Community Mental Health Teams in both Adult and Children's mental health services. Some of the funding will also be used to advance activities in the area of suicide prevention and to initiate the provision of psychological and counselling services in primary care, specifically for people with mental health problems. Provision is also being made to facilitate the re-location of mental health service users from institutional care to more independent living arrangements in their communities, in line with *A Vision for Change*.

Some 414 posts were approved to implement the €35 million package of special measures for mental health. To date 17 posts have been filled and over 270 offers of employment have already been accepted and the appointments are proceeding. Interviews for the 10 posts for the psychological and counselling services in primary care were completed last week and the results will be issued shortly. The start dates for these 10 posts are expected to be in early 2013 to allow for the process of checking references etc. while most of the other start dates are expected to commence in December 2012. The Government remains committed to engaging these professionals as soon as is feasible and the work of completing the process remains a priority.

With regard to the level of funding for mental health next year, this is being considered as part of the Estimates and budgetary process for 2013 which is currently underway.

### **Orthodontic Services Waiting Lists**

642. **Deputy Róisín Shortall** asked the Minister for Health when a person (details supplied) in Dublin 11 will receive orthodontic treatment from the Health Service Executive; and if he will make a statement on the matter. [52381/12]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines and priority is given to patients with greatest needs. The HSE has been asked to examine the specific query raised by the Deputy and to reply to her as soon as possible.

### **Drug Treatment Programmes Places**

643. **Deputy Michael Creed** asked the Minister for Health the amount of funding available in 2012 for the various drug task forces; the criteria used in the allocation of these funds by individual task forces; if the task forces are regularly audited; if he is satisfied that the distribution of funding by the various task forces reflects the work and effort by the individual members of each task force; and if he will make a statement on the matter. [52401/12]

**Minister of State at the Department of Health (Deputy Alex White):** Each Drugs Task Force has an annual funding allocation from my Department for community-based drugs initiatives. The 2012 Allocation in respect of each Task Force is detailed in the table below.

The Drugs Task Forces are expected to have regard to the following criteria in determining

allocations to individual projects:-

- a) Needs identified locally;
- b) Outcome of evaluation process of individual projects;
- c) Need to secure approval of Department for any material change to the purpose of a funded project;
- d) The need to safeguard public funding;
- e) The need to protect front line service provision in line with Government policy.

The funding of projects is channelled through Government Departments and State Agencies, including the HSE, the Department of Social Protection, the VECs and Local Authorities. Organisations responsible for the delivery of projects are required to maintain proper governance arrangements, to have systems and practices for the proper management and administration of finances and to comply with tax and accounting requirements. In addition, Drugs Task Forces are required to submit an annual report to my Department in relation to their activities and annual audited accounts in relation to public funds expended directly by them.

Local Drugs Task Force	2012 Allocation
Ballyfermot	1,569,489
Ballymun	1,180,695
Blanchardstown	1,124,343
Bray	1,573,101
Canal Communities	1,562,243
Clondalkin	1,421,577
Cork	1,578,581
Dublin 12	1,120,360
Dublin North East	1,228,782
Dun Laoghaire	926,67
Finglas Cabra	936,590
Dublin North Inner City	2,369,624
Dublin South Inner City	2,161,821
Tallaght	1,250,347
Total	20,003,720
Regional Drugs Task Force	2012 Allocation
East Coast Area	851,596
Midlands	849,513
Mid West	1,496,428
North East	986,091
North West	765,610
North Dublin City & County	826,087
South East	1,132,703
South West	849,524
Southern	1,034,305
Western	702,677
Total	9,494,534
Overall Total	29,498,254

### Hospital Services

644. **Deputy Robert Troy** asked the Minister for Health his plans to tackle the waiting lists that exist for routine surgeries for public patients between now and 2016; when he plans to roll out the universal health insurance, in view of the fact that at present a simple surgery such as fitting for grommets is taking up to two and a half years in the public health system; and if he will make a statement on the matter. [52431/12]

**Minister for Health (Deputy James Reilly):** A priority action for the HSE has been the development and implementation of standardised reporting for outpatient access through the HSE Outpatient Data Quality Programme. This has enabled reporting of Outpatient Waiting Lists from January 2012. Subsequently, waiting times have been published on [www.hse.ie](http://www.hse.ie) each month as part of the HSE Performance Reports. The latest HSE Performance Report for September 2012 shows that the total number of patients waiting for a first time outpatient appointment, as of 18th October is 385,462, 71.1% of whom are waiting less than 12 months.

Building on the work done by the HSE, the National Treatment Purchase Fund has now taken over the collection of outpatient waiting time data. Its methodology replicates the approach taken with the collection of inpatient and day case waiting times. The collation and analysis of outpatient waiting time data in a standardised format, revealing the distribution of long waiters across all hospitals, allows the SDU and the NTPF, in the first instance, to target their resources towards those patients who are waiting longest and ensure that they are seen and assessed. Over the course of 2013-2015 the HSE together with the SDU and the HSE Clinical Programmes intends to radically reform the structure, organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time. Key elements of this large programme of reform will include on-going validation of waiting lists, the systematic and standardised management of referrals from primary care, a reduction in unacceptably high 'do not attend' rates and appropriate discharging from outpatient services when clinically appropriate to do so.

A maximum waiting time target of 12 months for a first time outpatient appointment by 30 November 2013, 26 weeks by 30 November 2014 and 13 weeks by Nov 2015 are the goals for the HSE and the SDU.

### **Vaccination Programme**

645. **Deputy Peadar Tóibín** asked the Minister for Health the date on which a comprehensive set of supports will be in place for those affected by narcolepsy associated with the vaccine pandemrix; and if he will make a statement on the matter. [52433/12]

646. **Deputy Peadar Tóibín** asked the Minister for Health if he will detail his contact with the SOUND group dealing with sufferers of narcolepsy associated with pandemrix; and any commitment made to the group [52434/12]

648. **Deputy Billy Kelleher** asked the Minister for Health when he will bring the package of supports for the narcolepsy sufferers arising from the H1N1 vaccine before Dáil Éireann; and if he will make a statement on the matter. [52439/12]

667. **Deputy Joanna Tuffy** asked the Minister for Health the position regarding proposals for a package of supports for persons who developed narcolepsy as a result of vaccination with pandemrix; the reasons for the delay in bringing the proposals to Dáil Éireann; when he expects to re-establish contact with members of Sufferers of Unique Narcolepsy Disorder; and if he will make a statement on the matter. [52585/12]

684. **Deputy Anthony Lawlor** asked the Minister for Health the date on which he proposes

to put a paper to the Government on foot of the recommendations of the final report of the National Narcolepsy Study Steering Committee which concluded that the increased incidence of narcolepsy in children and adolescents here since 2009 came as a result of the a side affect of the Pandemrix vaccine administered for the H1N1 virus; and if he will make a statement on the matter. [52786/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 645, 646, 648, 667 and 684 together.

The association between Pandemic vaccination and an increased risk of narcolepsy in children/adolescents is acknowledged in the report of the National Narcolepsy Study Steering Committee. However, causation has not been established. My priority is to ensure that the children/adolescents affected are provided with services and supports to meet their health needs. e HSE and the Department of Education and Skills together provide a comprehensive range of services and supports to those affected. These supports and services include 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 are ongoing. e 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.

Both myself and officials from my Department and the Department of Education and Skills has met SOUND on a number of occasions, to outline the services available. At our most recent meeting, in July 2012, I reiterated my commitment to bring a Memorandum to Cabinet setting out the full response to the issue. My Department is considering all 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. A further meeting with representatives from SOUND will be arranged when the matter has been concluded.

### **Voluntary Sector Funding**

647. **Deputy Ann Phelan** asked the Minister for Health if he will provide details of all of the voluntary organisations here in receipt of grants under Section 39 of the Health Act; if he will indicate the hierarchy of such organisations and the amount the chief executive officers or equivalent are receiving in salaries per annum; if he intends to question these salary levels in the public interest; and if he will make a statement on the matter. [52437/12]

**Minister for Health (Deputy James Reilly):** I have referred this matter to the Health Service Executive for direct reply. Organisations may receive grants from the HSE under Section 39 of the Health Act 2004 to provide a service similar or ancillary to a service that the HSE may provide. Staff in such independent organisations are not public servants and are not specifically subject to the pay scales approved for public servants.

*Question No. 648 answered with Question No. 645.*

### **Obesity Levels**

649. **Deputy Simon Harris** asked the Minister for Health his plans to tackle obesity here; and if he will make a statement on the matter. [52469/12]

650. **Deputy Simon Harris** asked the Minister for Health the statistics available to him in relation to obesity here; the number of Irish adults that are now obese; the number that are men; the number that are women; the way the figures compare to other countries; the level of increase in obesity here in the past 10 years; and if he will make a statement on the matter. [52470/12]

651. **Deputy Simon Harris** asked the Minister for Health if there is a specific strategy in place to tackle child obesity; the number of Irish children that are obese; the way this compares to 10 years ago; and if he will make a statement on the matter. [52471/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 649 to 651, inclusive, together.

Some 61% of Irish adults ( 18-64 years ) are overweight or obese- 70% men and 52% women. Levels of overweight and obesity have increased in the last 20 years, with a rise from 51% in 1990 to 61 % in 2011. In men, the increase was 11% -from 59% to 70%. In women, the increase was also 11% -from 41% to 52%. In adults aged 65 and over, there has been a decrease in obesity, but an increase in overweight over the last 3 to 4 years and this increase in overweight can be seen particularly in men. Almost 8 in every 10 adults 65 years and over are overweight or obese, compared to 6 in 10 adults 18-64 years.

Recent data for overweight and obesity in the European Union (EU 27) compiled by the International Association for the Study of Obesity ranks Ireland as 1st in Europe for overweight and obesity in males (70%) and 4th for females (52%)

#### Children

There has been a two-to-fourfold increase in overweight and obesity in children aged 8–12 years from 1990 to 2005. Current figures show that 1 in 4 primary school children are overweight or obese and 1 in 5 teenagers are overweight or obese. Girls are more likely to be overweight or obese. The recent Growing Up in Ireland survey found that in children as young as 3 year of age, 1 in 4 are overweight or obese. During 2011, I established a Special Action Group on Obesity comprising key stakeholders and chaired by my own Department. Its remit is to examine and progress a number of issues to address the complex and multi-factorial problem of obesity. It has long been recognised that alone no single initiative will reverse this growing trend, but a combination of measures should make a difference. For this reason the Special Action Group is concentrating on a range of measures including actions such as: calorie posting in restaurants, the introduction of a tax on sugar-sweetened drinks, nutritional labelling, marketing of food and drink to children, the supply of healthy food products in vending machines, the detection and treatment of obesity, healthy eating guidelines and the promotion of physical activity. When necessary the Group will liaise with other Departments and organisations in a cross-sectoral approach to help halt the rise in overweight and obesity.

### **Hospital Procedures**

652. **Deputy Simon Harris** asked the Minister for Health the number of weight loss operations that have been carried out by the health service here in 2010, 2011 and to date in 2012; the number of hospitals here providing these operations; the waiting list for such an operation; the number of persons currently waiting on an operation for weight loss; the amount of funding in place for such operations; and if he will make a statement on the matter. [52472/12]

**Minister for Health (Deputy James Reilly):** I have asked the Health Service Executive to respond directly to the Deputy in this matter.

## **Hospital Services**

653. **Deputy Simon Harris** asked the Minister for Health the number of patients accessing weight management services in hospitals here; the amount of funding that was provided to these services in 2010, 2011 and to date in 2012; the number of persons on a waiting list to access these services; and if he will make a statement on the matter. [52473/12]

**Minister for Health (Deputy James Reilly):** This Parliamentary Question has been referred to the Health Service Executive for direct reply to the Deputy.

## **Ambulance Service Staff**

654. **Deputy Michael McNamara** asked the Minister for Health his views on whether the number and standard of ambulance vehicles and levels of medical staff available throughout County Clare is adequate to support the cardiovascular services available at Limerick Regional Hospital; and if he will make a statement on the matter. [52491/12]

**Minister for Health (Deputy James Reilly):** The National Ambulance Service is responsible for the provision of national pre-hospital emergency care. It deploys its emergency resources, including ambulances, paramedic staff and rapid response personnel, in a dynamic manner and works on an area and national, rather than a local, basis. The dynamic deployment of ambulance resources ensures that the nearest appropriate resource is mobilised to the location of any incident.

As the issue raised is an operational matter, I have asked the Health Service Executive to respond to the Deputy in this matter.

## **Home Help Service Provision**

655. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if his attention has been drawn to the case of a person (details supplied) in County Mayo who had home help hours cut without any review; if he will immediately review this case; and if he will make a statement on the matter. [52495/12]

**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

## **Hospital Transfers**

656. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied) will receive a transfer; and if he will make a statement on the matter. [52496/12]

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

## **Voluntary Sector Funding**

657. **Deputy Billy Kelleher** asked the Minister for Health if funding will be provided for Spina Bifida Hydrocephalus Ireland in counties Cork and Kerry in 2013 for the provision of a

family support worker; and if he will make a statement on the matter. [52506/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Pending completion of the national estimates, budgetary and service planning process for 2013 it is not possible to predict the service levels to be provided next year.

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.

### Departmental Staff Remuneration

658. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide, in tabular form, the number of staff in his Department or in bodies which fall under the remit of his Department whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in relevant pay brackets [52520/12]

**Minister for Health (Deputy James Reilly):** The data relating to the Department of Health at 31st December, 2011, is detailed in the table following:

Salary Band	No Staff	Position
€200,000 – 299,000	1	Secretary General
€150,000 – 199,000	1	Chief Medical Officer

With regard to the Health Service Executive, they have been asked to collate the data sought as soon as possible and it will be provided directly to the Deputy by them when available.

The information required by the Deputy in relation to the agencies under the remit of the Department is being collated and will be forwarded to the Deputy.

### Departmental Staff Remuneration

659. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he has made any contacts requesting staff whose annual salary is more than €200,000 in his Department or in any body under the remit of his Department, 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 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 [52522/12]

**Minister for Health (Deputy James Reilly):** In June 2011, the Government announced the introduction of pay ceilings for higher posts across the public service and for CEO posts in Commercial State Companies. As part of these measures, the Government also decided to seek, in the first instance, voluntary waivers of salary of 15%, or by a lesser amount if the application of the full 15% reduction would bring the salary levels of such individuals to below the proposed pay ceiling of €200,000 for the public service and €250,000 for CEOs of Commercial State Companies.

Within the HSE, the then CEO came within the terms of the Government Decision. The

HSE made contact with my Department directly on 27 June 2011, to indicate that the CEO would make a voluntary waiver of 15% of his salary. The necessary formal arrangements were put in place to apply the waiver with effect from July 2011. No cases of non-acquiescence to this waiver arose in the HSE.

Apart from the HSE, no CEO/staff members in the non-commercial agencies under the remit of the Department received salaries in excess of €200,000.

The Decision did not apply to medical consultants, as a separate process in relation to their salaries and working practices was under consideration.

The VHI is the only commercial agency under the aegis of the Department. Accordingly, in July 2011, the Department wrote to the Chair requesting that relevant staff be asked to comply with the request for the voluntary waiver. The VHI response to the Department in October 2011 indicated that no voluntary waivers of salary would be made by any staff member. No member of staff of the Department of Health currently receives a salary in excess of €200,000 per annum. However, the annual salary of the former Secretary General of the Department, who retired on April 8th, 2012, was in excess of €200,000 but a voluntary surrender brought his annual salary below the €200,000 figure.

*Question No. 660 answered with Question No. 615.*

### **Hospital Waiting Lists**

661. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding an operation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52533/12]

**Minister for Health (Deputy James Reilly):** The management of inpatient and day-case waiting lists for patients awaiting public health care is based on the principle that after urgent and cancer patients are treated, then clinically assessed routine patients should be seen in chronological order (i.e. longest waiter first). Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved. In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

### **Respite Care Services**

662. **Deputy Billy Kelleher** asked the Minister for Health if he will list all the areas in the country in which the seven nights of respite care allowing carer's to take a break has been reduced to six nights; and if he will make a statement on the matter. [52551/12]

663. **Deputy Billy Kelleher** asked the Minister for Health if the seven nights of respite care allowing carer's to take a break will be reintroduced in 2013; and if he will make a statement on the matter. [52552/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 662 and 663 together.

As this is a service matter it has been referred to the Health Service Executive for direct

reply.

### **Medical Card Applications**

664. **Deputy Michelle Mulherin** asked the Minister for Health if processing of the medical card application for a person (details supplied) in County Mayo will be expedited [52553/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

*Question No. 665 answered with Question No. 623.*

### **Medical Card Applications**

666. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; if he will expedite same; and if he will make a statement on the matter. [52582/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

*Question No. 667 answered with Question No. 645.*

### **Disabled Drivers Grant Eligibility**

668. **Deputy Arthur Spring** asked the Minister for Health if the qualifying criteria for the motorised transport grant should be amended to include persons with disabilities who need to buy suitable transport in order to permit them to return to full time education; and if he will make a statement on the matter. [52587/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I wish to inform the Deputy that there are no proposals to expand the qualifying criteria for the motorised transport grant.

### **Health Services Staff Issues**

669. **Deputy Pearse Doherty** asked the Minister for Health if he will clarify the current protocol for the transfer of social workers within the Health Service Executive from one HSE area to another; and if he will make a statement on the matter. [52606/12]

**Minister for Health (Deputy James Reilly):** As the employment of social workers, including the terms and conditions of staff transfers, is a service matter it has been referred to the Health Service Executive for direct reply.

### **Hospital Services**

670. **Deputy Pearse Doherty** asked the Minister for Health further to Parliamentary Question No. 1802 of 18 September 2012, if he will provide details of the exploration of options

undertaken by representatives of the Western Trust Area and local Health Service Executive management with a view to supporting the delivery of services at Lifford Community Hospital, County Donegal, in conjunction with the Western Trust Area; the outcome of this process and the likely impact on the retention of Lifford Community Hospital; and if he will make a statement on the matter. [52607/12]

**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.

### Hospital Staff Issues

671. **Deputy Billy Kelleher** asked the Minister for Health when posts sanctioned in April 2012 in the area of footcare/podiatry will be filled at the following hospitals, Sligo General Hospital, Cavan General Hospital, Our Lady's Drogheda, Mullingar Regional Hospital, St. Luke's Kilkenny, Kerry General Hospital, Wexford General Hospital, Waterford Regional Hospital, Beaumont and The Mater; and if he will make a statement on the matter. [52703/12]

**Minister for Health (Deputy James Reilly):** The purpose of the HSE National Clinical Programme for Diabetes is to define the way diabetic Clinical Services should be delivered, resourced and measured. A clinician has been appointed to lead on the development of the programme. The targets include reducing foot ulcers, reducing lower limb amputations and reducing hospital costs in patients with diabetes. In this context, the National Diabetes Programme submitted a business case for the 2011 HSE service plan and was successful in recruiting 16 extra podiatrists across the country to manage diabetic foot care. In relation to the particular matter raised by the Deputy, as this is a service issue, it has been referred to the HSE for direct reply.

### HSE Properties

672. **Deputy Paschal Donohoe** asked the Minister for Health if his attention has been drawn to plans the Health Service Executive may have for the future or continued use a premises (details supplied) in Dublin 7 as a drug treatment facility; and if he will make a statement on the matter. [52719/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I understand from the HSE that the premises referred to by the Deputy was until recently used as a mental health hostel. The question of its future use is a matter for the HSE to decide upon and in this regard, I have asked the HSE to reply directly to the Deputy.

### HSE Properties

673. **Deputy Paschal Donohoe** asked the Minister for Health if he has been provided with any further update from the Health Service Executive National Director of Estates on the use of the HSE has for a premises (details supplied) in Dublin 7; the additional progress has been made in advancing this situation since June 2012; and if he will make a statement on the matter. [52720/12]

**Minister for Health (Deputy James Reilly):** Management of the Health Service Executive property portfolio is a service matter. Therefore your question has been referred to the Executive for direct reply.

### **Long-Term Illness Scheme Eligibility**

674. **Deputy Anthony Lawlor** asked the Minister for Health the reason non CF Bronchiectasis is not included on the long term illness scheme; if there are any future plans to include this condition in the scheme; the financial supports are available to sufferers of non CF bronchiectasis in terms of prescription and medicine costs; and if he will make a statement on the matter. [52727/12]

707. **Deputy Joe McHugh** asked the Minister for Health if there is scope for designation of a condition (details supplied) as a long-term illness, for its inclusion in the relevant scheme; his view of the span of the illness for its sufferers [52962/12]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 674 and 707 together.

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 GP visit card, which covers the cost of general practice consultation.

### **Medical Card Applications**

675. **Deputy Finian McGrath** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in Dublin 5. [52735/12]

**Minister of State at the Department of Health (Deputy Alex White):** Any announcements relating to Budget 2013 will be made by the Minister for Public Expenditure and Reform.

### **HSE Properties**

676. **Deputy Seán Kenny** asked the Minister for Health if the Health Service Executive has found a new location for senior citizens to attend following the closure of a day centre (details supplied) in Dublin 5 a number of weeks ago; if not, when he expects the HSE to find an alternative suitable location for old age pensioners to attend; and if he will make a statement on the matter. [52740/12]

**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

### **Hospital Staff Issues**

677. **Deputy Seán Kenny** asked the Minister for Health the names of the external consultants brought in by the Health Service Executive from the UK to assist Beaumont Hospital, Dublin 9, in tackling its waiting times in their accident and emergency department; the amount paid to each consultant to date; and if he will make a statement on the matter. [52741/12]

**Minister for Health (Deputy James Reilly):** In relation to the specific query raised by the Deputy, I have asked the Health Service Executive to respond directly to him in this matter.

*Question No. 678 answered with Question No. 623.*

### Health Services Provision

679. **Deputy Billy Kelleher** asked the Minister for Health if the budget for a residential service (details supplied) in County Cork will be cut again in 2013; and if he will make a statement on the matter. [52747/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Pending completion of the national estimates, budgetary and service planning process for 2013 it is not possible to predict the service levels to be provided next year. In relation to the specific queries raised by the Deputy, as these are service issues they have been referred to the HSE for direct reply.

### Cancer Screening Programmes

680. **Deputy Tom Fleming** asked the Minister for Health If he will consider extending the rapid access clinics that were rolled out to help early detection of prostate cancer to other acute hospitals across the country; if he will take into consideration the success of the new clinics where one in three men referred for rapid assessment of prostate cancer were diagnosed with the disease, thus ensuring that these men are having their cancer diagnosed and treated earlier, which should lead to better outcomes; and if he will make a statement on the matter. [52761/12]

**Minister for Health (Deputy James Reilly):** The HSE-National Cancer Control Programme (NCCP) is responsible for the implementation of the National Cancer Control Strategy which aims to achieve better cancer prevention, early detection and treatment that maximise survival through a co-ordinated national service, based on international evidence and best practice. Under the Programme there are four designated cancer control networks and eight cancer centres nationally.

Network	Cancer Centres
	Beaumont Hospital
HSE Dublin – North East	Mater Misericordiae Hospital
	St James’s Hospital
HSE Dublin – Mid Leinster	St Vincent’s University Hospital
	Cork University Hospital
HSE South	Waterford Regional Hospital
	UCH Galway (satellite: Letterkenny)
HSE West	Limerick Regional Hospital

The Programme is working to ensure that designated cancer centres for individual tumour types have adequate case volumes, expertise and concentration of multidisciplinary specialist skills. By September this year, 1,804 men had attended the Rapid Access Clinics, with 750 men diagnosed. The service fast tracks patients into the system ensuring that men are provided with their diagnosis within an appropriate timeframe. For the vast majority of men who do not have cancer, that short timeframe reduces the anxiety that any waiting period involves. Men

who are diagnosed have their treatment options discussed and considered by an expert multi-disciplinary team who ensure that the patient is given all the options and all the information on the best approach to be taken.

### **Health Services Provision**

681. **Deputy Brian Walsh** asked the Minister for Health his plans for the establishment of multi disciplinary clinics for the treatment of Huntington's Disease in line with best international practice; and if he will make a statement on the matter. [52773/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Huntington's Disease (HD) is a genetic, neurological disorder and is classified as a rare disease. The supports provided by the Health Service Executive (HSE) to people with HD involve a multidisciplinary team approach to the provision of health and personal supports. This incorporates assisted living services, including Personal Assistant Services, Aids and Appliances and hospital, primary care and community services. The HSE recognises the valuable contribution of the Huntington's Disease Association of Ireland (HDAI) and approved a grant of just over €68,000 for 2012, to support the work of the organisation. The HDAI is a member of the Neurological Alliance of Ireland and the Disability Federation of Ireland. Both umbrella organisations provide support to the HDAI and are supported by the State through funding from the HSE. I have referred the Deputy's query concerning the establishment of multidisciplinary clinics for the treatment of Huntington's Disease to the HSE for consideration and direct reply to the Deputy.

### **Health Services Provision**

682. **Deputy Charles Flanagan** asked the Minister for Health if his attention has been drawn to the fact that persons in Laois/Offaly have a wait of at least two years to have a hearing test; the steps he will take in order to improve matters; and if he will make a statement on the matter. [52784/12]

683. **Deputy Charles Flanagan** asked the Minister for Health if his attention has been drawn to the fact that persons in Laois/Offaly have to wait for a minimum of two years in order to have a hearing aid fitted; if this timeframe is the same in other counties here; and if he will make a statement on the matter. [52785/12]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 682 and 683 together.

The HSE National Audiology Review Group Report, published in April 2011, made recommendations to address inconsistencies and shortcomings in the audiology services, including unacceptable waiting times. An additional €3.7 million was made available in 2011 to begin the implementation of the recommendations. Among the actions being taken are the following:

- An Audiology Clinical Care Programme has been put in place under the Clinical Strategy and Programmes Directorate;

- Newborn hearing screening programme now covers Cork, Waterford and Wexford, South Tipperary and Kilkenny hospitals. The roll-out to Dublin Mid Leinster and Dublin North East is scheduled by year end and to HSE West for 2013;

- A candidate has been selected for the post of National Clinical Lead and four Assistant Lead posts have been approved to provide the clinical governance required for the development

of the service;

- A unified career structure is being developed;
- The HSE has sponsored 10 M.Sc. in Audiology students, who will be ready to enter the workforce in September 2013;
- Systems for the collation of activity data and patient management are being developed;
- A procurement exercise for the purchasing of hearing aids, hearing aid fitting systems and audiological assessment equipment has been completed; and
- The Bone Anchored Hearing Aid Programme has commenced in three sites and will be further rolled out in 2013.

It is expected that these new initiatives will have a positive impact on waiting lists and will provide improvements in audiology services throughout the country. The HSE is not in a position to provide accurate data regarding waiting lists at present. An exercise in validating all audiology waiting lists is underway and will be finalised in 2013.

*Question No. 684 answered with Question No. 645.*

### **Services for People with Disabilities**

685. **Deputy Dan Neville** asked the Minister for Health the position regarding services for a person with special needs at a training centre (details supplied) in County Limerick; if he will provide funding for the options programme in Limerick; and if he will make a statement on the matter. [52788/12]

697. **Deputy Willie O’Dea** asked the Minister for Health if he will provide funding for the Options Programme in County Limerick which allows persons with special needs, the average age of which currently is 24 years, to remain within the training environment, giving a sense of worth of worth and value; and if he will make a statement on the matter. [52830/12]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 685 and 697 together.

Every effort is made within available resources to provide services to young adults with disabilities who have completed their education or training programmes. Day services for adults with disabilities provide a network of support for over 25,000 people who have a wide spectrum of need, ranging from those with severe and profound disabilities who are likely to need long-term specialist service provision to people with lower support needs and greater potential for community participation and inclusion. The demand for services for those who have left school or training continues to grow and this year almost 700 school-leavers and training graduates required new placements. Disability services have been required to cater for demographic pressures such as this from within their existing budgets in 2012, which have been reduced by 3.7% in the current year. The moratorium on staff recruitment has also given rise to challenges in service provision and in addition the physical capacity to provide further services may not be present in all agencies.

The training centre in Dooradoyle provides a training programme for young adults over 18 years of age with special needs. Each trainee is funded for a maximum of 4 years and receives a

training allowance of €31,800. Individuals with a disability in receipt of this allowance are usually eligible for the Disability Allowance also. In recent years, on completion of the 4 year programme many of the young adults had no employment option available to them. As a response to this lack of available employment, efforts were made to maintain the young adults within the training environment and continue to pay them the training allowance, although on completion of the training course the payment of the allowance should have ceased. No additional funding was provided for this initiative. The funded 4 year training programme continues to be provided at the centre but the numbers are now at a point where it is not possible to continue to offer a 5 day placement and pay an allowance to the young people who have completed their training due to funding constraints and lack of physical capacity at the training centre.

The HSE is currently in discussions with the parents of these young adults on how best to meet their needs. Options being explored include reducing their attendance time from 5 days to 3 days per week and the discontinuance of the training allowance.

### **Vaccination Programme**

686. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when he will introduce a vaccination for Meningococcal Disease Type B; if he will outline the process for same; and if he will make a statement on the matter. [52792/12]

**Minister for Health (Deputy James Reilly):** Meningococcal B vaccine has received a positive opinion from the Committee for Medicinal Products for Human Use of the European Medicines Agency (EMA) but it is not yet licensed for use.

The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice, international best practice and by the National Centre for Pharmacoeconomics (NCPE).

Should NIAC advice recommend the inclusion of a new vaccine into the primary childhood immunisation programme in Ireland, my Department, in association with the National Immunisation Office will examine the issue. If it is subsequently decided that a vaccine should be included in the vaccination programme, the Health Service Executive, through the National Immunisation Office, initiates the procurement process.

There is no doubt about the role that vaccines have played in improving the health of children. The development of new vaccines is very welcome. A Health Technology Assessment which includes a cost benefit analysis is carried out prior to any new vaccine being considered. This has a vital role in ensuring that care technologies, including vaccines, are used in a manner appropriate to their ability to maximise health gain and achieve value for money.

### **General Practitioner Services**

687. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding medical card patients and non-national doctors (details supplied); and if he will make a statement on the matter. [52794/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Health (Provision of General Practitioner Services) Act 2012, which was enacted in March 2012, eliminates

restrictions on fully qualified and trained GPs wishing to obtain contracts to treat public patients under the General Medical Services (GMS) contract. Under the provisions of this legislation any medical practitioner:

(a) whose name is included in the Specialist Division of the register of medical practitioners established under section 43(2)(b) of the Medical Practitioners Act 2007, and

(b) who holds a current certificate of registration within the meaning of section 2 of that Act in respect of the medical specialty “General Practice” recognised under section 89(1) of that Act;

is eligible to apply for a GMS contract, irrespective of their nationality.

The GMS Scheme allows medical card patients and GP visit card patients to choose their GP from a choice of locally based doctors who hold a GMS contract.

### **Cancer Screening Programmes**

688. **Deputy Regina Doherty** asked the Minister for Health the reason the breast check programme currently stops at the age of 64 years; if it will be made available to women over this age; and if he will make a statement on the matter. [52800/12]

**Minister for Health (Deputy James Reilly):** The BreastCheck Programme provides free mammograms to all women aged 50-64. The Programme for Government includes the extension of BreastCheck to women in the 65-69 age group, in keeping with EU Guidelines on effective screening for breast cancer.

The main priority for the HSE’s National Cancer Screening Service (NCSS) at present is to maximise national uptake in the 50-64 year age cohort. The extension of the BreastCheck programme has been listed as a priority in the HSE’s 3 year Corporate Plan (2012 -2015). The HSE’s National Cancer Control Programme is examining how it can extend the programme to 65-69 year olds. A review of the BreastCheck screening process has been submitted to my Department. This review should help to inform how greater efficiencies may be achieved within the Programme.

In the meantime women of any age who have concerns about breast cancer should seek the advice of their GP who will, if appropriate, refer them to the symptomatic breast services in one of the eight designated specialist cancer centres.

### **Vaccination Programme**

689. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the efforts he is making to combat Meningitis; if his attention has been drawn to the work of the Meningitis Research Foundation; if he will outline the efforts he is making to support them in their work; and if he will make a statement on the matter. [52801/12]

**Minister for Health (Deputy James Reilly):** The HSE National Immunisation Office has responsibility for the implementation of the childhood immunisation programme in Ireland. Immunisation protects against many illnesses including meningitis and a number of vaccines in the current schedule protect against certain forms of meningitis e.g. Hib, MMR, MenC and PCV. Through the ongoing endeavours of the HSE, targeted media campaigns and interventions in specific areas, vaccination rates have increased. Since 2011, a 95% uptake rate, the tar-

get set by WHO is being achieved for 6 in 1 vaccinations. This means that more Irish children than ever are protected.

The Meningitis Research Foundation, a UK based charity registered in 1989, established an office in Dublin in 1996. It aims to work with families who have been affected by meningitis to promote awareness of the disease and to assist in raising funds for research into its prevention and treatment. My Department administers a National Lottery Discretionary Fund from which grants are paid to community and voluntary organisations providing a range of health related services. The Meningitis Research Foundation previously received lottery funding from my Department and can apply for further such funding again. It must be stressed that lottery funding is once-off discretionary funding and is not intended to provide a source of ongoing revenue funding.

### Pharmacy Services

690. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if his attention has been drawn to the high cost often associated with getting repeat prescription forms completed by general practitioners; if he will outline the guidance for GPs in this regard and his plans to address this situation; and if he will make a statement on the matter. [52809/12]

**Minister of State at the Department of Health (Deputy Alex White):** A repeat prescription facility was introduced to the General Medical Services (GMS) Scheme in March 1991.

Under this facility, prescriptions for certain drugs and medicines may be renewed on a three monthly, rather than a monthly, basis. Patients who are stabilized on their medication do not need to visit their General Practitioner (GP) every month in order to have their prescriptions renewed. The facility to change prescriptions from monthly to quarterly for suitable patients provides efficiencies for GPs and patients, by reducing unnecessary consultations and journeys to the surgery and pharmacy.

In addition, 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.

### Health Insurance Cover

691. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the way his new proposed risk equalisation measures differ from those struck down in the Supreme Court in 2008; if he considers them to be more likely to successfully withstand any legal challenge and, if so, the reason; and if he will make a statement on the matter. [52814/12]

**Minister for Health (Deputy James Reilly):** The Risk Equalisation Scheme, which was affirmed by the Oireachtas in 2003 and approved by the European Commission that same year, provided a mechanism for sharing the costs of providing necessary care among the insurers. The Scheme and its supporting regulatory regime were challenged in the courts by BUPA Ireland. These challenges were rejected by the European Court of First Instance and by the High Court in Ireland. However, they ultimately succeeded when, in July 2008, the Supreme Court found that the manner in which the Risk Equalisation Scheme was implemented to be *ultra vires*.

While the Supreme Court found the Scheme to be *ultra vires*, it is important to note that the Supreme Court decision did not strike down the principles of community rating, open enrolment and lifetime cover, nor indeed the principle of having a scheme of risk equalisation in place. Following the judgement, there was a need for a prompt response to maintain confidence in the market. It was therefore necessary to introduce measures in order to support community rating and ensure, as far as possible, that market segmentation did not become prevalent due to the introduction of plans aimed at younger, healthier lives. In response the Government introduced a temporary scheme of tax relief/community rating levy in January 2009 which provides a very significant degree of support for the cost of health insurance claims by older people.

The Interim Scheme of Age-Related Tax Credits and Community Rating Levy was introduced initially for the three years from 2009 to 2011 in order to provide direct support to community rating. It achieves this by way of a mechanism which provides for a cost subsidy from the young to the old. The Scheme was extended for a further year in 2012 under the Health Insurance (Miscellaneous Provisions) Act 2011 and improved through the use of tax credits on the basis of 5-year age bands. This provides more precise levels of support for community rating than the 10-year bands which had been in place since 2009.

The Interim Scheme provides that health insurers receive higher premiums in respect of insuring older people, but that older people (in six age bands ranging from 60-64 yrs to 85 yrs +) receive tax credits equal to the amount of the additional premium so that all people continue to pay the same amount for a given health insurance product. The scheme is designed to be Exchequer neutral and ensures that every customer has the benefit of a community rated health insurance premium.

To support the principle of community rating, the Programme for Government contains a commitment to put a permanent scheme of risk equalisation in place. This is a key requirement for the existing private health insurance market and is designed to keep health insurance affordable for older persons and to maintain the stability of the market. The Health Insurance (Amendment) Bill 2012, to provide for this permanent RES, was published on 18 October, 2012. The Second Stage for this Bill has now been completed and Committee Stage is scheduled for later today, 27th November. The main object of the Bill is to ensure that, in the interests of societal and intergenerational solidarity, the burden of costs of health services be shared by insured persons by providing for a cost subsidy between the healthy and the less healthy, including between the young and the old. The key measures in the Bill are

- the provision of risk equalisation credits (payable from a new Risk Equalisation Fund (REF) administered by the Health Insurance Authority) in respect of
- the payment of private health insurance premiums by insured persons aged 50 years and over, based on age, gender and type of insurance cover.
- each hospital stay involving an overnight stay in a hospital bed in private hospital accommodation
- the payments from the REF to be funded by a stamp duty payable by open market insurers in respect of each insured life covered. The stamp duty will be collected by the Revenue Commissioners and transferred to the REF. There will be four rates of stamp duty, depending on whether the policy provides for advanced cover or non advanced cover and whether the insured life is a child or an adult.

The new RES will be operated prospectively by the Health Insurance Authority (HIA), with funds collected via a stamp duty by the Revenue Commissioners. In terms of financial arrangements, the main difference between this and the current Interim Scheme is that risk equalisation

payments will be disbursed by the HIA rather than by the Revenue Commissioners. The rates will be set each year by an Act of the Oireachtas. The mechanism for assessing whether over-compensation has occurred will be the same as the mechanism which has operated successfully under the current Interim Scheme since its introduction in 2009. The new RES will allow for a greater number of risk factors than the existing Interim Scheme, including a measure of health status. One criticism of the Interim Scheme, which has been in place since 2009 and which will finish on 31 December 2012, was that younger people taking out products that provided benefits below the standard level were potentially cross-subsidising standard level benefits taken out by older people. The new RES 2013 will provide for differentiated levels of stamp duty and health credits between higher level (advanced) cover and lower level (non-advanced) cover with a view to addressing this point.

The Government is fully satisfied of the requirement to provide for a permanent Risk Equalisation Scheme. I am confident that the introduction of a permanent Scheme, from 1 January next, along the lines proposed in the Health Insurance (Amendment) Bill, 2012, will be one that is robust, fully operational and functioning soundly and will further strengthen and maintain stability in the private health insurance market, as we move to develop a new system of universal health insurance.

### **Health Services Provision**

692. **Deputy Gerry Adams** asked the Minister for Health the reason a young person (details supplied) in County Louth was refused their E112 application for assistance towards the cost of medical treatment outside the State on 13 November 2012; and if he will make a statement on the matter. [52825/12]

**Minister for Health (Deputy James Reilly):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

### **Health Services Provision**

693. **Deputy Gerry Adams** asked the Minister for Health the number of E112 applications that have been received by the Health Service Executive in the current year; and the number of these applications that were refused. [52826/12]

**Minister for Health (Deputy James Reilly):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

### **Health Services Provision**

694. **Deputy Gerry Adams** asked the Minister for Health if patients making E112 applications are being refused due to a lack of funds to pay for treatment abroad. [52827/12]

**Minister for Health (Deputy James Reilly):** The HSE operates a Treatment Abroad Scheme (TAS), for persons entitled to treatment in another EU/EEA member state or Switzerland under EU Regulation 1408/71, as per the procedures set out in EU Regulation 574/72, and in accordance with Department of Health and Children Guidelines. Within these governing EU Regulations and the Department of Health and Children's Guidelines, the TAS provides for the cost of approved treatments in another EU/EEA member state or Switzerland through the issue of form E112 (IE).

The TAS allows for an Irish based Consultant to refer a patient that is normally resident in Ireland for treatment in another EU member state or Switzerland, where the treatment in question meets the following criteria:

*(a) The application to refer a patient abroad has been assessed and a determination given before that patient goes abroad.*

*(b) Following clinical assessment, the referring Consultant certifies the following:*

- They recommend the patient be treated in another EU/EEA country or Switzerland;*
- The treatment is medically necessary and will meet the patient's needs;*
- The treatment is a proven form of medical treatment and is not experimental or test treatment;*
- The treatment is in a recognised hospital or other institution and is under the control of a registered medical practitioner;*

*The hospital outside the state will accept EU/EEA form E112 (IE).*

Applications to the scheme are made prior to a patient travelling abroad, are processed in line with the above criteria, are medically assessed and a decision issued to the applicant.

In summary, decisions are made based on the criteria of the scheme and the medical assessors' recommendation and not treatment costs or HSE TAS funding. However, like all government bodies, the HSE TAS is aware of its fiduciary duties with regard to public expenditure and always strives to ensure that same is used in the most appropriate, efficient and effective manner.

### **Health Services Provision**

695. **Deputy Gerry Adams** asked the Minister for Health if he will instruct the Health Service Executive treatment abroad scheme office to accept statements from consultants in hospitals here that state clearly that an applicants required treatment is not available here. [52828/12]

**Minister for Health (Deputy James Reilly):** The HSE operates a Treatment Abroad Scheme (TAS), for persons entitled to treatment in another EU/EEA member state or Switzerland under EU Regulation 1408/71, as per the procedures set out in EU Regulation 574/72, and in accordance with Department of Health and Children Guidelines. Within these governing EU Regulations and the Department of Health and Children's Guidelines, the TAS provides for the cost of approved treatments in another EU/EEA member state or Switzerland through the issue of form E112 (IE).

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*(b) Following clinical assessment, the referring Consultant certifies the following:*

- They recommend the patient be treated in another EU/EEA country or Switzerland;*

- *The treatment is medically necessary and will meet the patient's needs;*
- *The treatment is a proven form of medical treatment and is not experimental or test treatment;*
- *The treatment is in a recognised hospital or other institution and is under the control of a registered medical practitioner;*
- *The hospital outside the state will accept EU/EEA form E112 (IE).*

Applications to the scheme are only accepted on the basis of referral from an Irish based consultant and not self referrals, referral from a G.P. or by way of a consultant/hospital outside the state requesting the return of a patient. Patients must be clinically assessed prior to referral and application to the HSE TAS for treatment abroad.

This system also ensures that the patients have continuity of care here in Ireland and as a result any future referrals needed can be made in line with the requirements of the Scheme.

### **Hospital Services**

696. **Deputy Gerry Adams** asked the Minister for Health if Our Lady of Lourdes Hospital, Drogheda, County Louth, has the necessary resources to carry out a specific type of blood test, anti NMDA, voltage gated, potassium channel antibiotics and GAD antibodies; and if he will make a statement on the matter. [52829/12]

**Minister for Health (Deputy James Reilly):** As this relates to a particular hospital, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

*Question No. 697 answered with Question No. 685.*

### **National Lottery Funding Applications**

698. **Deputy Bernard J. Durkan** asked the Minister for Health if consideration has or will be given by way of award of National Lottery grant toward the operational running costs of a centre (details supplied) in County Kildare; if his attention has been drawn to the volume and scale of services provided at the centre; if consideration has been given to facilitating a move to a larger premises in a more central location; and if he will make a statement on the matter. [52833/12]

**Minister for Health (Deputy James Reilly):** My Department has received an application for funding from the 2012 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department, and the Deputy will be informed of the outcome of the application as soon as a decision has been made.

*Question No. 699 answered with Question No. 614.*

### **Misuse of Drugs**

700. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Question No. 217 of 15 November 2012, if all public consultation has now been completed; if he has communicated the intended alterations to regulations under the Misuse of Drugs Act that are

EU-relevant to the EU and if so, the date of same. [52928/12]

**Minister for Health (Deputy James Reilly):** As a result of consultations with key stakeholders, draft Misuse of Drugs (Amendment) Regulations are currently being prepared. These will be published on the Department's website in the next few weeks and comments will be invited to be made in the subsequent two-week period.

Following this, it will be necessary to seek Government approval to notify the proposed regulations to the EU Commission and other Member States under the Technical Standards Directives because of the implications of the proposed regulatory changes on trade in pharmaceutical products.

Subject to successful completion of the EU notification period, which may take up to 3 months, it is anticipated that the new regulations will be introduced in early 2013.

### **Prescriptions Data**

701. **Deputy Róisín Shortall** asked the Minister for Health the outcome of the Primary Care Reimbursement Service project to monitor the prescribing patterns of benzodiazepines; and if the prescribing patterns of psychiatric services and other institutions can now be included in this project. [52929/12]

**Minister of State at the Department of Health (Deputy Alex White):** I have asked the HSE to supply this information and it will be forwarded to the Deputy as soon as it is available.

### **Primary Care Centres Provision**

702. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will ascertain from the Health Service Executive if he considered the option of extending the existing HSE health centre (details supplied) in Dublin 5 to develop a primary care centre rather than entering the proposed public private partnership for the development of a primary care centre on nearby Tonglegee Road; and if he will make a statement on the matter. [52940/12]

**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 Facilities**

703. **Deputy Arthur Spring** asked the Minister for Health if there is an overall policy for car parking charges in public hospitals here [52944/12]

704. **Deputy Arthur Spring** asked the Minister for Health if he will provide a list in tabular form of hourly and weekly car parking charges, in descending order, in public hospitals here [52945/12]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 703 and 704 together.

In relation to these particular queries raised by the Deputy, as they are service matters, I have asked the Health Service Executive to respond to the Deputy directly in these matters.

### **Health Services Provision**

705. **Deputy Joe O'Reilly** asked the Minister for Health if he will consider lifting the recent embargo on a promised podiatry post at Cavan Hospital, sanctioned in April 2012 in view of the fact that the post was planned as part of the National Footcare Programme and is critical to tackling diabetes foot disease in the community and keeping persons with this complication out of hospital and promised podiatry posts have been filled in Counties Dublin, Galway and Limerick but not in Cavan; and if he will make a statement on the matter. [52951/12]

**Minister for Health (Deputy James Reilly):** The HSE National Clinical Programme for Diabetes - which includes the care of children and adolescents with diabetes - was established within the Clinical Strategy and Programmes Directorate. The purpose of the Programme is to define the way diabetic Clinical Services should be delivered, resourced and measured; and a clinician has been appointed to lead on the development of the programme. In relation to the specific query raised by the Deputy, as this is a local service issue, it has been referred to the HSE for direct reply.

*Question No. 706 answered with Question No. 641.*

*Question No. 707 answered with Question No. 674.*

### **Medical Card Applications**

708. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [52987/12]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

### **Home Care Packages**

709. **Deputy Anne Ferris** asked the Minister for Health the position regarding a care package in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [52990/12]

**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**

710. **Deputy Martin Heydon** asked the Minister for Health if his attention has been drawn to the ongoing difficulties with the allocation of funding to a now completed domestic refuge (details supplied) in County Kildare; the number of women and children who are being turned away; if he can work to seek a final resolution to the issue; and if he will make a statement on the matter. [53034/12]

**Minister for Health (Deputy James Reilly):** In 2010 the National Strategy on Domestic, Sexual and Gender-based Violence was published. It aims to provide a framework for sustainable intervention to prevent and effectively respond to domestic, sexual and gender-based vio-

lence and is lead by Cosc which is the National Office for the Prevention of Domestic, Sexual and Gender-based Violence.

The HSE subsequently published its own Policy on Domestic, Sexual and Gender-based Violence. The principal actions are in line with the National Strategy. The HSE's policy states that a health-focused analysis of violence is crucial, not only because the consequences of such violence require a significant amount of healthcare system resources, but most importantly because the health care system is often the first route through which victims seek to access supports.

Services to victims of domestic, sexual and gender-based violence – including 20 crisis refuges, 27 domestic violence support services and 16 rape crisis centres received €19.182 Million in 2011.

In relation to the specific issue raised by the Deputy, as this is a service issue it has been referred to the HSE for direct reply.

### Health Services Provision

711. **Deputy Sandra McLellan** asked the Minister for Health the reason podiatry services were withdrawn in respect of a person (details supplied) in County Cork; and if he will reinstate same [53068/12]

**Minister of State at the Department of Health (Deputy Alex White):** While there is no statutory obligation on the Health Service Executive (HSE) to provide podiatry services to medical card patients, local arrangements are made to provide such services to patients with greatest needs. The HSE has been asked to examine the specific query raised by the Deputy and to reply to her as soon as possible.

### Departmental Agencies Issues

712. **Deputy Billy Timmins** asked the Minister for Health the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53700/12]

**Minister for Health (Deputy James Reilly):** I wish to confirm that no new agencies have been established by my Department in 2012 and consequently there are no new employees as a result.

Details in respect of the other bodies referred to by the Deputy, established between January and September 2012, are set out below. In most cases these types of bodies are established on a temporary basis and are usually staffed by existing employees of my Department and/or the relevant agencies/interest groups who undertake the work as part of their normal duties. Occasionally it may be necessary to take on outside experts on a temporary basis to provide additional expertise for the duration of the existence of the body.

State Agencies/Forums/Task Forces
Sugar Sweetened Drinks Health Impact Assessment Steering Committee (SAGO Sub-group)
Health and Well-Being Steering Group

Expert Group to review the Mental Health Act 2001
CORU: Radiographers Registration Board established January 2012
Review Group on National Children's Hospital: est. March 2012, headed by Frank Dolphin, established to consider decision of An Bord Pleanála to refuse planning permission for National Paediatric Hospital on site of Mater; reported to Minister 8 June 2012
Strategic Board on Establishment of Hospital Groups, and associated project team: est. June 2012, chaired by Prof. John Higgins; work currently ongoing
Tallaght HIQA Report Oversight Group, est. June 2012, chaired by Deputy Sec. Gen.
Implementation Group on Universal Health Insurance (UHI), established in February 2012.
Hospital Financing Sub-Group of the UHI Implementation Group, established in April 2012.
Health Insurance Consultative Forum, established in February 2012.
Universal Primary Care (UPC) Project Team
Implementation Group on Generic Substitution and Reference Pricing established August 2012
November 2011 - The National Steering Group for the European Year for Active Ageing and Solidarity between Generations 2012
Tallaght Report Implementation Oversight Group
Ministerially appointed Expert Group on the A, B & C v Ireland Judgment, established 13th Jan 2012, on foot of the judgment of the European Court of Human Rights in the A, B and C v Ireland case, and to fulfil a commitment included in the Programme for Government. The Expert Group will recommend a series of options on how to implement the judgment taking into account the constitutional, legal, medical, and ethical considerations involved in the formulation of public policy in this area and the over-riding need for expeditious action.
Sexual Health Strategy Steering Group and 3 Working Groups established May 2012 to develop a National Sexual Health Strategy.
National Advisory Committee on Bioethics established by Minister for Health in March 2012.  The task of this committee is to advise the Minister on the ethical and social implications of scientific developments in human medicine and healthcare. In particular, this includes:  1. Providing advice in the form of expert reports on priority issues of national significance as requested by the Minister.  2. Providing recommendations and assistance towards the development of healthcare policy and associated legislation.  3. Representing Ireland at international fora on bioethics and collaborating, communicating and exchanging information with other national bioethics committees regarding developments in health policy.  The Committee is comprised of 12 members. The Committee's membership is multi-disciplinary. Members were invited to join the Committee by virtue of their personal expertise, distinction and authority and not as representatives of particular bodies or professions.

713. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the action he will take regarding the fall off in the number of visitors from Britain during the three months to the end of September; and if he will make a statement on the matter. [52913/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The question relates to the fall in visitor numbers from Britain.

According to the latest CSO figures for January to September 2012, and despite on-going economic difficulties across much of Europe and further afield, our visitor numbers from the European and long-haul markets performed well and North America held steady. However, our visitor numbers from Britain continue to be affected by the slow pace of economic recovery and weak consumer confidence in that market, with overall trips from Britain to Ireland falling by around 4% in the first nine months of the year.

While British visitors spend less and do not stay as long as other overseas visitors, Britain remains our single most important tourism market. I am determined to restore it to growth. In this regard, I was pleased to welcome last month's report of the Tourism Recovery Taskforce's (TRT), entitled "GB Path to Growth", and I understand that its recommendations for restoring growth in visitors from Britain will be reflected in the 2013 plans of our tourism agencies and businesses.

Tourism Ireland has been conducting an extensive promotional programme this year focusing on our main markets, including Britain. Its autumn/winter campaign aims to boost late-season travel to Ireland from around the globe, as well as promoting The Gathering Ireland 2013. For next year, The Gathering Ireland 2013 will form the central focus of all tourism campaigns, with the TRT recommendations further informing marketing plans and activity in the British market.

Growth in visitor numbers from Britain is dependent on improved economic conditions and consumer confidence, as well as the efforts of the tourism industry and agencies. Using The Gathering as our centrepiece for 2013 and building on the approach set out by the TRT, I know that Tourism Ireland, Fáilte Ireland and the tourist industry will work to sell Ireland overseas and to strengthen the competitiveness of our product. I am confident that we can grow tourist numbers, from Britain and further afield, for 2013 and beyond.

### **Sports Funding**

714. **Deputy Mattie McGrath** asked the Minister for Transport, Tourism and Sport if there is any assistance available from the Sports Council or any other body to assist exceptional athletes; and if he will make a statement on the matter. [52286/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Irish Sports Council, which is funded by my Department, is the statutory body with responsibility for the promotion, development and co-ordination of sport, including the allocation of funding for individual athletes.

I have referred the Deputy's question to the Irish Sports Council for direct reply. I would ask the Deputy to inform my office if a reply is not received within 10 days.

### **National Car Test**

715. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport if ABS

breaking system lights and airbag lights are excluded from examination in a national car re-test; if so, the reason this decision was taken; and if he will make a statement on the matter. [52305/12]

**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.

### **Departmental Investigations**

716. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if he will support the establishment of an investigation into the events leading up to the collapse of the Waterford Pilot Training College which has resulted in uncertainty and severe hardship for the students and parents involved, in order to ensure that measures can be proposed and implemented where possible to avoid another similar collapse; and if he will make a statement on the matter. [52540/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** On 28 September last the High Court ordered the liquidation of the Pilot Training College Waterford (PTC). I fully understand the frustrations of the students and their families who have lost considerable sums of money to this company and while I have great sympathy for their plight, neither the Government, nor the Irish Aviation Authority (IAA), have any liability in this regard; the taxpayer cannot be liable for the failures of private sector companies.

Flight training organisations in the EU are approved on the basis of common rules and IAA's approval of PTC as a flight training organisation was in accordance with these rules. Unfortunately PTC is not an isolated example – there have been other similar failures in other European Member States in the recent past, including in the UK, where students also suffered losses.

I understand that a complaint has been made to the Office of the Director of Corporate Enforcement in relation to this company and that body is the appropriate body to investigate any potential breaches of company law.

### **Air Services Provision**

717. **Deputy Ann Phelan** asked the Minister for Transport, Tourism and Sport his views on the withdrawal, by Aer Lingus of its services, provided in this instance by its subsidiary, Aer Arann, to the UK airports, London Luton, London Southend, and Manchester from Waterford Airport (details supplied); and if he will make a statement on the matter. [52561/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The decision by Aer Arann, operating as Aer Lingus Regional, to suspend the services mentioned between Waterford and the UK in January 2013, is regrettable. It was, nonetheless, a commercial decision that the airline decided to make as it believed that it could no longer sustain the losses it was incurring on these routes. The air transport market in the European Union is completely liberalised so airlines are free to decide what routes they will serve based on their own commercial judgements taking account of the demand for services. I understand that the airline is currently concluding a strategic growth plan and has not ruled out returning to Waterford at some point in the future, if the business case can be justified. I know, also, that Waterford is in discussions with other airlines about new or replacement services.

The air transport market to and from Ireland is highly competitive with a very significant number of airlines operating services. It is, of course, open to any Irish or European airline to operate services from Waterford or any other Irish airport.

In relation to support for Waterford Airport more generally, there is very significant state support provided to this airport. As the Deputy will be aware it is one of the four regional airports that is in receipt of funding (both current and capital) under the Regional Airports Programme. This is in line with recommendations of the Value for Money Review on the Regional Airports Programme published in 2011, which recommended to reduce the number of airports in this scheme.

As part of this, I recently approved €1.2m for Waterford Airport under the Core Airport Management Operational Expenditure Subvention 2012 Scheme. This is the highest level of support provided to any of the four regional airports under this scheme, representing 49.6% of the total funding available under the scheme.

### **Departmental Staff Remuneration**

718. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he will provide in tabular form, the number of staff in his Department, or in bodies which fall under the remit of his Department, whose annual remuneration including salary, pension and benefits at 31 December 2011 fell into bands of €400,000 and above, between €300,000 to €399,999, between €200,000 to €299,999 and between €150,000 to €199,000; and if he will provide a breakdown of the positions held by the staff in the relevant pay brackets. [52564/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Only one member of staff in my Department earns a gross salary that falls into the bands stated in the question. The Secretary General's salary is €200,000 after the deduction of a voluntary waiver which he has made. When pension levy, tax and other statutory deductions are taken into account, the net sum received by this individual does not exceed €100,000.

I have referred the question to the State Agencies who will respond directly to the Deputy. If you do not receive a reply from the Agencies within ten working days, please advise my private office.

### **Departmental Staff Remuneration**

719. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he has made any contacts requesting staff whose annual salary is in excess of €200,000 in his Department or in any body under the remit of his Department, 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. [52565/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Following the Government Decision of 21st June 2011 in respect of Pay Ceilings for the Senior Public Service and Chief Executive Officers of the Commercial State Companies, I wrote to all agencies under the aegis of my Department on 28th July 2011 requesting the voluntary waiver of salary of 15%, or by a lesser amount if the application of the full 15% would bring their salary level to

below the applicable pay ceiling - €200,000 for the Public Service and €250,000 for the CEOs of the Commercial State Companies. In the case of staff below CEO level in the Commercial State Companies, I asked that a voluntary waiver be sought from those staff with a salary in excess of €250,000.

I have forwarded the Deputy's question to the various State agencies under my Department's aegis for their response of the position as of now. If the Deputy does not receive a reply from the agencies within ten working days, please advise my private office.

With regard to my own Department, the Secretary General of the Department receives a salary of €200,000 after the deduction of a voluntary waiver which he has made.

### **Ministerial Appointments**

720. **Deputy Dara Murphy** asked the Minister for Transport, Tourism and Sport when he expects to fill the vacant positions on the Port of Cork; and if he will make a statement on the matter. [52580/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Harbours Act 1996 I make appointments to the boards of port companies with the consent of the Minister for Public Expenditure and Reform. I am currently consulting that Minister in relation to a number of proposed appointments to Cork Port and I expect to proceed with them in the coming days.

### **Rail Services**

721. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that there is a problem with the punctuality of the Enterprise train service travelling from Dundalk into Belfast on early morning services; the reason this problem exists; the steps being taken to resolve the problem; when the problem will be resolved; and if the newly purchased train sets will be designated on this line now or in the future. [52586/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issues raised are matters for Iarnród Éireann, in conjunction with the National Transport Authority (NTA). I have forwarded the Deputy's question to the company and the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

*Question No. 722 answered with Question No. 99.*

*Question No. 723 answered with Question No. 105.*

### **Road Safety Strategy**

724. **Deputy Alan Farrell** asked the Minister for Transport, Tourism and Sport if he will provide an update on the road safety strategy for 2013 and if he will advise specifically in relation to the speed limit review and the role of education in road safety matters; and if he will make a statement on the matter. [52724/12]

731. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport when he

expects to announce the new road safety strategy for the period to 2020; and if he will make a statement on the matter. [52749/12]

732. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport the main measures and targets that he expects to include in road safety strategy; and if he will make a statement on the matter. [52750/12]

747. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport when he expects to announce the new Road Safety Strategy for the period to 2020; the main elements it is likely to contain; and if he will make a statement on the matter. [52885/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 724, 731, 732 and 747 together.

The Road Safety Authority is currently preparing the next Road Safety Strategy, which will cover an 8-year period from 2013 to 2020. The aim of this Strategy, like all previous, will be to save lives and prevent injuries by reducing the number and severity of collisions on the road.

The Strategy will adopt a safe system approach by reinforcing the concept of shared responsibility across organisations, businesses and communities. Like its predecessors, the Strategy will contain key, definable actions that will seek to achieve the overall aims and close the gap between Ireland and the best performing countries in the EU. These actions will cover a range of key areas in road safety performance including engineering, enforcement and education. Education is a vital tool in creating cultural and behavioural changes as it raises awareness across the entire population, young and old.

The RSA is currently working with all stakeholders to finalise the Strategy and I hope to be in a position to launch the document early in 2013.

In relation to the speed limit review, which I announced earlier this year, a stakeholder group to progress this review has been established by my Department. This Group includes representatives from the local authorities, the Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority as well as the National Transport Authority. Much progress has been made and I expect to receive a report from the Group by the end of the year. I will give careful consideration to implementing any recommendations that emerge from the Report.

*Question No. 725 answered with Question No. 99.*

### **Sport and Recreational Development**

726. **Deputy Alan Farrell** asked the Minister for Transport, Tourism and Sport if he will outline his contact with the Professional Footballers' Association of Ireland and his views on the future and sustainability of professional football in Ireland, particularly with reference to the wage level of League of Ireland footballers, and funding provided to the Football Association of Ireland; and if he will make a statement on the matter. [52726/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have had no contacts with the Professional Footballers Association of Ireland. The development of professional football in Ireland is a matter for the Football Association of Ireland (FAI). The FAI is an independent, autonomous body and I have no role in its operational matters.

## **Sports Capital Programme Applications**

727. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will provide a list of applications that Dublin City Council made under the sports capital programme; when Dublin City Council will be notified on their outcome; and if he will make a statement on the matter. [52742/12]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** Details of all applications received under the 2012 Sports Capital Programme are available on my Department's website at [http://www.dttas.ie/sport/grants\\_funding/files/2012-Sports-Capital-Programme-all-applications.pdf](http://www.dttas.ie/sport/grants_funding/files/2012-Sports-Capital-Programme-all-applications.pdf). 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.

## **Dublin Bus Services**

728. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will contact the Chief Executive Officer of Dublin Bus requesting a bus service (details supplied) in Dublin 13; and if he will make a statement on the matter. [52743/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is a matter for Dublin Bus in conjunction with the National Transport Authority (NTA) and I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

*Questions Nos. 729 and 730 answered with Question No. 105.*

*Questions Nos. 731 and 732 answered with Question No. 724.*

## **Road Projects Contracts**

733. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will provide an update on the project for completion of the stretch of the N11 between Arklow and Rathnew, County Wicklow; and if he will make a statement on the matter. [52751/12]

**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.

## **Road Network**

734. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the action he has taken in the wake of An Bord Pleanála's decision to refuse planning permission for the Slane bypass; and if he will make a statement on the matter. [52756/12]

**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.

Following An Bord Pleanála's decision, Meath County Council, in liaison with the NRA began evaluating traffic management options, including restricting HGV traffic and tolling. As part of this work the NRA commissioned a report on tolling options in the area. This report has been completed and made available to the various interested parties. Meath County Council commissioned AECOM to prepare a Slane Traffic Management Study and I understand that the Council is holding a public consultation on that study. As statutory responsibility for traffic management rests with the local authority, it will be a matter for Meath County Council to decide, following on from this public consultation, how it wishes to proceed with regard to the implementation of traffic management measures.

### **Rail Network**

735. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the date on which construction work will begin on the extension of the Luas BXD to Broombridge, Dublin; and if he will make a statement on the matter. [52759/12]

736. **Deputy Paschal Donohoe** asked the Minister for Transport, Tourism and Sport the progress that has been made to date on progressing the Luas BXD project; and if he will make a statement on the matter. [52760/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 735 and 736 together.

The provision of infrastructure projects in the Greater Dublin Area (GDA), such as LUAS BXD, now comes under the remit of the NTA in accordance with the Dublin Transport Authority Act 2008. Luas BXD to Broombridge is designed to be a key element in an overall integrated transport network for Dublin. It will create a Luas network by joining the Luas Red and Green Lines and will also link with rail services from Maynooth and Dunboyne and with existing Quality Bus schemes which enter or cross Dublin City Centre. It will also, in time, interchange with future key projects such as Dart Underground and Metro North. The project has been prioritised under the Government's 5-year capital plan - *Infrastructure & Capital Investment Programme 2012-2016 - Medium Term Exchequer Framework*. Funding has been included in my Department's capital allocation to 2016 to cover the cost of commencing the main construction works in 2015 and for pre-construction enabling works in 2013 and 2014. Construction is expected to take 4 years. An Bórd Pleanála gave approval to the project on 2 nd August 2012 and, following the statutory 8-week appeal period, the railway order (RO) is now operational. An updated business case for the project, taking account of conditions attached to the RO and reflecting the current economic context, has now been completed by the Railway Procurement Agency. The updated business case has also been reviewed by the National Transport Authority. A further announcement on the project will be made shortly.

*Questions Nos. 737 to 743, inclusive, answered with Question No. 105.*

### **Dublin Bus Services**

744. **Deputy Alan Farrell** asked the Minister for Transport, Tourism and Sport the number of routes that Dublin Bus are operating at a loss; his views on the cost of outsourcing these routes to private transport companies as a cost reducing measure while protecting routes; and if he will make a statement on the matter. [52859/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issues raised are matters for Dublin Bus in conjunction with the National Transport Authority (NTA) and I have referred the Deputy's question to both the company and the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Penalty Point System**

745. **Deputy Heather Humphreys** asked the Minister for Transport, Tourism and Sport the timeframe for the implementation of mutual recognition of penalty points on both sides of the border; and if he will make a statement on the matter. [52883/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The mutual recognition of penalty points between Ireland and Northern Ireland is being dealt with under the auspices of the North South Ministerial Council (NSMC). Initially this work involves the mutual recognition of penalty points in each jurisdiction for the road traffic offences of speeding, drink/drug driving, non-wearing of seatbelts and using a mobile phone while driving. The detailed timetable agreed at the North South Ministerial Council Meeting held on 5 October 2012 for the drafting, passage and enactment of parallel legislation, North and South, is the 31 December 2014.

### **Proposed Legislation**

746. **Deputy Marcella Corcoran Kennedy** asked the Minister for Transport, Tourism and Sport when he expects to bring the forthcoming Road Traffic Bill before the Dáil Éireann; the measures that will be contained within same; and if he will make a statement on the matter. [52884/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I expect to bring the General Scheme of the Road Traffic Bill to Government in December for approval for formal drafting. Once formal drafting is approved, my Department will engage with the Office of the Parliamentary Counsel to expedite the process. It is, as the Deputy will understand, never possible to be certain in advance how long that drafting process will take. I intend however to publish the Bill as soon as possible in the New Year. The General Scheme will address a range of issues. These will include elements of the Graduated Driver Licensing System, amendments related to the roadside testing of drivers for impairment, testing of unconscious drivers following collisions and changes to the penalty points regime deriving from the recent review of the system carried out this year by my Department. I also intend to include measures to facilitate car clubs and charging points for electric cars.

*Question No. 747 answered with Question No. 724.*

*Question No. 748 answered with Question No. 105.*

### **Tourism Promotion**

749. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he and his Department have identified specific targets for the tourism sector in the coming twelve months; the degree to which he anticipates improvements on the current year; and if he will make a statement on the matter. [53070/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Targets for overseas visits to Ireland in 2013 will be set in Tourism Ireland's Business Plan for 2013, which will be agreed at an upcoming meeting of the North South Ministerial Council in accordance with its governance arrangements. Targets at the operational level are matters for the agencies responsible for promoting and developing Irish tourism.

### **Tourism Revenue**

750. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he has examined the extent to which the development of the tourism sector has been affected by transport or other costs in each of the past three years and to date in 2012; his plans if any to address any such issues; and if he will make a statement on the matter. [53071/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Cost competitiveness is a key consideration for Ireland in attracting tourists and transport is just one of the many factors influencing that competitiveness. Clearly, transport costs have had an impact on tourism, not just over the past three years but over many decades. In practice, the main driver is and has always been the cost of oil which is ultimately set by the market. My Department has no direct control of transport costs in general but keeps under review costs arising from the services provided through our agencies. As regards overall competitiveness, the Government's plans to improve this are set out in the Programme for Government and place a heavy emphasis on the delivery of effective transport services. I have also outlined my priorities to 2016 for the transport, tourism and sports sectors on my Department's website.

With specific regard to the tourism sector, the Government has already delivered on several measures under the Jobs Initiative to reduce costs and enhance competitiveness, such as reducing VAT to 9% on a range of tourism services and halving employers' PRSI for those on modest wages. Following on from the Jobs Initiative, the 2012 Action Plan for Jobs set out key policy actions to ensure tourism's continued contribution to economic recovery. In line with the Programme for Government and the Action Plan for Jobs, the Government will continue to play its part in reducing business costs and enhancing overall competitiveness. With specific regard to the tourism sector, my Department, Tourism Ireland, Fáilte Ireland and the tourist industry will continue to ensure optimum promotion of Ireland overseas and continued strengthening of the competitiveness of our tourism product.

*Questions Nos. 751 and 752 answered with Question No. 114.*

### **Tourism Industry Issues**

753. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he has examined the potential of the tourism industry to play a major part in economic recovery; if any change of policy or direction is required; and if he will make a statement on the matter. [53076/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Tourism is central to the Government's strategy for economic recovery and jobs and has been integrated into the

broader economic strategic framework. This overall strategic approach is complemented by the work of the tourism agencies, Fáilte Ireland and Tourism Ireland, assisted by the work of the industry-led Tourism Recovery Taskforce.

Key commitments in the 2011 Programme for Government were reflected in the Government's subsequent Jobs Initiative, with immediate priority actions set out in the 2012 Action Plan for Jobs. The Government has already delivered on several measures under the Jobs Initiative to reduce costs and enhance competitiveness, such as reducing VAT to 9% on a range of tourism services and halving employers' PRSI for those on modest wages.

Following on from the Jobs Initiative, the 2012 Action Plan for Jobs set out key policy actions to ensure tourism's continued contribution to economic recovery, building further on the Programme for Government. These include supporting the competitiveness of Irish tourism, through minimising the costs of doing business and ensuring the quality of the product is maintained; targeting capital investment in public tourism product and infrastructure; and using the Tourism Marketing Fund to support international marketing and advertising programmes.

The existing strategic approach has kept tourism and economic concerns at the heart of Government decisions. Using The Gathering Ireland 2013 as our centrepiece for 2013 and through continued collaboration between Fáilte Ireland, Tourism Ireland and the Irish tourist industry, I am confident that we can grow business for the tourism sector over the coming years and make a key contribution to Ireland's overall economic recovery.

*Question No. 754 answered with Question No. 119.*

### **Departmental Agencies Issues**

755. **Deputy Billy Timmins** asked the Minister for Transport, Tourism and Sport the position regarding the number of new State agencies, forums and task forces that have been established in 2012; the number of new employees there are as a result of this; and if he will make a statement on the matter. [53704/12]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Two task forces entitled the Aviation Business Development Task Force and the Change Management Task Force, respectively were set up on 29 May 2012 to assist the Steering Group that was established to progress issues around the Government's decision in principle of 8th May to separate Shannon Airport from the Dublin Airport Authority and merge it with a restructured Shannon Development. There are no new employees associated with the setting up of these task forces.