

Written Answers.

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

Questions Nos. 1 to 10, inclusive, answered orally.

Agriculture Schemes Data

11. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine if he will provide a county breakdown of the number of satellite inspections and on-farm inspections undertaken by his Department across all the direct payment schemes covering land eligibility, cross-compliance and any other areas of inspection for 2011 and 2012; and if he will make a statement on the matter. [55973/12]

15. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine if he will provide a full breakdown of all the penalties across all the different direct payment scheme of single farm payment, disadvantaged area scheme, REP scheme, agri environment options scheme, sheep grassland, suckler cow welfare and any other farm scheme for 2011 with a county breakdown outlining the number of applicants; the number paid; the penalties applied under cross compliance and land eligibility; the financial value of the penalty for each scheme and county; and if he will make a statement on the matter. [55972/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 11 and 15 together.

Given the very comprehensive and detailed nature of the information requested across a broad range of schemes, I am arranging for it to be provided directly in an appropriate format to the Deputies as soon as possible.

The inspections concerned are an inherent requirement deriving from the very significant funding which is drawn down from the EU to support Irish farmers and the rural economy generally. They must be carried out to a minimum level and specification. However, in implementing the regime, my Department takes maximum possible account of the realities of farming and of impacts of particular events, such as prevailing weather conditions. In addition, my Department makes every effort to integrate the various inspections with a view to avoiding more than one visit to a farm.

I will now give an orientation of the regime as it applies under the main schemes.

Single Payment Scheme and Disadvantaged Areas Scheme

My Department in the context of delivering the Single Payment Scheme and the Disadvantaged Areas' Scheme is required to carry out an annual round of inspections covering both the eligibility of the land declared to draw down payments and also cross compliance aspects, to

ensure compliance with EU regulatory requirements in the areas of public, animal and plant health, environment and animal welfare. These inspections are mandatory and there are certain minimum numbers and types of inspections that must take place annually.

Land eligibility checks must be carried out on at least 5% of applicants. These checks are carried out to verify that the actual area claimed in the application form corresponds to the area farmed by the farmer and to ensure that any ineligible land or features are not included for aid purposes. In order to be eligible to draw down EU funding, it is a requirement that all land eligibility inspections must take place before any payments can issue to any farmer in the country in a given year.

My Department has made every effort to respond to concerns about the impact of ground inspections on farmers and taking advantage of advances in satellite and related technologies, around 75% of these inspections are initially carried out without the need for a farm visit. In such cases, the information needed is acquired using the technique of remote sensing via satellite.

Cross Compliance Checks

The rate of inspections for cross-compliance is 1% of applicants to whom the Statutory Management Requirements (SMRs) and Good Agricultural Environmental Condition (GAEC) apply. However, 3% of farmers must be inspected under the bovine identification and registration requirements while 3% of sheep/goat farmers must be inspected covering 5% of the flock. It is a recognised principle of the direct aid regime that it serves broader public-good objectives and contributes to the maintenance of the rural environment. These inspections are thus necessary to verify that these objectives are being met. While Cross Compliance inspections can be carried out after payment has been made, it is a regulatory requirement that this category of inspection must take place throughout the calendar year to take account of specific requirements at individual Statutory Management Requirement level and also for GAEC requirements.

Where non-compliances are determined during inspections, the relevant EU legislation prescribes the range of penalties to be applied. However, a full appeals process is available.

Rural Environment Protection Scheme (REPS)

Under the EU Regulations governing the Scheme, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. 75% of the payment can issue once this administrative check including the plan checks are completed. The land details for each farmer are verified through a system called the Cross Check and a further administrative check is carried out on each file which fails this cross check. In addition to the above checks the Control Regulations governing the REPS Scheme state that 5% of the total area based measures must be inspected. A REPS inspection is a check to ensure that the applicant is complying with his/her REPS plan.

Agri-Environment Options Scheme (AEOS)

Data from all applications submitted under the scheme are recorded electronically and computerised checks are carried out to validate each application. All validated applications then proceed to be ranked and scored in accordance with the pre determined criteria set out in the scheme documentation after which farmers are notified in writing whether or not they have been admitted to the scheme. Applicants are also subject to on farm inspections carried out by Inspectors of my Department. A minimum rate of 5% of applications must be inspected each year chosen by a combination of risk analysis and random selections.

Suckler Welfare Scheme

Inspections are carried out on 3% of all participants in this Scheme annually and penalties are applied where non-compliance with the Terms and Conditions of the Scheme, such as dis-budding, castration and weaning requirements, has been identified. Penalties are also applied during routine processing of all herds where Terms and Conditions have not been complied with. As this Scheme is fully funded by the Exchequer, payments made under its remit are not subject to cross compliance or land eligibility penalties.

Payments issued under the 2012 Schemes

As I have said, the inspection regime is necessary to protect the drawdown of the significant funding Ireland receives from the EU in this area and, where appropriate, the Exchequer funding provided. My Department has a very good record in delivering the inspection regime, while at the same time delivering payments expeditiously to farmers. For example, to date, 98.5% of all eligible applicants under the Single Payment Schemes have been paid, with a total of €1.193bn having issued under this scheme. Payments under the Disadvantaged Areas Scheme have issued in over 87,000 cases, amounting to some €193m. A total of 70% of REPS applicant have been paid 75% of their payment, amounting to €87.7m. There are over 14,300 farmers currently participating in AEOS and payments amounting to over €48.3m have been issued to date in 2012. In the case of the Suckler Welfare Scheme payments in respect of 2011 born calves commenced at end 2011 and to date payments of €22.25m have been made to over 30,300 farmers.

In summary the importance of the Direct Payment Schemes to both the farmers who receive these payments and also the wider rural economy is evident. Annually these payments amount to some €1.8 billion. Therefore it is incumbent on my Department to ensure that the EU regulatory control environment is comprehensively implemented to protect these payments, allow the payments to be made quickly and to avoid substantial EU disallowances.

Suckler Welfare Scheme Application Numbers

12. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the number of farmers who had applied under the suckler cow welfare scheme in 2012, broken down by county; the number of successful applicants broken down by county; the reason he abolished the scheme; and if he will make a statement on the matter. [55969/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In the first instance I would like to set the record straight in that no decision was made to abolish the Suckler Cow Welfare Scheme, which, in fact, is due to end on 31 December 2012. This Scheme was a five-year Scheme for beef animals born in herds owned by eligible participants during the period, which commenced on 1 January 2008 and ending on 31 December 2012. In that regard, I have made funding of €10 million available in 2013 to continue to make aid payments on calves born in 2012. The primary objectives of the Scheme are summarised as follows:

- Enhance welfare standards for animals produced from the suckler cow herd.
- Improve the genetic quality of the national suckler herd.
- Improve the competitiveness of the Irish beef industry and the quality of the beef produced.

A Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the **Scheme**

over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time.

In addition, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler beef farmers to participate in a new Beef Data Programme. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers.

In total, I have made provision for the payment of aid amounting to €25 million to the beef sector in 2013. I announced the establishment of a Beef Technology Adoption Programme in 2012, which will be retained in 2013. This Programme is built on the lessons of the Dairy Efficiency Programme and provided a €5 million financial stimulus to encourage, through the medium of professionally facilitated discussion groups, and a task oriented approach, the adoption of a more focussed commercial approach to beef farming.

In relation to the information sought by the Deputy, I would like to clarify that farmers, who are participating in the Suckler Cow Welfare, are not required to submit an application under the Scheme on an annual basis. The vast majority of farmers submitted an application at the commencement of the Scheme in 2008. It was only necessary for new entrants to suckler production to submit an application form when they commenced participating in the Scheme since 2008. Furthermore, payment cannot be made on all eligible calves until the participant has registered all of the events, including birth, pre and post-weaning information, required under the Scheme. Payment will not become due on many calves until they are weaned in 2013 and only when all of the measures are registered by the participants. In addition, payment will not be made on 2012 weaned calves where the measures have yet to be registered by the participant. However, I have arranged for the data in the format sought to be made available to the Deputy for calves born in 2011.

Ash Dieback Threat

13. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine the discussions he has had with his Northern Ireland counterpart and EU colleagues in relation to combatting the ash dieback disease; and if he will make a statement on the matter. [55961/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I recently met with the Minister for Agriculture and Rural Development, Michelle O'Neill MLA, at a joint North South Ministerial Council where we shared information on actions taken in both jurisdictions in relation to *Chalara fraxinea*. My colleague Minister of State Shane McEntee TD, has also met with Minister O'Neill and has been in regular direct contact to ensure that the legislation that both jurisdictions introduced was compatible in relation to both our treatment of plant imports and our treatment of wood imports, and also to continue to brief each other on the situation with the disease north and south of the border.

Officials from my Department are also in regular direct contact with officials from the Northern Ireland Department of Agriculture and Rural Development and have met on a number of occasions recently to co-ordinate an all island response to prevent the spread of ash dieback disease as the island of Ireland maintains a harmonised plant health regime under the EU Plant Health Directive. There is a very good working relationship and strong dialogue between our officials and those dealing with this disease in Great Britain.

My officials are in regular contact with their EU counterparts in relation to ash dieback disease, primarily through the EU Standing Committee on Plant Health. At the most recent meeting on 22/23 November 2012 Ireland made a presentation to the Commission and the Member States outlining the situation concerning *Chalara fraxinea* in Ireland and the national protective measures which have been introduced to combat the disease. Department staff and Teagasc are also members of a European research cooperation group called 'Fraxback' that exchange scientific information concerning the Ash dieback disease.

These contacts are especially important after my Department announced yesterday a significant stepping up of its eradication measures based on the results of its ongoing Chalara survey. The interim results from the major winter survey currently being undertaken has confirmed further positive samples for the presence of Chalara. This brings the number of positive cases to 22, including 15 in young plantations, 6 in horticultural nurseries and 1 planted ornamentally in a garden. There have now been incidents of the disease in forest plantations in Counties Leitrim, Meath, Tipperary, Kilkenny, Waterford, Carlow, Kildare, Laois, Longford and Galway.

To address the threat to our ash woodlands, there will be a major eradication programme on sites where there are ash trees from confirmed positive imported consignments. My Department will supervise the destruction and re-establishment of these sites. A re-establishment grant will be made available to the owners of private plantations which are part of the Department's current afforestation programme. Ash plants from the infected batches supplied to other sites will also be destroyed.

The intensive winter surveys will continue until a full picture has been obtained and my Department will continue to review the situation and take the necessary actions to deal with the disease. The situation in other European countries is being monitored also.

Calafóirt agus Céanna

14. D'fhiafraigh **Deputy Sean Fleming** den an Aire Talmhaíochta, Bia agus Mara an bhfuil sé i gceist aige airgead a chur ar fáil in 2013 agus 2014 do chalafort domhain-uisce i Ros an Mhíl; agus an ndéanfaidh sé ráiteas ina thaobh. [55984/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Cuireann an Clár Forbartha Caipitil Infreastruchtúir Cósta agus Chuanta Iascaigh, a ndéanann mo Roinnse riaradh air ar bhonn bliantúil, maoiniú ar fáil d'oibreacha caipitil ag sé Ionad Cuain Iascaigh lena n-áirítear Ros an Mhíl.

Tá dul chun cinn déanta le blianta beaga anuas ar chlár céimithe d'fhorbairt infreastruchtúir ag Ionad Chuan Iascaigh Ros an Mhíl faoinar déanadh infheistíocht shuntasach (suas le €14 milliún) sa chuan. Infheistíocht faoinar déanadh báisín an chuain a dhreidgeáil, pontúin nuaimseartha do bháid farantóireachta a dhéanamh agus a fheistiú a chuireann áit bordála den chéadscóth ar fáil do mhuintir Árann agus do chuariteoirí chomh maith leis an gcuan a réiteach ina chuan d'árthaigh bheaga. Ó bhliain go bliain a leithroinntear maoiniú faoin gClár Forbartha Caipitil Cósta agus Chuanta Iascaigh de réir mar a bhíonn acmhainní Stáitchiste ar fáil. Breithnítear tionscadail, lena n-áirítear cé domhain-uisce ag Ionad Chuan Iascaigh Ros an Mhíl, do mhaoiniú gach bliain de réir an mhaoinithe Stáitchiste a bhíonn ar fáil chomh maith le tionscainmh eile tús áite a bheadh i gcomórtas leo.

Question No. 15 answered with Question No. 11.

Common Fisheries Policy Negotiations

16. **Deputy Micheál Martin** asked the Minister for Agriculture, Food and the Marine the progress made to date on fishery discussions at EU level for 2013; and if he will make a statement on the matter. [55981/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The annual fishing opportunities for the Community's fishing fleets are traditionally agreed at the December Fisheries Council. This year, the arrangements for 2013 are due to be negotiated at the Council scheduled for 18th to 20th December. The levels of Total Allowable Catch (TAC) and the quotas for Ireland will be determined at that meeting following negotiations with Member States and the EU Commission. The Fisheries Council will also decide on the fishing effort, which determines days spent at sea, available for the Irish fleet in the Irish Sea and off the north-west coast for 2013.

The process of preparing for the Council is now well under way with the publication of the European Commission's detailed proposals for TACs and quotas of key stocks of interest to Ireland in October. The proposal covers stocks which are not subject to third party international agreements and are, in the main, whitefish and prawn stocks.

Since the publication of the proposal I have conducted a number of bi-laterals with the EU Commission, a number of Member States and the Irish fishing industry. I have also formally commented on the Commission proposal in advance of negotiations. I have had an assessment of the impacts of the Commission proposal through the preparation of a Sea Fisheries Sustainability Impact Assessment which is provided for in the Programme for Government. To facilitate and inform these deliberations, I initiated an open consultation process whereby stakeholders were asked to submit their comments and observations on the Commission proposal for fishing opportunities for 2013. From November 2nd an online web portal on www.fishingnet.ie was activated to enable the transmission of electronic submissions for consideration.

In addition, I convened a meeting of stakeholders on the 15th of November which gave a further opportunity to key stakeholders to outline their position on the many aspects of the Proposal. The Marine Institute and BIM have also undertaken an evaluation of the Commission's proposal which is contained in the Sea Fisheries Sustainability Impact Assessment.

The Impact Assessment acknowledges that while many stocks in which the Irish fleet have an interest are not in a healthy biological state, there has been an improvement in 2012 on the state of the resource base in relation to pressure and state indicators.

The Commission subsequently published their Proposal for a Council Regulation fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements in November.

The non agreement at the Coastal States talks on mackerel, blue whiting and atlanto scandinavian herring aligned to the inconclusive second round of bilateral negotiations between the EU and Norway, now means that some stocks where Ireland have an interest including mackerel, horse mackerel, blue whiting, ling & saithe will be subject to provisional quotas at the December Council.

Coastal States negotiations on blue whiting and atlanto scandinavian herring will resume on December 14th, in London. The discussions with Norway are scheduled to reconvene in Clonakilty on the 16th January, it is expected that final quotas will be determined early in the Irish Presidency.

Common Fisheries Policy Negotiations

17. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine the progress made to date on the renegotiation of the Common Fisheries Policy; and if he will make a statement on the matter. [55982/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Common Fisheries Policy (CFP) is the fisheries policy of the European Union which was first put in place in 1983 and has been subject to reviews every 10 years. The current CFP is under review and will not now be completed during the Cypriot Presidency and accordingly will fall for delivery during the Irish Presidency of the EU.

My overarching goal for the new CFP is for a sustainable, profitable and self-reliant industry that protects and enhances the social and economic fabric of rural coastal communities dependent on the seafood sector, while balancing these objectives with the need to deliver a sustainable and eco-centred fisheries landscape for future generations.

Ireland's priorities include maintaining the Hague preferences, long-term management of stocks, reducing and eliminating discards where possible, rebuilding stocks to Maximum Sustainable Yield and a non-mandatory system of Transferable Fishing Concessions.

The new CFP will be agreed between the European Parliament and the EU Fisheries Council under the ordinary legislative process (co-decision).

The Council of Fisheries Ministers under the Danish Presidency reached a partial general approach on the Basic CFP Regulation and the Common Organisation of the Markets (CMO) at the June Fisheries Council (12 June). This is a significant, though informal, step in the process of working towards final agreement with the European Parliament under the ordinary legislative procedure. At the October Fisheries Council, a partial general approach of the Council on the European Maritime and Fisheries Fund (EMFF) was secured.

The European Parliament has completed its first reading of the CMO proposal and is currently conducting its first reading of the basic CFP Regulation and the EMFF proposal. It is expected that these first readings will be completed in the early part of next year.

As it is now clear that adoption by 31 December 2012 will not happen, it is my intention to actively endeavour to reach agreement on the Reform package during the Irish presidency in the first half of 2013. I have recently had a series of meetings with Fisheries Ministers, Commissioner Damanaki and with key MEPs to lay the groundwork for achieving agreement.

One issue which has arisen with regard to progressing the reform is an inter-institutional one, and refers to the interpretation of Article 43 of the Treaty on the functioning of the European Union. Article 43.2 states that the EP and the Council in accordance with the ordinary procedure shall establish the provisions necessary for the pursuit of the objectives of the CAP and the CFP, while Article 43.3 states that the Council shall adopt measures on fixing prices, levies, aid and quantitative limitations and on the fixing and allocation of fishing opportunities.

The Council has sole remit to set the annual TAC/Quota regulation under article 43.3, however Multi-annual plans which are a cornerstone of the CFP reform fit within the broad parameters of being a measure necessary for the pursuit of the objectives of the CFP so are to be introduced under Article 43.2 by co-decision by EP and Council. The issue is that the treaty wording did not foresee of the overlap between the Multi Annual Plans as usually designed and the TAC setting process leaving the roles of each of the institutions in question.

I will prioritise securing final agreement between the EU Fisheries Council and the EU Parliament on the CFP during the Irish Presidency during the first half of 2013.

Tax and Social Welfare Codes

18. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the discussions he has had in relation to the decision to abolish stamp duty on land transfers for young farmers; and if he will make a statement on the matter. [55957/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am pleased to inform the deputy that there was no decision to abolish the relief on stamp duty on land transfers for young farmers. This important relief was due to end this year but is once again being extended. The relief plays a vital role in encouraging the timely inter-generational transfer of family farms. Irish and EU agricultural and rural development policies are consistent in providing support and encouragement for the transfer of farms to young farmers.

In recent years we have seen a large increase in the number of young people entering agricultural training courses and we need to encourage the early transfer of land to this generation of skilled farmers. Otherwise the worsening demographic trend within the sector will continue. Young trained farmers are vital to the smart green strategy being promoted by Food Harvest 2020, which recommended upskilling at all levels within the sector. They are the farmers that will drive the planned expansion at farm level and play a vital role in ensuring the achievement of Food Harvest 2020 targets. Given the poor age demographics that exist in the industry there is a need to maximise incentives to encourage more highly trained young people to take up farming as a career. That is why the stamp duty relief for young trained farmers is being extended in the Finance Bill.

Single Payment Scheme Expenditure

19. **Deputy Willie O’Dea** asked the Minister for Agriculture, Food and the Marine if he will explain the 0.9% linear reduction to the single farm payment imposed in 2012; the number of farmers this will affect; the total amount of the reduction and where these funds go; and if he will make a statement on the matter. [55971/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Single Farm Payment is one of the most important payments received by farmers each year. The amount of funding available for payment to Irish farmers under the 2011 and 2012 Schemes was €1.263 billion and €1.255 billion respectively. These funds were used to pay the Single Farm Payment and the Article 68 Schemes namely the Grassland Sheep Scheme, the Dairy Efficiency Programme and the Burren Farming for Conservation Programme.

Given the level of the funding involved annually and the importance of the monies paid to farmers’ income, it is absolutely vital that all of the funding available from the EU is fully drawn down and utilised. Therefore, it is my priority that payments be maximised, both for the benefit of the individual farmers concerned and, on a broader level, the benefit of the country in general.

Essentially, the linear reductions to payments under both the 2011 and 2012 Single Payment Schemes are necessary in order to ensure that the National Ceilings for the Scheme for the years in question are respected.

However, in pursuing this objective, the budget for the 2011 Scheme was marginally exceeded and the projections for the budget for the 2012 Scheme are similar. In light of this, the only prudent course of action is to apply linear reductions to both years' payments. These reductions, at a rate of 0.45% on the payments made, are being applied to the balancing payments now issuing under the 2012 Scheme. The reductions are applicable to all Single Payment Scheme beneficiaries.

There are technical issues involved in relation to the overshoot of the National Ceiling, in that under the EU Commission requirements it is necessary payments under earlier SPS schemes must be accounted in the year in which they are paid. My Department's officials are pursuing this matter with the Commission.

Turning to payments in respect of the 2012 SPS Scheme, I am delighted with the level of payments that have been made by my Department since balancing payments commenced less than two weeks ago. In what has been a difficult year for farmers due to the impact of the weather conditions, over €1,193 million was paid to 121,290 farmers (or over 98% of all applicants). Payments continue to be made as soon as cleared of errors and fully processed.

Single Payment Scheme Appeals

20. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the penalties that have been imposed on farmers that have not been able to comply with the rushes control criteria for their single farm payment; if he has looked at extending the period of time for introducing an appeal mechanism for the cutting of rushes to enable farmers to comply with the criteria; and if he will make a statement on the matter. [55949/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department, in the context of delivering the Single Payment Schemes, Disadvantaged Areas' Scheme and other area related schemes, is required to carry out a programme of annual inspections. This inspection regime covers both the eligibility of land declared to draw down payments and also cross compliance aspects, to ensure adherence with EU regulatory requirements in the areas of public, animal and plant health, environment and animal welfare.

In order to be eligible under the Single Payment Scheme and other area based schemes, an applicant must ensure that all agricultural land is maintained in good agricultural and environmental condition (GAEC). Issues relating to control of rushes must, therefore, be seen in this overall context.

Farmers can keep grassland in GAEC by conducting an agricultural activity on it, such as grazing, harvesting forage crops, or by topping. Grasslands continue to be eligible where it is evident that the stocking rate on the land is sufficient and, for example, keeps rushes under control and avoids their proliferation. In such situations, the reality is there may not be a necessity to cut rushes. However, where a farmer cuts rushes as part of management practice, with the exception of certain designated lands, there are no restrictions on when this is done, enabling the task to be carried out at any time throughout the year once conditions are suitable.

I am acutely aware of the weather related difficulties being experienced by farmers and of their concern in respect of their ability to meet the various compliance requirements. When conducting inspections, my Department's personnel take prevailing weather conditions into account. For example, where the practice is to cut rushes and it has not been possible to top them in the current year, inspectors will take a broader assessment including whether there is evidence that they have been cut in previous years.

Where land is deemed ineligible, this, in the main, is a result of the inclusion of ineligible areas/features and where it is not being used for an agricultural purpose. In cases where land with rushes is rejected, it will be seen that this is due to the broader issue of insufficient agricultural activity being undertaken on it to keep it in GAEC. My Department therefore does not maintain records specifically on the presence of rushes since the issue has to be seen in the broader context.

In the event that a penalty is applied as a result of an inspection, an individual applicant can look for the decision to be reviewed. The applicant may subsequently appeal the outcome of any such review to the independent Agriculture Appeals Office. Finally, the applicant has the right to pursue the matter further with the Office of the Ombudsman. I should state that there is no specific provision in the EU Regulations concerned governing the right of farmers to seek a review of decisions. The review and appeals mechanism was introduced by my Department with a view to ensuring that every decision to impose a penalty could be challenged by individual farmers.

In this context, it is important that I stress the importance of the Direct Payment Schemes to both the farmers who receive these payments and also the wider rural economy. Annually these payments amount to some €1.8 billion. Therefore it is incumbent on my Department to ensure that the EU regulatory control environment is comprehensively implemented to protect these payments, allow the payments to be made quickly and to avoid substantial EU disallowances.

Disadvantaged Areas Scheme Eligibility

21. **Deputy Colm Keaveney** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) may expect to receive their headage payment; and if he will make a statement on the matter. [55810/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment under the 2012 Disadvantaged Areas Scheme has not issued as the holding concerned has not satisfied the Scheme minimum stocking density requirements for 2012.

I might add that the changes introduced for the 2012 Scheme did not in any way impact on this case since the stocking density would not have met the pre-existing requirements either. The facts of this case are that the applicant concerned, in 2012, declared a forage area of 18.03 hectares. This area would require a minimum stocking density of 2.7 livestock units in order to satisfy the Scheme. However, it is understood that only one animal is present on this holding, representing 1.0 livestock unit.

The appeal process is, of course, available, and should there be particular reasons which have prevented the person concerned having a higher stocking density on the holding in 2012, my Department will further consider the matter. Any such appeal should clearly outline the basis and be supported by relevant documentation, if appropriate.

Land Transfers

22. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the steps he has taken to encourage land transfers to young farmers; and if he will make a statement on the matter. [55958/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Recent anal-

ysis shows that there are more farmers over 80 than under 35. The situation has been deteriorating for many years, both in Ireland and in the rest of Europe.

I have been working to encourage more young people to take up farming as a career. Budget 2013 saw the extension of key reliefs that were already in place for young farmers (such as the 100% relief from Stamp Duty and the 100% stock relief for Young Trained Farmers). Extending these reliefs is not straightforward given that there is a requirement for EU State Aid approval for such measures. The deputy will also be aware that changes were made to retirement relief in budget 2012 to encourage inter-generational land transfers.

I am delighted that the number of applicants for Teagasc courses has greatly increased the last two years. Teagasc has responded well to this demand and have introduced new courses to cater for a variety of needs. For example Teagasc has recently launched a new Professional Diploma in Dairy Farm Management (Level 7) in association with University College Dublin (UCD). Teagasc have also developed recently a new Level 6 Specific Purpose Certificate in Farm Administration course to help meet the training requirements for full-time or part-time farmers. In addition, They have also consulted with the banking sector to make sure that their students know how to prepare business plans and detailed cash-flow plans in support of credit applications.

Measures to provide targeted support to young farmers are part of the current negotiations on the reform of the CAP and will I hope form part of any final agreement. I have strongly supported the proposal for a top-up for young farmers under pillar 1 of the CAP, and indeed Ireland was one of the first countries to suggest this measure in the negotiations.

I am also happy that the new restructuring relief has been announced in the 2013 budget. This is the result of detailed work which analysed the reasons why the old consolidation relief was not working. I am confident that the new relief in relation to Capital Gains Taxes will be more effective, especially given that Stamp Duty rates have been reduced. Re-structuring is essential for us to meet the Food Harvest 2020 targets. We need to use land more productively and encourage more young farmers to make the best use of the land. A recent EU Commission study found that

'younger[farm] managers tend to perform better than the EU average, with 46% more area and 57% more economic potential for 21% more labour force' [[1] Commission Staff Working Paper, Impact Assessment, CAP towards 2020, Annex 1: Situation and prospects for EU agriculture and rural areas , p. 25. Brussels, 12/10/2011.1]

Ireland has a very low level of land sales, with most land staying within the same family for generations. Only 0.4% of land changes hand in any given year. Young farmers that want to expand need to be able to access land. According to the latest census of agriculture the average farm has 3.8 land parcels. This means that our farmers are wasting time and diesel driving between plots of land, increasing the stress and the risk of accidents. Young farmers will now have an opportunity to consolidate their holdings and increase efficiency.

I am hopeful therefore that the measures that I have introduced will encourage more young people into farming and address the age profile imbalance in Irish farming.

Live Exports

23. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine the progress he is making on the resumption of the live export trade to the Middle East and North Africa, Libya, Lebanon, Egypt; the position regarding veterinary certificates for live cattle to these

markets; the availability and certification of boats suitable for transport to these markets; when he expects exports to resume; and if he will make a statement on the matter. [55974/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): While the three markets in question are open to exports of live cattle from Ireland, no trade is currently taking place. The question of when trade will begin is dependent on a number of factors, including commercial factors such as price and demand and the availability and cost of suitable sea transport. My Department has made every effort to facilitate ship approval and I am hopeful that a ship will be approved early in the New Year. Other non-EU countries open to cattle from Ireland and to which trade is taking place are Kazakhstan, Morocco and Tunisia.

Coillte Teoranta Dividend

24. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine the amount of dividend paid by Coillte Teoranta to the State in 2012; and if he will make a statement on the matter. [55986/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Coillte Teoranta paid a dividend of €2 million to the State in September 2012. This was an interim dividend in respect of the period January to June 2012. Discussions regarding final dividend for 2012 are not concluded.

Common Agricultural Policy Reform

25. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine if it is mandatory under the proposed regulations for the Common Agricultural Policy 2014-2020 to divide the country into regions; and if he will make a statement on the matter. [55989/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The CAP reform proposals provide an option for Member States to apply a regional approach but there is no obligation on Member States to do so.

Suckler Welfare Scheme Eligibility

26. **Deputy Micheál Martin** asked the Minister for Agriculture, Food and the Marine the number of farmers broken down by county who will be affected by budget 2013 changes to the suckler cow welfare scheme; and if he will make a statement on the matter. [55966/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Suckler Cow Welfare Scheme, is, in fact, is due to end on 31 December 2012. This Scheme was a five-year Scheme for beef animals born in herds owned by eligible participants during the period, which commenced on 1 January 2008 and ending on 31 December 2012. In that regard, I have made funding of €10 million available in 2013 to continue to make aid payments on calves born in 2012. The primary objectives of the Scheme are summarised as follows:

- Enhance welfare standards for animals produced from the suckler cow herd.
- Improve husbandry standards at weaning time leading to reduced illness and mortality and enhanced health of the National herd.

-Provide education and knowledge building among farmers on best practice in suckler herd health and welfare.

- Improve the genetic quality of the national suckler herd.

- Improve the competitiveness of the Irish beef industry and the quality of the beef produced.

A Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the Scheme over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time.

In addition, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler beef farmers to participate in a new Beef Data Programme. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers. In total, I have made provision for the payment of aid amounting to €25 million to the beef sector in 2013. I announced the establishment of a Beef Technology Adoption Programme in 2012, which will be retained in 2013. This Programme is built on the lessons of the Dairy Efficiency Programme and provided a €5 million financial stimulus to encourage, through the medium of professionally facilitated discussion groups, and a task oriented approach, the adoption of a more focussed commercial approach to beef farming.

I have arranged for the data requested by the Deputy by county to be forwarded directly to him in the format required.

Single Payment Scheme Payments

27. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine the reason he imposed a cut of 22% on the sheep grassland payment which is having a negative impact on low income sheep farmers, many farming in marginal land areas; and if he will make a statement on the matter. [55968/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Grassland Sheep Scheme is one of the measures funded by unused Single Farm Payment funds. Under the governing EU Regulations, the payment of aid under these measures cannot commence prior to 1 December. I am pleased to announce that payments under the 2012 Grassland Sheep Scheme to sheep farmers will issue in the coming days and that the vast majority of eligible applicants will be paid prior to Christmas. It is not possible to provide the data sought by the Deputy on the outcome of the 2012 Scheme before payments commence. However, I have made arrangements to provide the Deputy with details of payments under the 2011 Grassland Sheep Scheme in the format requested. Gross payments in excess of €17.7 million have issued to date to 17,843 applicants under the 2011 Scheme.

This Scheme, as originally implemented, was to run for three years: 2010, 2011 and 2012, with an annual budget of €18 million. I am, however, pleased to confirm that, notwithstanding continued adverse budgetary conditions, I was in a position to secure funding which allows the Scheme continue for a fourth year, albeit with adjusted funding of €14 million. Direct aid payments are important, but it is time for the sheep sector to adapt and develop their enterprises in line with other sectors. In that regard, I have decided to make funding of €3 million for a new Sheep Technology Adoption Programme, which concept has already proven very successful in

both the dairy and beef sectors, with a maximum payment of €1,000 per participant. It is important that sheep farmers take action to increase and maximise their income from their enterprises. This can be achieved by improving breeding, animal health/welfare and grazing regimes. The dairy sector has demonstrated that the discussion group concept is an effective way to achieve such improvements.

Notwithstanding the financial adjustment made to the overall funding to the Grassland Sheep Scheme, hill sheep farmers, who join a Sheep Discussion Group will find that the aid they will receive in 2013 will increase by almost €590.

Feabhsú Céanna

28. D'fhiafraigh **Deputy Timmy Dooley** den an Aire Talmhaíochta, Bia agus Mara an bhfuil sé i gceist aige airgead a chur ar fáil le feabhas a chur ar na céanna Inis Oírr agus Oileán Chléire; agus an ndéanfaidh sé ráiteas ina thaobh. [55985/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Is le mo Ro-inn an Cuan Thuaidh in Oileán Chléire agus tá sí freagrach dá réir sin as é a chothabháil agus a dheisiú. Tá monatóireacht á déanamh ag mo Roinn ar chúrsaí ag an gCuan Thuaidh le roinnt blianta anuas agus go háirithe ar mheath na coda sin den Chuan Thuaidh ar a dtugtar Srón an Tairbh. Tá an Roinn tar éis tús a chur le tionscadal anois chun struchtúr nua a chur in ionad struchtúr Shrón an Tairbh.

Tá an tionscadal ag Cléire ag dul ar aghaidh mar a beartaíodh. I mí Dheireadh Fómhair 2012 taisceadh iarratas pleanála ar oibreacha forbartha ag Cléire le Comhairle Contae Chorcaí agus cuireadh iarratas ar Cheadúnas Urthrá faoi bhráid na Roinne Comhshaoil, Pobail agus Rialtais Áitiúil. Táthar ag fanacht ar thoradh an dá phróiseas sin.

Tá dul chun cinn a dhéanamh maidir le forbairt Chléire faoi Chlár Forbartha Caipitil um Chuanta Iascaigh agus Bonneagar Cósta de chuid mo Roinne. Breithneofar leithdháileadh an mhaoinithe le haghaidh tionscadail caipitil faoi Chlár 2013, lena n-áirítear Cléire, ar bhonn an mhaoinithe Stáitchiste atá ar fáil agus na dtosaíochtaí eile atá san iomaíocht leo.

Is le Comhairle Contae na Gaillimhe an cuan ag Inis Oírr agus tá siadsan freagrach as é a dheisiú agus a chothabháil. Tá ról ag an Roinn Ealaíon, Oidhreacht agus Gaeltachta i bhforbairt bhonneagar na n-oileán amach ón gcósta freisin.

Tá maoiniú curtha ar fáil ag mo Roinn, áfach, le blianta beaga anuas faoina Clár Forbarthaum Chuanta Iascaigh agus Bonneagar Cósta chun cuanta, céanna agus slipeanna atá faoi úinéireacht na nÚdarás Áitiúil a dheisiú agus a fhorbairt ar mhionscála, arís, faoi réir dóthain maoinithe a bheith ar fáil ón Stáitchiste.

Tá sé beartaithe agam iarratais a iarraidh, in ord tosaíochta, ó Údaráis Áitiúla ar an gcósta le haghaidh tionscadail cháilithe lena n-áireamh faoi Chlár na bliana 2013. Déanfar aon iarratas a chuirfidh Comhairle Contae na Gaillimhe isteach maidir le hInis Oírr ar mhaoiniú faoin gClár a mheasúnú bunaithe ar an maoiniú Stáitchiste atá ar fáil agus ar thosaíochtaí náisiúnta ar an iomlán.

Single Payment Scheme Applications

29. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the measures taken by his Department to allow farmers additional time to comply with rushes

control criteria for the single farm payment in view of the weather experienced this year and the inability of many farmers to access their land due to water logging and in particular certain areas that may not be designated lands; and if he will make a statement on the matter. [55950/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department, in the context of delivering the Single Payment Schemes, Disadvantaged Areas' Scheme and other area related schemes, is required to carry out a programme of annual inspections. This inspection regime covers both the eligibility of land declared to draw down payments and also cross compliance aspects, to ensure adherence with EU regulatory requirements in the areas of public, animal and plant health, environment and animal welfare.

In order to be eligible under the Single Payment Scheme and other area based schemes, an applicant must ensure that all agricultural land is maintained in good agricultural and environmental condition (GAEC). Issues relating to control of rushes must, therefore, be seen in this overall context.

Farmers can keep grassland in GAEC by conducting an agricultural activity on it, such as grazing, harvesting forage crops, or by topping. Grasslands continue to be eligible where it is evident that the stocking rate on the land is sufficient and, for example, keeps rushes under control and avoids their proliferation. In such situations, the reality is there may not be a necessity to cut rushes. However, where a farmer cuts rushes as part of management practice, with the exception of certain designated lands, there are no restrictions on when this is done, enabling the task to be carried out at any time throughout the year once conditions are suitable.

I am acutely aware of the weather related difficulties being experienced by farmers and of their concern in respect of their ability to meet the various compliance requirements. When conducting inspections, my Department's personnel take prevailing weather conditions into account. For example, where the practice is to cut rushes and it has not been possible to top them in the current year, inspectors will take a broader assessment including whether there is evidence that they have been cut in previous years. Where land is deemed ineligible, this, in the main, is a result of the inclusion of ineligible areas/features and where it is not being used for an agricultural purpose. In cases where land with rushes is rejected, it will be seen that this is due to the broader issue of insufficient agricultural activity being undertaken on it to keep it in GAEC.

In the event that a penalty is applied as a result of an inspection, an individual applicant can look for the decision to be reviewed. The applicant may subsequently appeal the outcome of any such review to the independent Agriculture Appeals Office. Finally, the applicant has the right to pursue the matter further with the Office of the Ombudsman. I should state that there is no specific provision in the EU Regulations concerned governing the right of farmers to seek a review of decisions. The review and appeals mechanism was introduced by my Department with a view to ensuring that every decision to impose a penalty could be challenged by individual farmers.

In this context, it is important that I stress the importance of the Direct Payment Schemes to both the farmers who receive these payments and also the wider rural economy. Annually these payments amount to some €1.8 billion. Therefore it is incumbent on my Department to ensure that the EU regulatory control environment is comprehensively implemented to protect these payments, allow the payments to be made quickly and to avoid substantial EU disallowances.

Animal Welfare Issues

30. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied that adequate provision has been made to meet requirements and costs imposed on the agrifood sector arising from the implementation of animal welfare legislation after 1 January 2013; if any particular difficulty has been brought to his attention in this regard; if he sees any particular response as being appropriate in this context; and if he will make a statement on the matter. [55908/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Animal Health and Welfare Bill, in the main, consolidates existing legislation in the animal health and welfare area. It does not introduce any new requirements on farmers. Animal welfare is an essential part of farming practices and the Animal Health and Welfare Bill represents a further step towards improving Ireland's already high welfare standards and practices. Markets and consumers already recognise high animal welfare standards as an added value and enhancing welfare standards will serve to increase the competitiveness of Irish agricultural products. It is evident from recent grant schemes that my Department supports animal welfare programmes, for example the Sow Housing welfare scheme and the Laying Hen scheme which were brought in through the Targeted Agricultural Modernisation Scheme. My Department will continue to work with all stakeholders to ensure that Ireland can achieve the highest possible animal welfare standards across the board.

Dairy Sector

31. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine if he has discussed the Irish Farmers' Association/dairy industry proposals for a tax relieved loan scheme to help the development of the dairy industry here with the Department of Finance; and if he will make a statement on the matter. [55964/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have discussed the proposal for a tax relieved loan scheme with the Irish Farmers Association and other interests. The proposal was also discussed by my officials with the Department of Finance, who have responsibility for tax policy.

Ash Dieback Threat

32. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine the biosecurity measures being taken to address the ongoing ash tree crisis and to prevent its spreading here; and if he will make a statement on the matter. [55846/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Department yesterday announced a significant stepping up of its eradication measures based on the results of its ongoing Chalara survey. The interim results from the major winter survey currently being undertaken has confirmed further positive samples for the presence of Chalara. This brings the number of positive cases to 22, including 15 in young plantations, 6 in horticultural nurseries and 1 planted ornamentally in a garden. There have now been incidents of the disease in forest plantations in Counties Leitrim, Meath, Tipperary, Kilkenny, Waterford, Carlow, Kildare, Laois, Longford and Galway. To address the threat to our ash woodlands, there will be a major eradication programme on sites where there are ash trees from confirmed positive imported consignments. The Department will supervise the destruction and re-establishment

of these sites. A re-establishment grant will be made available to the owners of private plantations which are part of the Department's current afforestation programme. Ash plants from the infected batches supplied to other sites will also be destroyed. While we are aware scientifically that the disease does not spread until the summer, the Department will be intensifying its efforts in dealing with this threat and destroying any ash trees that may present a risk of harbouring the disease.

In relation to measures already taken by the Department I can report that legal measures to prohibit the importation into Ireland of plant material from ash dieback infected areas were put in place on 26th October. These measures, introduced by Ministerial Order, took effect immediately. These controls were introduced in conjunction with similar measures taken by Northern Ireland authorities and Great Britain. Additional legislation was signed into law on 6th November restricting the movement of ash timber into the country. The legislation allows ash wood movement into Ireland if (1) it is accompanied by a plant passport certifying that it comes from an area free of the disease or (2) its free of outer round surface (no passport required) or (3) its kiln dried below 20% moisture (no passport required). In a further measure, a temporary suspension of the grant aiding of new ash plantations was introduced on the 5th of December.

Information about the disease is available on the Department's website, including contact information for anyone who believes they may have ash with the disease. A poster about the disease has been circulated to every Teagasc, Department of Agriculture, Food and the Marine, Coillte and NPWS office in the country as well as other relevant private sector offices. Anyone who suspects Chalara has been asked to observe appropriate hygiene measures to help avoid its potential spread. In this regard all soil and plant debris should be washed off boots. Boots should then be sprayed with disinfectant and used water should be disposed of onto an area where the water will not run into a watercourse. In relation to clothing it is recommended to check all clothing and remove any plant material. Soil and plant debris should be washed off all tools and equipment with disinfectant.

Targeted Agricultural Modernisation Scheme Payments

33. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the amount allocated to the TAMs scheme in 2012 by his Department; the amount that has been spent to date in 2012 on the scheme; and if he will make a statement on the matter. [55987/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Total funding of €20 million was provided in the Department's Vote this year for the Targeted Agricultural Modernisation Schemes which provide support for investment in the Poultry, Sow, Dairy and Sheep sectors. To date in 2012, €12.84 million has been paid out under the schemes and I expect that total expenditure will reach €15.1 million by the end of the year. Some of the expected savings have already been transferred to other on-farm investment schemes operated by my Department, particularly the Farm Improvement Scheme where expenditure will exceed the original allocation by €2.7 million by the end of the year. Expenditure is demand led in that successful applicants generally have two years under the schemes to complete the approved investment works and it is not always possible to determine the calendar year in which the expenditure will arise and to forecast expenditure accurately.

Agri-Environment Options Scheme Applications

34. **Deputy Willie O'Dea** asked the Minister for Agriculture, Food and the Marine the num-

ber of applications received under the agri-environment options scheme 3 by 7 December 2012; and if he will make a statement on the matter. [55976/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Approximately 10,000 AEOS 3 applications were received in my Department's offices at Johnstown Castle by close of business on Friday December 7, the closing date for submission of applications under the scheme. My Department is currently registering the receipt of all applications prior to commencing with the detailed inputting of application details. I expect that this initial recording of applications to be completed in the near future at which time I will have a more accurate count of the total number of applications received.

Ash Dieback Threat

35. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine his response to the outbreak of the ash dieback disease here; and if he will make a statement on the matter. [55960/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department yesterday announced a significant stepping up of its eradication measures based on the results of its ongoing Chalara survey. The interim results from the major winter survey currently being undertaken has confirmed further positive samples for the presence of Chalara. This brings the number of positive cases to 22, including 15 in young plantations, 6 in horticultural nurseries and 1 planted ornamentally in a garden. There have now been incidents of the disease in forest plantations in Counties Leitrim, Meath, Tipperary, Kilkenny, Waterford, Carlow, Kildare, Laois, Longford and Galway.

To address the threat to our ash woodlands, there will be a major eradication programme on sites where there are ash trees from confirmed positive imported consignments. My Department will supervise the destruction and re-establishment of these sites. A re-establishment grant will be made available to the owners of private plantations which are part of the Department's current afforestation programme. Ash plants from the infected batches supplied to other sites will also be destroyed. While we are aware scientifically that the disease does not spread until the summer, my Department will be intensifying its efforts in dealing with this threat and destroying any ash trees that may present a risk of harbouring the disease.

In relation to measures already taken by my Department, I can report that legal measures to prohibit the importation into Ireland of plant material from ash dieback infected areas were put in place on 26th October. These measures, introduced by Ministerial Order, took effect immediately. These controls were introduced in conjunction with similar measures taken by Northern Ireland authorities and Great Britain. Additional legislation was signed into law on 6th November restricting the movement of ash timber into the country. The legislation allows ash wood movement into Ireland if (1) it is accompanied by a plant passport certifying that it comes from an area free of the disease or (2) its free of outer round surface (no passport required) or (3) its kiln dried below 20% moisture (no passport required). In a further measure, a temporary suspension of the grant aiding of new ash plantations was introduced on the 5th of December.

Information about the disease is available on the Department's website, including contact information for anyone who believes they may have ash with the disease. A poster about the disease has been circulated to every Teagasc, Department of Agriculture, Food and the Marine, Coillte and NPWS office in the country as well as other relevant private sector offices. Anyone who suspects Chalara has been asked to observe appropriate hygiene measures to help avoid its potential spread. In this regard all soil and plant debris should be washed off boots. Boots

should then be sprayed with disinfectant and used water should be disposed of onto an area where the water will not run into a watercourse. In relation to clothing it is recommended to check all clothing and remove any plant material. Soil and plant debris should be washed off all tools and equipment with disinfectant.

Budget 2013

36. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine his view on the impact of budget 2013 changes to low income dry stock farmers with suckler cows and sheep with changes to the suckler cow welfare scheme, the sheep grasslands scheme and disadvantaged areas scheme; and if he will make a statement on the matter. [55967/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bearing in mind that the 2013 Budget was agreed against a background of a very difficult financial situation, I managed, with re-orienting and re-scheduling payments within my Department's budget, to keep the adjustments made to Schemes to a minimum. It was also my objective to protect, in so far as is possible, the smaller-scale farmers situated in Disadvantaged Areas.

In relation to the Disadvantaged Areas Scheme, I am extremely pleased that, even within the tight budgetary disciplines, I was able to increase the funding for this Scheme by €5 million in 2013, to bring the total funds available up to €195 million. However, in view of the existing level of expenditure under this Scheme in 2012, it is still necessary to make adjustments, in order to keep within the new allocation. I have, however, ensured that farmers, particularly sheep farmers farming mountain type grazing, will not have their aid, which is important to the viability of their farming enterprises, reduced. In order to carry out the adjustment, I decided to reduce the area maximum area payable from 34 to 30 hectares in respect of farmers situated in More Severely and Less Severely Disadvantaged Areas. By achieving this adjustment in this manner, together with a number of technical changes, over 72% of all applicants will not have their basic aid changed.

The Suckler Cow Welfare Scheme was a five-year Scheme which is ending on 31 December 2012. I have, however, made funding of €10 million available for this Scheme in 2013. These funds will be used to continue to pay calves born the herds of Scheme participants when they become eligible for payment. Payments in respect of 2012 born calves, which are now eligible for payment, will commence next week. Taking into account payments of €22 million, which will be issued in respect of 2012 born calves, the Exchequer will have paid €158 million in total under this Scheme. This is a very substantial contribution to the very important beef sector. I am, therefore, pleased that a Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the Scheme over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time.

It was important to build on progress made under the lifetime of the Suckler Cow Welfare Scheme. Therefore, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler farmers to participate in a new Beef Data Programme. When taken together with residual payments of €10 million under the Suckler Cow Welfare Scheme, this will amount to €20 million in direct payments to suckler farmers in 2013. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers. In addition, the sum of €5 million

has been set aside to support the continuation for another year of the Beef Technology Adaptation Programme, a scheme that provides beef farmers with better information and improved skills to increase profitability on farms.

The Grassland Sheep Scheme is one of the measures funded by unused Single Farm Payment funds. This Scheme, as originally implemented, was to run for three years: 2010, 2011 and 2012, with an annual budget of €18 million. I am, however, pleased to confirm that, notwithstanding continued adverse budgetary conditions, I was in a position to secure funding which allows the Scheme continue for a fourth year, albeit with adjusted funding of €14 million.

Direct aid payments are important, but it is time for the sheep sector to adapt and develop their enterprises in line with other sectors. In that regard, I have decided to make funding of €3 million for a new Sheep Technology Adoption Programme, which concept has already proven very successful in both the dairy and beef sectors, with a maximum payment of €1,000 per participant. It is important that sheep farmers take action to increase and maximise their income from their enterprises. This can be achieved by improving breeding, animal health/welfare and grazing regimes. The dairy sector has demonstrated that the discussion group concept to achieve such improvements. Notwithstanding the financial adjustment made to the overall funding to the Grassland Sheep Scheme, hill sheep farmers, who join a Sheep Discussion Group, will find that the aid they will receive in 2013 will increase by almost €590.

Suckler Welfare Scheme Payments

37. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine his reasons for discontinuing the suckler cow welfare scheme; and if he will make a statement on the matter. [55955/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In the first instance I would like to set the record straight in that no decision was made to discontinue the Suckler Cow Welfare Scheme, which, in fact, is due to end on 31 December 2012.. This Scheme was a five-year Scheme for beef animals born in herds owned by eligible participants during the period, which commenced on 1 January 2008 and ending on 31 December 2012. In that regard, I have made funding of €10 million available in 2013 to continue to make aid payments on calves born in 2012. The primary objectives of the Scheme are summarised as follows:

- Enhance welfare standards for animals produced from the suckler cow herd.
- Improve husbandry standards at weaning time leading to reduced illness and mortality and enhanced health of the National herd.
- Provide education and knowledge building among farmers on best practice in suckler herd health and welfare.
 - Improve the genetic quality of the national suckler herd.
- Improve the competitiveness of the Irish beef industry and the quality of the beef produced.

A Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the Scheme over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time.

In addition, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler beef farmers to participate in a new Beef Data Programme. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers.

In total, I have made provision for the payment aid amounting to €25 million to the beef sector in 2013. I announced the establishment of a Beef Technology Adoption Programme in 2012, which will be retained in 2013. This Programme is built on the lessons of the Dairy Efficiency Programme and provided a €5 million financial stimulus to encourage, through the medium of professionally facilitated discussion groups, and a task oriented approach, the adoption of a more focussed commercial approach to beef farming.

Aquaculture Licences Applications

38. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine when he expects to make a decision on the licence application by BIM for a fish farm licence in Galway Bay; the progress made to date with the consideration of this application; and if he will make a statement on the matter. [55983/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord Iascaigh Mhara (BIM) has submitted an application to my Department for an Aquaculture and a Foreshore Licence for the cultivation of Finfish near Inis Oirr in Galway Bay. The application and its accompanying Environmental Impact Statement (EIS) is currently being considered fully in accordance with the provisions of the 1997 Fisheries (Amendment) Act and the 1933 Foreshore Act as amended. Every effort is being made to reach a determination in the case in a timely fashion subject to the provisions of the legislation. It would not be appropriate for me to comment further on an application which is under active consideration as part of a statutory process.

Agrifood Sector Issues

39. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he hopes to be in a position to make good any losses likely to be suffered by any particular category of farmer arising from ongoing financial constraints arising from the economic situation; if he is satisfied that he can assist economic recovery through astute management and encouragement of the agrifood sector with particular reference to the need to meet the targets of Food Harvest 2020; and if he will make a statement on the matter. [55907/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): While personal financial difficulties are primarily a matter between the individual farmers and their banks, nevertheless, my Department is in regular contact with farm bodies, various national banks and the Banking Federation on a regular basis to discuss all credit-related issues. In addition, farmers who are not satisfied with the service provided by their banks can apply to the Credit Review Office to have their case reviewed.

Financial difficulties will also be alleviated by improved productivity, enhanced skills and higher prices. In that context, the implementation of Food Harvest 2020 has a major role to play in improving overall competitiveness at farm and industry level as well in maximising the potential contribution of this indigenous sector to economic recovery. Significant progress has been made to date on its implementation. *Milestones for Success 2012* indicates that

substantial action has been taken on 40% of the recommendations while a further 50% are being implemented. The workings of the Food Harvest High Level Implementation Committee, which I chair, and our close engagement with industry is ensuring that all stakeholders actively commit to its work vision and targets. As a consequence, good progress made on the FH2020 targets and that the value of both primary output and exports has increased by almost 19% and 10% respectively vis-a vis the relevant 33% and 42% target increase set for 2020. The latest figures from the CSO also show that, by end 2010, the value-added element of the sector has increased by 5.6%.

Single Payment Scheme Application Numbers

40. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the number of applications received on a county basis for the single farm payment this year; the number disallowed; the number paid to date; and if he will make a statement on the matter. [55978/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The details sought by the Deputy are set out in the table. However, with appeals ongoing and payments being made twice weekly, in order to maximise payments by year end, the picture continues to evolve. In a total of 74 cases, a 100% penalty was applied as the applications concerned were received after the closing date for receipt of late applications. The governing EU regulations require that a 1% cumulative penalty be applied for each working day a given application is received late, with a 100% penalty to be applied where a given application is received more than 25 days late. The 74 cases in question were not covered by Force Majeure/exceptional circumstance provisions.

County	Number of applicants	Numbers paid	Numbers disallowed
CARLOW	1,626	1,611	0
CAVAN	4,699	4,658	2
CLARE	6,018	5,974	1
CORK	12,790	12,621	11
DONEGAL	7,981	7,856	3
DUBLIN	622	614	0
GALWAY	11,809	11,606	15
KERRY	7,544	7,469	3
KILDARE	2,004	1,980	1
KILKENNY	3,401	3,363	0
LAOIS	2,904	2,875	2
LEITRIM	3,348	3,269	5
LIMERICK	5,052	5,006	4
LONGFORD	2,325	2,302	1
LOUTH	1,477	1,465	2
MAYO	11,292	10,968	2
MEATH	3,689	3,651	2
MONAGHAN	3,938	3,850	0
OFFALY	2,990	2,945	5
ROSCOMMON	5,611	5,523	3
SLIGO	3,873	3,782	3

County	Number of applicants	Numbers paid	Numbers disallowed
TIPPERARY	6,854	6,791	5
WATERFORD	2,394	2,361	0
WESTMEATH	2,907	2,811	0
WEXFORD	3,974	3,953	1
WICKLOW	2,062	1,986	3
	123,184	121,290	74

Single Payment Scheme Application Numbers

41. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine if he will provide information in respect of details on the number of single farm payment and disadvantaged areas applications for County Leitrim covering the number of land eligibility and cross compliance inspections; the number of satellite inspections and the number of farmers that received penalties across these schemes for 2011 and 2012; and if he will make a statement on the matter. [55975/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As it is not possible to compile the full information requested in the available timescale, I am arranging for it to be provided directly to the Deputy as soon as possible.

European Council Meetings

42. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if there have been any discussions at the EU Agriculture Council of Ministers meetings in relation to the terms and conditions being imposed by the large supermarket chains on food processors and producers; the nature of these discussions; the decision taken by the Council; and if he will make a statement on the matter. [55988/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Presidency Conclusions of the Council on 29 March 2010 invited the Commission to explore ways of favouring a proportionate balance of bargaining power between stakeholders in the food supply chain and underlined the necessity for the Commission in cooperation with member States to identify and combat unfair trading practices and to put in place stricter controls and easier reporting procedures to eliminate such practices in the food supply chain. The Conclusions supported the idea of establishing a Forum to address the relationships between the players in the food supply chain.

In response the European Commission established a High Level Forum and a business-to-business Expert Platform to make recommendations on eliminating unfair practices. During 2011 the Platform agreed on a list of general and specific principles of good practice as well as relevant best practices in commercial relations. These were endorsed by the Forum and the Commission requested the Platform to identify possible actions taking into account the positions expressed by Council and the European Parliament. The Expert Platform made progress in 2012 but did not reach agreement on the form of implementing arrangements and whether there should be statutory provision. At the Forum meeting on 5 December the Commission indicated that it will now adopt a green paper on unfair trading practices in the retail supply chain which will involve a horizontal cross-sector approach. The Commission is also contracting a study on legal frameworks in Member States that seek to address unfair trading practices and is considering launching an impact assessment on different options including a legislative initia-

tive in this field, taking into account the advice of national authorities and of all the relevant stakeholders. This will in due course be reviewed by Council.

Disadvantaged Areas Scheme Application Numbers

43. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the number of applications received under the disadvantaged areas scheme in 2012; the number paid to date; the number of applications rejected and the number yet to be decided broken down by county; and if he will make a statement on the matter. [55977/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on target, on 26 September and, to date, payments worth in excess of €193 million have issued to 87,322 farmers. Payments continue to issue twice weekly, as individual cases are confirmed eligible.

Nationally, 127 applications were subject to 100% penalty, as each was received after the final date for receipt of applications. The governing EU regulations require that a 1% cumulative penalty be applied for each working day a given application is received late, with a 100% penalty to be applied where the application is received more than 25 days late. The 127 cases in question were not covered by Force Majeure/exceptional circumstance provisions.

The details requested are set out in the table. However, with appeals ongoing and payments being made twice weekly, in order to maximise payments by year end, the picture continues to evolve.

County	Number of applicants	Number paid	Amount paid
Carlow	748	691	€1,428,514.60
Cavan	4,845	4,353	€9,569,689.89
Clare	6,137	5,496	€13,402,026.99
Cork	7,126	6,320	€14,591,581.04
Donegal	8,366	6,968	€16,185,426.87
Dublin	133	112	€238,988.96
Galway	12,191	10,356	€22,587,535.97
Kerry	7,719	6,631	€16,532,763.59
Kildare	517	454	€804,459.51
Kilkenny	1,766	1,596	€3,360,736.92
Laois	1,713	1,540	€3,082,264.13
Leitrim	3,492	2,962	€6,749,060.31
Limerick	2,929	2,557	€5,131,039.16
Longford	2,389	2,096	€4,668,470.85
Louth	749	641	€1,081,359.69
Mayo	11,577	9,303	€19,896,599.44
Meath	1,322	1,205	€2,224,294.52
Monaghan	4,091	3,527	€7,166,891.49
Offaly	2,395	2,067	€4,172,431.08
Roscommon	5,746	4,928	€11,081,818.96
Sligo	4,039	3,317	€7,369,437.05

County	Number of applicants	Number paid	Amount paid
Tipperary	4,531	3,962	€8,550,527.04
Waterford	1,433	1,263	€2,604,936.77
Westmeath	2,641	2,283	€4,699,570.11
Wexford	1,425	1,226	€2,254,139.81
Wicklow	1,732	1,468	€3,593,926.04
TOTALS	101,752	87,322	€193,028,490.79

Budget 2013

44. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine the anticipated impact of all the cuts arising from budget 2013 on farm income. [55962/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The budget for my Department in 2013 was largely determined by the gross expenditure ceilings that were allocated to all Departments under the Government's Medium Term Expenditure Framework, 2012-2014. The Department's 2013 Exchequer allocation is €1.25 billion, including €6m capital carry-over from 2012. The original budget reduction envisaged for my Department for 2013 under the expenditure ceiling was €114 million. Through negotiation with my colleague, the Minister for Public Expenditure and Reform, I secured much-needed additional capital funding of €25m, including the carry-over, thus reducing the cut in expenditure from 2012 to 2013 to €89m.

In allocating the available funding, I was determined to minimise the impact of the scale of the reduction so that the most important schemes and programmes were protected to the greatest extent possible. Through re-orientating and re-scheduling payments, I have also managed to fund some new worthwhile programmes while remaining within the financial constraints. In overall terms, the 2013 Estimate for my Department represents a significant Exchequer commitment of support for the agri-food sector and is recognition of the contribution which the sector can make to economic recovery and future growth. My priorities are to:

- Protect the incomes of family farms
- favour small farm holdings in disadvantaged areas
- provide taxation measures to restructure, modernise and promote growth in the agri-food and farming sector
- provide support programmes in line with the targets of Food Harvest 2020, in particular job creation
- support the future of the sector through funding for research and development and through investment in food safety and animal health and welfare controls
- continue a programme of reform within the Department aimed at improving service delivery and reducing costs.

In specific terms, I have:

- minimised reductions in expenditure in the Disadvantaged Areas Schemes while protecting the most disadvantaged from any cut,

- replaced the Suckler Cow Welfare Scheme with a new measure and
- avoided any cut in REPS payments by restructuring payments in 2013 and early 2014.

At the same time, I have provided funding for new producer group activities in the sheep and dairy sectors while the additional funding for capital which I have secured will enable my Department to continue to implement a range of schemes including forestry planting and the schemes for on-farm investment.

I believe that the outlook for the agri-food sector remains very bright and the sector will continue to contribute strongly to national economic recovery. There is a new awareness of the vital economic importance of the sector and a strong recognition that the sector has the fundamental building blocks in place to reach the demanding targets it has set itself in Food Harvest 2020, a blueprint that will contribute hugely to the growth in food and drink exports and to national prosperity. I am confident that the measures introduced in Budget 2013, in a very challenging fiscal environment, will help us to continue on this path towards national recovery.

Suckler Welfare Scheme Extension

45. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine the changes made to the suckler cow welfare scheme; and if he will make a statement on the matter. [55965/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Suckler Cow Welfare Scheme, is, in fact, is due to end on 31 December 2012. This Scheme was a five-year Scheme for beef animals born in herds owned by eligible participants during the period, which commenced on 1 January 2008 and ending on 31 December 2012. In that regard, I have made funding of €10 million available in 2013 to continue to make aid payments on calves born in 2012. The primary objectives of the Scheme are summarised as follows:

- Enhance welfare standards for animals produced from the suckler cow herd.
- Improve husbandry standards at weaning time leading to reduced illness and mortality and enhanced health of the National herd.
- Provide education and knowledge building among farmers on best practice in suckler herd health and welfare.
- Improve the genetic quality of the national suckler herd.
- Improve the competitiveness of the Irish beef industry and the quality of the beef produced.

A Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the Scheme over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time. In addition, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler beef farmers to participate in a new Beef Data Programme. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers..

In total, I have made provision for the payment of aid amounting to €25 million to the beef sector in 2013. I announced the establishment of a Beef Technology Adoption Programme in 2012, which will be retained in 2013. This Programme is built on the lessons of the Dairy Efficiency Programme and provided a €5 million financial stimulus to encourage, through the medium of professionally facilitated discussion groups, and a task oriented approach, the adoption of a more focussed commercial approach to beef farming.

Departmental Expenditure

46. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine the amount of money allocated to his Department in 2012; the amount spent up to 30 November 2012; the amount profiled for expenditure by that date; and if he will make a statement on the matter. [55979/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The total Vote funding available to my Department for 2012 is €1.339 billion. This includes €27 million capital funding carried over from 2011. A profile of projected expenditure on a monthly basis is drawn up at the beginning of each financial year in order to anticipate the Department's funding requirements and financial management over the course of the year. The profile which is the best estimate of expenditure available at that time is difficult to forecast and may vary significantly during the year for a variety of reasons, such as the level of payments under demand led schemes, the pattern of draw-down of Grants-in-Aid by State bodies, etc.

The total actual gross expenditure incurred over the period 1 January to end November was €1.046 billion. This compares to a profiled expenditure of €1.169 billion for the same period. For a variety of reasons, a number of budget lines were behind profile at the end of November. I expect that in most cases expenditure will 'catch up' before the end of the year. All elements of expenditure are being monitored and managed carefully with a view to minimising savings on this year's Vote. While the final outcome is to a large extent driven by factors outside the Department's control, I do not expect a significant underspend this year.

Beef Data Programme

47. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine his views on whether there may be limited uptake of the new beef data programme due to the significant reduction in payments in comparison to the suckler cow welfare scheme; and if he will make a statement on the matter. [55956/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Suckler Cow Welfare Scheme was a five-year Scheme which is ending on 31 December 2012.. Taking into account payments of €22 million approximately, which will be issued in respect of 2012 born calves, over the coming months, the Exchequer will have paid €158 million in total under this Scheme. This is a very substantial contribution to the very important beef sector. I am, therefore, pleased that a Value for Money Audit, which was undertaken in accordance with the Department of Finance Value for Money and Policy Review Initiative, established that the Scheme has largely achieved these objectives. The 34,000 participants, who continued in the Scheme over its five-year duration, are fully aware that following best practice in the breeding, animal health/welfare aspects and rearing of suckler calves leads to better prices and demand at weanling sale time.

It was important to build on progress made under the lifetime of the Suckler Cow Welfare

Scheme. Therefore, I have allocated €10 million in 2013, financed from unspent Single Farm Payment Funds for a new support programme for suckler farmers to participate in a new Beef Data Programme. When taken together with residual payments of €10 million under the Suckler Cow Welfare Scheme, this will amount to €20 million in direct payments to suckler farmers in 2013. This programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers.

The objectives of the new measure are summarised as follows.

- An increase in the number of commercial suckler herds that are engaged in the submission of beef data for breeding purposes;

- An increase in the amount of data from commercial farms around the country on traits of high relevance to beef farmers (e.g. Sire, dam, calving ease, weanling quality, docility) that can be used in genetic evaluations;

- Substantially more accurate genetic evaluations for a wide range of traits. The lack of data recording hampers the production of Beef Genetic indexes with reliable figures (large volumes of data are needed to increase reliability/accuracy);

- An increase in the uptake of cattle breeding related information services;

- An increase in the use that commercial beef producers make of genetic evaluations;

- Improvement in Ireland's capability to capitalise on Genomics technology in the beef herd. This technology has already enabled the acceleration of genetic gain in the dairy herd (worth an extra €30m per annum to the dairy sector). Without the scheme, this will not be possible on the beef side.

The exact details of this new measure are being finalised and my priority is to ensure that the funding is fully utilised within the suckler sector. My view is that the level of funding (€10 million) made available is more than sufficient to encourage suckler farmers to participate in this one measure given that the total amount of aid paid to date under the 2012 Suckler Cow Welfare Scheme on 2012 born calves is approximately €22 million.

Common Fisheries Policy Negotiations

48. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine his views on what he must achieve in terms of TACs and quotas at the December EU Fisheries Council on 18 to 20 December; and if he will make a statement on the matter. [55845/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The levels of Total Allowable Catch (TAC) and ultimately the quotas for Ireland in 2013 will be determined at the December Council of Fisheries Ministers being held on December 18 and 19 in Brussels. The December Council will also decide on fishing effort, which determines days spent at sea, available for the Irish fleet in the Irish Sea and off the north-west coast for 2013.

The European Commission proposals for 2013 are based on formal advice received from ICES (the International Council for the Exploration of the Seas), and also on the views of the STECF (the Scientific, Technical and Economic Committee for Fisheries). The process of preparing for the Council is well under way with the publication of the European Commission's proposals for TACs and quotas of key stocks of interest to Ireland. Since the publication of

the proposals I have conducted a number of bi-laterals with the EU Commission, a number of Member States and the Irish fishing industry. I have also formally commented on the Commission proposal in advance of negotiations.

I have had an assessment of the impacts of the Commission proposal on internal TACs through the preparation of a Sea Fisheries Sustainability Impact Assessment which is provided for in the Programme for Government. I presented the results of this Impact Assessment to the Dáil on 6 December. The Impact Assessment acknowledges that while many stocks in which the Irish fleet have an interest are not in a healthy biological state, there has been an improvement in 2012 on the state of the resource base in relation to pressure and state indicators. It agrees with the need to cut quotas for some of the stocks in 2013, though the level of these cuts is queried in some cases, while in others there is clear scientific data to suggest that the level of cut is unwarranted.

I have repeated many times my belief that decisions on setting TACS should be informed by the science available and I stick to that. I am opposed to blanket rules on so called “data poor” stocks requiring automatic reductions, even where the quantitative information available shows that the stock is being fished sustainably and where the biological indicators are positive. The non-agreement at the Coastal States talks on mackerel, blue whiting and atlanto scandinavian herring aligned to the inconclusive second round of bilateral negotiations between the EU and Norway, now means that some stocks where Ireland have an interest including mackerel, horse mackerel, blue whiting, ling & saithe will be subject to provisional quotas at the December Council. Coastal States negotiations on blue whiting and atlanto scandinavian herring will resume on December 14 in London. The discussions with Norway are scheduled to reconvene in Clonakilty on the 16th January; it is expected that final quotas will be determined early in the Irish Presidency.

Food Industry Development

49. **Deputy Alan Farrell** asked the Minister for Agriculture, Food and the Marine the impact that the introduction of a sugar tax or an increase in regulation of the food industry in relation to matters of obesity would have on the food industry here; if there has been stakeholder contact with him since these recommendations have been made; and if he will make a statement on the matter. [55809/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Obesity is a major public health challenge, particularly in regard to diabetes and cardio vascular disease, and has been exacerbated as a result of our changing social, economic and physical environment and by a dramatic reduction in physical activity, and changing dietary patterns.

My colleague Minister Reilly set up a Special Action Group on Obesity (SAGO), comprising representatives from his Department, the Department of Children and Youth Affairs, the Department of Education and Skills, the Health Service Executive, the Food Safety Authority of Ireland and Safefood. The Group has focused on a range of measures including calorie posting in restaurants, a possible tax on sugar-sweetened drinks, nutritional labelling, marketing of food and drink to children, the supply of healthy food products in vending machines, detection and treatment of obesity and healthy eating guidelines. SAGO recommended a Health Impact Assessment on the possible introduction of a tax on sugar sweetened drinks and the Department of Health established a Steering Group in 2012 to oversee such an Assessment. In this context the industry has made representations to me in relation to their willingness to proactively address the issue and I have made these known to the Department of Health.

Foreign Conflicts

50. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support the Tibetan community in Ireland and its campaign against the occupation of Tibet. [56011/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government follows closely ongoing issues in Tibet and is concerned about aspects of this situation. Ireland together with our EU partners believes that constructive dialogue between the Chinese Government and the representatives of the Dalai Lama is the best way to address differences and tensions in Tibet and to reach a solution that respects Tibetan culture, language, religion and identity. It is important for the long-term peace and stability of the region that the two sides come to an agreement on the future of Tibet. To this end, we continue to encourage an early resumption of dialogue by the parties.

The promotion of human rights is an important dimension of European foreign policy, as enshrined in the Treaty of the European Union. Constructive dialogue remains the EU's preferred channel for working to improve the human rights situation in China. Human rights are discussed as part of regular political dialogue as well as during specific human rights dialogues with China which have taken place since 1995. The Irish Government continues to convey its concerns about the situation in Tibet directly to the Chinese authorities through regular contacts in both Dublin and Beijing. The issue of Tibet is also raised by the European Union in its dialogue with China. Most recently, the EU raised the issue of Tibet at the 31st round of the EU-China human rights dialogue in Brussels at the end of May.

United Nations Funding

51. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of money that Ireland contributes to the United Nations that is spent directly on Internet related challenges, such as cyber security, cyber-crime, Internet freedom, privacy rights, and other related issues; if this money is contributed directly to such programmes or through a general fund; the percentage this makes up of the total allocation of United Nations funding on these areas; the person responsible in the United Nations for allocating these resources either directly or from a general fund; the agency that is responsible for implementation; their location; and if any Irish personnel are working for them either on secondment or independently. [56100/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): In view of the degree of detail requested, which is not readily available, I propose to follow up directly with the Deputy providing any relevant information at the earliest opportunity.

EU Presidency Expenditure

52. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Foreign Affairs and Trade the total cost of the EU Presidency 2013 on his Department and its agencies; if he will provide a full breakdown of same; the way this cost compares to the previous Irish Presidency; the specific sponsorship deals that have been entered into in respect of the EU Presidency; and if he will make a statement on the matter. [56159/12]

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

Government decided in December 2011 to allocate a total budget in the order of €60m over 2012 and 2013 to resource the Presidency, with an additional allocation to be made in respect of security costs. €23 million was allocated in 2012 across a range of Departments and Offices. A further allocation of €36m has been included in the Estimates for Public Services, published on 5 December last. A further €10m has also been included to address security costs related to both the Presidency and the OSCE Ministerial Council meeting held in Dublin last week.

This budget is broadly in line with budgets for recent Presidencies and is less than the budget for the Irish Presidency in 2004 where total expenditure, when all costs were taken into account, was approximately €110m. Expenditure in 2012 focused primarily on planning costs which included:

- the refurbishment of Dublin Castle conference facilities;
- the fitting out of extra office accommodation within the Permanent Representation to the EU in Brussels;
- Increased staffing in Dublin and Brussels to support the Presidency;
- Costs for re-location of additional staff to the Permanent Representation;
- The development of a Presidency website;
- The development of an accreditation system to handle the approx 15,000 delegates expected to visit Ireland. This system was also used for the OSCE Ministerial meeting;
- The provision of Presidency materials such as stationery and branding;
- The preparation of a Cultural programme;
- Increased travel to Brussels and Strasbourg in the build-up to the Presidency.

The majority of expenditure in 2013 will be for the following:

- the management of the Presidency agenda in home Departments;
- the operation of a significantly-enlarged Permanent Representation in Brussels (+90 people);
- a programme of Presidency events taking place in Ireland;
- a cultural programme that uses the Presidency to promote Ireland and Irish culture to an international audience and which also showcases the role of the EU in Ireland.

To date approximately 20 proposals of sponsorship have been received in respect of the Presidency. These cover a wide spectrum of companies from smaller domestic companies to larger multinationals and include offers of support in relation to transport, telecommunications, IT-related projects and to cover certain event costs. In addition, State agencies and other bodies have been of assistance in providing services and support. The assessment of sponsorship offers is underway and a full list of sponsors will be released when this is finalised.

An overarching focus of the Government in planning for Ireland's Presidency of the Council of the European Union is to perform this important function in an efficient and cost-effective manner. The use of Dublin Castle and a small number of other state-owned venues mainly in Dublin to host most Presidency meetings will reduce venue hire, transport and set-up costs, not to mention significantly reducing the "carbon footprint" of the Presidency. An effectively managed Presidency will deliver long-term reputational benefits for Ireland. Short-term benefits in-

clude significant benefits for the local economy from an influx of up to 15,000 delegates, press and representatives of NGOs who will use local services including hotels, restaurants, taxis etc. over the six month Presidency period.

Undocumented Irish in the USA

53. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has raised the matter of US immigration reform and the status of the undocumented Irish with Secretary of State Hillary Clinton during her recent visit; and if he will make a statement on the matter. [56191/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government continues to attach particular importance to the welfare of the Irish abroad in general and especially to the position of undocumented Irish immigrants in the United States. A resolution of the situation for undocumented Irish migrants will continue to be pursued by the Government in our ongoing contacts with the US Administration and Congress. The advice of Ireland's friends and contacts within the US Administration and Congress has long been that comprehensive reform of the US immigration system and procedures is likely to be the only manner by which such a resolution can be achieved. The prospects for such reform would appear to have advanced in the wake of President Obama's re-election.

Through our Embassy in Washington and in close liaison with Irish-American community representatives, our contacts with the US Administration and Congress will intensify over the coming weeks and months with a view to ensuring that the interests and concerns of undocumented Irish immigrants are captured in any future legislative deal in this area that emerges. In this regard, I raised the issue with Secretary of State Hillary Clinton during our bilateral meeting on 6 December last and recalled our strong support for comprehensive immigration legislation and the passage of E3 visas for Irish citizens. Much further debate and discussion is likely to be required within the US political system as to what any future legislative deal might comprise. It is therefore not possible at this stage to specify its contents or identify an exact timescale in which these may become clear but the area will continue to receive the Government's close attention over the period ahead.

Trade Agreements

54. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he raised the matter of the EU-US trade agreement with Secretary of State Hillary Clinton during her recent visit; and if he will make a statement on the matter. [56192/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The EU and the US are two of the world's largest trading blocs and already have very strong trading and investment ties with each other. The joint EU-US High Level Group on Jobs and Growth, set up following the last EU-US Summit in November 2011, was tasked with identifying policies and measures to increase EU-US trade and investment including a possible Trade and Investment Agreement to support mutually beneficial job creation, economic growth, and international competitiveness. That High Level Group is due to issue its final report in the near future. During my meeting with Secretary of State Hillary Clinton on 6 December last we discussed the importance of laying the ground for such an Agreement, should a decision be made to open negotiations during Ireland's forthcoming Presidency of the EU. The jobs and

growth agenda will be a priority of Ireland's EU Presidency and in that context achieving agreement on a negotiating mandate would be an important development.

Illegal Israeli Settlements

55. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he raised the matter of recently announced illegal Israeli settlement development with Secretary of State Hillary Clinton during her recent visit; and if he will make a statement on the matter. [56193/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I had a bilateral meeting with the US Secretary of State, Hillary Clinton, last Thursday (6 December) on the margins of the OSCE Ministerial Council. Given my commitments as host of the Council and Secretary Clinton's own commitments, the meeting was necessarily brief. We covered a number of issues, mostly OSCE-related or touching on bilateral relations. Time did not permit a discussion of the recent Israeli settlement announcements, in relation to which both Secretary Clinton and I had previously issued public statements which were strongly critical of these actions.

Foreign Conflicts

56. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he raised the matter of the conflict in Syria during the OSCE conference last week; and if he will make a statement on the matter. [56194/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I have reported elsewhere on the OSCE Ministerial Council held in Dublin last week. This was a very large international meeting with a very full agenda. I did not as Chairman attempt to raise also the issue of Syria, which is outside the remit of the OSCE. However, important consultations relating to Syria did take place on the margins of the meeting involving US Secretary of State Clinton, Russian Foreign Minister Lavrov and the UN/League of Arab States Joint Special Representative, Lakhdar Brahimi.

I and my Department were very pleased to have facilitated these discussions, which were organised at short notice. I also met Mr. Brahimi to receive his personal assessment of the crisis. I also discussed the situation in Syria with Foreign Minister Lavrov and the British Foreign Secretary, William Hague.

Ireland remains fully supportive of Mr. Brahimi and his efforts to promote a political resolution to the conflict. We earnestly hope that these efforts will succeed and that they will in due course allow the UN Security Council to live up to its responsibilities and to adopt a strong Resolution which will chart a political way ahead to a new, post-Assad Syria.

Organisation for Security and Co-operation in Europe

57. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline his objectives during its chairmanship of the OSCE; his achievements; and if he will make a statement on the matter. [56195/12]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): On 1

January, I became Chairman-in-Office of this important multilateral organisation for 2012. The responsibility for chairing the OSCE, the world's largest inter-governmental regional security organisation, is a significant honour and challenge for Ireland and for me personally. From the outset, our Chairmanship objectives were to ensure balance and coherence across the three main policy areas of the OSCE, namely its politico-military dimension, its economic and environmental dimension and the so-called "human dimension", which covers human rights and fundamental freedoms. I have also explored opportunities to make progress towards lasting settlements of the "protracted conflicts" in the OSCE area.

The general assessment of the Irish Chairmanship's performance has been extremely positive. We have had a productive year across all areas of the OSCE's work. In February, I addressed the UN Security Council on our priorities and discussed these also with the UN Secretary General, Ban Ki-Moon. I visited Armenia, Georgia and Azerbaijan in June and underlined the Chairmanship's commitment to making progress towards the peaceful settlement of the "protracted conflicts" in the region. Minister of State Creighton visited Moldova in September and conveyed our strong support for the Transdniestrian settlement process; she has also visited a number of Western Balkan countries which feature on the OSCE's agenda.

We have hosted a number of successful high-level conferences in Dublin and Vienna during the year. In April, I hosted a conference in the Royal Hospital Kilmainham, entitled 'Shared Future: Building and Sustaining Peace, the Northern Ireland case study'. This event provided, for people engaged with conflict resolution elsewhere in the OSCE region, a first-hand account of the Northern Ireland peace process and its possible relevance in other conflict situations. The Dublin Conference on Internet Freedom took place on 18-19 June in Dublin Castle. It focused on ways to ensure that the internet remains an open, global and public forum for freedom of opinion and expression and a platform for facilitating the exercise of other human rights and fundamental freedoms.

In addition to the successful Chairmanship conferences held earlier this year, I recently hosted in Dublin the OSCE's annual Ministerial Council. This was the largest ever meeting of Ministers in Ireland. Among those who attended were the US Secretary of State, Hillary Clinton, the Russian Minister for Foreign Affairs, Sergei Lavrov, and the High Representative of the EU, Catherine Ashton.

It is a particular achievement that agreement was reached at the OSCE Ministerial on the Helsinki +40 process. On the initiative of the Irish Chairmanship, a strategic roadmap has now been agreed for a process of reflection on the work of the OSCE, to be undertaken between now and 2015, the 40th anniversary of the signing of the Helsinki Final Act. Other significant agreements include, for the first time in ten years, a joint statement on the Transdniestrian settlement process (which recognises the progress achieved in the several sessions of the 5 + 2 settlement negotiations which took place under our Chairmanship, including two sessions in Ireland); a declaration on strengthening good governance; and a decision on transnational threats, which consolidates work over the past year. We were also able to reach agreement on the accession of Mongolia as a new participant State and to welcome them to the table in Dublin.

The lack of a consensus to agree any decisions in the human dimension is a matter of regret. It is unfortunate that this worrying trend of recent Ministerial Councils has continued. As Chair-in-Office, I gave prominence to a number of key human rights issues. While agreement was not possible on a decision relating to the strengthening of media freedom, I was pleased that, following the closing session of the Ministerial last week, Ireland signed a US Declaration on Fundamental Freedoms in the Digital Age.

Ireland has reaped several benefits from chairing the OSCE this year, including a signifi-

cantly raised international profile. We have enhanced our reputation for diplomacy and crisis management and have expanded our expertise in relation to conflict resolution and human rights, both key features of our foreign policy. Our Presidency of the EU in the first half of 2013 and our impending membership of the UN Human Rights Council will, I hope, enable us to consolidate these gains.

Property Taxation Application

58. **Deputy Finian McGrath** asked the Minister for Finance if he will clarify issues raised in correspondence (details supplied) regarding the property tax. [56185/12]

Minister for Finance (Deputy Michael Noonan): I can confirm that, if the Finance (Local Property Tax) Bill 2012 is passed by the Oireachtas, the Household Charge of €100 will cease to be payable with effect from 1 January 2013. The Government has also decided that the Non-Principal Private Residence Charge will cease to be payable with effect from 1 January 2014. Residential properties rented by landlords will be subject to Local Property Tax from 1 July 2013, with the owners of the property – in those cases, the landlord – being the liable person for payment of the tax. However any arrears of Household Charge due in respect of the period up to 31 December 2012 must be discharged. Arrears outstanding on 1 July 2013 will be increased to €200 and will be treated as Local Property Tax payable to the Revenue Commissioners. Arrears of Non Principal Private Residence charge outstanding on 1 January 2014 will also have to be discharged.

With regard to PRSI on rental income, the position is as I stated in my Budget day speech on 6 December 2012. The Minister for Social Protection, Deputy Burton, is bringing forward legislation to change PRSI contributions as follows:

-Where modified PRSI rate payers have income from a trade or profession, such income and any unearned income they have will be made subject to PRSI with effect from 1 January 2013.

-Unearned income for all employees will become subject to PRSI in 2014. This means that PRSI will be payable on all income generated from wealth such as rental income, investment income, dividends and interest on deposit and savings.

Prior to Budget 2013, modified contributors paid PRSI on earnings derived from their employment but did not pay PRSI on any other stream of income e.g. from a trade or profession, or on unearned income (dividends etc.)

As a result of Budget 2013, modified contributors who have income from a trade or profession will now be subject to PRSI (at a rate of 4%) on the profits from the trade or profession and also on any unearned income that they may have, which would include rental income. PRSI will apply at a rate of 4% on the profits from the rental income.

Modified contributors are generally permanent and pensionable civil and public servants recruited before 6 April 1995; for example, registered doctors and dentists employed in the civil service recruited prior to 6 April 1995.

The report of the Expert Group on the Design of a Local Property Tax, chaired by Dr Don Thornhill, recommended that Local Property Tax paid in respect of a rented property should be deductible for tax purposes, in the same way as commercial rates are deductible for tax purposes. It is the intention of the Government to introduce such a provision on a phased basis. However, it is not provided for in the Finance (Local Property Tax) Bill as initiated.

Property Taxation Exemptions

59. **Deputy Kevin Humphreys** asked the Minister for Finance the income limits of €15,000 for a single person and €25,000 for a couple enable deferrals of the local property tax for tenants of social housing units; if tenants of social housing units will have to register for the local property tax or will the responsibility be borne by local authorities and approved housing bodies; and if he will make a statement on the matter. [56003/12]

Minister for Finance (Deputy Michael Noonan): The Finance (Local Property Tax) Bill 2012, as published, provides for exemptions from and deferral of payment of Local Property Tax in certain circumstances. In the case of properties which are owned by a local authority or a social housing body, the local authority or the social housing body, as the case may be, will be the liable person and will be responsible for registration for and payment of the Local Property Tax. Tenants will not be liable persons and therefore will not have to register for the tax.

Deferrals can only be claimed where the liable person's income is below the relevant threshold. A local authority or social housing body will not qualify for a deferral.

However, a property may qualify for an exemption from the Local Property Tax if it is owned by a charity or a body established by statute and the property is used solely or primarily to provide special needs accommodation, meaning accommodation provided to persons who by reason of old age, physical or mental disability or other cause require special accommodation and support to enable them to live in the community.

Property Taxation Application

60. **Deputy Kevin Humphreys** asked the Minister for Finance if there will be amendments to the Finance Local Property Tax Bill 2012 on Committee Stage; if he will outline the way the local property tax will be applied to social housing units managed by local authorities and approved housing bodies, and collected from tenants; and if he will make a statement on the matter. [56004/12]

Minister for Finance (Deputy Michael Noonan): It is not proposed at this point to make amendments to the Finance (Local Property Tax) Bill on Committee Stage but I will give consideration to any constructive suggestions put forward during the debate in the House. As already advised to the Deputy, subject to the enactment of the Bill, in the case of properties which are owned by a social housing body, that body will be the liable person and will be responsible for registration for and payment of the Local Property Tax

Exemption from the Local Property Tax will apply where the property is owned by a charity or a body established by statute, including a local authority, and the property is used solely or primarily to provide special needs accommodation.

Local authority residential properties will be subject to the Local Property Tax, for which the local authority will be liable. The implications for tenants of the application of the tax will be a matter for the relevant local authorities.

Property Taxation Application

61. **Deputy Kevin Humphreys** asked the Minister for Finance the valuation mechanism for determining the value of the local property tax on social housing units whether in the control

of a local authority or an approved housing body; if there will be a flat valuation applied across the sector or if it will be determined on the size of the unit; and if he will make a statement on the matter. [56005/12]

Minister for Finance (Deputy Michael Noonan): Subject to enactment of the Finance (Local Property Tax) Bill 2012, the valuation mechanism for determining the value of social housing units that are relevant residential properties whether in the control of a local authority or an approved housing body will be as for any other relevant residential property within the charge to the tax and will be based on chargeable value as set out in the Bill – the price which the unencumbered fee simple of the property might reasonably be expected to fetch on a sale in the open market were the property to be sold on the valuation date in such manner and subject to such conditions as might reasonably be calculated to obtain for the vendor the best price for property and with the benefit of any easement necessary to afford the same access to the property as would have existed prior to that sale. The nature of the residential property will be reflected in the chargeable value. Where the owner of a residential property is a charity or a body established by statute and the property is used solely or primarily to provide special needs accommodation – that is accommodation provided to persons who by reason of old age, physical or mental disability or other cause require special accommodation and support to enable them to live in the community – that residential property will be exempt from the charge to the Local Property Tax.

Property Taxation Exemptions

62. **Deputy Kevin Humphreys** asked the Minister for Finance the way the special needs accommodation provision of section 7.3 of the Finance (Local Property tax) Bill 2012 will be defined; if it will use specific guidelines from the Department of Environment, Community and Local Government; if that exemption will apply to all elderly people who are currently tenants in social housing units; if it will also apply to accommodation provided to the homeless and travelling community; and if he will make a statement on the matter. [56006/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners, who will be responsible for the administration of the Local Property Tax, that, subject to enactment of the Finance (Local Property Tax) Bill 2012, guidelines will be published to enable liable persons to complete the property tax return and in particular to determine whether their property is an exempt property, including whether it qualifies for an exemption on the grounds that the property is used solely or primarily to provide special needs accommodation. The exemption for special needs accommodation is not a blanket exemption for all housing supplied to elderly persons, the homeless and the travelling community. It is only for the type of accommodation provided to persons who, by reason of old age, physical or mental disability or other cause, require special accommodation and support to enable them to live in the community.

Tax Code

63. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide in alphabetical order, and in tabular form, a list of all double taxation treaties Ireland has with other countries; the date on which it came into effect and was last revised; and if he will make a statement on the matter. [56041/12]

64. **Deputy Kevin Humphreys** asked the Minister for Finance if there is a need to revise

double taxation treaties, especially with regard to other member states of the EU and key trading partners if those treaties have been in place for over 40 years; and if he will make a statement on the matter. [56042/12]

65. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide in tabular form a list of the double taxation treaties currently in preparation within his Department; the countries involved; when the treaties are to come into effect; and if he will make a statement on the matter. [56043/12]

66. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide in tabular form a list of countries with which Ireland does not have double taxation treaties; if there are specific priorities on that list that he intends to address; and if he will make a statement on the matter. [56044/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 63 to 66, inclusive, together.

The details requested by the Deputy in relation to double taxation treaties that are in effect are shown on the table. To date, Ireland has signed 68 double taxation agreements, of which 61 are in effect.

Revisions of existing treaties

The existing treaties with Canada (2003) and the United States (1997) replace earlier agreements from 1966 and 1949 respectively. The treaty with the United Kingdom (1976) replaces earlier agreements dating from 1926.

Treaties may also be revised by way of a protocol to the existing agreement. This is an ongoing process and several of Ireland's treaties have amending protocols. The treaties with Austria (1966), Switzerland (1966) and the United Kingdom (1976) each has two protocols; there are also protocols updating the treaties with Germany (1962), Malaysia (1998), Portugal (1993), South Africa (1997), Sweden (1986) and the United States (1997). The details are shown in the attached table.

A new treaty will replace the existing treaty with Germany (1962) with effect from 1 January 2013. The existing treaty with the Netherlands (1962) is currently under renegotiation. There are only a small number of other treaties that are more than 40 years old and that have not been amended since date of signing, namely Belgium (1970), Cyprus (1968), France (1968), Italy (1971), Luxembourg (1972) and Zambia (1971). Of these, a protocol to the treaty with Belgium has been negotiated and it is expected that it will be signed shortly.

Treaties under negotiation and expansion of the base

Negotiations for a new agreement with Ukraine have been concluded. It is expected that this treaty will be signed shortly. It will come into force when both sides ratify it. Negotiations with Azerbaijan and with Thailand are nearing completion.

It would not be practicable to produce a tabular list of countries with which Ireland does not have a double taxation treaty. However, it can be seen from the attached table that there are gaps in Ireland's treaty coverage in Latin America, Africa and parts of Asia. Approaches are being made, in consultation with the Department of Foreign Affairs and Trade, to initiate negotiations with countries in each of these areas. The potential of double taxation agreements to support Ireland's trade, tourism and investment strategy is taken into account in identifying countries with which we seek to enter into negotiations for such agreements.

Country	Date of Signing	Income Tax	Corporation Tax	Capital Gains Tax
Albania	16 Oct 2009	01 Jan 2012	01 Jan 2012	01 Jan 2012
Armenia	14 July 2011	01 Jan 2013	01 Jan 2013	01 Jan 2013
Australia	31 May 1983	06 Apr 1984	01 Jan 1984	06 Apr 1984
Austria	24 May 1966	06 Apr 1964	01 Apr 1964*	
Austria Protocol	19 Jun 1987	06 Apr 1976	01 Jan 1974	06 Apr 1974
Austria Protocol	16 Dec 2009	01 May 2011	01 May 2011	01 May 2011
Bahrain	29 Oct 2009	01 Jan 2010	01 Jan 2010	01 Jan 2010
Belarus	03 Nov 2009	01 Jan 2010	01 Jan 2010	01 Jan 2010
Belgium	24 Jun 1970	06 Apr 1973	01 Apr 1973*	
Bosnia Herze-govina	03 Nov 2009	01 Jan 2012	01 Jan 2012	01 Jan 2012
Bulgaria	05 Oct 2000	01 Jan 2003	01 Jan 2002	01 Jan 2003
Canada	08 Oct 2003	01 Jan 2006	01 Jan 2006	01 Jan 2006
Chile	02 Jun 2005	01 Jan 2009	01 Jan 2009	01 Jan 2009
China	19 Apr 2000	06 Apr 2001	01Jan 2001	06 Apr 2001
Croatia	21 Jun 2002	01 Jan 2004	01 Jan 2004	01 Jan 2004
Cyprus	24 Sep 1968	06 Apr 1962	01 Apr 1962*	
Czech Republic	14 Nov 1995	06 Apr 1997	01 Jan 1997	06 Apr 1997
Denmark	26 Mar 1993	06 Apr 1994	01 Jan 1994	06 Apr 1994
Egypt	9 Apr 2012	Not yet in effect	Not yet in effect	Not yet in effect
Estonia	16 Dec 1997	06 Apr 1999	01 Jan 1999	06 Apr 1999
Finland	27 Mar 1992	06 Apr 1990	01 Jan 1990	06 Apr 1990
France	21 Mar 1968	06 Apr 1996	01 Apr 1996*	
Georgia	20 Nov 2008	01 Jan 2011	01 Jan 2011	01 Jan 2011
Germany	17 Oct 1962	06 Apr 1959	01 Apr 1959*	
Germany Pro- tocol	25 May 2010	01 Jan 2011	01 Jan 2011	
Germany - New	30 Mar 2011	01 Jan 2013	01 Jan 2013	01 Jan 2013
Greece	24 Nov 2003	01 Jan 2005	01 Jan 2005	01 Jan 2005
Hong Kong	22 Jun 2010	01 Jan 2012	01 Jan 2012	01 Jan 2012
Hungary	25 Apr 1995	06 Apr 1997	01 Jan 1997	06 Apr 1997
Iceland	17 Dec 2003	01 Jan 2005	01 Jan 2005	01 Jan 2005
India	06 Nov 2000	01 Jan 2002	01Jan 2002	01 Jan 2002
Israel	20 Nov 1995	06 Apr 1996	01 Jan 1996	06 Apr 1996
Italy	11 Jun 1971	06 Apr 1967	01 Apr 1967*	
Japan	18 Jan 1974	06 Apr 1974	01 Apr 1974*	
Korea (Rep. of)	18 Jul 1990	06 Apr 1992	01 Jan 1992	06 Apr 1992
Kuwait	23 Nov 2010	Not yet in effect	Not yet in effect	Not yet in effect
Latvia	13 Nov 1997	06 Apr 1999	01 Jan 1999	06 Apr 1999
Lithuania	18 Nov 1997	06 Apr 1999	01 Jan 1999	06 Apr 1999
Luxembourg	14 Jan 1972	06 Apr 1968	01 Apr 1968*	
Macedonia	14 Apr 2008	01 Jan 2010	01 Jan 2010	01 Jan 2010
Malaysia	28 Nov 1998	Apr 2000	01 Jan 2000	06 Apr 2000

Questions - Written Answers

Country	Date of	Income	Corporation	Capital
Malaysia Protocol	16 Dec 2009	Not yet in effect	Not yet in effect	Not yet in effect
Malta	14 Nov 2008	01 Jan 2010	01 Jan 2010	01 Jan 2010
Mexico	22 Oct 1998	06 Apr 1999	01 Jan 1999	06 Apr 1999
Moldova	28 May 2009	01 Jan 2011	01 Jan 2011	01 Jan 2011
Montenegro	07 Oct 2010	01 Jan 2012	01 Jan 2012	01 Jan 2012
Morocco	22 Jun 2010	01 Jan 2012	01 Jan 2012	01 Jan 2012
Netherlands	11 Feb 1969	06 Apr 1965	01 Apr 1965*	
New Zealand	19 Sep 1986	06 Apr 1989	01 Jan 1989	06 Apr 1989
Norway	22 Nov 2000	01 Jan 2002	01 Jan 2002	01 Jan 2002
Pakistan	13 Apr 1973	06 Apr 1968	01 Apr 1968*	
Panama	28 Nov 2011	Not yet in effect	Not yet in effect	Not yet in effect
Poland	13 Nov 1995	06 Apr 1996	01 Jan 1996	06 Apr 1996
Portugal	01 Jun 1993	06 Apr 1995	01 Jan 1995	06 Apr 1995
Portugal Protocol	11 Nov 2005	01 Jan 2007	01 Jan 2007	01 Jan 2007
Qatar	21 Jun 2012	Not yet in effect	Not yet in effect	Not yet in effect
Romania	21 Oct 1999	06 Apr 2001	01 Jan 2001	06 Apr 2001
Russia	29 Apr 1994	06 Apr 1996	01 Jan 1996	06 Apr 1996
Saudi Arabia	19 Oct 2011	Not yet in effect	Not yet in effect	Not yet in effect
Serbia	23 Sept 2009	01 Jan 2011	01 Jan 2011	01 Jan 2011
Singapore	28 Oct 2010	01 Jan 2011	01 Jan 2011	01 Jan 2011
Slovak Republic	08 Jun 1999	06 Apr 2000	01 Jan 2000	06 Apr 2000
Slovenia	12 Mar 2002	01 Jan 2003	01 Jan 2003	01 Jan 2003
South Africa	07 Oct 1997	06 Apr 1998	01 Jan 1998	06 Apr 1998
South Africa Protocol	17 Mar 2010	01 Jan 2013**	01 Jan 2013	01 Jan 2013
Spain	10 Feb 1994	06 Apr 1995	01 Jan 1995	06 Apr 1995
Sweden	08 Oct 1986	06 Apr 1988	01 Jan 1989	06 Apr 1988
Swedish Protocol	01 Jul 1993	20 Jan 1994	20 Jan 1994	20 Jan 1994
Switzerland	08 Nov 1966	06 Apr 1965	01 Apr 1965*	
Swiss Protocol	24 Oct 1980	06 Apr 1976	01 Jan 1974	06 Apr 1974
Swiss Protocol	26 Jan 2012	Not yet in effect	Not yet in effect	Not yet in effect
Turkey	24 Oct 2008	01 Jan 2011	01 Jan 2011	01 Jan 2011
UAE	01 Jul 2010	01 Jan 2011	01 Jan 2011	01 Jan 2011
United Kingdom	02 Jun 1976	06 Apr 1976	01 Jan 1974	06 Apr 1976
UK Protocol	07 Nov 1994	06 Apr 1994	01 Apr 1994	
UK Protocol	04 Nov 1998	06 Apr 1999	01 Jan 1999	06 Apr 1999
USA	28 Jul 1997	06 Apr 1998	01 Jan 1998	06 Apr 1998
USA Protocol	24 Sep 1999	1 Sep 2000	01 Sep 2000	01 Sep 2000
Uzbekistan	11 July 2012	Not yet in effect	Not yet in effect	Not yet in effect
Vietnam	10 Mar 2008	01 Jan 2009	01 Jan 2009	01 Jan 2009
Zambia	29 Mar 1971	06 Apr 1967	01 Apr 1967*	

* Corporation profits tax

** 1 April 2012 for some Articles (South Africa Protocol)

Tax Code

67. **Deputy Jack Wall** asked the Minister for Finance the mechanisms available to a person (details supplied) in County Kildare to ensure the continued growth of their company and the requisition of the necessary certificates to ensure such progress; and if he will make a statement on the matter. [56096/12]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners, that in accordance with the provisions of Section 1095 (3) of the Taxes Consolidation Act, 1997 where a person who is in compliance with the obligations imposed on the person by the Acts in relation to: (a) the payment or remittance of any taxes, interest or penalties required to be paid or remitted under the Acts, and

(b) the delivery of any returns to be made under the Acts

applies to the Collector General in that behalf the Collector General shall issue to the person a certificate (in this section referred to as a “tax clearance certificate”) stating that the person is in compliance with those obligations.

Where a person is not in compliance with their obligations a tax clearance certificate will not issue.

Section 1095 (5) sets out the circumstances under which a tax clearance certificate will not be issued if the taxpayer carries on a business that was previously carried on by a company or partnership in which the taxpayer directly or indirectly, whether with or without a connected person or connected persons (within the meaning of Section 10 as it applies for the purposes of the Tax Acts) is able to control more than 50 per cent of the ordinary share capital of the company and the company was not in compliance with the obligations imposed on it by Section 1095 (3) of the Act.

I am advised by the Revenue Commissioners that there are issues in this case in relation to the current business undertaking and previous companies that need to be addressed urgently. I would advise that the taxpayer and/or his agents make immediate contact with the Revenue Commissioners to address these issues.

NAMA Social Housing Provision

68. **Deputy Barry Cowen** asked the Minister for Finance the number of homes that the National Asset Management Agency has made available for the provision of social housing since March 2011 to date in 2012. [56139/12]

69. **Deputy Barry Cowen** asked the Minister for Finance the number of homes that he anticipates the National Asset Management Agency will make available for the provision of social housing in 2013. [56140/12]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 68 and 69 together.

NAMA advises that it has identified 3,879 residential properties controlled by its debtors

and receivers as being available for social housing provision. This represents a very substantial contribution by NAMA in the context of the limited number of available residential properties in Ireland controlled by its debtors and receivers and the range of policy measures being adopted by this Government to meet demand for social housing provision.

The onus for determining the suitability for social housing of the units identified by NAMA rests, in the first instance, with the local authorities, which assess, in conjunction with the Housing Agency, the demand for identified houses and apartments by reference to criteria including the avoidance of undue segregation in housing within specific developments and areas. Once local authorities have confirmed demand for units, the Approved Housing Bodies (AHBs) are, through the Housing Agency, asked to confirm and progress their interest in leasing or purchasing the units.

I am advised that to date demand has been confirmed by the local authorities for 1,484 of the properties that NAMA has made available. Another 841 properties are being evaluated bringing the overall total that may be deemed suitable to 2,325 potentially. The local authorities have confirmed that there is no demand in respect of 902 of the properties. I am advised by NAMA that, in the time required by local authorities to assess and confirm demand for units, 652 properties have been sold or privately let by their owners or duly appointed receivers.

Of the properties for which demand has been confirmed, 133 were delivered for social housing during the year, contract terms have been signed or agreed in respect of a further 84 properties and negotiations are at an advanced stage in relation to the majority of the remaining units. A further 563 residential properties are also subject to active negotiation by the various AHBs which brings the overall total residential properties completed and committed to 704 for 2012.

I am advised by NAMA that once demand has been confirmed for units and contracts signed there is no impediment to the early delivery of properties by its debtors and receivers for social housing. I am further advised by NAMA that it recently established a Special Purpose Vehicle (SPV) to acquire units from its debtors and receivers where necessary to speed up their direct leasing to housing authorities. NAMA advises that once the AHBs have confirmed their demand for and contracted to lease properties it will be in a position to make them available through the SPV.

NAMA is working very closely with the Minister for the Environment, Community and Local Government and the Minister of State for Housing and Planning in relation to this very important initiative and all parties are committed to the maximum possible delivery of residential units in 2013. The Deputy will appreciate that the housing authorities have a key role in this regard and the Housing Agency is working very closely with these bodies to facilitate delivery of units. However, the pace at which units are delivered is not controlled by NAMA and I am satisfied that NAMA has brought the initiative as far as it can at this point in time.

Budget 2013

70. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the impact the recent changes in budget 2013 will have on a school (details supplied) in County Meath, including changes to overall budget, staffing levels including student teacher ratio, and support to students with special needs. [56023/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government has protected frontline services in schools to the greatest extent possible in the recent budget and there will no reduction in teacher numbers in primary schools and in free second level schools for the

2013/14 school year as a result of the budget. The criteria used for the allocation of teachers to schools is published annually on my Department's website and the staffing arrangements for the 2013/14 school year will be published in January.

The staffing process for the 2013/14 school year at individual school level will be initiated early in 2013, however the final staffing position for all schools will not be known until later in the year when the allocation process will be fully completed and all appeals to the Staffing Appeals Board will have been considered.

Student Grant Scheme Applications

71. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the reason a person (details supplied) in County Cavan received the amount of grant they got; if they are entitled to a larger grant; if they can appeal same; and if he will make a statement on the matter. [56031/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland that, in the case of the student referred to by the Deputy, a grant has been awarded and an award letter issued on 16th November, 2012.

If the applicant considers that the grant awarded is not the correct one, she 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. The relevant appeal form will be available on request from SUSI.

Maternity Benefit Issues

72. **Deputy Eric Byrne** asked the Minister for Education and Skills the position regarding maternity benefit in respect of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [56065/12]

Minister for Education and Skills (Deputy Ruairí Quinn): Changes are being introduced in relation to the maternity leave entitlements for teachers and SNAs, however the statutory 26 weeks of paid and 16 weeks of unpaid maternity leave available to teachers and SNAs are completely unaffected by this decision. Teachers and SNAs who have been absent on maternity leave can currently avail of a maximum of 30 additional paid absence days in lieu of any school closures which overlapped with the 26 week period of maternity leave to which a teacher or SNA is entitled.

These additional days, which are taken during a period when the school is open, require the school to employ a substitute teacher or SNA to cover the absence at considerable cost to the taxpayer.

The Government has decided it is no longer justifiable to provide additional paid days off for those on maternity leave. Under the new arrangements, a teacher/SNA can still avail of the minimum statutory annual leave entitlements during periods of school closure either before or after taking her maternity leave. My alternative choice in this Budget was to increase the pupil-teacher ratio for all mainstream schools and I decided to retain the existing ratio in order to avoid having larger class sizes for our children.

I am conscious that teachers may be already planning their maternity leave arrangements

and I have given the sector as much notice as possible before implementing this change. It will take effect from 1st May 2013, and will deliver savings of up to €20m in a full year. Days in lieu of maternity leave will not be accrued on and from 1st May 2013 but any remaining leave in lieu on that date may be taken after it.

No budget decision is ever easy to make. However, I have tried my best to protect frontline education services as best as possible in this Budget.

Student Grant Scheme Delays

73. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the reason a person (details supplied) in County Cavan has not received their grant; the reason there has been a delay in view of the fact that they had supplied all the necessary documentation; and if he will make a statement on the matter. [56071/12]

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 12th December, 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

74. **Deputy Timmy Dooley** asked the Minister for Education and Skills when a student (details supplied) in County Clare will be notified of the outcome of their education grant application; and if he will make a statement on the matter. [56074/12]

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 12th December, 2012 the student was requested to submit his Final Course Acceptance Form. When the document is returned to SUSI the student will be notified directly of the outcome.

Schools Building Projects Status

75. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills the position regarding a new school (details supplied) in County Wexford [56075/12]

Minister for Education and Skills (Deputy Ruairí Quinn): The school, referred to by the Deputy, has applied to my Department for large scale capital funding for a new school. The current status of all projects on the school building programme, including the school in question, may be viewed on my Department's website at www.education.ie. and this is being updated regularly throughout the year.

In light of the need to prioritise available funding for the provision of additional school accommodation, the delivery of major school projects required to meet future demographic demand will be the main focus for capital investment in the coming years. The 5 Year Construction Plan that I announced on 9 March last outlines the major school projects that will commence construction over the duration of the Plan. It is not possible therefore at this point to indicate when a project for the school in question will be progressed.

Student Grant Scheme Applications

76. **Deputy Denis Naughten** asked the Minister for Education and Skills if he will confirm that all Student Universal Support Ireland applicants will have their payments backdated to the date of application or commencement of their course; and if he will make a statement on the matter. [56087/12]

Minister for Education and Skills (Deputy Ruairí Quinn): All maintenance grant approved for this academic year by Student Universal Support Ireland will be paid by electronic funds transfer on a monthly basis directly to students' bank accounts, rather than by cheque to the relevant college. When a student's entitlement to a maintenance grant is established for the full academic year 2012/13 and an award has been made, he or she will be paid the appropriate number of instalments, including any instalments due since the commencement of the academic year.

Departmental Contracts

77. **Deputy Patrick O'Donovan** asked the Minister for Public Expenditure and Reform if the Office of Public Works has a database or list of contractors on a regional basis that can be called upon to assist the office in drain cleaning or flood abatement; and if such exists the way it is maintained. [56024/12]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works does not maintain a database or list of contractors for the purposes referred to.

The OPW generally carries out its arterial drainage maintenance and flood relief activities through its own labour force and fleet of plant and machinery. In the event that the OPW has a requirement for hired plant, for example where additional or specialist equipment is needed, any such requirement is advertised and filled in accordance with public procurement regulations.

Industrial Development

78. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation if he will request the Industrial Development Agency to prioritise County Kerry for jobs investment in view of the fact that the county lost Objective 1 status in 1998 and the fact that the three nearest counties have fared exceptionally better with site visits; if he will request the IDA to give the county the jobs boost it so urgently requires; and if he will make a statement on the matter. [56060/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): IDA Ireland has assured me that, through its network of overseas offices, it continues to market the linked hub locations of Killarney in South Kerry and Tralee in North Kerry for new Foreign Direct Investment (FDI). As part of this marketing campaign the Agency markets all available land and buildings in the County. Based on the strengths of the region, IDA Ireland is targeting, in particular, the ICT, International Financial Services and Globally Traded Business sectors. In addition, IDA Ireland is working closely with educational institutions and FÁS to develop the skill sets necessary to attract high value added employment to the county.

As Ireland competes for investments at the highest end of the value chain the concept of

scale is crucial. Leading corporations require significant population pools of highly qualified talent, appropriate physical and digital infrastructure and the availability of sophisticated professional and support services. In order to meet this challenge IDA focuses on marketing the Gateway locations within each region. With continuing enhancement and improvements in physical and digital infrastructure, an FDI project secured for one Gateway Economic Region has a positive impact on other Gateway Economic Regions and their surrounding areas. The recent Northern Trust announcement in Limerick, creating some 400 jobs, will have a positive economic impact directly and indirectly on County Kerry.

At the end of 2011 there were 12 IDA Ireland supported companies in Kerry employing approximately 1,300 permanent staff. Whilst IDA Ireland seeks to influence the selection of a location by potential investors, the final decision on where to locate is taken in all cases by the investor.

Employment Rights Issues

79. **Deputy Seán Kenny** asked the Minister for Jobs, Enterprise and Innovation his views regarding Ireland's ratification of the domestic workers ILO convention; and if he will make a statement on the matter. [56061/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I welcomed the adoption of the Decent Work for Domestic Workers Convention and Recommendation at the International Labour Conference of the International Labour Organisation.

The issue of ratification by Ireland of Convention No. 189 on decent work for domestic workers is being considered in the context of our standard approach to the ratification of international instruments. Ireland does not ratify international Conventions until any such necessary amendments to domestic legislation have been identified and effected.

My officials are finalising work in relation to an assessment of the implications of ratifying the International Labour Organisation's Convention 189 on Domestic Workers. The Assessment includes an article-by-article examination of the extent to which domestic legislation provisions already provide for the rights and entitlements enunciated in each article, as well as the extent to which any legislative amendments will be required. This assessment will then be forwarded to the Office of the Attorney General for their examination.

As one of the articles in the ILO Convention relates to an EU competence, Ireland as part of our Presidency will be bringing forward a proposal for a Council decision which confirms that there are no legal impediments at the level of the EU to ratification by Member States of the ILO Convention.

It is important, to note, however, that domestic workers are protected by virtue of the fact that the full suite of employment rights legislation, including that of redress for violations of their employment rights, apply to domestic workers in the same way as they apply to other categories of employees in Ireland. Also it is worth pointing out that NERA has carried out a programme of inspections involving Domestic Workers as well as continuing to respond to any complaints it receives from Domestic Workers.

A voluntary Code of Practice for Persons Employed in Other People's Homes was developed under the Industrial Relations Act 1990. The Code sets out certain employment rights and practices for persons employed in other people's homes and encourages good practice and compliance with the law in such employment situations. In any proceedings before a court, or a workplace relations dispute resolution body, a code of practice shall be admissible in evidence

and any provision of the code which appears to the court, body or officer concerned to be relevant to any question arising in the proceedings shall be taken into account in determining that question.

Departmental Expenditure

80. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the grants, loans or other payments to made to Chambers Ireland, Irish Small and Medium Enterprises, the Irish Business and Employers Federation and the Small Firms' Association on an annual basis made by his Department from 2001 to 2006; and if he will list any loan repayment from these bodies to his Department. [56077/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Officials in my Department are currently compiling the information sought by the Deputy. As our current financial system was changed in 2003 it does not hold information prior to 2004, therefore extracting the equivalent accurate data required for 2001-2003 may prove to be very complex and costly.

Once the available information is collated I will arrange for it to be forwarded to the Deputy as soon as possible.

Work Permit Applications

81. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation the number of employers per annum that have been prosecuted for breaches of section 2 of the Employment Permit Act (2003) since its enactment for each year for which data is available; and if he will make a statement on the matter. [56128/12]

82. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation the number of employees per annum that have been prosecuted for breaches of section 2 of the Employment Permit Act 2003 since its enactment for each year for which data is available. [56129/12]

83. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation the number of inspections of employment premises that have been carried out by the National Employment Rights Authority with the Garda National Immigration Bureau in 2012; and in which sectors of employment have such inspections been carried out. [56130/12]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 81 to 83, inclusive, together.

The Employment Permits Acts 2003 to 2006 make it a criminal offence to employ a foreign national without an employment permit, or for a foreign national to work without an employment permit. Section 2(4) of the 2003 Act places an onus on the employer to carry out reasonably thorough checks in order to be satisfied that a prospective employee does not require an employment permit, or that one has been obtained.

Officers of my Department, specifically, inspectors of the National Employment Rights Authority (NERA), are authorised to exercise powers under the Employment Permit Acts. If in the course of an inspection NERA finds evidence to suggest that an employee does not have a valid Work Permit, both the employer and employee are advised of the need to regularise the position and of the consequences of failing to do so. An employer failing to rectify matters could be prosecuted. NERA commenced taking proceedings under S.2 of the 2003 Act in 2012. To date,

14 prosecutions against employers have been initiated. No prosecutions against employees have been taken by NERA to date. The Garda Síochána are also an enforcement authority under Employment Permits legislation with prosecution powers. Statistics on Garda prosecutions would be within the remit of my colleague Alan Shatter TD, Minister for Justice and Equality.

NERA seeks to secure compliance with employment law including employment permit law through the provision of education and awareness, inspection of employers' employment records and enforcement where necessary. While every effort is made to secure compliance, some employers either refuse or fail to rectify the breaches identified and/or pay money due to their employees. These employers are referred for prosecution. NERA inspectors now being authorised officers under the Employment Permits Acts have made compliance checks under this legislation an integral element of all NERA inspections. Joint inspections may also be carried out as part of investigations involving the Revenue Commissioners, Department of Social Protection staff and An Garda Síochána.

During the course of 2012 to date, a total number of 4052 inspections have been carried out.

Separate statistics are not maintained in respect of inspections carried out with An Garda Síochána. Joint investigations are carried out with An Garda Síochána, the Revenue Commissioners and the Department of Social Protection. This figure is collected on an annual basis and the latest figures for 2011 show that 118 such investigations took place. Information exchanged between the aforementioned bodies has helped to uncover non-compliance with employment law, secure payment of wages for employees and save the Exchequer money.

Child Poverty

84. **Deputy Robert Troy** asked the Minister for Social Protection her views on whether budget 2013 will result in more children in poverty; and if she will make a statement on the matter. [56025/12]

Minister for Social Protection (Deputy Joan Burton): A social impact analysis of the main personal welfare and taxation elements of Budget 2013 is currently being finalised by the Department. This analysis will include the impact on children.

Question No. 85 withdrawn.

Domiciliary Care Allowance Appeals

86. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision has been made on a domiciliary care allowance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [56017/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned was notified on the 29th November 2012 that her appeal had been successful. Payment of the allowance, along with any arrears due, will issue on the 18th December 2012.

Question No. 87 withdrawn.

Family Income Supplement Application Numbers

88. **Deputy Seán Ó Fearghaíl** asked the Minister for Social Protection if she intends to tackle the backlog of family income supplement applications; and if she will make a statement on the matter. [56038/12]

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

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 intake of new and renewal claims processed by one team as they are received since the start of November, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination.

This team which included additional temporary resources is currently working on the backlog claims. In order to reduce the time it will take to eliminate the backlog, some of these 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 intended 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.

Jobseeker's Allowance Appeals

89. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason a person (details supplied) in Dublin 8, who is awaiting a decision on their jobseeker's appeal, has been informed that they have to leave their college course or the community welfare officer will discontinue to pay them. [56045/12]

Minister for Social Protection (Deputy Joan Burton): Under Social Welfare legislation any person who is a full-time student does not qualify for supplementary welfare allowance. As the person concerned has now ceased full-time education, his supplementary welfare allowance application has been approved and payments have issued to him.

Jobseeker's Allowance Appeals

90. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason a person (details supplied) has been refused jobseeker's allowance. [56047/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned made 4 claims for jobseeker's allowance; on 4th October 2010, on 24th March 2011, on 9th December 2011 and on 16th July 2012. His claims dated 4th October 2010 and 24th March 2011 were disallowed by his Social Welfare Local Office because he did not provide documentary evidence to show that he was genuinely seeking employment. The person concerned appealed against these decisions to the independent Social Welfare Appeals Office. In both cases the Appeals Office upheld the original decision. The latest Appeals Office decision was made in September 2012.

His claim dated 9th December 2011 was closed because he failed to provide documentation requested by my Department or to attend a meeting with a Social Welfare Inspector. His claim dated 16th July 2012 was disallowed on 25th September 2012 because again he did not provide documentary evidence to show that he was genuinely seeking employment. It remains open to the person concerned to provide documentary evidence to his Social Welfare Local Office of where and how he is seeking employment.

Jobseeker's Allowance Appeals

91. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason a person (details supplied) has had two appeals for jobseeker's allowance refused. [56048/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned made 4 claims for jobseeker's allowance; on 4th October 2010, on 24th March 2011, on 9th December 2011 and on 16th July 2012. His claims dated 4th October 2010 and 24th March 2011 were disallowed by his Social Welfare Local Office because he did not provide documentary evidence to show that he was genuinely seeking employment. The person concerned appealed against these decisions to the independent Social Welfare Appeals Office. In both cases the Appeals Office upheld the original decision. The latest Appeals Office decision was made in September 2012.

His claim dated 9th December 2011 was closed because he failed to provide documentation requested by my Department or to attend a meeting with a Social Welfare Inspector. His claim dated 16th July 2012 was disallowed on 25th September 2012 because again he did not provide documentary evidence to show that he was genuinely seeking employment. It remains open to the person concerned to provide documentary evidence to his Social Welfare Local Office of where and how he is seeking employment.

Question No. 92 withdrawn.

Social Welfare Benefits Waiting Times

93. **Deputy Joan Collins** asked the Minister for Social Protection if she will publish the waiting times for applications for social welfare payments and the waiting times for arrears to be paid for each social welfare payment; her views on the waiting times in general; and if she will make a statement on the matter. [56054/12]

Minister for Social Protection (Deputy Joan Burton): The Department is committed to ensuring that claims are processed as expeditiously as possible. Processing times vary across schemes, depending on the differing qualification criteria. Schemes that require a high level of documentary evidence from the customer or those that require more detailed investigation and interaction with the customer can take longer to process.

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

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

The Department's website *www.welfare.ie* is currently being re-designed and the new site will incorporate the major expansion of the Department in recent times and reflect the significant changes in the organisation's remit and responsibilities, particularly in the area of employment. The new site will also give the Department greater flexibility in the way in which it can provide information and services to its online customers. In this context, consideration will be given to publishing information on the Department's claim load, processing times and other key performance indicators in an easily accessible format.

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

Carer's Allowance Appeals

94. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite an appeal for carer's allowance in respect of a person (details supplied). [56067/12]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 10th September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred in to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Pension Provisions

95. **Deputy Dara Calleary** asked the Minister for Social Protection if previously self-employed persons who paid an annual PRSI contribution, and who are now unemployed, can sign for PRSI credits in order to not break their entitlement to contributory old age pension; and if she will make a statement on the matter. [56088/12]

Minister for Social Protection (Deputy Joan Burton): Self-employed persons are liable for PRSI at the Class S rate of 4% which entitles them to access long-term benefits such as State pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory).

PRSI credited contributions are an integral part of the social insurance system. For the most

part they are linked to having an underlying entitlement to a social welfare payment while temporarily detached from the labour force or having entitlement to statutory leave e.g. parental or maternity leave. The primary purpose of PRSI credits is to secure social welfare benefits and pensions of employees by covering gaps in insurance where they are not in a position to pay PRSI such as during periods of unemployment, illness, etc.

The class at which a contributor paid his or her last PRSI contribution determines entitlement to credited contributions. Credits are awarded in respect of an employment contribution which is defined as a contribution in respect of an employed contributor. There are no provisions for the award of credits on foot of self-employment contributions. Self-employed individuals who wish to preserve the continuity of their social insurance record for pension purposes have the opportunity to do so by becoming a voluntary contributor.

Respite Care Services

96. **Deputy Robert Troy** asked the Minister for Social Protection the number of persons in receipt of the respite care grant and the percentage of recipients who are not in receipt of the carer's allowance, that is the number of persons who exceed the income limit for carer's allowance but who receive respite care grant; and if she will make a statement on the matter. [56089/12]

Minister for Social Protection (Deputy Joan Burton): The respite care grant (RCG) is an annual payment made automatically to people in receipt of carer's allowance, carer's benefit, or domiciliary care allowance from my Department. Other people who are not in receipt of one of these payments, but who are providing full time care and attention can also apply for the grant via separate application. The total number of persons in receipt of respite care grant at end November 2012 is approximately 70,000.

The percentage of persons in receipt of RCG, who are not in receipt of a primary scheme, is 7%. The numbers of RCG, by scheme, who received the grant in 2012 are shown in Table 1.

Table 1 - Respite Care Grant Number of Carers (at end November 2012)

Carer's Allowance	Carer's Benefit	Domiciliary Care Allowance	Standalone RCG	Total
38,000 *	1,000	26,000	5,000	70,000

* Note - Approximately 52,000 people are in receipt of carer's allowance, of whom approximately 14,000 are also in receipt of domiciliary care allowance. Persons who are in receipt of both receive one respite payment. These people are shown under domiciliary care allowance in the above table.

The Government had to make very difficult decisions in the course of Budget 2013. In order to protect core weekly payments which people receive such as pensions, disability and carer's allowance we had to look very carefully at other additional payment such as the respite care grant.

As part of Budget 2013, the respite care grant is being reduced by €325 to €1,375 per annum. I am aware that this reduction in the grant is significant and has implications for carers and their families; however, given the enormous pressures on the expenditure of my Department, I

am not in a position to reverse this decision.

Carer's Allowance Applications

97. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding a carer's allowance application in respect of a person (details supplied) in County Limerick. [56102/12]

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 18th January 2012. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Social Welfare Code Issues

98. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the reason community employment participants who complete their period on a CE scheme and go on jobseeker's benefit and are in receipt of a reduced payment are not entitled to fuel allowance; and if she will make a statement on the matter. [56110/12]

Minister for Social Protection (Deputy Joan Burton): The fuel allowance is a means tested weekly payment of €20 available for people on long-term welfare schemes, including state pension, disability allowance, one-parent family payment and jobseeker's allowance (after 15 months). The current fuel season commenced in October this year and will finish in on April 2013, a total of 26 weeks.

Jobseeker's benefit is a short-term payment and is not a qualifying payment for fuel allowance which is means tested and paid to long term welfare recipients. A person will only be paid a fuel allowance while on a community employment (CE) scheme if they were entitled to fuel allowance prior to commencing the CE scheme. A person cannot accrue an entitlement to fuel allowance while on a CE scheme.

When the CE scheme ends the participant is entitled to make an application for a jobseeker's payment. They may have built up sufficient PRSI contributions to allow them to apply for jobseeker's benefit. The reason a person may be in receipt of a reduced jobseeker's benefit is that the rates of payment are graduated according to earnings in the relevant tax year. For example a person with earnings of less than €150 per week would be entitled to a personal rate of €84.50 in 2012. The graduated rates are in place to ensure that disincentives to employment are not created or a situation exists where workers on low incomes would have access to weekly social welfare payments greatly in excess of their income from employment.

If a person is in receipt of a reduced rate jobseeker's benefit payment and their income is insufficient to meet their needs, they may, subject to a means test, be eligible for a top-up under the supplementary welfare allowance scheme. Recipients of jobseeker's benefit may also opt to claim jobseeker's allowance.

I have no plans to amend the qualifying criteria for fuel allowance.

Rural Social Scheme Applications

99. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection her plans to cease or change the rules of the rural social scheme; if she has received a report recommending this; the reasons given for such a recommendation; and if she will make a statement on the matter. [56111/12]

Minister for Social Protection (Deputy Joan Burton): The rural social scheme provides income support for farmers and those engaged in fishing who have an entitlement to specified social welfare payments. Participants are engaged for 19½ hours per week to provide certain services of benefit to rural communities. The scheme currently provides work opportunities for around 2,600 participants and 130 supervisory staff. The funds allocated for 2012 amount to €45.66m with €45.00m provisionally allocated for 2013. This level of funding will allow the scheme to continue along the same lines in 2013 as in previous years but does not allow for the recruitment above the numbers stated above. The operation of the rural social scheme is governed by a comprehensive set of rules which are revised on an on-going basis as a result of changes in the operating environment and the introduction of, or changes to, other schemes or other conditions that impact on the scheme's operations.

Work Placement Programme

100. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection when the extra places on the Tús scheme will be rolled out; and if she will make a statement on the matter. [56113/12]

102. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection her plans to change the rules of the Tús scheme by allowing participants to stay on the scheme for an unlimited duration; the reason that at present participants are only allowed stay on the scheme for one year; and if she will make a statement on the matter. [56115/12]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 100 and 102 together.

Tús, the community work placement initiative introduced during 2011, was initially set up to provide up to 5,000 short-term, quality work opportunities for those who are unemployed for more than a year. This initiative is being delivered through the network of local development companies and Údarás na Gaeltachta. Tús is designed to break the cycle of unemployment and to improve a person's opportunities in returning to the labour market. I consider the existing 12-month period on Tús to be adequate to meet the objectives of the initiative whilst also ensuring that as many unemployed people as possible are able to benefit from the initiative. There are no circumstances under which a person's term on Tús will be extended beyond 12 months and it is not in the interest of any participant that such work placements of this extend for prolonged periods of time. As part of the budget package for my Department, I intend to extend the number of opportunities available on Tús by another 2,500. These additional placements will be allocated following consultation with the Implementing Bodies by the end of the first quarter of 2013.

Community Employment Scheme Numbers

101. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the number of participants of the community employment schemes that are on the scheme for more than two years;

if it is intended to transfer these participants to the Tús scheme in view of its lower cost; and if she will make a statement on the matter. [56114/12]

Minister for Social Protection (Deputy Joan Burton): Community Employment (CE) is an active labour market programme designed to provide long-term unemployed and other disadvantaged groups, (including persons with a disability and lone parents on One Family Payment allowance) with an opportunity to engage in quality work experience and training opportunities within their communities on a fixed term basis. CE combines employment and training interventions while at the same time supporting the provision of social services to local communities.

Depending on the length of time an applicant is unemployed the duration on CE is one year up to three years with the option of a further year extension for persons who are over 3 years in receipt of a welfare payment.

There are currently 7,966 participants on CE who have been on the programme for 2 or more and these represent approximately one-third of 23,300 places on CE. The Tús programme has a budget of 5,000 places in 2012. There are differences between CE and Tús in terms of the profile of participants coming onto the programme, duration and programme content. The range of profiles of new entrants is broader on CE and includes people with a disability, lone parents as well as people on the Live Register. Participation on Tús is confined to people on the Live Register. As CE is an Active Labour Market Programme which prepares participants for entry to employment there is little added value in terms of offering a further year on Tús. This is particularly in the context of high unemployment and demand for activation places to meet the Department's commitments under Pathways to Work.

However, there has been a recent change to CE which allows Tús participants under certain circumstances to enter CE. This particularly applies to Tús participants who are in need of training and where further supports are necessary for progression. Following the recent budget announcements, an additional 2,000 places will be allocated to CE and 2,500 to Tús during 2013.

Earlier this year, a financial review of individual CE schemes was undertaken by local staff in this Department. This was a very valuable exercise and substantial savings have already been achieved in the operational costs of the programme. These savings will continue to be achieved in 2013. CE costs are now comparable with Tús costs. The broad policy direction for CE in 2013 is based on the main action points coming from the CE Financial Review which has been recently published. These focus on the provision of training qualifications and other support services to participants, quality work experience and progression into employment. As both programmes are now under this Department there is greater potential to maximise the outcomes and achieve economies between these programmes and the other Employment Schemes in this Department.

Question No. 102 answered with Question No. 100.

Carer's Allowance Delays

103. **Deputy Brendan Ryan** asked the Minister for Social Protection if her attention has been drawn to the delay in processing a carer's allowance application in respect of a person (details supplied); the reason for the delay; when a decision will issue; and if she will make a statement on the matter. [56150/12]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department re-

ceived an application for carer's allowance from the person in question on 29th December 2011. Further information was needed to finalise the claim and that was requested from the person concerned. This information has recently been received back in carer's allowance section. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Social Insurance Yield

104. **Deputy Róisín Shortall** asked the Minister for Social Protection the estimated yield for every 0.1 of a percent added to the rate of employee PRSI; and the rate increase required to provide for a yield of €265 million in 2013 and €289 million in a full year. [56167/12]

Minister for Social Protection (Deputy Joan Burton): It is estimated that the full year yield for a 1% increase in the rate of employee PRSI would be in the region of €383 million. To provide a yield of €265 million in 2013 and €289 million for a full year an increase of approximately 0.75% in employee PRSI would be required.

Rent Supplement Scheme Applications

105. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the current and correct level of rent support payable in the case of a person (details supplied) in County Kildare; the reason rent support was discontinued; and if she will make a statement on the matter. [56186/12]

Minister for Social Protection (Deputy Joan Burton): In September 2012, the rent allowance payable to the person concerned was reviewed. She was issued with an explanatory letter and the relevant forms for completion. Payment was discontinued as she had not replied, nor had she contacted the local community welfare service office.

The information requested has now been received and payment has been re-instated. The correct level of rent allowance payable to the person concerned is €725 per month.

One-Parent Family Payment Applications

106. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when the correct level of one parent family allowance will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [56187/12]

Minister for Social Protection (Deputy Joan Burton): The person concerned is in receipt of a weekly rate of one parent family payment of €277.40. This consists of a personal rate of €188.00 plus €89.40 qualified child allowance. A fuel allowance of €20 per week is also in payment. The rate of payment is correct according to the information available to this Department.

Carer's Allowance Eligibility

107. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the level of carer's allowance payable in the case of a person (details supplied) in County Kildare in view of the fact that they receive one parent family allowance; and if she will make a statement on the matter. [56188/12]

Minister for Social Protection (Deputy Joan Burton): The person in question is in receipt of one-parent family payment. If she can satisfy the conditions for carer's allowance she would be entitled to get half the rate of carer's allowance along with her existing one-parent family payments. The qualifying conditions for receipt of half rate carer's allowance payment are exactly the same as carer's allowance.

Scéim na bhFoghlaimoirí

108. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cén caiteachas a rinneadh ar scéim na bhfoghlaimoirí Gaeilge, cé mhéad dalta ar íocadh deontas ina leith do gach bliain ó 1997 i leith; agus an ndéanfaidh sé ráiteas ina thaobh. [56084/12]

109. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta cén ráta íocaíochta a bhí ann i leith daltaí a d'fhan i dtithe Gaeltachta faoi Scéim na bhFoghlaimoirí Gaeilge ón mbliain 1997 i leith; agus an ndéanfaidh sé ráiteas ina thaobh. [56085/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht) (Deputy Dinny McGinley): I propose to take Questions Nos. 108 and 109 together.

Tá an t-eolas ata iarrtha ag an Teachta i bhfoirm tábla thíos. Ní miste a lua go bhfuil líon na bhfoghlaimoirí a bhí ar iostas i mbrúnna sa Ghaeltacht agus i dtí cinn de choláistí cónaithe seanbhunaithe taobh amuigh den Ghaeltacht san áireamh. Tá líon na ndaoine fásta a d'fhreastail ar chúrsaí sa Ghaeltacht san áireamh freisin.

Maidir leis an ráta íocaíochta, íocadh an ráta céanna deontais i leith foghlaimoirí a bhí ar iostas i mbrúnna ó 2001 go 2011 agus a íocadh leis na teaghlaigh. Íocadh deontas de €5.00 in aghaidh an lae i leith foghlaimoirí a bhí ar iostas i mbrúnna i 2012.

Bliain	Líon Foghlaimoirí	Ráta Deontais	Caiteachas na Roinne
1997	23,709	£4.00	£1,860,288
1998	24,116	£4.40	£2,074,119
1999	23,551	£4.40	£2,023,633
2000	24,104	£5.00	£2,333,586
2001	24,642	£5.50	£2,640,146
2002	25,430	€7.00	€3,466,767
2003	24,859	€8.00	€3,770,117
2004	24,577	€8.00	€3,638,029
2005	25,203	€9.00	€4,260,625
2006	26,645	€9.50	€4,816,150
2007	26,271	€10.50	€5,294,957
2008	28,112	€10.50	€5,593,486
2009	27,443	€10.50	€5,593,458
2010	25,120	€10.00	€4,727,849
2011	24,714	€9.50	€4,446,159
2012	23,840	€9.50	€4,051,424

Scéim na bhFoghlaimoirí Gaeilge

110. D'fhiafraigh **Deputy Éamon Ó Cuív** den an Aire Ealaíon, Oidhreacht agus Gaeltachta céard iad na hathruithe a chuir sé ar Scéim na bhFoghlaimoirí Gaeilge don bhliain 2012, cé mhéad airgid a shábháil gach athrú; agus an ndéanfaidh sé ráiteas ina thaobh. [56086/12]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Ar an gcéad dul síos, tá áthas orm a rá go raibh ar mo chumas an deontas laethúil céanna a íoc leis na teaghlaigh in 2012 agus a íocadh in 2011. Ag an am céanna, bhí ar mo Roinn, ar nós gach Roinn eile, sábháil a dhéanamh agus rinneadh leasuithe áirithe dá réir ar Scéim na bhFoghlaimoirí Gaeilge. Laghdaíodh an deontas laethúil i leith foghlaimoirí a bhí ar iostas i mbrúnna go €5.00 in 2012. Rinneadh sábháil de €180,000 mar thoradh air seo in 2012.

Cé nár laghdaíodh líon na bhfoghlaimoirí a bhí ceadaithe a bheith ar iostas le teaghlaigh faoin scéim in 2012, níor íocadh deontas ach i leith uasmhéid de 14 foghlaimoir in aon teaghlach. Tá sé seo ag teacht leis an moladh a rinneadh sa tuarascáil 'Athbhreithniú ar chóras na gColáistí Samhraidh' a foilsíodh in 2000. Glactar leis gur fearr a n-éiríonn leis an gcaidreamh idir teaghlaigh agus foghlaimoirí nuair nach mbíonn líon mór foghlaimoirí ag fanacht leis an teaghlach. Meastar go raibh sábháil de thart ar €60,000 mar thoradh air seo in 2012.

Departmental Expenditure

111. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the reason for the underspend of €8 million, €3 million current and €8 million capital, against profile at the end of November; the steps being taken to ensure no underspend at the end of the year in view of the number of groups seeking money from his Department; and if he will make a statement on the matter. [56119/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Gross expenditure for my Department on November 30th 2012 totalled €234.5m, which is on target at 97% of profile. This represents approximately 87% of the total REV allocation for the year. Current expenditure accounted for just over €204.1m of this total (99% of profile), while capital expenditure accounted for €30.4m (86% of profile).

Current expenditure is a little over €2m behind profile, which is a 1% variance against profile. Capital spending is approximately €5m behind profile, primarily due to certain capital projects progressing at a slightly slower rate than was anticipated. My Department has sought capital carryover of €1.2m into 2013 in respect of the heritage area. However, I expect, as with last year, that close to my Department's full programme provision will be utilised and no significant surpluses or deficits are envisaged.

I am very committed to ensuring that the maximum value is derived from my Department's budget in terms of maintaining, promoting and protecting Ireland's heritage and culture, developing cultural tourism, advancing the use of the Irish language, and supporting the sustainable development of the islands. This is reflected in the fact that, in 2011, excluding Departmental administration, my Department expended approximately 99.76% of its available programme funding.

I will, of course, continue to closely monitor expenditure trends across all my Department's subheads in the lead up to year-end to ensure the greatest possible use of the resources available.

Departmental Expenditure

112. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht his plans to make further payments either directly from his Department or through an Bord Scannán to Solas - Galway Picture Palace before the end of the year in view of the significant progress being made with this project in recent months both from a building perspective and also in collecting private finance for the project; and if he will make a statement on the matter. [56120/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department has no plans to make further payments to the Solas – Galway Picture Palace Project before the end of the year.

Bord Scannán na hÉireann/Irish Film Board is a statutorily independent agency with its own management structure and board and decisions relating to funding are ones for that organisation to make.

I welcome the progress made to date on the project and look forward to continued progress in 2013.

Special Areas of Conservation Designation

113. **Deputy Mary Mitchell O'Connor** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the fact that the area of 27,000 hectares from Dalkey Island northwards across Dublin Bay to north of Swords which he is proposing to designate as a special area of conservation is subject to a exploration licence agreement for gas and oil; his views on whether it is appropriate to designate such lands in this manner under the circumstances; and if he will make a statement on the matter. [56124/12]

114. **Deputy Mary Mitchell O'Connor** asked the Minister for Arts, Heritage and the Gaeltacht if he is seeking to have the exploration licence revoked for the of 27,000 hectares from Dalkey Island northwards across Dublin Bay to north of Swords which he is proposing to designate as a special area of conservation [56125/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I propose to take Questions Nos. 113 and 114 together.

As part of its obligations under the Habitats Directive, Ireland must designate Special Areas of Conservation (SACs) for the protection of endangered habitats and species. The European Commission oversees the fulfilment of these obligations through a series of biogeographic seminars, which compare the effort of Member States within a biogeographic region. Such a seminar in 2009 found that certain habitats and species were insufficiently represented in the list of marine candidate SACs proposed for designation by Ireland. The designation of marine SACs is scheduled for completion for the entire EU in 2012. The site referred to by the Deputy is one of six additional sites proposed that will constitute Ireland's contribution to that process. The harbour porpoise is the principal conservation interest of the site in question, while areas of reefs are also afforded protection.

Sites proposed for designation invariably have existing consents which allow certain activities or developments within them. The legal implications of the proposed designation apply certain obligations relating to consents granted after the date of the notification. I understand that the consent referred to was granted by the Minister of State at the Department of the Environment, Community and Local Government before the date of notification.

Like all species of cetacean, harbour porpoise, for which the site in question is to be designated, also enjoys strict protection under the Habitats Directive wherever it occurs. Potential impacts arising from interventions in the marine environment must be assessed for impacts upon these species.

My Department was consulted in advance of the issuing of the consent and provided advice to the Department of the Environment, Community and Local Government on the protection of marine mammals, including the harbour porpoise, and on appropriate mitigation measures that should be employed during the seismic survey to be carried out. It is understood that reefs within the proposed SAC will not be affected by the activities allowable under the consent that issued.

Any future consent for exploration, extraction or any other activity within or in the vicinity of the SAC will need to be examined for potential impacts upon it. Consent authorities will need to satisfy themselves that applications do not pose a risk to the site before issuing such consents.

Turf Cutting Compensation Scheme Issues

115. **Deputy Martin Heydon** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the progress of turf deliveries to family members under the agreed compensation scheme for a special area of conservation bog in County Kildare (details supplied); when he expects all deliveries to be complete; and if he will make a statement on the matter. [56147/12]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): To date, 29 turf deliveries amounting to 417 tonnes of turf have been made to applicants and their family members under the cessation of turf cutting compensation scheme, administered by my Department, in respect of the raised bog special area of conservation referred to in the Deputy's Question.

Where applicants claim to have been extracting more than 30 tonnes of turf per annum from their bog plots for themselves and family members, arrangements have been put in place for assessments to be carried out in order to verify such claims.

Broadcasting Service Provision

116. **Deputy Tony McLoughlin** asked the Minister for Communications, Energy and Natural Resources if consideration has been given to naming the new Oireachtas TV station to "Telifis Oireachtas" rather than Oireactas TV in consideration to the Irish Language, our first language. [56094/12]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The establishment of an Oireachtas TV channel is provided for in Chapter 6, Part 7 of the Broadcasting Act 2009.

S 125(2) provides for the channel to be known as in the Irish language, Bealach Thithe an Oireachtais or, in the English language, the Houses of the Oireachtas Channel.

Social and Affordable Housing Provision

117. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if he anticipates an allocation of funding towards the construction of houses under the voluntary housing initiative during 2013; and if he will make a statement on the matter. [56020/12]

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, 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.

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).

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.

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.

Projected levels of activity in 2013 will be subject to the financial provision for housing determined in the context of the 2013 Estimates.

Building Regulations Application

118. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if housing associations, such as an association (details supplied), are obliged to have building energy rating assessments carried out if requested by their tenants; and if he will make a statement on the matter. [56022/12]

Minister for the Environment, Community and Local Government(Deputy Phil Hogan): Where a building, including a dwelling, is commissioned or offered for sale or letting the European Communities (Energy Performance of Buildings) Regulations 2006 – 2008 require the building owner to obtain a Building Energy Rating (BER) certificate and advisory report in respect of the building concerned and to provide a copy of same to any person who expresses any interest in availing of the offer to sell or let the building. This statutory obligation also applies in the case of dwellings which are owned by housing associations and which are offered for sale or letting . However there is no statutory obligation on any landlord or housing association to obtain a building energy rating in respect of a building which was originally let to its current tenant on or before 1 January 2009, the date on which the relevant statutory requirement came into general application. In such cases, the statutory obligation to obtain a BER certificate will arise if and when the dwelling is again offered for sale or letting.

Building Regulations Application

119. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government the position regarding a flue stove (details supplied); and if he will make a statement on the matter. [56066/12]

Minister for the Environment, Community and Local Government(Deputy Phil Hogan): Part J of the Building Regulations requires a heat producing appliance to have adequate provision for the discharge of the products of combustion to the outside air, and any heat producing appliance, flue pipe, or chimney to be designed and constructed so as to reduce to a reasonable level the risk of the building catching fire as a consequence of its use.

Technical Guidance Document J, published by my Department, gives guidance on how to comply with Part J. In particular, guidance is given covering the appropriate location of flue terminals for both natural draught and balanced flue appliances, shielding of flue pipes from combustible materials, encasement of flues where passing through compartment walls and floors and the need for provision for flue cleaning.

The relevant distances for flue locations are based on the European standard EN 15287-1: 2007 Design, Installation and Commissioning of Chimneys - Part 1 Chimneys for non-room sealed heating appliances, which deals with all fuel type appliances.

The distance of not less than 2.3m from an adjoining building as specified in TGD J is therefore in keeping with European standards.

It is worth noting, however, that the building regulations and European standard referred to above are primarily concerned with ensuring public safety and minimising the risk of fire. Airborne pollution and air-related public nuisance are addressed under the Air Pollution Act 1987. Section 24(2) of the Air Pollution Act, 1987, stipulates that an occupier of any premises must not cause or permit an emission in such a quantity, or in such a manner, as to be a nuisance. Where it appears necessary in order to prevent or limit air pollution, a local authority may serve a notice on the occupier of any premises from which there is an emission. In any prosecution

brought against the occupier of a premises causing an emission it is a good defence to establish that the best practicable means have been used to prevent or limit the emission concerned.

Statutory responsibility for the enforcement of the Air Pollution Act, as well as regulations made under the Act, is vested in the relevant local authority, in this case Dublin City Council.

The Office of Environmental Enforcement (OEE) of the Environmental Protection Agency supervises the environmental protection activities of local authorities. This function includes supervising the enforcement of air pollution legislation by local authorities. In this regard, the OEE is a resource for members of the public who have exhausted all other avenues in regard to a local authority response to an environmental complaint they have made.

Water and Sewerage Schemes Provision

120. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government his plans to deal with the fact that almost two thirds of the raw sewerage pumped into the sea 50 yards from the coast at Rush, County Dublin, is untreated in view of the fact that this is in breach of EU and Environmental Protection Agency regulations. [56092/12]

Minister for the Environment, Community and Local Government(Deputy Phil Hogan): The operation, maintenance and management of existing sewerage infrastructure is a matter for the relevant water services authority, in this case Fingal County Council.

The Portrane/Donabate/Rush/Lusk Sewerage Scheme is included in my Department's Water Services Investment Programme 2010 – 2013, with some elements to advance to construction and others to advance through planning during the lifetime of the Programme.

Some contracts of the scheme, including the new wastewater treatment plant, are being advanced or have been completed, while others, including works within the Rush catchment, are still at the planning stage. Fingal County Council has recently requested my Department to review the priority of the Rush element of the scheme with a view to advancing relevant contracts to procurement and construction. This request is under consideration and a decision will be made as soon as possible.

Library Projects

121. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the total amount of Exchequer funding approved for the development of the Jackie Clarke Library, Ballina, County Mayo; the date on which the various tranche of payments will be made; when he expects the final payment to be made; and if he will make a statement on the matter. [56127/12]

Minister for the Environment, Community and Local Government(Deputy Phil Hogan): The library in question is not part of my Department's public library capital programme .

NAMA Social Housing Provision

122. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the numbers of homes acquired from the National Assets Management Agency for the provision of social housing from March 2011 to date in 2012. [56141/12]

123. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government his future plans for social housing and the National Assets Management Agency; and if he will make a statement on the matter. [56142/12]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Question Nos. 122 and 123 together.

To the end of November 2012, 133 housing units have been provided from the portfolio of units identified by NAMA. Of these units 49 are funded under leasing arrangements with the balance of units delivered (84) purchased with funds from the local authority social housing capital investment programme or by Approved Housing Bodies under the Capital Assistance Scheme. A further 24 were the subject of a private sale with Cluid Housing Association.

Since December 2011 NAMA has identified over 3,800 properties as being potentially available for social housing. The Local Authorities and the Housing Agency are working systematically with NAMA to determine if there is a social housing demand for properties identified as potentially suitable for social housing, including the need for accommodation for those who are homeless. Where a demand is identified this information is provided to NAMA and efforts are made to secure as many of the suitable properties as possible for social housing. This will continue to be my Department’s objective in 2013, to maximise the delivery of social housing using all of the resources available. Leasing offers us the most effective and efficient way of doing this more generally, taking account of not just the availability of resources but also market conditions and the need for a broader range of more flexible delivery mechanisms than the traditional methods of social housing provision.

Non-Principal Private Residence Charge Exemptions

124. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government if a person who cannot live in their home due to a court order/barring order which prevents them from living in their home is exempt from the non principal private residence payment; and if he will make a statement on the matter. [56166/12]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009 broadened the revenue base of local authorities by introducing the Non-Principal Private Residence Charge. The Charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties.

It is a matter for an owner to determine if he or she has a liability and, if so, to declare that liability and pay the Charge. A number of exemptions from the Charge are set out in section 4 of the 2009 Act. It is not possible, from the information provided, to determine whether any such exemption may apply in the specific instance referred to in the question.

In any event, under the Act it is a function of a local authority to collect the Non-Principal Private Residence Charge. Application of the legislation in particular circumstances is a matter for the relevant local authority.

I urge all liable persons who are unsure as to whether they are liable to contact their local authority as a matter of urgency.

Proposed Legislation

125. **Deputy Sean Fleming** asked the Minister for Justice and Equality if he will give consideration to reforming the current maternity leave system in order that fathers could take some of the leave; and if he will make a statement on the matter. [56168/12]

Minister for Justice and Equality (Deputy Alan Shatter): There are no plans at present to amend the Maternity Leave system to allow fathers to take some of that leave.

I intend to seek Government approval shortly for the General Scheme of the Family Leave Bill which will transpose Council Directive 2010/18/EU on Parental Leave. This new legislation will provide for an additional four weeks parental leave for both mothers and fathers. The Bill will also consolidate all of the various family leave legislation (maternity, adoptive, parental and carer's leave) in one Bill. This will also provide an opportunity to examine whether there is scope for additional improvements in current provisions in the area for leave for fathers.

Departmental Correspondence

126. **Deputy Pearse Doherty** asked the Minister for Justice and Equality if he will respond to the correspondence sent to him from a member of the public (details supplied) in County Donegal; if he will consider the request made to him; and if he will make a statement on the matter. [56010/12]

Minister for Justice and Equality (Deputy Alan Shatter): In relation to the Deputy's question, I will be responding to the correspondence sent to me. The Deputy will appreciate that it would not be appropriate for me to comment further at this time in relation to a family law matter which has been the subject of legal proceedings.

Citizenship Applications

127. **Deputy Niall Collins** asked the Minister for Justice and Equality the measures he is putting in place to ensure transparency and fairness in the application process for citizenship following the recent Supreme Court decision (details supplied) quashing a decision to refuse citizenship on the grounds that he had failed to give reasons; and if he will make a statement on the matter. [56027/12]

128. **Deputy Niall Collins** asked the Minister for Justice and Equality the citizenship applications that have been rejected by him without explanations being given; if these cases are under review in view of the recent Supreme Court decision (details supplied) quashing a decision to refuse citizenship on the grounds that he had failed to give reasons; and if he will make a statement on the matter. [56028/12]

135. **Deputy Clare Daly** asked the Minister for Justice and Equality his plans to review cases similar to *Mallak v. the Minister for Justice, Equality and Law Reform*, following the decision of the Supreme Court in relation to the lack of transparency and fairness in the process of applying for Irish citizenship. [56090/12]

136. **Deputy Clare Daly** asked the Minister for Justice and Equality his plans to progress with the introduction of an independent review mechanism for those whose applications for Irish citizenship were turned down, following the highlighting of the lack of transparency and fairness in the process by the Supreme Court *Mallak v. the Minister for Justice, Equality and*

Law Reform. [56091/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 127, 128, 135 and 136 together.

The implications of the judgement of the Supreme Court referred to by the Deputies are being considered in consultation with the Office of the Attorney General and any revised procedures arising will be implemented without delay. The Deputies should note that although the Supreme Court in its judgement quashed the Minister's decision to refuse the application in this particular case, it went on to say that it is not for the Court to prescribe whether the Minister will give notice of his concerns to the applicant or to disclose information on which they may be based or whether the Minister will continue to refuse to disclose reasons for the refusal but to provide justification for so doing. In the particular case it is open to the applicant to lodge a new application.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions include lawful residence, being of good character and having an intention to continue to reside in the State after naturalisation.

All applications for naturalisation are submitted to me for decision. I make my decision in my absolute discretion based on the entirety of the case presented and taking into account other important considerations which I as Minister have a duty to uphold such as the integrity of the immigration system, the economic and security interests of the State and its international relations.

It is open to any individual who is not satisfied with a decision to deem their application ineligible or a decision to refuse citizenship to lodge a new application for citizenship at any time in accordance with the provisions of the Irish Nationality and Citizenship Act 1956 as amended.

To put the matter into context, since coming into office I have made decisions on over 37,200 applications of which 34,100 were approved. A total of 3,100 were deemed ineligible or were rejected because they did not comply with the statutory criteria. Only a very small number of applications that were refused fall within the consideration of the judgement in question.

Garda Stations Closures

129. **Deputy Seán Ó Fearghail** asked the Minister for Justice and Equality the way he intends to address the policing needs of the 100 communities in which he proposes to close local Garda stations; the way the Garda Commissioner intends to provide policing cover in these areas following the relocation of locally based Gardaí to stations in larger urban centres; if the relocated Gardaí will continue to police their former communities as usual or if they will be absorbed into the provision of service at their new location; and if he will make a statement on the matter. [56032/12]

Minister for Justice and Equality (Deputy Alan Shatter): The stations selected for closure are those which are in areas that, in the professional opinion of the Garda Commissioner, could be better served by having Gardaí patrolling the areas rather than being confined to a specific premises. The Garda National Model of Community Policing plays a key part in responding to crime by taking into account and responding to local conditions and needs. In this regard the Gardaí continue to work closely with all communities to enhance community safety through a wide range of local fora such as Community Alert and Neighbourhood Watch, as well

as more formal structures such as Joint Policing Committees.

Details of the closures are set out in the Policing Plan have for 2013 which is available in the Oireachtas library. The Plan also provides details of the alternative policing arrangements for the areas in question. The Commissioner has indicated that wherever possible and subject to operational requirements, Gardai attached to a station which is scheduled for closure will be assigned within the local District.

We also need to be honest about the level of policing service that was capable of being provided from the stations that were and are to be closed. Of the 100 stations to be closed next year, 98% are only open part-time, 94% are open for 3 hours a day or less, 88% are served by 1 Garda and only 5% are served by 3 or more Garda personnel. In fact, of the 39 stations closed this year, 8 were not actually open at all. Their closure was a paper exercise which simply recognised reality.

The implementation of the reduction in the number of Garda stations and Districts will take place in full consultation with the local communities and staffing interests. Local Garda management will shortly commence the process of engaging with these communities through the Joint Policing Committees and other fora to advise them of the revised policing arrangements for the localities in question. The objective will be to ensure that the best possible policing service will be provided at all times.

Garda Stations Closures

130. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice and Equality the savings that will arise from his proposed closure of a Garda Station (details supplied) in County Kildare; his plans for the station building; and if he will make a statement on the matter. [56033/12]

131. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice and Equality the savings that will arise from his proposed closure of a Garda station in County Kildare; his plans for the station building; and if he will make a statement on the matter. [56034/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 130 and 131 together.

The Garda Commissioner is the Accounting Officer for the Garda Vote and I have been informed by the Garda authorities that the annual financial saving estimated to arise in respect of the closure of the stations referred to by the Deputy is Euro 4,000 per station. To a large extent these estimates relate to heating and lighting costs and they do not take account of specific repair bills, which will vary from premises to premises.

As the Deputy will be aware, the closure of the two stations has been proposed by the Garda Commissioner in his Policing Plan for 2013 and I would stress that the key objective involved is to promote the more efficient and effective deployment of resources rather than to secure modest cash savings. In this context the Commissioner has concluded in relation to certain stations that Garda resources could be better deployed and more effectively used on the front line if the stations no longer had to be staffed and maintained.

In making his recommendations on the closure of Garda stations, the Commissioner reviewed all aspects of An Garda Síochána's policing model, including the deployment of personnel, the utilisation of modern technologies and the overall operation of Garda stations. In addition, the Commissioner has given a commitment that where a station is to be closed local Garda management will consult with local communities on the alternative policing arrange-

ments to be put in place in their area.

Furthermore, the Garda Commissioner has indicated he is confident that the implementation of the restructuring proposals contained in the 2013 Policing Plan will not lead to any diminution in the service provided by An Garda Síochána. In that regard he has stated that the revised structures will continue to support the Garda community philosophy through the clustering of services at policing hubs. This centralisation of services will facilitate the introduction of enhanced patrolling arrangements which, in turn, will provide increased Garda visibility as well as maintaining existing Garda links with communities throughout the country.

The question of the future of a vacated Garda station is a matter for the Office of Public Works. Where such a premises is State-owned, it will be available for alternative community use or disposal.

Garda Investigations

132. **Deputy Michael Creed** asked the Minister for Justice and Equality if he has received any progress report from the Gardaí regarding an investigation (details supplied); and if he will make a statement on the matter. [56057/12]

133. **Deputy Michael Creed** asked the Minister for Justice and Equality if he has investigated the circumstances surrounding the theft of a file from the Office of the Director of Public Prosecutions and the circumstances under which this file was returned to the State; and if he will make a statement on the matter. [56058/12]

134. **Deputy Michael Creed** asked the Minister for Justice and Equality the reason criminal charges against a person (details supplied) were dropped by the Gardaí; and if he will make a statement on the matter. [56059/12]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 132 to 134, inclusive, together.

I am advised by the Garda authorities that the examination surrounding the circumstances of the death of Father Niall Molloy is ongoing. The Commissioner has assured me that each and every line of inquiry is being or will be pursued. Upon receipt of a final report from the Commissioner I will review the situation.

I understand that a number of issues arising out of the theft of the files referred to by the Deputy are being examined by the Garda authorities as part of the above examination and will form part of the final report. In the circumstances, it would not be appropriate to make any further comment at this stage.

Questions Nos. 135 and 136 answered with Question No. 127.

Legal Aid Application Numbers

137. **Deputy Michael Lowry** asked the Minister for Justice and Equality the current waiting times for Legal Aid Board services in County Tipperary; and if he will make a statement on the matter. [56109/12]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that the Legal Aid Board is a statutory, independent body in accordance with the Civil Legal Aid

Act, 1995. The issue he has raised is a matter for the Board. However, in order to be helpful to the Deputy I have had enquiries made with the Board on his behalf.

I am advised that the Legal Aid Board has a full time Law Centre in Nenagh. The Centre is among a number of centres piloting an 'early legal advice' or 'triage' service. The objective of this service is to ensure that every applicant gets to see, within one month of their application, a solicitor for a legal advice appointment lasting no more than 45 minutes.

The Centre is meeting this commitment at the moment. Applicants who require further services are currently waiting for approximately five months (from the date of their original application). The Centre operates part-time offices in Thurles and Clonmel also. The waiting times are similar to the Centre in Nenagh. The waiting time was approximately 10 months at the start of the year but this has reduced considerably during the course of this year.

In addition to the above, I am informed that the Legal Aid Board provides a priority service in cases where it considers that an immediate, or near immediate, service was needed. These include cases of domestic violence, child abduction, cases involving applications by the State to take children into care, and cases that have statutory time limits close to expiry.

Garda Investigations

138. **Deputy Micheál Martin** asked the Minister for Justice and Equality the progress that has been made in criminal investigations arising from the Moriarty tribunal; and if he will make a statement on the matter. [56143/12]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that, following their examination of the report of the Moriarty Tribunal, the advice of the Director of Public Prosecutions has been sought on the findings of that examination, with a view to determining whether or not a full Garda investigation should now be commenced.

Army Equitation School

139. **Deputy Seán Ó Feargháil** asked the Minister for Defence if he will ensure that the existing detachment of the Army Equestrian School will be retained at the Curragh Camp, County Kildare; if he acknowledges the value of this detachment to the overall Army Equestrian School; if his attention has been drawn to the service that the detachment provides to upwards of 400 transition year students who use the Curragh facility on an annual basis; and if he will make a statement on the matter. [56035/12]

Minister for Defence (Deputy Alan Shatter): At present there are no plans to close the equitation yard that is located at the Defence Forces Training Centre in the Curragh Camp. The transition year programme, referred to by the Deputy, provides an opportunity each year for approximately 200 students from the local area to work with horses and to learn about the Defence Forces.

Agri-Environment Options Scheme Applications

140. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if he intends to extend the latest date for applications under the agri-environment options scheme 3; and if he will make a statement on the matter. [56053/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): On 25th September 2012, I announced the re-opening the Agri Environment Options Scheme, AEOS III. Despite the challenging budgetary constraints I secured a budget of €20 million to provide for the new AEOS III, with a view to accepting approximately 6,000 applicants into the scheme.

The Agri-environment Options Scheme (AEOS III) will build on the success of the Rural Environment Protection Scheme (REPS) and both AEOS 1 and 2 in delivering an annual payment to farmers in return for farming to high environmental standards.

A maximum payment of €4,000 per annum will apply to individual applicants under the scheme. It will operate largely on the same basis as in previous years and the same measures and rates of payment will be available. Farmers with commonage land, designated Special Areas of Conservation or Special Protection Areas will be required to follow a 'Sustainable Management Plan' prepared by a planner. However, those applicants will be given priority in determining access to the scheme. Applicants other than those requiring a sustainable management plan will not be required to engage a planner to complete their application form. In addition to the priority which will be given to designated land applications will be assessed on the basis of selection criteria reflecting previous participation in REPS, farm size and location in Disadvantaged Areas.

Application forms, Terms and Conditions and Specification documents were made available in local AES offices Department and on the Department's website. The website also contained a Guidance Note for completing the Sustainable Management Plan and clarification notes on the scheme. The closing date for receipt of applications was fixed at 30th November 2012 with a view to allowing applicants adequate time to prepare and submit applications under the scheme and, following the processing of those applications, to allow for the entry of new participants as soon as possible. Due to a high level of interest in the AEOS 3 Scheme I decided to extend the closing date for receipt of AEOS III applications by one week to Friday, 7th December 2012. The extension was granted to allow necessary time for both farmers and planners to complete work on hands and to return the completed applications to the Department Office in Johnstown Castle Estate, Wexford.

Approximately 10,000 have been submitted and all applications received will now be processed and assessed with a view to issuing approvals to successful applicants as soon as possible.

Common Agricultural Policy Negotiations

141. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the progress made to date with the negotiations surrounding the reform of the Common Agricultural Policy; and if he will make a statement on the matter. [55819/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have said previously that Ireland is prepared to put a major effort into securing a deal on CAP reform during the Irish EU Presidency. However, to do this, three things need to happen:

- there must be agreement on the MFF as soon as possible,
- there must be substantial progress during previous presidencies on technical issues,
- all three institutions - the European Parliament, the Council and the Commission - need to engage actively in the negotiating process.

The CAP reform dossier comprises seven legislative proposals in all. These have been the subject of detailed examination by the Council over the last year, in Working Groups, the Special Committee on Agriculture and the EU Council of Agriculture Ministers. Good progress has been made by the Danish and Cyprus Presidency on many of the technical issues and we are now approaching the point at which the more political issues fall to be decided.

However, a number of CAP reform issues, relating, primarily but not exclusively, to financial matters, fall to be decided by Heads of State and Government in the context of the negotiations on the next EU Multiannual Financial Framework for the EU budget. It is expected that Heads of State and Government will return to the MFF negotiations early in the new year, following on their discussion on 22/23 November. If they reach agreement, it will provide a window for finalisation of a Council position on CAP reform.

The CAP reform dossier falls to be decided in full co-decision with the European Parliament. Thus, in parallel with the Council, the European Parliament is conducting a detailed examination of the dossier. The rapporteurs assigned to each of the legislative proposals produced draft reports in May and June last. These were the subject of some 7,000 amendments and the Parliament's Committee on Agriculture (COMAGRI) is scheduled to vote on these amendments in January next. These amendments will subsequently be voted upon in a plenary session of the Parliament, which is tentatively scheduled for the week beginning 11 March. This will give a mandate to COMAGRI to enter into Trilogue discussions with the Council and the Commission. Trilogues are the platform through which final agreement is reached between the three institutions.

In these circumstances, there is a narrow window of opportunity for securing political agreement on CAP reform in the first six months of next year during the Irish Presidency.

I should add that my own national priorities in these negotiations remain unchanged. These are to get the best possible outcome for Ireland, focusing on five key areas:

- delivering a well-resourced CAP,
- retaining Ireland's share of CAP funds,
- maximising payment model flexibility for Member States,
- ensuring rural development policy supports competitiveness and sustainability, and
- keeping the CAP as simple and as effective as possible for farmers and Member States.

Agri-Environment Options Scheme Payments

142. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment in respect of agri-environment option scheme will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [56014/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2010 Agri-Environment Options Scheme with effect from the 1st September 2010 and full payment has issued in respect of both 2010 and 2011.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. Payment in respect of the 2012 Scheme year is subject to a similar administrative checking process. 2012 payments have now

commenced and in the event of any particular issues arising on the application of the person named officials in my Department will be in direct contact with the person named.

Rural Environment Protection Scheme Payments

143. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a REP scheme 4 payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [56019/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in May 2009 and has received payments for the first three 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 has been completed and payments have commenced. I expect payment to issue shortly to the person named.

Agri-Environment Options Scheme Eligibility

144. **Deputy Michael McNamara** asked the Minister for Agriculture, Food and the Marine if previous participation in REP scheme, including a significant proportion of marginal land in their holding and resultant difficulties in continuing to adhere to the high environmental management practices required by REP scheme in the absence of support will be considered as factors in the assessment of a person (details supplied) for agri environment options scheme 3. [56080/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An Agri-environment Options Scheme application was received in my Department from the person named on 29th November 2012. About 10,000 applications have been received and all applications, including that of the person named, are now being processed with a view to issuing approvals to successful applicants as soon as possible.

In accordance with the terms and conditions of the scheme, the admission of applicants will be determined by the following priority selection criteria

- applicants within a targeted area of the Boora region of Co. Offaly who select Wild Bird Cover Option B (Grey Partridge) will get first access,

- Applicants with eligible Natura land will get access next,

- Applicants with at least 0.5 hectares of Utilisable Agricultural Non-Natura Commonage land rank next,

- Farm Partnerships,

- Previous Participation in REPS,

- Farm Size (Favouring smaller holding) based on the utilisable agricultural area,

- Location of farms in Less Favoured Areas.

On the basis of the application submitted, the person named has no commonage land, des-

ignated Special Areas of Conservation or Special Protections Areas and will not qualify for the priority consideration for access to the scheme under these criteria. The applicant's previous participation in REPS is recognised and will form part of the application of the selection criteria.

Disadvantaged Areas Scheme Payments

145. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding payment of a disadvantaged area grant in respect of a person (details supplied) [56081/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment under the 2012 Disadvantaged Areas Scheme issued to the person named on 25 September 2012, directly to the nominated bank account.

Disadvantaged Areas Scheme Payments

146. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position regarding payment of a disadvantage area grant in respect of a person (details supplied) in County Donegal. [56082/12]

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 Appeals

147. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive a decision on their appeal for disadvantage area aid; and if he will make a statement on the matter. [56095/12]

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.

Disadvantaged Areas Scheme Payments

148. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of the disadvantaged area scheme will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [56105/12]

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 Appeals

149. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive a decision on their appeal for disadvantaged area aid; and if he will make a statement on the matter. [56108/12]

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.

Single Payment Scheme Expenditure

150. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason for the 2012 linear reduction and 2011 linear reduction on payments of the 2012 single payment; the rate at which this deduction is being deducted; if it is being deducted from all applicants; the total amount of the deduction across all participants; and if he will make a statement on the matter. [56116/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Single Farm Payment is one of the most important payments received by farmers each year. The amount of funding available for payment to Irish farmers under the 2011 and 2012 Schemes was €1.263 billion and €1.255 billion respectively. These funds were used to pay the Single Farm Payment and the Article 68 Schemes namely the Grassland Sheep Scheme, the Dairy Efficiency Programme and the Burren Farming for Conservation Programme.

Given the level of the funding involved annually and the importance of the monies paid to farmers' income, it is absolutely vital that all of the funding available from the EU is fully drawn down and utilised. Therefore, it is my priority that payments be maximised, both for the benefit of the individual farmers concerned and, on a broader level, the benefit of the country in general.

Essentially, the linear reductions to payments under both the 2011 and 2012 Single Payment Schemes are necessary in order to ensure that the National Ceilings for the Scheme for the years in question are respected.

However, in pursuing this objective, the budget for the 2011 Scheme was marginally exceeded and the projections for the budget for the 2012 Scheme are similar. In light of this, the only prudent course of action is to apply linear reductions to both years' payments. These reductions, at a rate of 0.45% on the payments made, are being applied to the balancing payments now issuing under the 2012 Scheme. The reductions are applicable to all Single Payment Scheme beneficiaries.

There are technical issues involved in relation to the overshoot of the National Ceiling, in that under the EU Commission requirements it is necessary payments under earlier SPS schemes must be accounted in the year in which they are paid. My Department's officials are pursuing this matter with the Commission.

Turning to payments in respect of the 2012 SPS Scheme, I am delighted with the level of payments that have been made by my Department since balancing payments commenced less than two weeks ago. In what has been a difficult year for farmers due to the impact of the weather conditions, over €1,193 million was paid to 121,290 farmers (or over 98% of all applicants). Payments continue to be made as soon as cleared of errors and fully processed.

Single Payment Scheme Payments

151. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the rates at which the modulation reduction is being deducted from single payments this year; the purpose of this reduction; the use to which this money is put; the way this money will be taken into account in the calculation of the single farm 2014-2020; and if he will make a statement on the matter. [56117/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Single Payment Scheme was implemented in Ireland in 2005 under the provisions of Council Regulation (EC) No 1872/2003. Article 10 of the Council Regulation provided for the application of a modulation deduction of 3% in 2005, 4% in 2006 and 5% from 2005 onwards.

Under the original SPS provisions, the modulation deduction was applied to all payments and was subsequently refunded on the first €5,000 in each payment or up to the amount paid if it was less than €5,000. This was provided for under the provisions of Article 12 of the Council Regulation. After the adoption of the Health Check proposals, the first €5,000 of SPS payments is exempt from the modulation deduction from the 2009 SPS scheme-year onwards. New rates of modulation deductions applied after agreement on the Health Check proposals – 7% in 2009, 8% in 2010, 9% in 2011 and 10% from 2012 onwards. A further 4% deduction applies to payments made in excess of €300,000. This provision only applies to five applicants in Ireland.

Most of the amounts not paid arising from the modulation deduction (90% in 2011) are made available to Ireland for funding Rural Development (Pillar 11) measures. The Commission's proposals for funding of the Common Agricultural Policy for the period from 2014 to 2020 foresee that the modulated amounts transfer permanently to fund Rural Development (Pillar 11) from the commencement of the new programming period.

Departmental Expenditure

152. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the reason for the underspend of €30 million, €19 million current and €11 million capital, against profile at the end of November; the steps being taken to ensure no underspend at year end in view of the pressure on farmers due to the poor weather and the number of farmers who have not received payments this year that are due to them; and if he will make a statement on the matter. [56118/12]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The total Vote funding provided for my Department in 2012 is €1.339 billion. This includes €27 million capital funding carried over from 2011.

A profile of projected expenditure on a monthly basis is drawn up at the beginning of each financial year in order to anticipate the Department's funding requirements and financial management over the course of the year. The profile which is the best estimate of expenditure available at that time is difficult to forecast and may vary significantly during the year for a variety of reasons, such as the level of payments under demand led schemes, the pattern of draw-down of Grants-in-Aid by State bodies, etc.

The data published in the Exchequer return quoted in the question was prepared by my Department towards the end of November and was based on anticipated expenditure to the end of the month. The variation on net expenditure was €103m, arising mainly due to the fact that

substantial payments under REPS scheduled for the last days of November actually issued in early December. The divergence between profiled and actual expenditure is due to the fact that, for a variety of reasons, a number of other budget lines were also behind profile at the end of November.

I expect that in most cases expenditure will 'catch up' before the end of the year. All elements of expenditure is being monitored and managed carefully by my Department with a view to minimising savings on this year's Vote. While the final outcome is to a large extent driven by factors outside the Department's control, I do not expect a significant underspend this year.

Disadvantaged Areas Scheme Payments

153. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a decision will issue on a disadvantaged area payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [56122/12]

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.

Child Care Services Provision

154. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs when a person (details supplied) in County Cavan will be seen by the Health Service Executive children and family services local social work duty service; when the family may expect dialogues, interaction and regular meetings with the service on this CSA case; and if she will make a statement on the matter. [56073/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy with the most up-to-date information.

School Completion Programme

155. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the funding being allocated for the school completion programme in 2013; the way it compares with 2012; and if she will make a statement on the matter. [56026/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The School Completion Programme (SCP) is one of three service strands, which also includes the Home School Community Liaison and the Education Welfare Service, being integrated under the remit of the National Educational Welfare Board (NEWB). The SCP aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of its target cohort. The SCP is a key programme under the Department of Education and Skills' DEIS (Delivering Equality of Opportunity in Schools) action plan.

I wish to inform the Deputy that €26.456m is being allocated to the programme in 2013.

This compares with an allocation of €28.256m in 2012. The allocation is in line with the proposals in the Comprehensive Review of Expenditure for savings of 6.5% per annum in the SCP in each of the years 2012-2014.

In September 2012, the Local Management Committee responsible for each individual project was notified that a reduction on last year's allocation would apply for the coming academic cycle. The full year budget for the SCP was confirmed earlier than in previous years to assist local committees to effectively refine programmes and deliver targeted interventions within budget.

Each Committee was requested to review its Retention Plan to support young people who are at risk of educational disadvantage in their school, home and community life, to remain in education and to finalise a programme of supports to effectively target available resources to meet local needs. Projects were advised to scrutinise all elements of expenditure and to seek to reduce costs and achieve efficiencies while prioritising evidence based services to support children's educational outcomes.

The NEWB, which is responsible for the operational management and direction of the SCP, has made assistance available to each local project to review its planned programme. The NEWB continues to work closely with management committees, schools and local SCP coordinators to ensure student supports are tailored to meet local needs.

The adjustment identified in CRE for 2013 and 2014 will be further considered in the context of a review of the programme to be undertaken in 2013. This review will address the potential to achieve greater consistency in programme delivery, administration and other costs amongst the 124 local projects and related initiatives.

A core objective of the review will be to ensure that available funds are appropriately targeted to support those most at risk of educational disadvantage and early school leaving.

Child Care Services Provision

156. **Deputy Seán Ó Fearghail** asked the Minister for Children and Youth Affairs if she is committed to the further development of accessible, affordable and quality child care, recognising its role in achieving economic and social prosperity; and if she will make a statement on the matter. [56037/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): It is recognised that intensive and targeted early childhood services have the potential to significantly enhance the life chances of many children. Investment in early childhood care and education benefits not only the individual child but also the wider economy. In recognition of this, considerable funding is already provided by my Department through the provision of three childcare support programmes - the Community Childcare Subvention (CCS) programme, the Childcare Education and Training Support (CETS) programme, and the Early Childhood Care and Education (ECCE) programme - to assist parents in accessing quality and affordable childcare.

The CCS programme provides funding to community-based childcare services to enable them to provide childcare at reduced rates to parents in receipt of social welfare payments or on low to middle incomes. For the purpose of the CCS programme, eligibility is determined by reference to a range of means-tested allowances and payments including receipt of a social welfare payment, Family Income Supplement (FIS) and qualification for a medical or GP visit card. Eligibility for a GP visit card is based on net income and takes account of outgoings such as rent and mortgage repayments and other expenses including childcare costs and travel-

ling expenses. As a result, low and middle income working parents may qualify for support. Parents who qualify for the top rate of subvention under the programme receive €95 per week towards full-day childcare costs.

The CETS programme provides €145 towards the weekly cost of full time childcare places to participating childcare services for trainees and students who are deemed qualified by FÁS or the VEC. Students on part-time courses are funded on a pro rata basis.

The ECCE programme provides one free pre-school year to all eligible children in the year before commencing primary school. Children aged between 3 years 2 months and 4 years 6 months at 1 September in the relevant year qualify for a maximum of 15 hours per week free pre-school provision over a 38 week period. This is a universal programme to which all children have access.

In 2012, the total expenditure by my Department on these three programmes is expected to be in the region of €240 million. These programmes have been maintained despite the ongoing need to reduce Government expenditure and they represent a significant investment in supporting parents with the cost of childcare.

You may also be aware that, as part of Budget 2013, I announced with my colleague the Minister for Social Protection, a joint school age childcare initiative which will provide further additional support to both the community and private childcare sector. This initiative, which represents an annual investment of €14 million, will provide important support to parents in low income families wishing to take up employment, along with ensuring that quality after-school care is in place to support children's development.

My Department has begun work on Ireland's first Early Years Strategy which is an innovative and dynamic blueprint for the future development of Ireland's Early Years sector aimed at providing a coherent approach to seeking to improve the lives of children from birth to age six. This Strategy, which is expected to be completed in the first half of 2013, will cover a range of issues affecting children in their first years of life such as health, family support, learning and development, and care and education and will identify the structures and policies needed to improve early years experience in Ireland.

Departmental Strategies

157. **Deputy Stephen S. Donnelly** asked the Minister for Children and Youth Affairs if she intends to consider or act upon any of the proposals made in the consultation (details supplied) Being Young and Irish that concluded in November, 2012; and if she will make a statement on the matter. [56056/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): 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); and 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.

500 teenagers from the 34 Comhairle na nÓg around the country attended the first-ever Comhairle na nÓg National Showcase on Friday, 9 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 Government 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 Care Services Provision

158. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the number of children in low income households that will benefit under the community child care subvention programme in 2013; the way this compares to 2012; and if she will make a statement on the matter. [56126/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Community Childcare Subvention (CCS) programme is implemented by my Department and provides funding to community-based childcare services to enable them to provide childcare at reduced rates to disadvantaged and lower income families.

For the purpose of the CCS programme, disadvantage and low income are determined by reference to a range of means-tested allowances and payments including receipt of a social welfare payment, Family Income Supplement (FIS) and qualification for a medical or GP visit card. Eligibility for a GP visit card is based on net income and takes account of outgoings such as rent

and mortgage repayments and other expenses including childcare costs and travelling expenses. As a result, parents with middle incomes may also benefit from subvention.

Parental returns are submitted by participating community childcare services to my Department following the commencement of each school year and the information in these returns is verified by the Department of Social Protection to determine the parents that are eligible for support under the programme. The information supplied in the returns submitted in September 2012, following the commencement of the 2012-2013 school year, is currently being collated and it is expected that a provisional figure for the number of children availing of the programme in this school year will be available shortly. In the school year 2011-2012 approximately 26,000 children were supported under the CCS programme.

Child Care Services Provision

159. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs in view of the low number of voluntary and Health Service Executive notified child-minders nationally, her plans to regulate this sector by bringing all paid child-minders under the Child Care Pre-School Regulations 2006; and if she will make a statement on the matter. [56132/12]

160. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs in view of the fact that the only local support to non-regulated child-minders is provided through the Health Service Executive funded child-minders advisory worker post within a number of county childcare committees, the way in which this sector will be supported when HSE funding is discontinued; and if she will make a statement on the matter. [56133/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 159 and 160 together.

My Department has begun work on Ireland's first Early Years Strategy which will provide an innovative and dynamic blueprint for the future development of Ireland's Early Years sector aimed at providing a coherent approach to seeking to improve the lives of children from birth to age six.

One of the issues of policy which I have identified for consideration in the preparation of the new Strategy is the development of the childminding sector as a fully-integrated component of early childhood care and education, in particular for the under-one age group.

At present pre-school services are regulated under the Child Care (Pre-School Services) (No.2) Regulations 2006, as provided for under Part VII of the Child Care Act 1991.

Services providing care for children who have not yet commenced primary school are required to notify their service to the Pre-School Inspectorate of the Health Service Executive (HSE) and are subject to inspection and report by the Inspectorate on a regular basis. Services covered by the Regulations include full-time, part-time and sessional services as well as childminders taking care of more than three pre-school children from different families in the childminder's home.

The National Guidelines for Childminders, compiled by the National Childcare Co-ordinating Committee which oversees the development of an integrated childcare infrastructure throughout the country, provide guidance to childminders on good practice, and assist them to decide whether they are subject to the Regulations, as well as providing other useful information on the role of the childminder in the provision of childcare services.

As is the case with all regulatory requirements, the Child Care Regulations set the minimum standards which services are legally required to comply with. However, my Department is proactive in monitoring, promoting and developing the highest standards of care and education throughout the sector, including the regulatory environment, given the important role which these services play in this crucial phase of children's lives.

My Department provides annual funding to each CCC to enable it to support and advise all childcare providers at local level. In 2012, the total amount allocated to the CCCs was €11.3m.

I understand that there has been reduction in funding by the Health Service Executive (HSE) to City and County Childcare Committees in some areas. The HSE has, however, confirmed that it will endeavour to support the CCCs wherever possible. I have asked my Department to engage further with the Committees and the HSE and to provide a report to me on this matter.

My Department also provides annual funding, totalling €2.85m in 2012, to the seven National Voluntary Childcare Organisations, who provide support at a local level to their members.

Of the childminders covered by the Regulations, 257 had notified the HSE at the end of 2011, the last full year for which figures are available and also at that date, 1,250 childminders not covered by the Regulations had voluntarily notified the HSE.

Early Child Care Education Issues

161. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs in view of the fact that child care funding schemes are presenting more demands on childcare services to avail of particular training or have certain competencies, and that in service training is often carried out by early childhood staff voluntarily on their own time, the solutions she will put forward to address this issue; and if she will make a statement on the matter. [56134/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 with the objective of providing one free pre-school year for all eligible children prior to commencing primary school.

Childcare services participating in the ECCE programme are paid a standard capitation fee of €62.50 per week for each eligible child enrolled for the free pre-school year. Under the terms of the ECCE programme, the pre-school leaders delivering the programme must hold a certification for a major award in childcare/early education at a minimum of level 5 on the National Framework of Qualifications (NFQ) or an equivalent nationally-recognised qualification or a higher award in the childcare/early education field. My Department has part-subsidised on-line courses, developed by one of the National Voluntary Childcare Organisations, for unqualified practitioners in the current workforce who wish to achieve a level 5 award.

In keeping with the Government's commitment to increasing standards in the pre-school sector, a higher capitation payment of €73 per week is available to childcare services in which all childcare workers have qualification levels above the minimum requirements for the programme. One of the requirements for the higher capitation is that the pre-school leader holds a qualification in a relevant discipline at a minimum of a full level 7 award on the NFQ.

I have been successful in maintaining the ECCE programme as a free and universal programme despite the reduced funding available to my Department. Funding of €176 million is being made available this year to ensure that the increased cohort of eligible children have access to a quality free pre-school year.

Early Child Care Education Issues

162. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs if resources for a national implementation programme regarding Siolta, Aistear and the national literacy and numeracy strategy will be a key feature of the forthcoming national early years strategy; and if she will make a statement on the matter. [56135/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The implementation of Siolta, the National Quality Framework for Early Childhood, and Aistear, the Early Education framework, is being overseen by the Early Years Education Policy Unit of the Department of Education and Skills, which is co-located with my Department.

The National Literacy and Numeracy Strategy was formally launched by my colleague, the Minister for Education and Skills, last year.

Future developments relating to early years care and education are being considered as part of the preparation of the National Early Years Strategy which is expected to be completed in the first half of 2013. The Strategy will cover a range of issues affecting children in their first years of life, such as health, family support, learning and development and care and education. The Strategy will identify the structures and policies needed to improve early years experience in Ireland and it is expected that the issue of resources to support frameworks referred to by the Deputy will be considered as part of this process.

Child Care Services Provision

163. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs if discussions have taken place with Health Service Executive regarding the discontinuation of complementary funding supports to county childcare committees as a result of a refocus of role of the Child and Family Support Agency; and if she will make a statement on the matter. [56136/12]

164. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs in view of the proposed discontinuation of Health Service Executive complementary funding used to provide essential low cost and accessible continuing professional development opportunities and quality compliance supports for childcare staff through county childcare committees, the way in which these valuable supports will be provided at local level if HSE funding is discontinued; and if she will make a statement on the matter. [56137/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 163 and 164 together.

My Department provides annual funding to each CCC to enable it to support and advise all childcare providers at local level. In 2012, the total amount allocated to the CCCs was €11.3m.

I understand that there has been reduction in funding by the Health Service Executive (HSE) to City and County Childcare Committees in some areas. The HSE has, however, confirmed that it will endeavour to support the CCCs wherever possible. I have asked my Department to engage further with the Committees and the HSE and to provide a report to me on this matter.

My Department also provides annual funding, totalling €2.85m in 2012, to the seven National Voluntary Childcare Organisations, who provide support at a local level to their members.

Child Care Services Provision

165. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the financial supports she will put in place to assist full-time working parents who pay fees for child care provision who are outside the bands of the community childcare subvention scheme; and if she will make a statement on the matter. [56138/12]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department currently provides targeted support to parents to assist them with the cost of childcare. This support is provided through the provision of three childcare support programmes - the Community Childcare Subvention (CCS) programme, the Childcare Education and Training Support (CETS) programme, and the Early Childhood Care and Education (ECCE) programme.

The CCS programme provides funding to community-based childcare services to enable them to provide childcare at reduced rates to parents in receipt of social welfare payments. For the purpose of the CCS programme, eligibility is determined by reference to a range of means-tested allowances and payments including receipt of a social welfare payment, Family Income Supplement (FIS) and qualification for a medical or GP visit card. Eligibility for a GP visit card is based on net income and takes account of outgoings such as rent and mortgage repayments and other expenses including childcare costs and travelling expenses. As a result, middle and low income working parents may also qualify for support. Parents who qualify for the top rate of subvention under the programme receive €95 per week towards full-day childcare costs. Parents who do not qualify under the programme are expected to pay the full economic cost of providing the service.

The CETS programme provides €145 towards the weekly cost of full time childcare places to participating childcare services for trainees and students who are deemed qualified by FÁS or the VEC. Students on part-time courses are funded on a pro rata basis.

The ECCE programme provides one free pre-school year to all eligible children in the year before commencing primary school. Children aged between 3 years 2 months and 4 years 6 months at 1 September in the relevant year qualify for a maximum of 15 hours per week free pre-school provision over a 38 week period. This is a universal programme to which all children have access.

In 2012, the total expenditure by my Department on these three programmes is expected to be in the region €240 million. These programmes have been maintained despite the ongoing need to reduce Government expenditure and they represent a significant investment in supporting parents with the cost of childcare.

You may also be aware that, as part of Budget 2013, I announced with my colleague the Minister for Social Protection, a joint school age childcare initiative which will provide further additional support to both the community and private childcare sector. This initiative, which represents an annual investment of €14 million, will provide important support to parents in low income families wishing to take up employment, along with ensuring that quality after-school care is in place to support children's development.

Future developments relating to early years care and education will be considered during preparation of the new National Early Years Strategy which is currently being developed by my Department and is expected to be completed in the first half of 2013. This Strategy will cover a range of issues affecting children in their first years of life such as health, family support, learning and development and care and education and will identify the structures and policies needed to improve early year's experience in Ireland.

Departmental Expenditure

166. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs in view of the announcement in budget 2013, if she will provide the full detail of the funding allocation to the youth sector for 2013; if an impact assessment has been carried out on these cuts; and if she will make a statement on the matter. [56179/12]

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 €53.173m has been provided to my Department for the provision of youth services in 2013. Within this total funding, €1.75 has been provided in a new capital funding programme for 2013. This will include €1.5m for youth cafés and youth projects and €250,000 for play and recreation initiatives in 2013. My Department will be announcing further details regarding the application process for the 2013 funding programme early in the New Year.

My Department is working on the current funding allocations (total of €51.423m) 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. Youth organisations and projects will be advised of their 2013 allocations as soon as possible.

Going forward to 2013, my Department is developing proposals to streamline the existing five separate funding lines so that projects will receive one funding stream allowing more flexibility in setting priorities, managing savings and reconfiguring service provision. In addition, my Department will be commencing a formal Value for Money review which is expected to report by mid 2013. There will be no cut to funding for local voluntary youth clubs.

Drug Treatment Programmes Availability

167. **Deputy Eoghan Murphy** asked the Minister for Health his views on methadone clinics (details supplied). [56062/12]

Minister of State at the Department of Health (Deputy Alex White): The HSE provides opioid substitution (mainly methadone) in a number of treatment settings to meet the needs of individual drug users. These settings include:

- primary care through GPs and community pharmacies;
- satellite clinics that facilitate opioid substitution provision through community pharmacies;
- treatment centres where opioid substitution treatment is dispensed on site; and
- residential rehabilitation facilities.

The HSE recognises that drug treatment is best provided at the lowest level of complexity,

matching the patient's needs and as close to the patient's home as possible. There are currently 52 clinics within the four Dublin Local Authority Areas of which only 6 are based in the city centre. The city centre clinics cater for 1,082 people which is less than a quarter of the overall Dublin figure. 85% of those availing of services in the Dublin city centre clinics are from the local area.

The HSE has reviewed waiting lists for opioid substitution treatment over the past few years with a view to maximising the utilisation of existing services and developing new services where required. I support the provision of services in local communities but some concentration of services in Dublin city centre is needed in view of the number of clients from these areas, the fact that some people wish to avail of services outside their local area and the need to provide services for some people who have more complex needs. This approach is in line with that in many EU countries.

HSE clinics, as well as a number of voluntary service providers, have "good neighbour" policies and protocols in place and a strong focus on inter-agency working. Some provide a range of outreach and drop-in services to encourage engagement with a view to moving more people into treatment. C.C.TV is used at some centres to monitor movements and as an aid towards deterring anti-social behaviour. Drug treatment centres also work closely with An Garda Síochána with the aim of minimising any potential problems.

HSE Expenditure

168. **Deputy Billy Kelleher** asked the Minister for Health the costs that have been incurred by the Health Service Executive in hiring motivational coaches to boost morale within its management; and if he will make a statement on the matter. [56000/12]

Minister for Health (Deputy James Reilly): The HSE will be undergoing radical reform in the coming years. Strong leadership and management in the health service will be of crucial importance in order to deliver on reforms and changes of this scale. As a result, the HSE is implementing a Succession Management Programme in order to strengthen management capacity.

It is anticipated that most executive coaching requirements will be delivered by qualified HSE staff. However, some additional coaching capacity is required and the HSE has tendered for such services on a regional basis. As this tendering process a matter for the HSE in the first instance, I have referred the Deputy's question to the HSE for a more detailed response.

Primary Care Services Provision

169. **Deputy Billy Kelleher** asked the Minister for Health if he will provide, in tabular form, a breakdown of the way the €323 million reduction in the cost of primary care schemes will be achieved; and if he will make a statement on the matter. [56001/12]

Minister of State at the Department of Health (Deputy Alex White): Due to the very difficult and challenging economic environment the Government has committed to achieving additional savings in health expenditure during 2013 and 2014 with €781m savings targeted in 2013. The Government is committed to achieving these savings while protecting front line services to the most vulnerable to the greatest extent possible. Reductions in the cost of Primary Care Schemes will contribute €323m towards this overall savings target, as set out in the following table:

Primary Care Reimbursement Service

IPHA/APMI Agreement on Drug Price Reductions	€120 million
Quality Prescribing Initiative	€20 million
Reduce price of oral nutritional supplements	€5 million
Reduce fees payable to health professionals	€70 million
Increase prescription charges	€51 million
Delisting products from GMS scheme	€15 million
Changes in means test for medical cards	€20 million
Replace medical cards with GP visit cards for persons over 70 with high incomes	€12 million
Increase DPS threshold	€10 million
Total Primary Care Schemes	€323 million

Medical Aids and Appliances Applications

170. **Deputy Tom Fleming** asked the Minister for Health the position regarding orthotic shoes in respect of a person (details supplied) in County Kerry; and if she will expedite same. [56015/12]

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.

HSE Funding

171. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will make recommendations for funding to be provided in respect of a facility (details supplied); and if he will make a statement on the matter. [56036/12]

Minister of State at the Department of Health (Deputy Alex White): Coolmine Therapeutic Community receives funding from my Department and the HSE to provide a range of services, including a specific residential programme targeting women, many of whom are mothers. Reflecting the Government's ongoing commitment to the National Drugs Strategy, I have recently approved an additional €100,000 in funding to enable the facility to provide a creche service. This will allow mothers to keep their children with them during residential treatment and remove potential barriers for women who wish to access this service.

Medical Card Applications

172. **Deputy David Stanton** asked the Minister for Health when a decision will issue on a medical card application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [56055/12]

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.

Medical Card Applications

173. **Deputy Robert Troy** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied); and if he will make a statement on the matter. [56063/12]

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.

Medical Card Appeals

174. **Deputy Robert Troy** asked the Minister for Health the position regarding a medical card rejection appeal in respect of a person (details supplied) [56064/12]

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.

Hospital Waiting Lists

175. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will get a hospital appointment; and if he will make a statement on the matter. [56070/12]

Minister for Health (Deputy James Reilly): 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.

Social Workers Register

176. **Deputy Éamon Ó Cuív** asked the Minister for Health the reason the proposed registration fee for social workers is €295 per annum when the equivalent registration fee for other similar professions is much lower, nurses €88 and teachers €65; and if he will make a statement on the matter. [56121/12]

191. **Deputy Willie Penrose** asked the Minister for Health the steps he will take to reduce the proposed annual registration for social workers from €295 to a more realistic level, which would be commensurate with registration fees which are levied and payable by professionals with similar qualifications; if same will be reviewed in this context; and if he will make a statement on the matter. [56182/12]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 176 and 191 together.

Under the provisions of the Health and Social Care Professionals Act 2005, 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 Health and Social Care Professionals Council (the Council) is an independent statutory

body and is responsible for setting the level of fees.

The Council has set the following fee structure: 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 Council 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 Clinical Biochemists to 5,550 Social Care Workers, which amounts 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 Council has extensive statutory functions under the 2005 Act, and considers the annual fee of €295 the minimum required to enable it to operate. The fee charged by the Council, which takes account 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. The State is currently funding the Council 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 Council 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 entered into discussions with the HSE in regard to the feasibility of 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 and keep costs to a minimum. This will require the enactment of primary legislation in due course.

Health Services Provision

177. **Deputy Patrick O'Donovan** asked the Minister for Health the number of children in the mid west region that require access to a paediatric neurologist; if the Health Service Executive plans to appoint one; and if he will make a statement on the matter. [56144/12]

Minister for Health (Deputy James Reilly): In relation to the specific matter raised by the

Deputy, as this is a service issue it has been referred to the HSE for direct reply.

Medical Card Eligibility

178. **Deputy Billy Kelleher** asked the Minister for Health if there will be any changes to the qualifying criteria in respect of medical cards for the under-70s in 2013; and if he will make a statement on the matter. [56148/12]

Minister of State at the Department of Health (Deputy Alex White): It is intended to tighten the rules relating to a person's income and spending that is taken into account when carrying out the means test for the medical card. A date has not been set for the implementation of these new rules. In advance of that, the Department will develop this proposal in more detail in consultation with the HSE. The new rules and the implementation date will be announced and publicised in advance by the Department and the HSE.

Medical Card Eligibility

179. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health in view of the announcement in budget 2013, if he will provide the full detail of the new criteria/thresholds to be applied to medical card applications in 2013; and if he will make a statement on the matter. [56169/12]

Minister of State at the Department of Health (Deputy Alex White): Changes to the income limits for medical card applicants over 70 years of age were announced in Budget 2013.

At present, people over 70 are entitled to a medical card if their income is less than €700 per week for a single person or €1,400 for a couple. In line with measures announced in the Budget, the income limits are being reduced to €600 a week for an individual and €1,200 a week for a couple. This will mean that a single person with an income under €600 per week or a couple with an income under €1,200 per week, will still qualify for a medical card. If a single person has an income of between €600 and €700 per week, or a couple has an income of between €1,200 and €1,400 per week, they will qualify for a GP visit card instead of a medical card.

It is estimated that these changes will affect about 20,000 persons out of 360,000 over-70's medical card holders. This is about 5% of the entire over 70's population. Under the new arrangements, it is envisaged that 92% of the over 70's will retain their medical cards. The implementation date will be announced at a later date in 2013.

In relation to medical card applicants under 70 years of age, it is intended to tighten the rules relating to a person's income and spending that is taken into account when carrying out the means test for the medical card.

A date has not been set for the implementation of these new rules. In advance of that, the Department will develop this proposal in more detail in consultation with the HSE. The new rules and the implementation date will be announced and publicised in advance by the Department and the HSE.

Services for People with Disabilities

180. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health in view of the an-

nouncement in budget 2013, if he will provide the full detail of the funding allocation to the disability sector for 2013; if an impact assessment has been carried out on these cuts; and if he will make a statement on the matter. [56170/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The funding situation for the disability sector is not yet available pending the finalisation of the HSE's National Service Plan for 2013. Savings required globally from the Health Budget will have an impact on all services, including disability services, and these will be outlined later this month when the Minister for Health approves the National Service Plan.

Nursing Homes Support Scheme Applications

181. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health in view of the announcement in budget 2013, if he will provide the full detail of changes to the funding of nursing home care/fair deal; the way this will affect individual service users; and if he will make a statement on the matter. [56171/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There were two changes to the Nursing Homes Support Scheme announced in Budget 2013. Firstly, the asset contribution will be increased from 5% to 7.5% per annum. This will be capped at three years, or 22.5%, in the case of the principal private residence. This change will apply to both new and existing nursing home residents. However, for existing residents, it should be noted that, in the case of the principal private residence, the higher percentage will only apply for the time remaining of the three year cap. In the case of all other assets, it will apply for as long as the person remains in receipt of financial support under the Scheme.

Secondly, the entitlement for State support to be backdated to the 27th October 2009 for people who were in nursing home care prior to the Scheme commencing will be abolished.

It is important to note that the legislation underpinning the Scheme must be amended before these measures can be implemented. Therefore, an effective date will be announced in 2013.

Finally, the review of the Nursing Homes Support Scheme will proceed as planned. A considerable amount of preparatory work for the review has already been completed. It will progress within the constraints of available staff and other priorities. It is envisaged that the review will be completed in 2013.

HSE Planning

182. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the date on which he expects to receive the Health Service Executive National Service Plan 2013; and if he will make a statement on the matter. [56172/12]

Minister for Health (Deputy James Reilly): The Health Act 2004 states that within 21 days after the publication by Government of the Estimates, the Health Service Executive shall prepare a service plan and submit it to me for my approval.

The Service Plan, to be submitted before Christmas, will set out the level and type of health services to be provided in 2013. It will include plans for delivering on the Programme for Government commitments in mental health and primary care. In accordance with the Act I am required to lay a copy of the plan before both Houses of the Oireachtas within 21 days of approving it. However, it is my intention to do so as soon as is reasonably possible, after I have

approved it.

Universal Health Insurance Provision

183. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the date on which he received the Higgins Report; the date on which he will publish it; and if he will make a statement on the matter. [56173/12]

Minister for Health (Deputy James Reilly): A key stepping stone towards the introduction of Universal Health Insurance will be to develop independent not-for-profit hospital trusts in which all hospitals will function as part of integrated groups. The rationale behind the establishment of hospital groups and trusts is to support increased operational autonomy and accountability for hospital services in a way that will drive service reforms and provide the maximum possible benefit to patients. Reform across the three domains of access, quality and resources is not achievable unless there is real clinical and managerial accountability at hospital level.

The work on hospital groups is not about downgrading hospitals. It is about the bringing together groups of hospitals to form single cohesive entities to allow maximum flexibility in management, budgets and service delivery. Hospital groups will be established on an administrative basis pending the legislation required to set up hospital trusts by 2014. Before those trusts are established the make-up and functioning of the Groups will be reviewed and if changes prove necessary then they will be made with Government approval when the hospital trusts are being formed.

Last June I appointed Professor John Higgins to chair a Strategic Board on the Establishment of Hospital Groups. The Strategic Board is composed of representatives with both national and international expertise in health service delivery, governance and linkages with academic institutions. A Project Team was established to make recommendations to the Strategic Board on the composition of hospital groups, governance arrangements, management frameworks and linkages to academic institutions.

The Project Team is currently finalising a Report on the recommendations outlined above, taking account of the observations and comments made by the Strategic Board at their meeting on 14th November. It is anticipated that this work will be completed within the next few days. Upon completion, the finalised Report will be submitted to me and I will then bring it to Cabinet. The composition of Hospital groups will be a Government decision, taking into account the recommendations of that Report.

Medical Card Drugs

184. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health in view of the announcement in Budget 2013 the number of medical card recipients aged over 70 years who will have their full cards replaced with general practitioner only cards; and if he will make a statement on the matter. [56174/12]

Minister of State at the Department of Health (Deputy Alex White): It is estimated that the changes referred to by the Deputy will affect about 20,000 persons out of 360,000 over-70s medical card holders. This is about 5% of the entire over 70s population. Under the new arrangements, it is envisaged that 92% of the over 70's will retain their medical cards.

Home Help Service Redundancies

185. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide detail of the home help/home care package budget for 2013; the estimated number of home help hours funded; and the way these figures compare to 2012 and 2011 [56175/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Protecting the vulnerable, including supporting older people to remain at home and in their communities for as long as possible, is a priority for this Government. The issues raised by the Deputy in relation to the 2012 out-turn position, and home care provision for 2013, are being considered at present in the context of finalising the HSE Service plan for next year. The position on the questions raised will be reflected in the forthcoming Service Plan, which will be published in the near future.

In relation to 2011, the HSE provided just over 11 million Home Help hours with funding of €211m. In that year, over 10,900 people were in receipt of a Home Care Package at any one time, with total annual funding of €138m for this enhanced care provision.

Mental Health Services Report

186. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the way the ring fenced €35m for mental health was spent in 2012; the way the 2013 allocation will be spent; and if he will make a statement on the matter. [56176/12]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Funding from the €35 million special provision for mental health in 2012 was allocated for measures primarily to further strengthen Community Mental Health Teams in both Adult and Children's mental health services, to advance activities in the area of suicide prevention, to initiate the provision of psychological and counselling services in primary care, specifically for people with mental health problems and 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*.

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. Most start dates are expected to commence this month.

The provisional outturn for mental health services has, like many other areas, been running ahead of budget and the end of year excess in this area will be met from the unexpended portion of the €35 million. It is not possible to say yet exactly how much of the €35 million will be spent on mental health services by the end of this financial year. Budget 2013 provides a further €35 million for the continued development of our mental health services and I will be engaging fully with the Health Service Executive to ensure that the developments to be put in place for this additional funding are reflected in the National Service Plan for 2013.

Primary Care Services Provision

187. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the way the ring fenced €20 million for primary care was spent in 2012; the way the 2013 allocation will be spent; and if he will make a statement on the matter. [56177/12]

Minister of State at the Department of Health (Deputy Alex White): An allocation of €20 million was set aside in the HSE's 2012 National Service Plan for approximately 250 Primary Care posts (including Public Health Nurses (PHNs), Registered General Nurses (RGNs), Occupational Therapists, Physiotherapists and Speech and Language Therapists) and 17 Integrated Care Diabetes Nurse Specialist posts. The Diabetes Nurse Specialist posts will support the phased roll out of the national chronic disease management programme for diabetes which is expected to commence shortly. The HSE recently held interviews for the Diabetes Nurse Specialist posts and it is expected that these posts will be filled early in 2013.

Due to financial constraints, it was not possible to fill the primary care posts in 2012. It is my firm intention to have these posts filled as soon as possible in 2013. The time-related savings associated with the non recruitment of the posts in 2012 was used by the HSE to defray expenditure in other primary and community care areas.

Medicinal Products Expenditure

188. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health his plans regarding illness oriented prescribing; and if he will make a statement on the matter. [56178/12]

Minister of State at the Department of Health (Deputy Alex White): The HSE has established a clinician-led Medicines Management Programme (MMP), the aim of which is to ensure that all people have access to the essential medicines they need, that the medicines are safe, effective, and are prescribed and used rationally.

The MMP will be led out by the National Medicines Information Centre (NMIC) and the National Centre for Pharmacoeconomics (NCPE) and will work closely with the HSE's Primary Care Reimbursement Service. The MMP team will include people with prescribing database analytical expertise and prescribing advisors.

An important task of the MMP will be the focus on cost-effective prescribing and the reduction in drug expenditure through more rational prescribing. Proposed initiatives in this regard will include the identification of preferred medicines (or medicines of first choice) in high cost areas such as Proton Pump Inhibitors (PPIs) and statins as these two groups account for approximately 20% of all expenditure under the GMS scheme. Generic prescribing will also be promoted as it is generally accepted as the most cost-effective prescribing.

General Practitioner Services

189. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health in view of the announcement in Budget 2013, if he will provide the full detail of the proposed implementation of free general practitioner care; when the necessary legislation will be introduced; and if he will make a statement on the matter. [56180/12]

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 universal GP service without fees.

Legislation to allow the Minister for Health to make regulations to extend access to GP ser-

vices without fees to persons with prescribed illnesses is currently being drafted by the Office of the Attorney General and the Department and it will be published shortly. Implementation dates and application details will be announced in due course.

An additional amount of €15 million was provided in Budget 2013 for the roll out of GP care without fees.

HSE Staffing

190. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide details of the proposed staffing reduction in the Health Service Executive in 2013 in terms of total number, staff grade, location, and so on; the way that this reduction will be achieved; the timeline and cost saving of same; and if he will make a statement on the matter. [56181/12]

Minister for Health (Deputy James Reilly): The Government has decided that the numbers employed across the public service must be reduced to 282,500 by the end of 2014 in order to meet its fiscal and budgetary targets. The health sector must make a proportionate contribution to the achievement of this reduction.

The Health Estimates published on 5 December are based on an expected reduction in 2013 of approximately 3,200 wholetime equivalents. The final staffing ceiling will be confirmed by the Minister for Public Expenditure and Reform.

Question No. 191 answered with Question No. 176.

Hospital Procedures

192. **Deputy John McGuinness** asked the Minister for Health if an early date for a hip operation will be arranged at Cappagh Hospital, Dublin, in the case of a person (details supplied) in County Kilkenny; the action he is taking to reduce the six to nine month waiting list; and if he will make a statement on the matter. [56189/12]

Minister for Health (Deputy James Reilly): The management of inpatient and daycase 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.

Capital Expenditure Programme Issues

193. **Deputy Seán Ó Fearghail** asked the Minister for Transport, Tourism and Sport if

he will provide an update on the €17 billion Capital Programme for 2012 - 2013; the funds that have been spent in this respect thus far; and if he will make a statement on the matter. [56040/12]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Infrastructure and Capital Investment 2012-2016 Medium Term Exchequer Framework set out a gross capital allocation of €17 billion of which my Department has an allocation of €4.6 billion. The 2012 allocation of €1,231 million for my Department was subsequently increased in the Revised Estimate for 2012 to €1,245 million. Following a supplementary estimate in November 2012, the capital allocation for 2012 was reduced to €1,214 million. €803 million has been spent to end November 2012 and it is anticipated that all funding will be spent.

Investment in capital infrastructure will be scaled back significantly over the next five years. Specifically, capital expenditure confirmed for my Department in 2013 will fall by €314 million to €900 million.