

## Written Answers.

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

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*Questions Nos. 1 to 4, inclusive, answered orally.*

*Questions Nos. 5 to 122, inclusive, resubmitted.*

*Questions Nos. 123 to 130, inclusive, answered orally.*

### **Jobseeker's Allowance Eligibility**

131. **Deputy Pearse Doherty** asked the Minister for Social Protection the progress that has been made in the ongoing issue around part time fire fighters being refused jobseeker's payments on the stated grounds that the conditions applying to their work as a part time fire fighter impose unreasonable restrictions on the locations at which they can accept work; if, in the interests of public safety, she will amend the rules of the scheme or produce new guidelines on the interpretation of the available for work criterion; and if she will ensure that part time firefighters are not excluded from such benefits due to the fact that their vital role in the fire service requires them to be in certain geographic locations. [4080/13]

**Minister for Social Protection (Deputy Joan Burton):** Jobseeker's benefit (JB) is a weekly payment to people out of work and covered by social insurance. If a person does not qualify for JB they may qualify for means tested jobseeker's allowance. In 2012 my Department spent over €3.8 billion on the schemes and at the end of 2012 there were some 390,000 persons in receipt of payment under these schemes.

Unlike other jobseekers, part-time fire fighters are entitled to a JB payment in respect of days that they are engaged in fire fighting or training. They are, however, required to satisfy the statutory conditions for the receipt of a jobseeker's payment of being available for and genuinely seeking work. However, the requirement that they reside and work in proximity to the fire station of their brigade may, subject to the circumstances of an individual case, unreasonably restrict the location where they can accept work and limit their prospects of obtaining work. It is a matter for Deciding Officers to make a decision based on the circumstances of each case.

The Department is currently examining the position of these workers vis-à-vis the jobseeker's schemes and the unusual employment circumstances of retained fire brigade personnel. This includes consideration of the availability for work criteria. As part of this process the Department is in discussions with the Department of the Environment, Community and Local Government. However, final decisions have not been made with regard to potential changes to existing arrangements. I am aware that this issue is taking some time to conclude but it is complex and unique. There is a need to strike a reasonable balance between the requirements of the fire brigade services of local authorities on the one hand and equity with the treatment

of other job seekers on the other. I have asked the Department to conclude its examination as a matter of urgency.

### **Rent Supplement Scheme Administration**

132. **Deputy Brian Stanley** asked the Minister for Social Protection if consideration has been given to making payment of rent supplement directly to landlords through their bank accounts. [4069/13]

169. **Deputy Sean Fleming** asked the Minister for Social Protection the progress that has been in the transfer of responsibilities for the provision of rent allowance and the timeframe for future changes. [4097/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 132 and 169 together.

There are currently approximately 88,000 persons in receipt of rent supplement for which the Government has provided €403 million in 2013. Under the legislative provisions governing rent supplement, the Department's relationship is with the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs and there is no direct relationship between the landlord and the Department. However, rent supplement payments can, at the request of the tenant and agreement of the Department, be paid directly to the landlord. The efficiency of the scheme would be significantly affected if all rent supplement payments were made directly to the landlord as the Department would potentially have to create a formal relationship with up to 88,000 additional clients, the landlords, for what should be only a short term need.

On 27 March 2012, the Government approved, in principle, to transfer responsibility for the provision of rental assistance to persons with a long-term housing need from this Department to housing authorities using a new Housing Assistance Payment (HAP). Among the main features of HAP is that landlords will be paid directly by the local authority. The Department has recently introduced legislation to amend the household budget scheme which will support tenants in meeting their rental obligations to local authorities. This amendment is a key stepping stone towards the transfer of responsibility for providing for the housing needs of long-term recipients of rent supplement to the housing authorities. The Department of the Environment, Community and Local Government has advised that it expects pilot testing of HAP to commence during the second half of 2013 and a general commencement of transfers will take place from January 2014. The new arrangements will achieve a key Government commitment of removing barriers to employment and at the same time returning rent supplement to its original purpose of a short-term income support.

### **Back to Education Allowance Payments**

133. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the number of people who will be affected by the abolition of the back to education cost allowance; and if she will make a statement on the matter. [4056/13]

**Minister for Social Protection (Deputy Joan Burton):** The back to education allowance (BTEA) is a second chance education opportunities scheme. It is designed to remove the barriers to participation in second and third level education by enabling those in receipt of certain social welfare payments to continue to receive a payment while pursuing an approved full-time

education course that leads to a higher qualification than that already held. The BTEA scheme covers a large range of full-time courses of education in approved colleges, spanning basic foundation courses to third level courses across all disciplines.

The numbers availing of BTEA and the associated cost of the scheme has risen dramatically in recent years. Numbers for the current 2012/13 academic year are 25,886 which represents a 191% increase on the 2007/08 numbers. It is estimated numbers pursuing BTEA in the 2013/14 academic year will be similar to this year. Provisional expenditure figures indicate a cost of €199.1m for BTEA in 2012 compared to the position in 2008 where expenditure stood at €77.13m. An estimate of expenditure of €189.3m is provided in 2013.

As the Deputy will appreciate, managing expenditure demands for 2013 and beyond poses difficult challenges and requires a critical analysis of all expenditure items. As part of the recent Budgetary process, the Government considered the resources available to meet expenditure demands across the various schemes and services delivered by the Department in 2013. Budget 2013 introduced the cessation of the €300 cost of education allowance for new and existing BTEA participants from January 1st, 2013. This applies to all courses commencing after this date. Courses that commenced prior to Jan 1st 2013, which have not yet been paid the cost of education allowance may be paid the allowance once it relates to courses commenced prior to 1 January 2013. The BTEA scheme remains an attractive scheme for social welfare recipients who wish to further their education. A significant majority of those entering BTEA are in receipt of the maximum personal rate of payment of €188 per week, which compares favourably with other State funded supports for those pursuing education.

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

134. **Deputy Charlie McConalogue** asked the Minister for Social Protection the number of children affected by the cuts to the back to school footwear and clothing allowance; and if she will make a statement on the matter. [4051/13]

**Minister for Social Protection (Deputy Joan Burton):** The back to school clothing and footwear allowance scheme provides a one-off payment to eligible families to assist with the extra costs when children start school each autumn. The Government has provided €48.8m for the scheme in 2013. The rates for 2013, which are not intended to meet the full cost of school clothing and footwear but to provide assistance towards these costs, compare favourably with available prices. The rates of back to school clothing and footwear allowance had increased significantly since 2006 when viewed in the context of clothing and footwear price trends. The October 2012 Consumer Price Index indicates that the overall cost of clothing and footwear has fallen by over 27% during the same period. Approximately 187,000 families, with 340,000 children, were assisted under the scheme in 2012. It is expected that a similar number of families and children will benefit from the scheme in 2013.

### **Child Care Services Provision**

135. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the timeframe her interdepartmental group on the provision of Scandinavian child care system has met since established; when it is likely to report to her; if she will publish the report; and if she will abide by her commitment last year, when debating the Social Welfare and Pensions Bill 2012 which reduced the cut off age for qualifying for one parent family payment from 12 to seven, that she would not proceed unless there was a comprehensive system of Scandinavian style child care

system in place. [4074/13]

146. **Deputy Mick Wallace** asked the Minister for Social Protection her plans to develop a Scandinavian model of child care here; and if she will make a statement on the matter. [4041/13]

417. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will report on the provision of additional after school places for children in primary schools as announced under Budget 2013; the number of places made available through the proposed pilot INTREO service in Coolock, Dublin; and if she will make a statement on the matter. [56649/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 135, 146 and 417 together.

As part of the package of measures in Budget 2013 I announced, along with the Minister for Children and Youth Affairs, Frances Fitzgerald, a €14 million joint childcare initiative between our two departments. This initiative demonstrates my determination to progress this issue despite the very serious financial situation and the particularly difficult budgetary situation this year. The new scheme will provide approximately 6,000 afterschool childcare places for eligible clients of my Department. It will be targeted to support those who engage in the activation process and who enter into employment. The places will be limited to low income families with children aged 4 to 12 years in primary school.

I believe that the availability of these childcare places is a very positive measure for lone parents. I secured the agreement for this scheme from Government, in conjunction with Minister Fitzgerald, to address the child care needs of lone parents as part of the reforms of the one-parent family payment (OFP) scheme. In addition, I have postponed the commencement date of the reductions to the age of the youngest child for receipt of OFP from January 2013 to July 2013, to provide time for this scheme to be defined and for some of these additional after-school child care supports to be put in place.

The Department of Children and Youth Affairs estimate that the cost of universal after-school childcare provision in Ireland would be in the region of €1 billion per annum. Given the current fiscal constraints this level of funding is not currently available. The new scheme will build on the existing supports provided by the Department of Children and Youth Affairs in the child care sector. My Department is working closely with officials from the Department of Children and Youth Affairs to fully define the scheme. I expect that the scheme will commence with a pilot and be rolled out on a phased basis.

### **Child Benefit Rates**

136. **Deputy Seán Crowe** asked the Minister for Social Protection if she plans to further cut child benefit in view of the fact that it has already been cut by 22%. [4062/13]

183. **Deputy Timmy Dooley** asked the Minister for Social Protection her plans for the future of child benefit; and if she will make a statement on the matter. [4047/13]

420. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection in view of the cuts to child benefit, her views on the claim by the Society of St. Vincent de Paul that those who depend on social welfare supports must be protected from further cutbacks; and if she will make a statement on the matter. [56765/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 136, 183 and 420 together.

Child benefit is a monthly payment made to families with children in respect of all qualified children up to the age of 16 years. The payment continues to be paid in respect of children up to their 18th birthday who are in full-time education, or who have a physical or mental disability. The estimated expenditure on child benefit in 2013 is around €1.9 billion and it is currently paid to around 609,000 families in respect of some 1.16 million children.

Budget 2013 provides for a reduction in child benefit rates to €130 per child per month for the first, second and third child in a family and to €140 per child per month for the fourth and subsequent children. Unfortunately, it has not been possible to exempt income support to families from the general budgetary strategy, given the level of adjustments required. Although this Budget measure is primarily designed to reduce overall public expenditure with a view to restoring stability to the public finances, some of the savings from this measure have been redirected towards services targeted at low-income families and includes an Area Based Approach to Child Poverty; after school childcare and additional funding for school meals. While child benefit, as a universal payment, can be an important source of income for all families, especially during a time of recession and high unemployment, the social protection system also provides assistance to low income families with children through the payment of qualified child increases (QCIs) on primary social welfare payments and through the family income supplement (FIS) payment. Both of these provide a level of assistance which is directly or indirectly linked with a household's income situation. Budget 2013 maintains both the QCI rate and the FIS income limit thresholds.

Achieving a better design of the overall system of child income supports raises complex issues about the effectiveness and efficiency of the full range of income supports currently provided to families and their children. In this context and in line with a commitment in the Programme for Government, I established in 2011 an Advisory Group on Tax and Social Welfare, which has been tasked with recommending cost-effective solutions as to how employment disincentives can be improved and better poverty outcomes achieved, particularly child poverty outcomes. The Advisory Group prioritised the area of family and child income supports and has completed its work on this area. Their report is currently receiving my consideration and will be published in the near future.

I would draw the Deputies' attention to the fact that while the Comprehensive Expenditure Review, 2012 to 2014, published in December, 2011, provided for a reduction of a further €540 million in expenditure by my Department in 2013, the Government was able to reduce the net savings required for this year to €390 million. This was €150 million less than originally indicated. This enabled the Government to ensure, for the second year in a row, that there was no reduction in primary weekly rates of payment.

In 2013 the Department will spend €20.257 billion on the wide range of schemes and services it operates. The Department of Public Expenditure and Reform's Expenditure Report 2013 published by Government last December provides for additional new expenditure reduction measures of €440 million to be achieved in 2014 in the Department of Social Protection budget. Reducing overall expenditure in 2014 in line with this target will be very challenging. No decisions have been made at this stage as to how these targets will be met. The Government will consider this having regard to all of its commitments. The Deputies can be assured that my colleagues and I will do our best to ensure that the burden of resolving the crisis does not fall disproportionately on those who depend on income supports from my Department.

### **Youth Unemployment Measures**

137. **Deputy Timmy Dooley** asked the Minister for Social Protection the progress that has

been made on the establishment of a youth guarantee scheme; and if she will make a statement on the matter. [4095/13]

**Minister for Social Protection (Deputy Joan Burton):** The European Commission has made a proposal for a Council Recommendation on a Youth Guarantee. In the form proposed by the commission, the Recommendation would be for Member States to ensure that all young people receive a quality offer of employment, continuing education, an apprenticeship or a traineeship within four months of becoming unemployed or leaving formal education. To be adopted, the Recommendation has to be agreed by the Member States. The process of negotiation on the Recommendation is currently under way, and the Irish Presidency has indicated our intention to have the agreed Recommendation adopted at the Council of relevant ministers at the end of February, and by the European Council before the end of our Presidency.

The main issues under discussion in the negotiations relate to the identification of the target group of young people, to the length of the period within which a guarantee would apply, the types of measure that would qualify as meeting the guarantee, and the question of flexibility for Member States with particularly high levels of youth unemployment and/or particularly difficult circumstances in relation to their public finances. When an agreed Recommendation has been adopted, the Government will review existing policies related to youth unemployment and identify the measures that will be required for the implementation of the guarantee.

### **Pension Provisions**

138. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will outline her plans for a universal pension scheme; her views on when any such proposals will be published; and if she will make a statement on the matter. [3920/13]

**Minister for Social Protection (Deputy Joan Burton):** The overall objective of the pension system in Ireland is to provide an adequate and sustainable basic standard of living through direct State supports and to encourage people (through generous tax reliefs) to make supplementary pension provision so that they may have an adequate income replacement rates when they retire from work. Secure and adequate finances are one of the fundamental components of a happy and active retirement. Compared to the rest of the population, Ireland's older people have the lowest poverty rates (at 0.9%) and are least likely to be at risk of poverty. Significant reform of our pensions systems is necessary to safeguard future sustainability and adequacy.

Recent figures indicate that only half of workers aged between 20 and 69 years have a private pension and this relatively low coverage is of major concern to the Government. The sustainability of the pension system is a particular concern because of the demographic challenges Ireland faces, the associated increases in pension (and other age related) costs, and the deterioration in the public finances. This means that, in the future, the task of financing increased pension spending will fall to a diminishing share of the population as demographic projections indicate the ratio of working age to pensioners will decrease from 5.3/1 at present to 2.1/1 by 2060. Life expectancy in Ireland is also increasing – in the mid 1990s, life expectancy for males was 73 and for females 78.5. In 2041, it will be 86.5 and 88.3 respectively. While this is a very welcome development, it also presents very real and obvious public policy challenges.

While the State pension is expected to provide sufficient retirement income for the lowest paid workers, many people retiring from work will have a significant income gap if they do not have supplementary private pension provision. It is a priority for the Government to increase supplementary pension coverage, particularly amongst the lower paid and those with gaps in their employment. The Programme for Government includes a commitment to reforming the

pension system to progressively achieve universal coverage, with particular focus on lower-paid workers. A soft-mandatory approach such as that envisaged by an auto-enrolment scheme, using economies of scale to achieve greater cost efficiencies for the member, is a very proactive way in which we can increase supplementary pension coverage. However, it is recognised that introduction of such an initiative would be best supported by a more favourable economic environment than is currently the case.

Recent discussions on the pensions system in Ireland and future pension policy identified the need for a short and focussed examination on the direction of long term policy to ensure a modern, sustainable, and adequate pension system taking into account the impact of the economic downturn. In this regard, the OECD has been commissioned to review long term pension policy in Ireland and this will include consideration of an auto enrolment system. It is expected that the report from the OECD will be finalised in the first quarter of this year.

### **Employment Support Services**

139. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she expects the various employment training, educational and/or other temporary employment measures and youth outreach provisions to positively impact on the numbers on the current live register with particular reference to the needs of the long-term unemployed and specifically long-term youth unemployment; her views on whether the full extent of the projections in this regard are likely to be achieved in the short and medium term; and if she will make a statement on the matter. [4033/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department provides a range of employment and work experience supports for unemployed people. During 2012, an average of 48,700 persons availed of these schemes. These include JobBridge; the employment programmes, TÚS, the Rural Social Scheme, and Community Employment; and support for people setting up their own businesses by means of the Back to Work Enterprise Allowance and Short-term Enterprise Allowance. The employment programmes in particular are targeted for those who are long-term unemployed. For 2013, it is intended to increase employment and work experience places to 60,000. I expect these additional places to be fully taken up during the year. This will have a commensurate impact of reducing the Live Register in the short-term while persons avail of these programmes.

A particular emphasis will be placed on an intensified approach to engaging with long-term unemployed in 2013. Towards this end the Department intends, during 2013, to:

1. Commence a project to profile all c 420,000 clients on the live register. This will help the Department to prioritise the selection of clients for assistance and to allocate scarce places on training and activation schemes.

2. Increase the number of its own staff assigned to case work/employment services duties.

In addition, a major initiative planned for 2013 will be the streamlining of the existing Revenue Job Assist and Employer PRSI schemes into a single easy to administer scheme that offers an attractive incentive to employers recruiting people who are long-term unemployed.

While there should be an impact in the medium to long term in improving people's probability of exit from the Live Register as a result of these measures, the impact is not quantifiable. However, we do have some preliminary evaluation of the outcomes from the JobBridge Internship Scheme, which forms a significant component of the Pathways to Work approach. The findings of the interim evaluation of JobBridge, by Indecon found that 61% of interns who

completed their internship secured employment within 5 months. These progression rates compare favourably with European averages in this area and represent very significant progress in a short period of time. It is expected that the progression outcomes in respect of those under 25 would be broadly in line with this 61% figure.

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

140. **Deputy Seán Kyne** asked the Minister for Social Protection if she will outline the steps that are being taken to reduce and minimise delays in the processing time for applications to the various schemes as administered by the social welfare services component of her Department. [4035/13]

160. **Deputy Martin Ferris** asked the Minister for Social Protection the progress that has been made in reducing waiting lists for applicants to each of the social welfare payments in the past year. [4060/13]

170. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the waiting time for applications for payments to be decided upon, for example invalidity pension, disability benefit, jobseeker's and so on. [3928/13]

474. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which it has been found possible to shorten the time taken to process applications for each category of social welfare payment; the area or areas still requiring further attention in this regard; and if she will make a statement on the matter. [4539/13]

480. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she continues to monitor the staff requirements throughout her Department with particular reference to the need to eliminate backlogs arising from the increased number of applicants for various payments; if it has been found possible to respond to on-going and increasing demand arising from the economic situation which she inherited from her predecessors; and if she will make a statement on the matter. [4545/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 140, 160, 170, 474 and 480 together.

The Department is committed to ensuring that claims are processed as expeditiously as possible. Processing times vary across schemes, depending on the differing qualification criteria. As can be seen from the data in the following table, schemes that require a high level of documentary evidence from the customer, particularly in the case of illness-related schemes, can take longer to process. Similarly, means-tested payments can also require more detailed investigation and interaction with the applicant, thereby lengthening the decision making process. Delays can also arise if information is required from social security organisations in other jurisdictions and where additional information has been requested from the applicant but remains outstanding. For example, pension claims on hand for more than three months typically occur in the case of EU/bilateral pensions where information from other jurisdictions is awaited or, in the case of self-employed, there may be outstanding PRSI liabilities. This delay impacts on the award of household benefits in many cases as these secondary payments are linked to when the primary benefit is awarded.

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. Since May, 2008 to end December, 2012, a total of 1,084 posts (1,111 people) have been filled across the Department through redeployment and transfer of staff.

The new Intreo service is currently being rolled-out and implemented on a phased basis. This new service integrates employment and income supports and provides for a streamlined and personalized service to clients in accessing job opportunities and availing of supports to enable them to get back to work at the earliest possible opportunity. The Intreo Centres also include a single integrated decision-making team that integrate and streamline the processes formerly undertaken by the different agencies now amalgamated into the Department. Already clients are seeing the benefits of the integrated decisions process in terms of shorter decision times and in the reduced recourse to supplementary payments in offices where integrated decisions are in operation.

The following table provides details of processing times for each quarter during 2013. It demonstrates the recent improvements that have been made in areas such as invalidity pension and family income supplement (FIS) areas. FIS claims, both new and renewals received on or after the 5th November 2012 are currently being processed on receipt and it is intended to eliminate all backlogs by the end of March 2013. The introduction of a new IT platform has also improved processing times for invalidity pension.

I wish to assure the Deputies that prompt processing of claims remains a priority for me. Each scheme area is continuously monitored and processing procedures reviewed to ensure that claims are paid to customer as quickly as possible.

**Claim processing times per Quarter - 2012: Average weeks to award**

<b>Scheme</b>	<b>Mar</b>	<b>June</b>	<b>Sept</b>	<b>Dec</b>
State Pension (contributory)	6	5	7	3
State Pension (transition)	5	6	7	4
State pension (non-contributory)	11	12	12	13
Widow(er)'s Pension (contributory)	2	2	2	2
Widow(er)'s Pension (non-con) pension & one parent family payment (widow)	11	7	9	8
One Parent Family	17	15	13	14

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Scheme	Mar	June	Sept	Dec
Household Benefits	1	2	2	2
Bereavement Grant	1	1	1	1
Invalidity Pension	31	32	33	16
Family Income Supplement - New Claims	17	16	18	7
Disability Allowance	28*	17*	17*	17*
Carer's Benefit	11	11	9	9
Carer's Allowance	28*	28*	25*	25*
Jobseeker's Benefit	2	2	2	2
Jobseeker's Allowance	5	4	4	4
Illness Benefit	1	1	1	1
Maternity Benefit	2	2	2	2
Child Benefit - Domestic	3	2	4	3
Domiciliary Care Allowance	6	7	6	6
Back to Education Allowance				Applicants for BTEA are already in receipt of another social welfare payment before a decision is made on their entitlement to the Allowance.

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

### Social Welfare Code Issues

141. **Deputy Seamus Kirk** asked the Minister for Social Protection the average social transfer in 2012 for the top 10% of income earners and the bottom 10% of income earners; and if she will make a statement on the matter. [4102/13]

**Minister for Social Protection (Deputy Joan Burton):** Data on the distribution of social transfers by income decile are reported by the Central Statistics Office (CSO) from the Survey on Income and Living Conditions. Data for 2012, as requested by the deputy, are unlikely to be published by the CSO until the end of 2013. The publication of data for 2011 has been delayed

and is now expected later this year. The 2011 data will include revised data for 2010 (originally published by the CSO in March 2012).

### **Rent Supplement Scheme Application Numbers**

142. **Deputy Catherine Murphy** asked the Minister for Social Protection the number of rent supplement applications that remain unprocessed at this time; the average length of time it takes to process a rent supplement application; the same figures for each of the past three years; and if she will make a statement on the matter. [3911/13]

174. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications for rent support, mortgage interest relief, supplementary welfare or other basic payments received in each of the past two years to date; the numbers approved under each heading; the numbers referred to appeal; the number of decisions overturned on appeal; the average length of time taken overall under each heading; and if she will make a statement on the matter. [4032/13]

471. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications for rent support received on a county basis in each of the past four years to date; the numbers granted, refused or pending in each case; and if she will make a statement on the matter. [4535/13]

478. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of applications received in her Department or through the Health Service Executive for mortgage interest support in each of the past three years to date; the number granted refused or pending; the average length of time taken to determine such cases; and if she will make a statement on the matter. [4543/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 142, 174, 471 and 478 together.

The supplementary welfare allowance scheme (SWA) is considered the “safety net” within the overall social welfare system in that it provides assistance to eligible people in the State whose means are insufficient to meet their needs and those of their dependants. The Government has provided approximately €718 million for the various SWA schemes in 2013. I include a tabular statement outlining the number of claims awarded for basic supplementary welfare allowance, rent supplement and mortgage interest supplement for each of the last three years. A breakdown of the number of rent supplement claims in payment on a county basis for each of the past four years is provided. I also include details of the number of payments made under the exceptional needs payments and urgent needs payments schemes for 2011 and 2012. Statistics are not available on the length of time taken to process SWA applications, the number of applications received or their outcome.

Statistics from the Social Welfare Appeals Office advise that 5,445 SWA appeals were received in 2012. The average processing time was 17.6 weeks for appeals dealt with by way of summary decision and 22.9 weeks for those requiring an oral hearing. Prior to October 2011, supplementary welfare allowance appeals were submitted directly to appeals officers of the Health Services Executive (HSE). A tabular statement detailing the outcome of SWA appeals decided by appeals officers for 2012 is included. The statistics presented in relation to appeals are not analysed under the various sub schemes within SWA as individual appeals can relate to more than one scheme area.

Reviews of exceptional needs payments and urgent needs payments are not appealed to the

Chief Appeals Officer but are referred for review by another officer if the applicant is not satisfied with the outcome of their application. Statistics are not maintained on the number or the outcome of such reviews.

The provision of a prompt service is a major objective for the Department's staff administering the various elements of SWA. All decisions are decided as speedily as possible. This is tempered by the necessity to ensure that every case is fully examined and that all cases are dealt with in a consistent and fair manner. I am satisfied that the Department's staff dealing with applications or appeals in relation to SWA payments make every effort to ensure all transactions are processed in an efficient, fair and transparent manner.

**Table 1: Number of Rent Supplement, Mortgage Interest Supplement and Supplementary Welfare Allowance claims awarded by year.**

Year	Rent Supplement	Mortgage Interest Supplement	Supplementary Welfare Allowance
2012	48,731	5,209	85,121
2011	63,878	10,106	95,227
2010	71,674	11,321	112,365

**Table 2: Number of payments made under Exceptional Needs Payment and Urgent Needs Payment schemes**

Year	Exceptional Needs Payments	Urgent Needs Payments
2012	196,837	644
2011	225,620	594

**Table 3: Supplementary Welfare Allowance Appeals decided by Appeals Officers**

Year	Allowed	Part Allowed	Disallowed	Total
2012	1,017	142	3,105	4,264

**Number of Rent Supplement Recipients by County at Year End:**

	2012	2011	2010	2009
Carlow	1,239	1,440	1,484	1,498
Cavan	519	843	1,029	1,115
Clare	1,722	1,961	1,937	1,780
Cork	9,878	10,732	10,988	10,603
Donegal	2,411	2,977	3,194	3,470
Dublin	32,584	34,423	33,818	31,261
Galway	4,134	4,615	4,829	4,989
Kerry	2,037	2,278	2,339	2,398
Kildare	4,338	4,447	4,409	4,161
Kilkenny	1,365	1,619	1,577	1,472
Laois	1,097	1,178	1,151	979

	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>
Leitrim	374	440	530	507
Limerick	3,323	3,833	3,896	3,669
Longford	511	623	715	789
Louth	2,549	2,734	2,563	2,426
Mayo	2,435	2,928	3,012	3,077
Meath	2,143	2,723	2,552	2,213
Monaghan	438	488	598	640
Offaly	1,240	1,349	1,273	1,053
Roscommon	997	1,275	1,276	1,286
Sligo	591	698	787	822
Tipperary	2,199	2,609	2,680	2,572
Waterford	1,773	2,098	2,332	2,267
Westmeath	1,592	1,671	1,623	1,521
Wexford	3,700	4,102	4,055	3,763
Wicklow	2,495	2,719	2,613	2,699
Total	87,684	96,803	97,260	93,030

### **Partial Capacity Benefit Scheme Data**

143. **Deputy Kevin Humphreys** asked the Minister for Social Protection the number of people transferred to partial capacity benefit in 2012; if she will indicate the number of people in each assessment band of capacity; the number who were assessed as mild and not eligible; her views on the way the scheme is operating; if she has any plans to review its operation after one year; and if she will make a statement on the matter. [3923/13]

**Minister for Social Protection (Deputy Joan Burton):** The number of people awarded partial capacity benefit since the scheme commenced in February, 2012 until the end of the year was 908 in total. The numbers in each assessment band is as follows: Awarded - Moderate 770; Awarded - Severe 124; Awarded - Profound 14; Total - 908. Some 38 applicants were assessed as being capable of work and thus ineligible for the partial capacity benefit scheme.

The introduction of the partial capacity benefit scheme has provided an opportunity for people with disabilities, and assessed to have an employment capacity which is restricted in comparison to the norm, to avail of employment opportunities while continuing to receive an income support payment. The scheme is facilitating greater levels of recruitment of people with disabilities in the open labour market and represents an important development of the social welfare system. The department will continue to keep progress on the scheme under review.

### **Social Welfare Code Issues**

144. **Deputy Barry Cowen** asked the Minister for Social Protection if the programme for Government commitment to maintain social welfare rates still stands; and if she will make a statement on the matter. [4093/13]

**Minister for Social Protection (Deputy Joan Burton):** The Programme for Government contains a commitment to maintain welfare rates. This commitment relates to primary weekly social welfare payments intended to enable recipients to meet their basic day-to-day income needs. As the Deputy will be aware there were no reductions in primary weekly social welfare

payments, including increases for qualified adults or qualified children in Budget 2012 or in Budget 2013.

### **Departmental Equipment**

145. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if she will provide details on the progress made in improving the ICT capability of her Department to detect potential irregularities, over payments or fraud; and if she will make a statement on the matter. [4030/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department of Social Protection has a number of systems which have been developed over many years to enable it to pay multiple groups of clients and to manage data in relation to its various schemes. These systems reliably deliver over 87 million payments yearly between them. Although developed independently, mechanisms exist on the major systems whereby significant changes made to customer or claim details are automatically notified to other relevant systems. The Department is working towards consolidation on a single ICT 'platform' - the Business Object Model implementation - BOMi. This work is carried out as part of the Department's continuous Service Delivery Modernisation programme.

As this programme progresses, all of the Department's client and claim related systems will be integrated on the BOMi platform, ensuring that all client and claim information is fully and automatically available across all of the Department's schemes and places of business. Not only does the Department work with the information held by ourselves, we also recognise the value of working closely and collaboratively with other agencies to ensure that social welfare abuse is comprehensively detected and tackled. Over the last number of years we have been engaged in data matching exercises with other Government Departments and public bodies for control purposes. Data matching is viewed as an efficient and effective mechanism to target control related activity. I am satisfied that the Department's systems communicate with each other and other bodies to share relevant information and this process will continue to be refined and expanded to meet control and other needs.

*Question No. 146 answered with Question No. 135.*

### **Household Benefits Scheme**

147. **Deputy John McGuinness** asked the Minister for Social Protection the discussions that she has held with electricity, telephone and gas providers about costs to household benefits package recipients; the progress made; the monetary implications of the cuts to recipients; and if she will make a statement on the matter. [4053/13]

186. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the discounts she has managed to agree with the utility companies who supply gas and electricity to those in receipt of the household benefits. [4066/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 147 and 186 together.

The total cost of the electricity/gas allowance in 2013 is estimated at €176 million with 405,000 recipients. The total cost of the telephone allowance in 2013 is estimated at €48 million with 395,000 recipients. My Department meets regularly with the energy and telecommunica-

tion providers to ensure the smooth operation of the household benefits scheme, and to pursue savings for the Department and better deals for our customers. Those discussions are on-going. We continue to receive a discount from Electric Ireland; this discount was increased last year to €1.7 million. This is in addition to a previous 'write off' of €1.1 million in relation to Public Services Obligation (PSO) rebate in 2009. Last year a deal was concluded with Eircom which was estimated to generate €17 million in savings over a twelve month period.

Following Budget 2013, the structure of the electricity and gas allowance has been changed from a unit based allowance to a cash credit of €35 per month. This rate is currently aligned to the best average market rate currently available. The changed structure of the allowance is designed to encourage customers to achieve better savings through greater mobility between energy suppliers who can best meet their individual energy needs.

As announced in Budget 2013, and having regard to the on-going budgetary constraints, the monthly telephone allowance for customers has been reduced from €22.60 to €9.50. By way of response, I welcome that Eircom are currently looking at developing special packages for vulnerable customers in response to this change. In addition, there are a wide variety of deals available from other operators within the market; by way of illustration it is now possible to get a standard pay-as-you-go brand name mobile telephone for as little as €19.99.

Electricity and gas customers will mitigate the average loss per customer of €7.05 if they regularly shop around and ensure that they get the best value now in the market place from energy providers for their specific energy needs. The Commission for Energy Regulation website [energycustomers.ie](http://energycustomers.ie) has information on how to switch electricity/gas supplier and the Commission for Communications Regulation website [www.callcosts.ie](http://www.callcosts.ie) has information on how to switch telecommunication and broadband supplier.

### **Social Welfare Code Reform**

148. **Deputy Kevin Humphreys** asked the Minister for Social Protection if there has been any study or analysis within her Department or associated agencies of the flexicurity welfare state model that is used in Denmark and Germany and may be introduced in France; if she has considered any aspects of this model in the reforms currently underway; and if she will make a statement on the matter. [3922/13]

**Minister for Social Protection (Deputy Joan Burton):** Flexicurity is a very broad concept. While initially identified with the Danish model of high levels of compensation, weak employment protection and a high spend on activation measures, flexicurity has come to be seen as a way of describing quite a wide range of combinations of policy measures. There are in fact at least 16 combinations of flexibility and security found in EU member states that could be broadly deemed as some form of 'flexicurity'. Broadly speaking flexibility and security are defined along the following lines: Flexibility refers to

- relevant transitions made during the working life-cycle
- upward mobility and talent development
- flexible organizations with incentives enabling the adaptation to new production processes
- ease of combination between working and personal life.

Security (*understood beyond job security*) refers to

- equipping people with the skills that allow them to make progress throughout their working lives and help them to find new jobs;
- adequate unemployment benefits to provide income support during periods of unemployment combined with employment supports to ease transitions back into employment
- training opportunities for all workers, in particular, the low-skilled and older workers.

Recently, there has been a greater emphasis on the flexibility component of flexicurity in this time of crisis, with the view that flexibility was in itself the best way to create job opportunities and by extension, security. In Ireland, we have, with the reforms to our activation system encapsulated in our Pathways to Work policy, defined our own Irish model of flexicurity. These reforms, when combined with the Action Plan for Jobs, aim to deliver on both flexibility and security. In particular, the rollout of the Intreo offices, throughout the country, is consistent with the flexicurity approach, linking the security of training and benefits with the flexibility of encouraging more intensive job search and transitioning between employments.

With regard to flexible and reliable contractual arrangements, (another tenet of flexicurity), there is a strong body of employment legislation in Ireland to ensure that workers' rights are fully protected under a range of various contract types. Legislation has been introduced in recent years to protect employees who are engaged in more flexible working arrangements such as part time employment and fixed-term contracts. With regard to the welfare code we provide a range of options including casual working, part time work incentive and family income supplement which facilitate flexible work arrangements. A balance has been sought between, on the one hand, maintaining workers' security in terms of their conditions of employment while, on the other, having due regard to the flexibility required by employers in terms of organising work and/or work patterns and seeking to ensure that job creation is not inhibited through overly rigid regulation. Within the body of legislation employers and employees have reasonable levels of freedom and flexibility to organise their work and their workplaces to take account of their particular needs and circumstances.

### **Community Employment Schemes Places**

149. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection of the 2000 new community employment places announced on 19 January 2013, the number that will be allowed for longer than one year. [4058/13]

175. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection of the 2,000 new community employment places announced on 19 January 2013, the number that will be ring fenced for those in receipt of disability allowance or for drugs projects or childcare places. [4059/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 149 and 175 together.

The 2,000 additional places for the Community Employment (CE) programme announced in Budget 2013 will be an ongoing commitment to the programme and will increase the overall number of CE places to 25,300 inclusive of Supervisor posts. These places will be approved on a phased basis from the end of January to the end of the year, in line with the overall CE budget allocation. Schemes have been notified of the availability of these additional places and the application process.

The allocation of the 2,000 CE places will be informed by the following criteria:

- The population of long-term unemployed persons in each regional Division of the Department, the number of claimants on Jobseekers Allowance, lone parents and disability claimants in receipt of a welfare payment for 52 weeks or more.

- Priority will be given to schemes and organisations who are involved in the delivery of community childcare services, social and healthcare services for people with a disability. This is in order to support the provision of these services and offer training qualifications and work experience to CE participants. An allocation of 500 of the additional places will be reserved for childcare support and 500 of the additional places for social and health-related services.

- Priority will be given to applicants who are involved in Drug Rehabilitation Services and who consider participation on CE to be a further step in this process. Additional CE places will be made available to respond to new proposals.

- There is scope to encourage innovation, new approaches and models of delivery from organisations who are experienced in addressing the needs of long-term unemployed. Approximately 100 places will be reserved for such proposals. However, this will be reviewed on the basis of the quality of applications received.

- The balance of places will be made available to schemes who can demonstrate a clear justification on the basis of quality of service and performance.

- For all applications, priority will be given to schemes and organisations who can demonstrate a track record in the development and progression of participants into employment.

The supply of the additional 2,000 CE places will be based on the demand and capacity of CE sponsoring organisations both existing schemes and new applicants to deliver activities that benefit the jobseeker and add value to the local community in line with the criteria outlined above. The standard CE eligibility criteria will apply to participants taking up these additional places. Persons in continuous receipt of a CE-qualifying social welfare payment for at least 52 weeks are eligible to apply for participation on CE. The duration on CE will be determined by the profile of the CE participant as is currently the case. The Department is committed to the continuing improvement of CE to ensure value for money, progression of the job seeker and support for communities.

### **Exceptional Needs Payments**

150. **Deputy Derek Keating** asked the Minister for Social Protection following the recent circular directive SWA 1/02013 issued on 11 January 2013 regarding supplementary welfare payments that were traditionally paid around the period of Holy Communion and Confirmations as an Exceptional Needs payment for those less well off, if she will outline the amount of money that will be saved in relation to this decision; if she will consider the way the impact of such a decision can be reversed including whether it may have been made on the basis of a State grant for a religious service and, if this is so, if she will confirm the basis of this decision; and if she will make a statement on the matter. [3919/13]

**Minister for Social Protection (Deputy Joan Burton):** Under the supplementary welfare allowance (SWA) scheme, the Department may make a single exceptional needs payment (ENP) to help meet essential, once-off, exceptional and unforeseen expenditure which a person could not reasonably be expected to meet out of their weekly income. There is no automatic entitlement to a payment. ENPs are payable at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance. The

Government has provided €47.6m for the scheme in 2013.

A review of the guidelines on exceptional needs payments was carried out by the Department by a working group made up of former community welfare service staff. One of the recommendations emanating from this review is to address the different approaches taken, in different areas, in relation to the payment of exceptional needs payments in respect of religious ceremonies, mainly Communion and Confirmations, and to ensure that the SWA scheme is responding to financial need and not occasions. For 2013, the Department has recommended that payment of the allowance specifically in respect of religious ceremonies will cease. Applications can continue to be made under the scheme for assistance with child clothing.

I have no plans to reverse this position as these measures will ensure that the ENP Scheme will continue to respond to specific need and not to the occasion. It is expected that savings in the region of €1.5 million will be achieved by this measure. Persons who consider that they have an entitlement to an ENP under the supplementary welfare allowance scheme should contact the local officials administering the scheme.

### **Social Insurance Issues**

151. **Deputy Thomas Pringle** asked the Minister for Social Protection the progress that has been made or her plans to provide unemployment benefits to the self-employed. [4036/13]

**Minister for Social Protection (Deputy Joan Burton):** The Advisory Group on Tax and Social Welfare which I established in 2011 is charged with, inter alia, examining and reporting on issues involved in providing social insurance cover for self-employed persons in order to establish whether or not such cover is technically feasible and financially sustainable. The Advisory Group's overall method of working is based on producing modular reports on the priority areas identified in the Terms of Reference. Where possible, the aim is to provide recommendations that can be acted upon in time for the annual budget, estimates and legislative cycle and to allow the Government to best address its commitments under the EU-IMF Programme of Financial Support. The Group has been considering the issue of social insurance coverage for the self-employed and will submit its report once its examination of the various questions has been completed.

One of the issues examined in the third Actuarial Review of the Social Insurance Fund, as at 31 December 2010, published in 2012, was the long-term cost implications to the Social Insurance Fund (SIF) and the break-even contributions rates required to provide jobseeker's benefit to the self-employed and to provide invalidity pensions for self-employed workers. The report found that the effective annual rate of contribution, or the required contribution as a percentage of salary, needed to provide the core full-rate State pension (contributory), which is the benefit currently available to self-employed contributors, is approximately 15%. This compares favourably with the 4% rate currently paid by the self-employed. An incremental increase in contribution rates to 16% would be required if jobseeker's benefit, in addition to core State pension (contributory), is provided. The average contribution rate required for the core State pension (contributory) plus jobseeker's benefit and the invalidity pension is estimated to be in the region of 17.3%.

Any proposals to extend additional cover to the self-employed will have to be considered in a budgetary context, taking account of the finding of the Actuarial Review that the self-employed achieve very good value for money compared with the employed – when the comparison includes both employer and employee contributions in respect of the employed person.

## Social Welfare Benefits Data

152. **Deputy Sandra McLellan** asked the Minister for Social Protection the number of applicants there were under the supplementary assistance payment or other social protection payments for help due to severe flooding in Dublin and elsewhere in the country since major floods on 24 October 2011; the number granted a payment and the amount of the additional €10 million she had allocated for flood relief that year since; and if she has had any further discussion with Department of Public Expenditure and Reform on the question of quicker and more targeted payment. [4076/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department of the Environment, Community and Local Government is the lead Department for severe weather emergencies and the Office of Public Works has responsibility for capital flood relief activities. However, the Department of Social Protection has an important role to play in assisting households in the immediate aftermath of emergency events such as the flooding of October 2011 and June 2012. Generally, in response to flooding situations, departmental officials provide individuals with emergency payments to offset immediate needs e.g. assistance with the purchase of food, clothing, fuel and household goods. Local staff are proactive in contacting households affected and in providing targeted supports to those in need as swiftly as possible. Community Welfare Services operating in the areas affected extend their opening hours providing additional emergency service. This service is supplemented by facilitating clients with individual appointments and making house calls.

A humanitarian aid scheme was approved by Government in response to flooding situations. The Department has received sanction, up to a maximum allocation of €10m, to provide for the activation of the scheme in any future cases affected by severe flooding thereby ensuring immediate supports. The humanitarian aid scheme, which is means tested, is available to people whose homes were damaged in the flooding and who are not in a position to meet costs for essential needs, household items and in some instances structural repair as a result of the flooding damage.

From October 2011 to 05 January 2013 some 1,370 payments were made at a cost of some €1.188m. Statistics are not available on the number of applications made. The majority of the payments were made to householders resident in Dublin, Monaghan or Cork. In Dublin, a total of 798 payments have been made at a cost of €497,066. Since 2009, there was a combined spend of in excess of €21m when the spending of the various Government Departments and Agencies is added together in response to flooding events (DSP will spend in excess of €5 million with a further €16.4 million spent by the local authorities and over €0.5 million by the Department of Agriculture and Food on fodder relief for farmers, making a total spend of over €21 million).

## Departmental Contracts

153. **Deputy Pat Deering** asked the Minister for Social Protection the position regarding the tender for the payment of entitlements on behalf of her Department; when a decision will be made in relation to the awarding of this contract, if she will take into consideration the impact on jobs, convenience and professional standards that are currently being provided by An Post; and if she will make a statement on the matter. [3926/13]

157. **Deputy Regina Doherty** asked the Minister for Social Protection the position regarding the tender for the payment of entitlements on behalf of her Department; when a decision is

being made in relation to the awarding of this contract; if she will take into consideration the impact on jobs, convenience and professional standards that are currently being provided by An Post; and if she will make a statement on the matter. [3925/13]

163. **Deputy Anthony Lawlor** asked the Minister for Social Protection if she will provide details on the tendering process due to commence when the current contract with An Post for the payment of welfare customers expires on the 31 December 2013; when a decision will issue in relation to the awarding of this contract; if she will take into consideration the impact on jobs, convenience and professional standards that are currently being provided by An Post; and if she will make a statement on the matter. [3927/13]

180. **Deputy Derek Keating** asked the Minister for Social Protection the position regarding the tender for the payment of entitlements on behalf of her Department; when a decision will be made in relation to the awarding of this contract; if she will take into consideration the impact on jobs, convenience and professional standards that are currently being provided by An Post; and if she will make a statement on the matter. [3918/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 153, 157, 163 and 180 together.

Public sector contracts for the supply of products and services are generally subject to a competitive tendering process. This ensures that the taxpayer receives value for money and ensures that all potential suppliers are given the opportunity to put forward the most efficient, effective and competitive solutions for consideration and evaluation. The award of public sector contracts with a significant financial value is subject to various EU Directives. Because of the financial value of this particular service, the Department is required to publicly advertise for the procurement of cash services before entering into a new contract for the delivery of social welfare payments to customers around the country.

The current contract with An Post expires on 31st December, 2013. In anticipation of this, the Department is undertaking two public procurement competitions this year for the delivery of welfare payments. The first request for tenders was publicly advertised on 20th December 2012. The Tender is seeking over the counter cash services for social welfare customers who are currently in receipt of payments through the post office network. The contract term will be for a period of two years, which may be reviewed annually, up to six years in aggregate. The closing date for receipt of Tenders is 18th February 2012. All Tenders received in response to this procurement competition will be evaluated on the basis of criteria outlined in the Request for Tender including the quality of their proposed approach for customer service, suitable logistical arrangements to ensure all customers are on time, in full; the quality of their proposed arrangements for the prevention of fraud; and the quality of their proposals for financial and contract management. The outcome of this public procurement competition will give rise to a contract to ensure continuity in the delivery of cash payments to the Department's almost one million customers, whilst also putting in place arrangements to facilitate the transition from cash payments to electronic payments.

Deputies will be reassured to know that any concerns regarding convenient access for customers to payment outlets and the standards of the services they can expect to receive in drawing their welfare payments have been specifically identified in the published Tender. I anticipate that a contract will be awarded on foot of this procurement in Quarter 2 of 2013.

To supplement existing levels of payments made directly into customer accounts in financial institutions, the Department also advertised their intention to undertake a second procurement later this year. This will support the progression over time from cash payments to increasing levels of electronic payments to customers. The Department envisages a situation where all

payments to our customers will be paid electronically. This is in line with the Government policies and objectives such as better public services and to improve the efficiency of the national payments environment. These objectives are aligned to the objectives of the National Payments Plan. The second procurement to be undertaken for the provision of an ePayment solution, which will complement the existing Electronic Funds Transfer (EFT) payments into financial institutions will be published before the end of June 2013.

### **Rent Supplement Scheme Administration**

154. **Deputy Dessie Ellis** asked the Minister for Social Protection the changes she intends to make to the rent supplement scheme in view of the strain that recent changes are putting on families and persons in Dublin in particular who cannot find properties within the rent limits. [4065/13]

164. **Deputy Alan Farrell** asked the Minister for Social Protection the number of persons who have left or changed rent supplemented accommodation this year due to the reduction in rent supplement allowable since January 2012; and if she will make a statement on the matter. [3924/13]

167. **Deputy Billy Kelleher** asked the Minister for Social Protection if she will outline the impact the lowering for the cap on rent allowance has had on recipients; and if she will make a statement on the matter. [4100/13]

171. **Deputy Catherine Murphy** asked the Minister for Social Protection if she will confirm that differential rent allowance limits have been permitted within local authority boundaries with respect to certain urban areas; if this is the case with Bray, County Wicklow at present compared to rates in the rest of County Wicklow; if so, if she will outline the rationale for this arrangement; if there is scope to extend this arrangement to other towns in similar circumstances to Bray; and if she will make a statement on the matter. [3910/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 154, 164, 167 and 171 together.

There are currently approximately 88,000 persons in receipt of rent supplement for which the Government has provided €403 million in 2013. Revised rent limits are in place since January 2012 and are applicable to all new rent supplement tenancies from this date and existing tenancies on review. These limits were set after an analysis of the most up to date market data available. The emphasis of the rent limit review was to ensure that maximum value for money was obtained whilst at the same time ensuring that people on rent supplement are not priced out of the market for good quality private rented accommodation. The central aim was to ensure availability; the limits do not provide rent supplement tenants with access to all housing in all areas.

Special provisions can be made in exceptional circumstances to exceed the rent limits including, for example, people with disabilities who require specially adapted accommodation or homeless persons. Approximately 48,700 rent supplement claims were awarded during 2012, showing that accommodation can be secured within the new limits. Information on the numbers who have secured alternative accommodation is not available. Department officials dealing with rent supplement will continue to ensure that accommodation needs for recipients can be met.

As part of the rent limit review, all major urban population centres were tested to ensure that rent supplement applicants can access temporary housing arrangements whilst seeking em-

ployment opportunities. Ongoing analysis shows that for Dublin there are properties available within the maximum rent limits for rent supplement recipients. Over 32,500 persons in receipt of rent supplement reside in Dublin.

Traditionally, the Bray area was permitted the use of the County Dublin rent limits. It was noted during analysis for the June 2010 Rent Limit Review that Dublin limits for the Bray area had become a significant distorting influence for the local market. It was concluded that rents were out of line with the natural supply and demand points expected for the Bray area. Accordingly it was decided that the Bray area was to be excluded with separate limits set for this area. Officials in the Department continue to examine the impact of the rent limits on those who claim rent supplement. The next review of rent limits will take place before June 2013 and any changes to the existing limits will be considered as part of this review.

### **Social Welfare Code Issues**

155. **Deputy Dessie Ellis** asked the Minister for Social Protection if she still intends to proceed with the introduction of the single working age payment concept, announced by her to the Troika in March 2011; and if a decision has been made to exclude carers, those in receipt of one parent family, disability and invalidity payments. [4064/13]

**Minister for Social Protection (Deputy Joan Burton):** The Single Working Age Assistance Payment or single payment is a proposal to create a single social welfare payment that would cover all people of working age, including those who would currently be classified as unemployed, with a disability, or parenting alone. The introduction of a single payment could potentially be a key development in the pursuit of a more focused and purposeful activation agenda, which could be delivered through my Department's Intreo service. The single payment would provide recipients with access to the supports or services they need to enable them take up employment or avail of education and training opportunities and thereby result in better overall outcomes.

The single payment would also be an opportunity to address the current complexity of Ireland's social welfare system by streamlining a number of different payments for people of working age, thereby making it more transparent and accessible. The development of supports and services is a necessary precondition for the introduction of a single payment and work is on-going on the development of these services. Given the specific nature and purpose of carer's allowance, the Government has decided to exclude carer's allowance from any single payment proposals. However, no other decisions have been made in relation to the introduction of a single payment.

### **Redundancy Payments**

156. **Deputy Joe Higgins** asked the Minister for Social Protection if her Department will meet the cost of the statutory redundancy and unpaid holiday pay of the workers who lost their jobs in a company (details supplied) as per the agreement between the workers and Deloitte and Touche. [4103/13]

**Minister for Social Protection (Deputy Joan Burton):** The company in question was recently put into receivership and it is understood that it is the receiver's intention to seek a buyer for all or part of the business. My Department is not aware of any of the employees concerned having been made redundant to date. In the event that any of the employees concerned are eventually made redundant they may be eligible for a statutory redundancy payment under the

Redundancy Payments Acts 1967 to 2012. In order to be eligible for a redundancy lump sum payment, an employee must:

- have at least two years continuous service;
- be in employment which is insurable under the Social Welfare Acts;
- be over the age of 16; and
- have been made redundant as a result of a genuine redundancy situation meaning that the job no longer exists and he/she is not replaced.

Under the scheme, an eligible employee is entitled to two weeks' pay for every year of service, plus a bonus week, subject to a gross weekly salary ceiling of €600.

It is the employer's responsibility to pay statutory redundancy payments in the first instance. Where an employer can prove to the satisfaction of the Department that it is unable to pay statutory redundancy to its eligible employees the Department will make lump sum payments directly to those employees. Such payments raise a debt against the employer which the Department will seek to recover.

The purpose of the insolvency payments scheme is to protect certain outstanding pay-related entitlements due to employees because of their employer being insolvent as defined by the rules of the scheme (for example, liquidation or receivership). These entitlements include wages, holiday pay, sick pay, payment in lieu of minimum notice due under the Minimum Notice & Terms of Employment Acts, 1973-2001, and certain pension contributions. Various other statutory awards made by the Employment Appeals Tribunal (EAT), Rights Commissioners, etc., are also covered by the scheme.

Some or all of the employees concerned may have entitlements under the insolvency payments scheme. As yet the Department has received no applications under the scheme. In the event of the business winding-up the Minister for Social Protection would be a preferential creditor in respect of any statutory redundancy lump sum payments made by the Department or payments under the insolvency payments scheme.

*Question No. 157 answered with Question No. 153.*

*Question No. 158 answered with Question No. 129.*

### **Job Initiatives**

159. **Deputy Jonathan O'Brien** asked the Minister for Social Protection in view of the statement by her appointee as chair of the steering group of the jobbridge programme (details supplied), when she will reconsider the decision not to provide a training budget for each participant on top of the basic allowance. [4067/13]

**Minister for Social Protection (Deputy Joan Burton):** The Deputy will be aware that the JobBridge Scheme has made significant progress since it came into operation on the 1 July 2011. 13,960 internships have commenced to date with 5,563 participants currently on an internship as at 24 January 2013 and 1,888 internship opportunities advertised on [www.jobbridge.ie](http://www.jobbridge.ie) as of that date. The interim results of the independent evaluation of JobBridge conducted by Indecon International Economic Consultants (published on [www.welfare.ie](http://www.welfare.ie) on 5 October, 2012) shows that 61% of JobBridge finishers progressed into employment with either their host organisa-

tion or another employer within 5 months of finishing their internship. These progression rates compare very favourably with European averages in this area.

One of the most positive features of JobBridge is that it has attracted interns across a wide range of levels of qualification. Approximately 64% of interns are graduates, of whom 22 % hold a postgraduate qualification. Of the 36% of interns who are not graduates, almost 21% of those hold a post-Leaving Certificate qualification. The Deputy will appreciate that interns are a highly qualified addition to the workforce of host organisations and that the State has already made a significant investment in their training and education. The Deputy should not underestimate the immense contribution made by interns to their host organisations. As an internship scheme, JobBridge provides positive outcomes for the intern but also for the host organisation.

The following are some of the benefits accruing to host organisations from the addition of interns to their workforce: the opportunity to assess potential employees; the benefit of the intern's labour, talents, skills and enthusiasm while working with the host organisation; enhancement of the performance of the host organisation by offering an internship to motivated individuals with enthusiasm and a passion for developing their careers; bringing in fresh talent, fresh ideas and new thinking; and access newly trained interns with recent skills sets or skilled workers that add real value to the host organisation. As part of the terms and conditions of JobBridge, host organisations are obliged by the Department to provide interns with quality work experience, substantial opportunities to enhance the intern's skills and to appoint an individual member of staff as mentor to the intern for the duration of their internship.

Recent research indicates that over 90% of host organisations were satisfied with their internship experience and that 96% of host organisations would recommend JobBridge to other employers. A high proportion of interns also consider that the scheme improves their chances of gaining employment. In recent research, 89.3% of interns felt JobBridge had given them new skills. In light of the successes highlighted by the above, I do not feel that there is a compelling argument for the Department to provide a training budget for JobBridge host organisations. An independent evaluation of the Scheme is currently being finalised by Indecon International Economic Consultants. It is anticipated that a final report will be published in the coming weeks. As part of its remit, Indecon has been asked to include recommendations on how the Scheme might be improved or expanded. I will consider any such recommendations carefully.

*Question No. 160 answered with Question No. 140.*

### **Departmental Staff Recruitment**

161. **Deputy Gerry Adams** asked the Minister for Social Protection if sanction has been given by the Department of Public Expenditure and Reform for the provision of 150 additional clerical officer posts to allow for the roll out of the public service card. [4073/13]

**Minister for Social Protection (Deputy Joan Burton):** In order to begin the roll out of the Public Services Card on a nationwide basis, the Department of Public Expenditure and Reform gave sanction to the Department for the provision of 150 additional clerical officer posts. The sanction is subject to staff being sourced from redeployment panels in the first instance and, where resources are not available, the recruitment of temporary clerical officers through the Public Appointments Service.

### **Social Welfare Code Issues**

162. **Deputy Clare Daly** asked the Minister for Social Protection the savings from cuts to pensioners for fuel and electricity and the number affected. [3915/13]

166. **Deputy Mick Wallace** asked the Minister for Social Protection the reason that she reduced the electricity/gas allowance element of the household benefits package at a time of rising heating costs; and if she will make a statement on the matter. [4042/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 162 and 166 together.

I am acutely aware that any reduction in social welfare payments or benefits are difficult for those affected. The overall concern of the Government in Budget 2013 was to protect the primary weekly social welfare rates. To allow us to protect the core payments which people receive such as pensions, disability and carer's allowance, we had to look very carefully at other additional payments such as the household benefits package.

The household benefits package comprises the electricity/gas allowance, the telephone allowance and the free television licence. The package is primarily available to older people, people with disabilities and carers. Following Budget 2013, the structure of the electricity/gas allowance has changed and is now aligned with the best average market rate currently available from energy suppliers for an unchanged 150 units per month. For those customers who receive a bill, this amount will appear as a cash credit of €35 on their bill. Other customers will continue to receive a cash allowance as before.

Between 2005 and 2011 the number in receipt of the electricity/gas allowance rose by 20% and there are now 405,000 recipients in receipt of an allowance. The cost of the electricity and gas allowances has risen from €110 million in 2005 to an estimated outturn of €201 million in 2012, an increase of 83% over seven years. In the current economic climate these increases are unsustainable. This change to the electricity and gas elements of the household benefits package will bring significant savings, with estimated expenditure in 2013 of €176 million, while aiming to encourage customers to achieve better savings through greater mobility.

The Affordable Energy Strategy drew attention to the fact that customers in receipt of household benefits were much less likely than other customers to switch energy supplier to obtain better value. Only 16% of social welfare customers have switched companies compared to 42% nationally. The Commission for Energy Regulation (CER), following discussions with officials from the Department, has been liaising with the National Consumer Agency with a view to ensuring that information is available for our customers to help with switching companies. In August 2011 the CER published a paper which set out a framework for accreditation for price comparison websites (CER/11/144) following which a website [www.bonkers.ie](http://www.bonkers.ie) was accredited. This website presents comparison data which can greatly assist those wishing to switch companies and achieve the best value.

The number in receipt of the telephone allowance has also increased significantly in recent years, in line with increases in customers receiving qualifying payments, as well as the increases in those over 70. Our demographics are such that this number will continue rising. In 2005 there were 311,000 customers in receipt of telephone allowance; in 2012 there are 397,000, an increase of 28% over seven years. The allocation for the telephone allowance scheme has been reduced by €61 million in 2013. As a result the monthly allowance has been reduced from €22.60 to €9.50. This is a cost saving measure. In recent years, the nature of the telephone market has been transformed with deregulation, mobile services and bundled services including television, broadband and telephone. There is a wide variety of deals available, for example, it is possible to get a standard pay-as-you-go brand name mobile telephone for as little as €19.99 in large retailers.

I am keenly aware of the impacts on the Department's customers. In this regard, it should be noted that Ireland's older population has the lowest rate of consistent poverty and, as a group compared to the rest of the population, are least likely to be at risk of poverty - pointing to the adequacy and importance of the State pension. Between 2004 and 2010, consistent poverty for older people (those over 65) fell from 3.3% to 0.9%. The at risk of poverty rate for people in that age group fell from 27.1% to 9.6% over the same period. In addition the fuel allowance scheme was protected in Budget 2013 and recipients will continue to receive this payment of €20 per week as part of their weekly social welfare payment for the duration of the fuel season, which runs until April 2013.

If a customer of the Department is experiencing difficulty, an exceptional needs payments may be made to help meet an essential, once-off cost which an applicant is unable to meet out of his or her own resources. There is no automatic entitlement to this payment. Each application is determined by a community welfare officer based on the particular circumstances of the case.

*Question No. 163 answered with Question No. 153.*

*Question No. 164 answered with Question No. 154.*

### **Pension Provisions**

165. **Deputy Barry Cowen** asked the Minister for Social Protection if she has considered the implications of the removal of the transitory pension in 2014; and if she will make a statement on the matter. [4083/13]

**Minister for Social Protection (Deputy Joan Burton):** Social structures in Ireland are changing rapidly and the structures of our social support need to change to accommodate this. The decision to increase State pension age was taken in the context of changing demographics and the fact that people are living longer and healthier lives. The standardisation of State Pension age at age 66 is one of the measures planned which aims to improve the sustainability of the Irish pension system. As provided for in legislation, State pension age will further increase to age 67 in 2021 and to 68 in 2028. State pension (transition) requires the person to retire from the workforce. Standardising State pension at age 66 means that people can choose to work longer if they wish to increase their income in retirement.

This pension was introduced in 1970 when it was known as the retirement pension. It was designed to bridge the gap between the standard social welfare pension age, which at that time was 70 years of age, and retirement age. Overtime, the age for State pension contributory was reduced to 66 years. In 2012, 22,430 claims were received for State Pension Transition with 12,559 SPT claims awarded in 2012. In 2012 a total of 2,485 customers transferred from illness benefit to State pension transition, 1,044 from job seekers benefit, 922 from jobseekers allowance, 439 from widows/widowers/surviving civil partners scheme, 200 from disability allowance and 105 from invalidity pension. As these numbers indicate, a significant number of customers are already on another social welfare payment before State pension transition with numbers showing that around 12% are transferring directly from work.

I consider it important that those who need to or wish to continue in employment after State pension age should, as far as is possible, be facilitated and supported. Longer working can play an important role in ensuring that our pensions system is sustainable in the future and it can also be beneficial to the individual. Recognising that State pensions are very valuable benefits, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over a working life thereby ensuring equity in the social welfare system. Claimants

with an income need may qualify, depending on their means, for another social welfare payment.

*Question No. 166 answered with Question No. 162.*

*Question No. 167 answered with Question No. 154.*

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

168. **Deputy Willie O'Dea** asked the Minister for Social Protection if she will clarify the implementation timeframe of the budget 2013 changes to jobseeker's benefit; and if she will make a statement on the matter. [4092/13]

**Minister for Social Protection (Deputy Joan Burton):** Jobseeker's benefit (JB) is a weekly payment to people out of work and covered by social insurance. If a person does not qualify for JB they may qualify for means tested jobseeker's allowance. In 2012 my Department spent over €738 million on the scheme and at the end of 2012 there were some 85,000 persons in receipt of payment under the scheme. Budget 2013 provided that the duration for which JB is paid will be reduced from 12 months to 9 months for recipients with 260 or more contributions paid and from 9 months to 6 months for recipients with less than 260 contributions paid.

It is planned to introduce the measure from 3 April, 2013. Existing claimants of over 6 months who are entitled to a full year of benefit will not be affected by this measure when it comes into effect – they will still get a full year of benefit. Only new claimants and claimants of less than 6 months duration will be affected. Similarly, existing claimants of over 3 months who are entitled to nine months of benefit will not be affected by this measure when it comes into effect – they will still get nine months of benefit. Only new claimants and claimants of less than 3 months duration will be affected.

*Question No. 169 answered with Question No. 132.*

*Question No. 170 answered with Question No. 140.*

*Question No. 171 answered with Question No. 154.*

*Question No. 172 answered with Question No. 129.*

### **Departmental Staff Numbers**

173. **Deputy Seán Kyne** asked the Minister for Social Protection if, in view of the significant increase in appeals of social welfare decisions, additional resources, including personnel, will be allocated to the social welfare appeals office in order that persons who are appealing decisions may receive a speedier response. [4034/13]

**Minister for Social Protection (Deputy Joan Burton):** By its nature and because it is a quasi-judicial process, the processing of appeals takes time even at the best of times and reflects the fact that while every effort is made to deal with appeals as fast as possible this cannot be at the expense of fairness of due process. Significant resources and efforts have been put into reducing backlogs and improving processing times for appellants, including the assignment of 15 additional Appeals Officers; improved business processes; a new operating model in the SWAO; increased capacity of the Medical Review and Assessment Service through the recruitment of 8 additional Medical Assessors in 2013.

All of these measures taken together have reduced the waiting times for appellants by 10.2 weeks in 2012 and will further reduce waiting times in 2013. The Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012 (there were 33,129 appeals finalised in 2012). This will be achieved through the additional capacity generated as the newer Appeals Officers become experienced. The matter of assigning additional Appeals Officers is kept under constant review but any consideration of extra assignments must be taken in the context of overall government policy on civil service numbers.

*Question No. 174 answered with Question No. 142.*

*Question No. 175 answered with Question No. 149.*

### **Job Initiatives**

176. **Deputy Robert Troy** asked the Minister for Social Protection if she will provide an update on the implementation of the Pathways to Work initiative; the number of unemployed dealt with by the new system to date; the success rate in gaining employment; and if she will make a statement on the matter. [4088/13]

**Minister for Social Protection (Deputy Joan Burton):** As the Deputy will be aware, the 'Pathways to Work' policy commits to the provision of more regular and on-going engagement and greater targeting of activation places and job opportunities for those who are unemployed. It also aims to increase engagement and incentivise employers to provide more jobs for people who are unemployed. INTREO is the new integrated employment activation and supports service model delivering on the 'Pathways to Work' policy. The first ten Intreo offices have now opened and service performance has improved in all of these offices with claim processing times and waiting times for new claimants for group interviews and follow up one-to-one interviews reduced. For example most clients in Intreo offices are called to a group engagement within one week and have their claim assessed and determined within three working days. Previously the lead time for group engagement was three months while claim assessment took up to three weeks.

The most significant elements of the Pathways to Work approach are: profiling of clients to inform the approach taken to activation, and in particular to target those who are most likely to become long-term unemployed and to provide appropriate interventions at the earliest possible stage; early engagement with clients through group engagement sessions; one to one interviews with case managers; the agreement of a personal progression plan between the client and the Department setting how the steps to be taken by the client, with the support of the Department, in order to re-enter employment; the signing of a social contract – known as a Record of Mutual Commitments – between the Department and the client. This sets out the client's rights with regard to the type and quality of services to be provided by the Department but also sets out the client's responsibility to engage with these services and actively seek employment.

Progress under each of these headings is as follows: the profiling of all new claimants is now operational in all DSP offices. Under the Pathways to Work programme, the Department had profiled 53,800 new claimants to the end of 2012; 68,600 clients had participated in group engagements by the end of December 2012; 158,000 one-to-one initial interviews were conducted by the end of December. In addition a further 134,000 follow-up meetings held by the end of 2012; all new clients in Intreo offices now sign the social contract.

Enhanced engagement with employers at local level is also part of the Intreo process and this is progressing well. As the process is still in the very early stages of rollout and as it is op-

erating in parallel with the National Employment Action Plan process, which it is replacing, it is difficult to separate out and assess its performance in terms of progression rates into employment. In any event it will take some time for the impact of the new process to be felt in terms of employment progression rates.

### **One-Parent Family Payment Expenditure**

177. **Deputy David Stanton** asked the Minister for Social Protection if she is still considering a form of combined income support payment to all low income families including lone parents, similar to that referred to in her Department's report Proposals for Supporting Lone Parents which examined various options regarding one parent family payment, family income supplement and child dependent allowance; and if she will make a statement on the matter. [4043/13]

**Minister for Social Protection (Deputy Joan Burton):** The number of one-parent family payment (OFP) recipients stood at 87,918 in December, 2012. The cost of the OFP scheme in 2012 was €1.06 billion. The reforms introduced in recent Budgets of the OFP scheme build on my Department's report Proposals for Supporting Lone Parents. While there are no current plans to introduce the Parental Allowance the reform of the scheme is ongoing. Two significant changes are in the process of being introduced. The maximum age limit of the youngest child for receipt of the OFP is being reduced to 7 years by 2015 and the earnings disregard is being reduced on a phased basis to €60 per week in 2016. The Department is also examining a proposal to create a single social welfare payment that would cover all people of working age, including those who would currently be classified as unemployed, with a disability, or parenting alone.

The single payment would be an opportunity to streamline a number of different payments for people of working age. A prerequisite to the introduction of the single payment is the enhancement of the range of supports and services that recipients of the single payment would require in order to progress into employment. However, no decisions have been made on whether to proceed with the single payment. In addition to the reforms of OFP, I established an Advisory Group on Tax and Social Welfare in 2011, which has been tasked with recommending cost-effective options as to how employment disincentives can be improved and better poverty outcomes achieved. The Advisory Group prioritised the area of family and child income supports and has completed its work on this area. Their report is currently receiving my consideration and will be published in the near future.

### **Departmental Staff Numbers**

178. **Deputy Dara Calleary** asked the Minister for Social Protection if she will outline the number of staff in her Department and the number who have transferred to other Departments excluding former FÁS and community welfare officers; and if she will make a statement on the matter. [4089/13]

**Minister for Social Protection (Deputy Joan Burton):** In the period May 2008 to 31st December 2012, a total 1,084.42 posts (1,111 people) have been transferred or redeployed into the Department from other government departments and public sector organisations, excluding FÁS Employment Services and Community Welfare Services staff. I understand that the Deputy is specifically looking for the total number of staff in the Department as at 31st December 2012 and also figures on the numbers of staff who transferred or were redeployed into the Department in 2011 and 2012, excluding the staff from FÁS and the Community Welfare Service.

On 31st December 2012, there were 6,413.56 permanent posts (6,821 people) serving in the Department. The following table outlines the numbers of transfers and redeployments into the Department in 2011 and 2012, from other government departments and public sector organisations, excluding the transfer of staff from FÁS Employment Services and the Community Welfare Staff of the HSE.

### Transfers and redeployments into the Department of Social Protection

Year	Posts	People
2011	106.9	108
2012	181.8	186

### Family Income Supplement Applications

179. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will report on the waiting time for the processing of a family income supplement, FIS, application; the number of applicants currently waiting to have their FIS application assessed; and if she will make a statement on the matter. [3921/13]

**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. FIS claims, both new and renewals received on or after the 5th November 2012 are currently being processed on receipt. On 2 November 2012 there was a backlog of approximately 7,390 new FIS applications and approximately 7,810 renewal applications awaiting processing and decision. Today, there are currently approximately 6,760 new FIS applications still awaiting approval. All the renewal applications have been processed. The backlog of new claims will be fully eliminated by the end of March 2013.

An in-depth Business Process Improvement project was recently completed for the FIS scheme. This project focused on optimising output, improving customer service and the elimination of backlogs. The outcome of this review is a detailed plan outlining the process required to manage both the continuous weekly intake and backlog claims clearance. This plan sees the current weekly new claim and renewal intake processed by one team, while the backlog is ring-fenced and a focused team assigned to this work with a clear plan for its elimination. The team including additional temporary resources for the elimination of backlog FIS claims has been in place since November 2012. Claims which are approved by the backlog team will be backdated to the date of claim and all arrears due will be paid.

*Question No. 180 answered with Question No. 153.*

### Tax Collection

181. **Deputy Clare Daly** asked the Minister for Social Protection the measures or criteria she intends to use to ensure that basic living standards of social welfare are protected from any deductions in relation to the new property tax. [3914/13]

**Minister for Social Protection (Deputy Joan Burton):** The Government has decided that the Revenue Commissioners will have responsibility for the collection of the local property tax. For easy pay purposes, a person in receipt of certain scheme payments from the Department of Social Protection can choose to select the deduction at source facility in relation to their pay-

ment of local property tax. The Finance (Local Property Tax) Act 2012 provides that any deductions at source from social protection scheme payments in relation to the local property tax will not breach the statutory minimum income guarantee embedded in the social welfare code, i.e. Supplementary Welfare Allowance (which is currently set at €186 per week).

The Department expects that this facility will be utilised in a reduced number of cases as the person must be a property owner and liable for the tax. Most liable Social Protection customers will be able to avail of deferral arrangements as their income would not exceed the deferral thresholds of €15,000, or €25,000 in the case of a couple. Other Social Protection customers in accommodation provided by local authorities and social housing organisations will not be liable for the property tax. For those liable persons with other income sources the Department expects that these income sources would be prioritized in the first instance by both the customer and the Revenue Commissioners. This will limit the number of Social Protection customers who are liable for the local property tax and where a deduction at source will apply.

### **Departmental Staff Redeployment**

182. **Deputy Gerry Adams** asked the Minister for Social Protection further to Parliamentary Question No. 140 of 13 November 2012, in which she stated that other staff left or retired as normal, if these positions were filled; and the number of positions vacant in her Department as of 31 December 2012. [4072/13]

**Minister for Social Protection (Deputy Joan Burton):** The staffing levels and vacancies in the Department are continuously reviewed, having regard to the Employment Control Framework target, which is determined by the Minister for Public Expenditure and Reform. At 31st December 2012, 220 positions remained unfilled of which 68 were prioritised as critical. However, the Department is required to lose a further 191 posts in order to meet its 2013 Employment Control Framework target and, therefore, all unfilled positions will be considered and reprioritised in this context.

*Question No. 183 answered with Question No. 136.*

### **Budget 2013 Impact**

184. **Deputy Mary Lou McDonald** asked the Minister for Social Protection if her Department completed a poverty impact assessment of the effects of the recent budget on those dependent on social welfare; and if she intends to equality proof her social welfare cuts. [4075/13]

428. **Deputy Robert Troy** asked the Minister for Social Protection her views on whether the implementation of the measures in Budget 2013 will result in more children falling into poverty; and if she will make a statement on the matter. [56702/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 184 and 428 together.

My Department is currently finalising a Social Impact Assessment of the main taxation and welfare changes announced in Budget 2013. This SIA will include an analysis of the distributive and poverty impacts of these changes on different family types including those with children as well as the impact on at risk of poverty levels. I will be examining the analysis when it is finalised and I will give consideration to its publication at that stage.

### **National Internship Scheme Numbers**

185. **Deputy Seán Crowe** asked the Minister for Social Protection if she will provide the number and duties of jobbridge participants which Government Departments availed of since the scheme commenced; and the number who subsequently got full-time employment in the civil service. [4063/13]

**Minister for Social Protection (Deputy Joan Burton):** The JobBridge Scheme has made significant progress since it came into operation on the 1st July 2011. 13,960 internships have commenced as at the 24th January 2013 with 5,563 participants currently on an internship and 1,888 internship opportunities advertised on [www.jobbridge.ie](http://www.jobbridge.ie) as at that date. I am pleased to advise the Deputy that the issue of placements and progression has been comprehensively addressed in the recent interim independent evaluation report compiled by Indecon Economic Consultants (published on 5th October 2012 and available on [www.welfare.ie](http://www.welfare.ie)). The Report found that 21% of all placements to date have been in public sector organisations including 188 placements in Government Departments. It is not feasible to list the duties of all such placements as you may appreciate within this response. However, by way of example internships included working as part of a team with IT applications, general office administration, coordination of event organisation, planning and logistics, communication skills, research and policy development processes not to mention Digital Media development.

The breadth of experience to be gained from these diverse opportunities is of invaluable benefit to participating interns. This is further supported by the recent Indecon interim report on the scheme which found that 89% of interns stated that JobBridge allowed them to develop new skills. These internships are clearly providing skills enhancement to participating interns. This is further reflected in the Indecon analysis which found that 49% of all those who completed placements in the public sector (24% in the case of Government Departments) are currently in paid employment.

As the Deputy will appreciate, given the current moratorium, Government Departments cannot offer full-time employment at the end of an internship period, in a way that Host Organisations in other sectors can. This does not mean that Government Departments should be excluded from assisting the jobs strategy. They are still providing significant and in some cases challenging job experience opportunities to persons in need of such opportunities and better prepare them for either re-entry to the jobs market or a change in job direction. I am delighted to advise that other reported benefits included that the scheme helps boost participant's self-confidence, assists in identifying job opportunities suitable to their abilities, keeps them close to the job market, and helps participants to establish contacts/networks. The Programme has had positive effects on subsequent employment chances for participants who in the absence of the Programme would not have secured employment. The findings of the Indecon study recently completed suggest that the Programme has been an effective labour market intervention in achieving movement off the Live Register.

*Question No. 186 answered with Question No. 147.*

### **Rent Supplement Scheme Administration**

187. **Deputy Brian Stanley** asked the Minister for Social Protection if her attention has been drawn to the practice of top up, undeclared, payments which landlords are demanding of rent supplement tenants, in order that they will officially reduce the demanded rent to satisfy the community welfare officer; and the steps she will take to prevent this practice. [4068/13]

375. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will commit to the eradication of the extensive practice of landlords preying on tenants trying to secure, or remain in, accommodation, of demanding cash payments on top of the amount declared for the purposes of rent supplement, a top up payment over and above that which the community welfare officer determined would be the individual's contribution. [4453/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 187 and 375 together.

There are currently approximately 88,000 rent supplement recipients for which the Government has provided €403 million for 2013. The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. Rent supplement is calculated to ensure that the person, after payment of rent, has an income equal to the basic supplementary welfare allowance rate, less a specified weekly minimum contribution which recipients are required to pay from their own resources.

The "top up" payments referred to fall into two specific categories. Where a person has an additional income above the rate of supplementary welfare allowance they are, in certain circumstances, allowed to top up their rent as they will still have sufficient income to meet their basic needs after paying their rent. The second type of top up payment can occur where the application to the Department declares a rent lower than that actually being charged by the landlord. There has been no evidence presented to the Department showing widespread or systemic 'false declarations' of rent supplement through the use of illegal top-ups.

Any instance of false declarations should be reported to the relevant Department representatives who have specific legislative powers to deal with such offences. The Department, in June 2012, introduced powers of enquiry (Section 14 of the Social Welfare and Pensions Act 2012 refers) for staff to formally request and oblige landlords to provide information in respect of rent supplement tenants, principally to verify the agreed rent and existence of the tenancy. This measure improves both the governance and oversight arrangements in place.

### **Ministerial Meetings**

188. **Deputy Kevin Humphreys** asked the Taoiseach if he or any of his officials have met any representatives of the tobacco industry in the past six months; and if he will make a statement on the matter. [3708/13]

**The Taoiseach:** Neither I nor any of my officials have met any representatives of the tobacco industry in the last six months.

### **Cabinet Committee Meetings**

189. **Deputy Dara Calleary** asked the Taoiseach the number of occasions in 2012, on which the Cabinet subcommittee on Economic Recovery and Jobs met. [3949/13]

**The Taoiseach:** The Cabinet Committee on Economic Recovery and Jobs met 8 times in 2012.

**Job Trends**

190. **Deputy Bernard J. Durkan** asked the Taoiseach the total number of persons employed in the economy as of the 31 of December 2012, in each of the past seven years to date; the total number of jobs lost and or created in respect of the period in question; and if he will make a statement on the matter. [3669/13]

191. **Deputy Bernard J. Durkan** asked the Taoiseach the total number of manufacturing jobs lost and or created in each of the past seven years to date; and if he will make a statement on the matter. [3670/13]

192. **Deputy Bernard J. Durkan** asked the Taoiseach the total number of jobs lost or created in the services sectors in each of the past seven years to date; and if he will make a statement on the matter. [3671/13]

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** I propose to take Questions Nos. 190 to 192, inclusive, together.

The answers to these questions come from two different sources. The Quarterly National Household Survey (QNHS) is used to provide the official estimates of employment while administrative data sources (P35L returns to Revenue Commissioners) are combined with the CSO business register to provide estimates of job creation and job destruction. The two sets of estimates are not directly comparable as QNHS provides estimates below for those employed at a point in time (i.e., Quarter 3) while estimates from administrative sources count each employment record in a given year as a job regardless of duration or nature of employment, (i.e. an employment record is counted as a one job whether the person worked for one week or for one year or whether they worked on a part-time basis, say one hour a week or a full-time basis).

The QNHS is the official source of employment statistics in the State. The most recent figures available for employment levels are for the third quarter of 2012. The following table 1 includes the estimated level of employment in the third quarter of each year from 2005 to 2012. These estimates show that employment initially grew peaking at 2,169,600 in the third quarter of 2007. From 2007 on the level of employment fell, with the greatest reductions recorded in 2009 and 2010. The rate of decline has moderated since 2010 and as of the third quarter of 2012 the annual rate of decline had fallen off to 4,300 or 0.2%, the slowest rate of annual decline since 2008. Estimates of the level of employment by NACE Rev. 2 economic sector up to and including the third quarter of 2012 are also presented in the following table.

**Table 1 - Employment by NACE Rev. 2 economic sector, Q3 2005 to Q3 2012**

--	<b>Economic sector (NACE Rev.2)</b>	<b>Q3 05</b>	<b>Q3 06</b>	<b>Q3 07</b>	<b>Q3 08</b>	<b>Q3 09</b>	<b>Q3 10</b>	<b>Q3 11</b>	<b>Q3 12</b>
A	Agriculture, forestry and fishing	112.7	113.6	112.2	112.5	96.2	89.9	82.4	85.6
B-F	Total Industry	533.5	573.0	578.2	532.3	409.0	361.8	347.4	332.1
B-E	Industry	297.5	303.7	307.4	296.5	255.6	245.9	238.9	231.1
F	Construction	236.0	269.3	270.8	235.8	153.4	115.9	108.5	101.1
G-U	Total Services	1,335.9	1,387.8	1,474.0	1,484.0	1,440.8	1,426.9	1,412.1	1,420.8

--	<b>Economic sector (NACE Rev.2)</b>	<b>Q3 05</b>	<b>Q3 06</b>	<b>Q3 07</b>	<b>Q3 08</b>	<b>Q3 09</b>	<b>Q3 10</b>	<b>Q3 11</b>	<b>Q3 12</b>
G	Wholesale and retail trade; repair of motor vehicles and motorcycles	284.8	290.2	310.9	309.9	279.0	278.1	276.5	272.7
H	Transportation and storage	93.9	92.5	92.8	95.9	97.3	92.8	96.7	90.3
I	Accommodation and food service activities	120.1	123.3	139.0	135.5	130.5	128.9	121.1	123.1
J	Information and communication	67.8	65.6	67.4	71.7	73.9	75.8	77.1	78.2
K-L	Financial, insurance and real estate activities	94.3	97.8	106.6	106.2	110.6	100.6	99.1	102.3
M	Professional, scientific and technical activities	100.1	104.8	115.4	112.6	101.3	97.4	96.6	100.4
N	Administrative and support service activities	70.7	72.5	83.6	77.9	69.5	62.3	69.4	66.6
O	Public administration and defence; compulsory social security	100.9	104.0	107.9	107.4	104.8	104.0	99.3	99.8
P	Education	122.2	128.8	133.7	139.6	139.4	149.0	137.2	140.6
Q	Human health and social work activities	188.8	208.8	218.9	221.9	235.9	240.3	243.5	245.0
R-U	Other NACE activities	92.2	99.4	97.7	105.4	98.5	97.7	95.5	101.9
--	Other/Not stated	11.8	3.9	5.2	7.6	7.6	7.5	3.8	2.8
--	Total employed persons	1,994.0	2,078.4	2,169.6	2,136.4	1,953.6	1,886.1	1,845.6	1,841.3

Information on jobs created and jobs destroyed is only available for the business economy for the years 2006 - 2010. The information supplied relates to all employing enterprises from

key sectors of the business economy as classified by the standard European classification of economic activity i.e. NACE Rev2 B-N excluding activities of holding companies; K 64.20. The data source used for this analysis is based on linking the P35L returns from employers to the Revenue Commissioners with the CSO business register.

Job creation for an enterprise in a given year, say 2010, is measured as the difference in the number of paid employees recorded with non-zero reckonable pay in 2010 compared to 2009, if that difference is positive (otherwise, job creation is taken to be zero). Job creation in the business economy is then calculated by summing job creation for each enterprise in the business economy.

Job destruction for an enterprise in a given year, say 2010, is measured as the difference in the number of paid employees recorded with non-zero reckonable pay in 2010 compared to 2009, if that difference is negative (otherwise, job destruction is taken to be zero). Job destruction in the business economy is then calculated by summing job destruction for each enterprise in the business economy. Note when interpreting figures, job destruction in 2010 means that these jobs were identified in 2009 but not in 2010, as such, the jobs disappeared sometime during 2009.

Using this source job creation figures for the business economy were at there lowest in 2009 at 169,000 before recovering slightly in 2010 to 184,000. Job destruction figures peaked at 512,000 when 2009 was compared with 2008 before dropping back sharply in 2010. Job destruction figures for Manufacturing and Services show similar patterns with big peaks in the figures when 2009 is compared with 2008. While job creation for services showed a similar pattern to the business economy as a whole with a small recovery, job creation figures for manufacturing showed a small decline.

**Table 2 - Job creation and job destruction figures for the business economy, manufacturing and the services sectors 2006 -2010**

-	2006	2007	2008	2009	2010
Business economy excluding activities of holding companies (NACE Rev. 2 Sectors B to N, excluding code 642)	-	-	-	-	-
Job creation (Number)	353,614	375,167	217,819	168,725	184,176
Job destruction (Number)	198,209	228,356	349,745	511,855	290,785
Manufacturing(NACE Rev. 2 Sector C)	-	-	-	-	-
Job creation (Number)	31,375	31,976	18,136	17,020	16,977
Job destruction (Number)	20,496	25,951	34,688	54,998	29,992
Business economy services excluding activities of holding companies(NACE Rev. 2 Sectors G to N, excluding code 642)	-	-	-	-	-

-	2006	2007	2008	2009	2010
Job creation (Number)	248,919	280,460	167,094	135,706	149,023
Job destruction (Number)	139,528	148,406	227,482	358,296	206,309

Source: Job Churn statistics, Central Statistics Office

Detailed breakdowns are available at: <http://cso.ie/shorturl.aspx/102>

Methodological notes are available at: <http://cso.ie/shorturl.aspx/101>

### Public Service Reform Plan Update

193. **Deputy Patrick O'Donovan** asked the Taoiseach with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter; and if he will make a statement on the matter. [4295/13]

**The Taoiseach:** My Department has no responsibility for any of the Bodies listed in Appendix IIa of the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011.

### Foreign Conflicts

194. **Deputy Dominic Hannigan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has any update on reports of increased fighting in Northern Burma; and if he will make a statement on the matter. [3775/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Government follows closely reports of the escalation of violence in the northern Kachin State of Burma/Myanmar and is concerned about the situation. Ireland's diplomatic relations with Burma/Myanmar are maintained by secondary accreditation via our Embassy in Vietnam, and through the Embassy of Burma/Myanmar in London. The Irish Ambassador presented his credentials yesterday and became the first Ambassador of Ireland accredited to Burma/Myanmar. Following accreditation, the Ambassador met with both the President and Foreign Minister of Burma/Myanmar and discussed a range of issues, including the northern Kachin State.

In December 2012, violence in Kachin State escalated, exacerbating the humanitarian situation there. The latest reports from the European Community Humanitarian Office (ECHO) and the Office for the Coordination of Humanitarian Affairs (OCHA) state that at least 2000 people have been displaced since December in addition to the 75,000 people displaced since the conflict started in September 2011.

Ireland remains engaged at both European Union and international levels in monitoring the situation in Burma/Myanmar, including events in Kachin State. Human rights have been a priority of successive Irish governments and are a key dimension of our foreign policy. Ireland, as an elected member of the Human Rights Council, will work closely with partners at the Council to ensure the continuation of international scrutiny of the human rights situation in Kachin and in Burma/Myanmar as a whole. At the 67th session of the United Nations General Assembly Ireland along with our international partners expressed deep concern about the

continuing armed conflict in Kachin; called upon the government and all parties to the armed conflict to take measures to protect the civilian population; and called for safe, timely, full and unhindered humanitarian access.

Burma/Myanmar is in the process of undergoing an important and long-awaited transformation as the country re-engages with the International community. Ireland stands ready to share its experiences and to assist the process of democratisation in Burma/Myanmar. We want recent, positive, developments to bring lasting change for the people of Burma/Myanmar, including the people of Kachin State.

### **EU Enlargement**

195. **Deputy Gerry Adams** asked the Tánaiste and Minister for Foreign Affairs and Trade if Croatian accession into the European Union will mean a revision of the number of seats in the European Parliament; if it will mean a reduction in the number of seats that Ireland will have in the next European Parliament; if there has been any negotiations or discussions on this matter; and if he will make a statement on the matter. [3805/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Article 14.2 of the Lisbon Treaty sets an overall ceiling of 750 seats, plus the President, for the European Parliament. It also provides that representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State, and that no Member State shall be allocated more than ninety-six seats. There is a need therefore to adjust the distribution of seats in the Parliament before the 2014 elections to take account of the accession of Croatia in 2013.

Under Article 14.2, the composition of the European Parliament is decided by the European Council by unanimity on the initiative of the Parliament and with its consent. Therefore the right of initiative in relation to this issue is for the European Parliament. The Committee on Constitutional Affairs of the European Parliament (AFCO) had its first consideration of a draft report on 22 January 2013. AFCO will further consider the draft report over the coming weeks and a vote in the European Parliament is planned for the March plenary session. Only when Parliament has agreed on its proposal will the matter come to the European Council. The Parliament must also give its consent to the decision reached by the European Council.

### **Humanitarian Aid**

196. **Deputy Jerry Buttimer** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will outline his involvement in negotiating the Hyogo Framework for Action 2005-2015 and the mid-term review thereof; and if he will make a statement on the matter. [3818/13]

197. **Deputy Jerry Buttimer** asked the Tánaiste and Minister for Foreign Affairs and Trade his position on the renegotiation of the Hyogo Framework for Action 2005-2015; if renegotiation has commenced; if so, the progress made to date; and if he will make a statement on the matter. [3819/13]

198. **Deputy Jerry Buttimer** asked the Tánaiste and Minister for Foreign Affairs and Trade the way the Hyogo Framework for Action 2005-2015 has altered the response of Irish Aid to disasters; and if he will make a statement on the matter. [3820/13]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** I propose to take Questions Nos. 196 to 198, inclusive, together.

The World Conference on Disaster Reduction was held in Kobe, Japan in January 2005. The tangible outcome from the conference was a commitment by 168 UN Member States, including Ireland, to strengthen preparedness and minimise vulnerability to disasters through the agreement of a ten-year action plan called the Hyogo Framework for Action 2005-2015. Ireland, through the participation of officials from the Department of Foreign Affairs and Trade contributed to the negotiations and outcome of the Conference.

The Mid-Term Review of the Hyogo Framework for Action was facilitated by the United Nations Office for Disaster Risk Reduction (UNISDR) secretariat over a twelve-month period from 2010 – 2011. The Review process sought inputs from relevant stakeholders, including Ireland. It was guided by the 2009 Global Platform, which concluded that it should “address strategic and fundamental matters concerning its implementation to 2015 and beyond”. Through involvement in the 2009 Global Platform meetings and membership of the UNISDR donor support group over the 2009 – 2011 period, Ireland contributed to the mid-term review process of the Hyogo Framework.

On the international front, the Rio+20 Summit in June 2012 was the first major event to demonstrate why disasters and reducing their risks are so fundamental to sustainable development. The outcome document ‘The Future We Want’ specifically refers to the value of a post-2015 framework as part of the sustainable development agenda. UNISDR facilitated a number of consultation conferences in 2012 and established a series of on-line dialogues which will continue intermittently throughout the consultation period. One clear message emerging from the first phase of consultations is the need for much stronger political commitment to tackle disaster risks, including more extreme events stemming from climate change. 2013 will be a critical year for the consultation process and in particular the Fourth Session of the Global Platform for Disaster Risk Reduction scheduled for 19-23 May 2013 in Geneva will be a pivotal event. Ireland will participate at this event.

The Government recognises that poor people and countries are especially threatened by natural disasters and environmental hazards, including climate change. Ireland is therefore very supportive of global responses to disaster management and promotes the need to put in place a post-2015 framework for a more systematic approach to Disaster Risk Reduction in disaster-prone developing countries. At a bilateral level the Government through Irish Aid provides financial support to programmes having disaster risk reduction and climate change adaptation objectives in Ethiopia, Lesotho, Vietnam, Mozambique, Malawi, South Africa, Tanzania, Timor-Leste, Uganda and Zambia. At a multilateral level Irish Aid supports the work of a number of leading global environment and development agencies including the UNISDR and the Global Facility for Disaster Reduction and Recovery (GFDRR). In addition, funding is provided to the Red Cross Movement and NGO partners recognising the important role these partners play in reducing risk and building local capacity to respond to disasters. Ireland has prioritised Climate Change Adaptation and Disaster Risk Reduction in our EU Presidency.

### EU Presidency Issues

199. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 188 of 22 January 2013, if he will supply details of the Content Management System licensed; the terms of the annual support to be provided; the number of staff trained; the areas the training covered; and if he will make a statement on the matter. [4191/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Content Management System licensed for the EU Presidency website *www.eu2013.ie* is Termi-

nal4's Site Manager CMS application and associated modules. Support services in the contract include telephone and email support, problem and investigation resolution, remote diagnostic support, software revision updates, on-site support, and third-party product fault diagnosis. The training provided includes CMS administrator training for two people, CMS user training for ten people and a Writing for the Web module for nine people.

### Working Holiday Visas

200. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of persons here who took up working holiday visas in 2012 under the agreements with Argentina, Australia, Canada, Hong Kong, Japan, New Zealand, South Korea, Taiwan and the USA, by country; and the allocation of visas here in respect of each of these countries for 2013. [4219/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Ireland concludes Working Holiday agreements on a reciprocal basis. For Irish citizens the applications are administered either directly by the embassies of the countries concerned or through a sponsoring organisation nominated by them. The following table sets out the visa allocations for 2013 and the available information on the number of visas granted in 2012. A Working Holiday programme was recently concluded between the Irish Naturalisation and Immigration Service and the Taipei Representative Office in Ireland and is effective from January 2013. Consequently there are no figures for 2012.

Working Holiday Agreement	Number of visas granted in 2012	Allocation in 2013
Argentina	18	100
Australia	18,940 (to 30 Sept 2012)	not capped
Canada	5,350	5,350
Hong Kong	32	100
Japan	42	400
New Zealand	2,314	Not capped
South Korea	3	400
Taiwan	Not applicable	700
U.S.A	1,028	Not capped

### Public Service Reform Plan Update

201. **Deputy Patrick O'Donovan** asked the Tánaiste and Minister for Foreign Affairs and Trade with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, bodies to be rationalised, amalgamated or abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4288/13]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello):** The Government's Public Sector Reform Plan does not include any body under the auspices of the Department of Foreign Affairs and Trade that is to be rationalised, amalgamated or abolished. However, the Development Education Advisory Committee was included in the list of bodies for critical review. This review took place in the context of the recent Review of the White Paper on Irish Aid. A decision on the Development Education Advisory Committee will

be made when the new policy on global development is submitted for Government approval in the near future.

### **Tax and Social Welfare Codes**

202. **Deputy Peter Mathews** asked the Minister for Finance his views on a matter (details supplied) in respect of the tax payments [3854/13]

**Minister for Finance (Deputy Michael Noonan):** The payment of income tax and universal social charge (USC) on income are statutory obligations on both employees and self-employed which are legislated for in the Houses of the Oireachtas. Individuals that are subject to income tax and USC do not accumulate entitlements or specific benefits but do benefit from the services provided by the State.

### **Public Sector Staff Recruitment**

203. **Deputy Terence Flanagan** asked the Minister for Finance if he has any plans to lift the moratorium on recruitment to the Revenue Commissioners in view of the fact that there will be an additional workload on staff with the introduction of the property tax; and if he will make a statement on the matter. [3992/13]

**Minister for Finance (Deputy Michael Noonan):** I previously advised the House in my reply to Question No. 57388/12 that the Revenue Commissioners would be resourced to ensure the successful implementation of the local property tax. The additional resources required for 2013 are noted in the Department of Public Expenditure and Reform Expenditure Report 2013. The Employment Control Framework of 5,874 includes 100 additional posts approved by my colleague the Minister for Public Expenditure and Reform in the context of the introduction of Local Property Tax. As noted in my reply to Question No 2063/13, the Revenue Commissioners advise me that they have established the nucleus of the Local Property Tax Branch in Ennis, where staff will become available for redeployment in the context of the Government's policy on shared services, specifically in the areas of payroll, banking and financial management. The Commissioners are also deploying additional staff to this Branch by reconfiguring their District structure in the South West and relocating functions from Clare to Limerick. I am satisfied that when Revenue receives the additional 100 staff which were sanctioned in 2013, they will be in a position to deploy their resources to ensure the successful implementation of Local Property Tax.

In addition, Revenue is contracting for external service delivery of some data capture and call centre services for Local Property Tax. Regarding recruitment as previously advised to the House in my reply to Question 3206/13, in recognition of the need to adequately resource Revenue and to address critical skills gaps, my colleague the Minister for Public Expenditure and Reform recently granted Revenue sanction to fill critical vacancies up to the Employment Control Framework of 5,874. The Revenue Commissioners are required, in the first instance, to refer to the public service resource panel to fill vacancies. Where there are no redeployment staff available, or there are specific skills deficits, Revenue has sanction to fill posts by recruitment or promotion.

### **Customs and Excise Controls**

204. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular format, the funding provided to curb tobacco smuggling each year since and including 2005; and if he will make a statement on the matter. [4149/13]

205. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will to provide in tabular format, the number of cigarettes seized by customs each year since and including 2005; and if he will make a statement on the matter. [4150/13]

206. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular format the funding provided to curb the illegal importation of psychoactive substances, since and including 2005; and if he will make a statement on the matter. [4152/13]

207. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide a breakdown in tabular format of the number and total weight of psychoactive substances seized by Customs and Excise each year since and including 2005; and if he will make a statement on the matter. [4153/13]

208. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide a breakdown in tabular form of the number and total weight of narcotic drugs seized by Customs and Excise each year since and including 2005; and if he will make a statement on the matter. [4154/13]

209. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular form the funding provided to curb the illegal importation of narcotic drugs since and including 2005; and if he will make a statement on the matter. [4155/13]

210. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide a breakdown in tabular form of the total number of illegal firearms seized by Customs each year since and including 2005; and if he will make a statement on the matter. [4156/13]

211. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular form the funding provided to curb the illegal importation of firearms since and including 2005; and if he will make a statement on the matter. [4157/13]

212. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide a breakdown in tabular format of the total number of illegal bullets seized by Customs and Excise each year since and including 2005; and if he will make a statement on the matter. [4158/13]

213. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular form the funding provided to curb the illegal importation of bullets, since and including, 2005; and if he will make a statement on the matter. [4159/13]

214. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide a breakdown in tabular form of the total number of offensive weapons seized by Customs and Excise each year since and including 2005; and if he will make a statement on the matter. [4160/13]

215. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will provide in tabular form the funding provided to curb the illegal importation of offensive weapons since and including 2005; and if he will make a statement on the matter. [4161/13]

253. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will to provide in tabular format, the total sum saved to the Exchequer each year since and including 2005 due to successful tobacco seizures; and if he will make a statement on the matter. [4151/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 204 to 215, inclusive, and 253 together.

I am advised by the Revenue Commissioners that the following table contains the information requested by the Deputy in respect of seizures by their enforcement officers of firearms, bullets, offensive weapons, psychoactive substances, narcotic drugs and cigarettes, for the years 2005 to 2012.

-	<b>Fire-arms</b>	<b>Bullets</b>	<b>Of-fensive Weapons</b>	<b>Psycho-active Sub-stances</b>	<b>Narcot-icDrugs</b>	<b>Ciga-rettes</b>	<b>Ciga-rettes</b>
-	Quantity	Quantity	Quantity	Quantity	Quantity	Quantity	Tax at risk
2005	1	0	0	*	4,516 kgs	51.3m	€12.6m
2006	1	500	1	*	751 kgs	52.3m	€14.4m
2007	59	5,517 + 5 packages	100	*	4,340 kgs	74.5m	€21.7m
2008	84	19,531	87	*	5,597 kgs	135.2m	€39.5m
2009	90	868 + 5 packages	218	*	3,936 kgs	218.5m	€73.3m
2010	10	0	242	29.65 kgs	531 kgs	178.40m	€59.8m
2011	16	20 pack-ages	386	35.90 kgs	2,588 kgs	109.1m	€36.6m
2012	88	110	264	14.19 kgs	2,129 kgs	95.6m	€34.3m

\* Prior to introduction of Criminal Justice (Psychoactive Substances) Act 2010.

The final column of the table contains the amounts of estimated tax (Tobacco Products Tax and VAT) that would have been payable in respect of the cigarettes seized in each of the years from 2005 to 2012, had they been released on the market as legitimate product. I am advised by the Revenue Commissioners that the question whether these amounts can be viewed as equating to savings to the Exchequer would have to take account of factors such as whether the seized product was intended for sale on the Irish market, and whether the seizures resulted in the consumption, by substitution, of a corresponding amount of legitimate product in respect of which the appropriate tax was paid.

With regard to the Deputy's question on the funding provided to curb the illegal importation of the listed commodities and narcotic drugs for the years in question, I am advised that Revenue is an integrated tax and customs administration and it is not possible to disaggregate staffing resources deployed exclusively on policing the importation of these individual products. The Revenue Commissioners have around 2,000 staff engaged on activities that are dedicated to target and confront non-compliance. These activities include anti-smuggling, audit, assurance checks, debt management, investigations, prosecutions and anti-avoidance. The Commissioners advise me that non-staff enforcement equipment expenditure on the purchase and supply of vehicles, maritime cutters, detector dogs, radio equipment, scanners etc for the years in question are shown in the table immediately below.

**ANTI-SMUGGLING NON PAY COSTS 2005-2012**

<b>YEAR</b>	<b>TOTAL</b>
2005	2866,692
2006	2,689,461
2007	1,543,728
2008	4,173,134
2009	3,345,175
2010	2,424,880
2011	2,688,059
2012	3,421,777

With regard to the costs of staff employed on targeting non-compliance, I am advised that Revenue operates a number of programmes based on strategic priorities as set down in its Statement of Strategies that are applicable over given periods of time. For operational and effective management the funding and resources assigned to ‘programmes’ are interdependent, with staffing resources redeployed across programmes according to the time of year and business needs.

**Property Taxation Application**

216. **Deputy Dara Calleary** asked the Minister for Finance the position regarding local authority housing tenants and the property tax, that is, whether they are individually liable or whether the local authority corporately liable and in the case of the liability accruing to the local authority will this be passed on to the tenant; the guidance he has issue on same; and if he will make a statement on the matter. [4383/13]

217. **Deputy Dara Calleary** asked the Minister for Finance the position regarding voluntary housing associations or companies housing tenants and the property tax, that is, whether they are liable or is the housing association/company liable and in the case of the liability accruing to the association/company will this be passed on to the tenant; the guidance he has issued to the companies on this matter; and if he will make a statement on the matter. [4384/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 216 and 217 together.

In accordance with Section 11 of the Finance (Local Property Tax) Act 2012, local authorities will be liable to pay the Local Property Tax (LPT) in the same way as any other residential property owner, unless the properties are used to accommodate people with special housing needs. Special housing needs refers to the provision of housing and support for people who have a particular need in addition to a general housing need to enable them to live in the community. This includes the elderly, people with disabilities, people who have been homeless and victims of domestic violence. Where local authority owned properties are not exempted from LPT, it will be a matter for the local authorities themselves whether they will pass on the LPT liability to their tenants in the form of an increase in rent or whether they will absorb the liability without recourse to their tenants. A voluntary housing association will be similarly liable for LPT on any residential properties that it owns unless the properties are used to accommodate people with special housing needs, provided the housing association operates as a charity and has been granted a tax exemption by the Revenue Commissioners.

I am informed by the Revenue Commissioners that they are currently liaising with the Department of the Environment, Community and Local Government and with the voluntary social housing sector to establish how local authorities and voluntary housing associations, respectively, will provide the Revenue Commissioners with information in relation to their LPT liability and the timing and manner of the payment of this liability.

### Motor Fuels Issues

218. **Deputy Sandra McLellan** asked the Minister for Finance further to Parliamentary Question No. 90 of 16 January 2013, if he will provide the figures for Irish hauliers who purchase their diesel abroad; the rate hauliers contribute to the economy here through diesel in comparison to the coach and bus operators; and if he will make a statement on the matter. [4554/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised that excise duty is applied to auto-diesel when it is released from a tax warehouse, the Revenue Commissioners; therefore, do not have data on the end use of auto-diesel. However, an ESRI study estimated that the haulage industry accounted for some 735 million litres of auto-diesel with passenger vehicles accounting for approximately 35 million litres.

### National Treasury Management Agency Staff

219. **Deputy Pearse Doherty** asked the Minister for Finance if members of staff at the National Treasury Management Agency are exempt from the standard practice of a cooling off period for senior civil servants moving from public sector into private sector employment; if this is true, the reason such an exemption applies; the number of staff that have transferred from the NTMA to the private sector in the past four years, by year; and if he will make a statement on the matter. [3709/13]

**Minister for Finance (Deputy Michael Noonan):** The Civil Service Code of Standards and Behaviour contains provisions regarding acceptance of outside appointments and of consultancy engagement following resignation or retirement. This code does not apply to directors or employees in State bodies in the wider public service. I am informed by the National Treasury Management Agency (NTMA) that the number of employees who have resigned from the NTMA since 2009 is as set out in the table below -

2009	2010	2011	2012	2013
3	4	18	24	9*

\*Includes staff who have submitted their resignation and are serving their notice period.

I am also informed by the NTMA that its employees have notice periods of one or three months and six months in the case of the Chief Executive. All NTMA employees are subject to section 14 of the National Treasury Management Agency Act, 1990 which prohibits an employee from disclosing any information obtained while carrying out their duties as employees of the NTMA. NTMA employees are also subject to the Official Secrets Act. I am informed by the NTMA that contravention of the NTMA Act and the Official Secrets Act is a criminal offence and that the prohibition on disclosing confidential information applies indefinitely and extends to former employees. I understand the Chief Executive of the Agency is reviewing NTMA policy in this area.

## Bank Debt Restructuring

220. **Deputy Pearse Doherty** asked the Minister for Finance in view of the fact that he is the owner of 15% of the ordinary shares in Bank of Ireland, and owner of preference shares most recently valued at €1.473 billion, if he will confirm if the recent disposal by him of €1 billion contingent capital notes was in the interests of Bank of Ireland; and if so, if he will provide the basis for this position. [3712/13]

221. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide the overall costs incurred by Bank of Ireland in the recent disposal by him of €1 billion contingent capital notes. [3713/13]

222. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm the date on which the €1 billion contingent capital notes were first offered to the market. [3714/13]

223. **Deputy Pearse Doherty** asked the Minister for Finance following the recent disposal of €1 billion contingent capital notes, if he received advice as to the optimum period over which the CCNs should have been marketed before any sale was closed; and if he will make a statement on the matter. [3715/13]

224. **Deputy Pearse Doherty** asked the Minister for Finance following the recent disposal of €1bn contingent capital notes in Bank of Ireland, if he will outline the involvement in the disposal, of the former head of the Shareholder Management Unit in the Department of Finance (details supplied); and if he will make a statement on the matter. [3716/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 220 to 224, inclusive, together.

As announced by my Department on January 9th, the State was successful in disposing of its entire €1 billion holding of Contingent Capital Notes (CCNs) in Bank of Ireland (BOI). The transaction was a very positive outcome for the State on a number of levels. It will enable us to reduce our indebtedness, it has had a positive impact on investor sentiment and it has also helped to underpin the value of our remaining banks investments. The transaction also reflects positively on Bank of Ireland, as will any further such disposals by the State in the future. Exit by the State over time from its bank investments is Government policy and the eventual separation of the State from the banking sector is an objective for which there is strong support across the political spectrum.

As I have stated before, the sale was managed by officials in the Department's Shareholder Management Unit, with many years' experience working in financial markets. Having established at the outset that there was sufficient demand to secure an underwriting position from the investment banks, the date the CCNs were offered to the market was January 9th, 2013 the day the book build process began. In response to your question on the optimum period of marketing for the CCNs, it is important to recognise that Bank of Ireland had been active in the market in both November and December raising €1.0bn through the issuance of an Asset Covered Securities (ACS) bond and €250m of subordinated debt. This meant that investors were fully up to speed with the bank's investment proposition by the time the State looked to execute its own transaction.

On the issue of the involvement of the former head of the Shareholder Management Unit, the officer went on holidays to Australia on 12 December, 2012 and did not return to the Department until January 14th, 2013 at which time he tendered his resignation and in accordance with normal practice will not take up duty in the banks for another two months. Hence there is effectively a *cordon sanitaire* in operation for three months in this instance. Finally I have

been informed by the Bank that they are not in a position to provide the costs incurred in the recent disposal of the CCNs as it is commercially sensitive.

### **Banking Sector Staff Issues**

225. **Deputy Pearse Doherty** asked the Minister for Finance further to the appointment that he announced and welcomed, of the former head of the Shareholder Management Unit (details supplied) to a position at Bank of Ireland, if he will set out the assessment that has taken place in his Department of their knowledge of the workings of Allied Irish Banks and Permanent TSB acquired in their former position; and if this knowledge may give Bank of Ireland an unfair advantage in Irish banking sector competition. [3717/13]

226. **Deputy Pearse Doherty** asked the Minister for Finance further to the appointment of the former head of the Shareholder Management Unit, to a position at Bank of Ireland (details supplied), his views, as the holder of 99.8% of the shares in Allied Irish Banks, on any damage to the prospects of AIB occasioned by the appointment. [3718/13]

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

On the issue of the involvement of the former head of the Shareholder Management Unit, the officer went on holidays to Australia on 12 December, 2012 and did not return to the Department until January 14th, 2013 at which time he tendered his resignation and in accordance with normal practice will not take up duty in the banks for another two months. Hence there is effectively a *cordon sanitaire* in operation for three months in this instance. All civil servants are subject to a number of confidentiality clauses, these also apply to NTMA staff seconded to the Department. I can confirm that the official has signed the following documents:-

- (1) Official Secrecy and Integrity Circular 15/1979
- (2) Freedom of Information Circular 7/98
- (3) Official Secrecy: Budget Preparations Circular 27/95
- (4) Software Use, Acquisition and Management Policy Office Notice 04/02
- (5) Department of Finance Information and Communications Technology Usage Policy Summary Office Notice 01/2006

All these give further protection around the confidentiality of information involved.

### **Bank Debt Restructuring**

227. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide, in tabular form, the par value of loans sold by Anglo Irish Bank in 2008, 2009, 2010 and 2011; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3719/13]

228. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form, the par value of loans sold by Irish Nationwide Building Society in 2008, 2009, 2010 and 2011; the amount realised by territory for the South of Ireland, the North of Ireland, Britain,

USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3720/13]

229. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide, in tabular form, the par value of loans sold by Irish Bank Resolution Corporation in 2011 and 2012; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3721/13]

230. **Deputy Pearse Doherty** asked the Minister for Finance in tabular form, the par value of loans sold by Bank of Ireland in 2008, 2009, 2010, 2011 and 2012, the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions and the number of loan books; portfolios and individual loans to which the sales related. [3722/13]

231. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide, in tabular form, the par value of loans sold by Allied Irish Banks in 2008, 2009, 2010, 2011 and 2012; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3723/13]

232. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide, in tabular form, the par value of loans sold by the Educational Building Society in 2008, 2009, 2010, 2011 and 2012; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3724/13]

233. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form, the par value of loans sold by Permanent TSB in 2008, 2009, 2010, 2011 and 2012; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3725/13]

234. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide, in tabular form, the par value of loans sold by the National Asset Management Agency in 2010, 2011 and 2012; the original covered bank to have provided the loan; the amount realised by territory for the South of Ireland, the North of Ireland, Britain, USA and other international regions; and the number of loan books, portfolios and individual loans to which the sales related. [3726/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 227 to 234, inclusive, together.

The sale of loan portfolios is a commercial matter for the management and the Board of the Institutions. I have a limited role in this function. The sales prices for various portfolios and individual loans are a matter of confidentiality between the parties. It is normal course of practice that sales processes are conducted under appropriate confidentiality constraints in order to protect the interests of all parties.

It is the responsibility of the Board of Directors of each institution to ensure that adequate and appropriate disclosures are provided regarding financial position and performance. Therefore, such disclosures are provided through the financial statements of each institution in the context of the needs of those users and the particular business activities and risk exposures of the Institutions. To this end, the institutions provide detailed disclosures in their Annual Reports, trading statements, interim management reports, press releases and Pillar III regulatory

return disclosures. The Institutions have also, where applicable as part of their investor relations programmes and Stock exchange requirements, produced detailed loan sale disclosures to which the deputy may wish to refer.

In particular, as relates to NAMA, the disclosure of additional information other than what is publically available would contravene Section 99 and 202 of the NAMA Act and adversely affect the competitive process and the agency's objective of achieving the best outcome for the taxpayer.

Deleveraging of the Banking system has progressed well. Deleveraging of €53.1bn has been achieved by Allied Irish Banks (AIB), Bank of Ireland (BOI) and Permanent TSB from 31 December 2010 to 30 November 2012. Individual losses on loans have not been disclosed by the banks due to commercial sensitivities and confidentiality of information, however the Pillar Banks where disposals have been concentrated, have disclosed that overall cumulative discounts incurred have been within PCAR assumed discounts. From a capital perspective, the loss incurred on the divestment of these assets is broadly offset by a reduction in the level of risk weighted assets.

The on-going progress in deleveraging and deposit gathering activities has seen BOI make further progress towards improving its Loan to Deposit (LDR) ratio, reducing from 136% at June 2012 to less than 130% in November 2012. Similarly, AIB's LDR reduced to less than 120% at the end of October (including loans held for sale) from 125% at end of June.

### **Banks Recapitalisation**

235. **Deputy Pearse Doherty** asked the Minister for Finance in view of the fact that he is the sole shareholder in 100% of the shares in the Irish Bank Resolution Corporation, if IBRC allows defaulting debtors to buy back assets; and if he will provide an assessment of the losses that IBRC would potentially incur if it were to prohibit the sale of assets such as loans and underlying security such as real estate property to defaulting debtors. [3727/13]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that it is not possible to compile the type of information requested by the Deputy. The overriding mandate of IBRC is to maximise the recovery of loans on behalf of the State and to wind down over time. It is Bank policy that the execution of any asset or loan disposals is conducted on a competitive open market basis and in accordance with prevailing market norms for the asset class and jurisdiction. An impartial process is assured through the appointment of independent professional agents or brokers to conduct the sales process. I have been informed that the vast majority of asset and loan disposals are transacted with independent third parties. Any sale that does involve a bid from a connected party to the original borrower or to a party with an existing equity interest is subject to elevated and multi-faceted governance approval processes. In all cases, the clear objective is to achieve the highest possible recovery.

### **Tax Credits**

236. **Deputy Michael McGrath** asked the Minister for Finance if he will confirm the number of employee tax credit certificates for 2013 that have been issued to date to employers; if he will confirm the number that are still outstanding; the reason certain tax credit certificates have yet to be issued; and if he will confirm the basis on which employees in respect of whom a certificate has not been issued will be taxed until the 2013 certificate is issued. [3826/13]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that in accordance with normal practice all employers were issued with 2013 tax credit certificates for their employees in mid-December 2012. This consisted of almost 2.3 million certificates. These certificates are issued as a priority to employers to ensure that they have the correct tax credit details upon which to base tax deductions from the first pay dates in the new year. I am further informed by the Revenue Commissioners that, according to their records, all employer copies of tax credit certificates for 2013 have issued and they are not aware of, nor have they been informed of, any problems encountered by employers in obtaining details of the correct tax credits for their employees for this year. The Deputy should be aware that the vast bulk of employee certificates are issued to employers electronically via ROS, which is Revenue's Online Service.

Where an employer has not received new tax credit certificates for 2013 for their employees, the PAYE & USC Regulations provide that they should base the PAYE and USC deductions on the specific tax credits and the tax and USC rate bands that operated for each employee during the previous year, in this case for 2012, and that they should continue to do so until they obtain the 2013 tax certificates. If the Deputy has the case of a specific employer in mind, the Revenue Commissioners advise me that if details are supplied they will have the matter looked into immediately.

### **Tax Reliefs Availability**

237. **Deputy Seán Ó Fearghail** asked the Minister for Finance if he will consider the proposal made in correspondence (details supplied) regarding an excise on rebate of diesel; if he will take the necessary action; and if he will make a statement on the matter. [3831/13]

248. **Deputy Jim Daly** asked the Minister for Finance if he will confirm that when the derogation to European Commission Energy Tax Directive 2003/96/EC ended, it applied in the same manner to all operators both public and private; and if he will make a statement on the matter. [4128/13]

249. **Deputy Pearse Doherty** asked the Minister for Finance if he has any plans to extend the excise rebate on diesel for haulage companies as announced recently, to include bus and coach companies in the context of the Finance Bill in view of his comments that a fuel rebate system could not under EU law be restricted to Irish licenced hauliers but would have to be extended to all vehicles intended exclusively for the carriage of goods by road with a maximum permissible gross laden weight of not less than 7.5 tonnes, the rebate would have to include the carriage of passengers by a motor vehicle of category M2 or category M3 as defined in Council Directive 70/156/EEC; and if he will make a statement on the matter. [4130/13]

258. **Deputy John Halligan** asked the Minister for Finance his views on a matter (details supplied) in relation to excise rebate on diesel. [4179/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 237, 248, 249 and 258 together.

The proposal to introduce an auto-diesel excise duty relief for licensed road hauliers that I announced in the Budget is confined to licensed and tax compliant hauliers. However, I have received a number of submissions from, and on behalf of, private coach operators seeking to have this relief extended to them. I will consider these proposals and the level of the rebate in the context of the Finance Bill. It is worth noting that one of the key arguments for introducing a rebate for the haulage industry is the fact that a large quantity of fuel purchased by this industry

is purchased abroad thus generating no tax revenue for the State. A rebate should encourage hauliers to start purchasing their fuel in Ireland thus offsetting some of the costs involved. Such an argument does not exist for the most part for the coach industry.

The fuel rebate scheme proposed is governed by the terms of Council Directive 2003/96/EC of 27 October 2003 which limits its application to auto diesel used in defined categories of road vehicles. On the matter of the derogation that has ended, it is assumed that the Deputy is referring to the derogation that allowed for the application of a reduced rate of mineral oil tax to fuel used for the purposes of certain road passenger services. I can confirm that the rebate applied to services operated by both private and public operators and was abolished in 2008. I will be informing the European Commission of the rebate measure once it is introduced.

### **Mortgage Interest Relief Eligibility**

238. **Deputy Michelle Mulherin** asked the Minister for Finance the way that customers in each of the State controlled banks have been precluded from qualifying for the enhanced mortgage interest relief owing to the Christmas holiday arrangements of each of the lending institutions which did not allow the draw down of any loan cheque from approximately the middle of December 2012 to 31 December 2012; and if he will make a statement on the matter. [3833/13]

**Minister for Finance (Deputy Michael Noonan):** I have been supplied with the following information by the State controlled banks.

AIB's Central and Retail staff worked closely with its customers and their solicitors in ensuring loan conditions were satisfied to enable funds to be released by year end. Significant resources were provided in this regard and staff were deployed at evenings and weekends throughout the month and up to the close of business on December 31st to ensure that all funds were released on time where customers had fulfilled drawdown conditions. AIB can confirm that all fully satisfied mortgage drawdown requests were processed on time to avail of TRS and this resulted in AIB's December mortgage drawdowns being approximately double its 2012 monthly average. For information, AIB electronically transfers drawdown funds directly to its customers' solicitors accounts to ensure funds are immediately available.

PTSB

All requested loan cheques were issued prior to Christmas. None were required on the 30th and 31st December.

IBRC

IBRC does not issue any new mortgages.

### **Tax Credits**

239. **Deputy Jack Wall** asked the Minister for Finance the position regarding an application for incapacitated child credit certificate in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [3865/13]

**Minister for Finance (Deputy Michael Noonan):** The position is that, in this instance, the relevant legislation is Section 465 of the Taxes Consolidation Act, 1997. The section provides that the credit is available for a child under the age of 18 years, where there is a reasonable expectation that the child would be incapacitated from maintaining himself or herself when over

18 years of age. It is practice to request confirmation from a medical practitioner that this is the case. The person concerned has been requested to submit such confirmation. The credit will be allowed on receipt of this confirmation from a medical practitioner.

### **EU-IMF Programme of Support Negotiations**

240. **Deputy Michael McGrath** asked the Minister for Finance if he will detail the policies being implemented by his Department on which he wrote to the EU / ECB / IMF troika; and if he will make a statement on the matter. [3882/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware Ireland is in the final year of the EU-IMF Programme of Financial Support. The Programme is subject to a quarterly review mission with the three external partners, the EU, the ECB and the IMF (the Troika). It is at these review missions that discussions take place with regard to programme commitments which translate into the Programme documents which are updated and agreed after every mission. The review missions, the 9th of which begins today, involve a large number of technical meetings which are attended by officials from my Department, the Department of Public Expenditure & Reform and when appropriate from other Departments, the Central Bank and the NTMA. A wide range of topics are covered at these meetings, including financial reforms, structural reforms, economic developments and the progress of the Programme itself.

Following each review mission the external partners and the Irish authorities agree updated programme documents, specifically the Memorandum of Understanding on Specific Economic Policy Conditionality, the Memorandum of Economic and Financial Policies and the Technical Memorandum of Understanding. The programme documents outline the policies discussed with our external partners and detail the commitments which we have agreed to. Once the documents are finalised, the Letters of Intent are signed jointly by the Minister for Finance and the Governor of the Central Bank and are issued to the EU and the IMF, along with the accompanying programme documents. The Programme documents then go through an EU and IMF approval procedure and once approved these documents are laid before the Houses of the Oireachtas and placed on the Department of Finance website following their transmission.

### **Property Taxation Application**

241. **Deputy Robert Dowds** asked the Minister for Finance if he will outline the methods of payment available to persons in relation to the property tax. [3933/13]

283. **Deputy Martin Heydon** asked the Minister for Finance the position regarding the options for the payment of the property tax; if there is a facility to pay the tax by instalments; and if he will make a statement on the matter. [4523/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 241 and 283 together.

I am advised by the Revenue Commissioners that during March 2013 property owners will receive their LPT return from Revenue together with an LPT booklet, which will provide details of the full range of payment options available to pay LPT. The LPT return must be submitted and payment details provided to Revenue by 7 May, if using the paper return, and by 28 May if using the online facility.

A range of payment options are available to pay LPT. Payment can be made in full by way

of a Single Debit Authority which is the equivalent of an electronic cheque, online using a debit or credit card, or in cash through approved service providers. There will also be the option to pay LPT in equal instalments over the period 1 July to end December 2013. Instalment payments can be made by deduction at source from employment, occupational pension income or from certain payments from the Departments of Social Protection and Agriculture, Food and the Marine by direct debit or in cash through approved service providers. Revenue will announce details of the approved service providers as part of their information campaign in March.

The single debit authority payment will be deducted from the nominated bank account on 21 July 2013 while payments made by direct debit will commence on 15 July 2013 and will be deducted on 15th day of each month thereafter. Phased payment options made by way of deduction at source will commence from 1 July 2013 onwards and phased payments by cash through a service provider should be spread equally over the period 1 July to end December 2013. Finally, some owner-occupiers, subject to certain conditions, may qualify for full deferral or for partial deferral of 50% of the LPT due. In the case of partial deferral, a payment option must be selected on the LPT return to pay the balance of the LPT due.

### **Banking Sector Remuneration**

242. **Deputy Pearse Doherty** asked the Minister for Finance if any of the covered institutions provided non-financial bonuses to their senior staff, such as shares, holidays, increased pension contributions, cars or other in the years 2009, 2010, 2011 or 2012. [3963/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware officials in my Department and Mercer have been working on a remuneration review of the Covered Banks and do not currently have the information you have requested. My officials and the banks have provided a very significant level of detail on remuneration and pensions in the Covered Banks and other institutions in tight timeframes. The further more detailed information sought in this question is not available to my Department at the present time and the compilation of this information, particularly the historic element, is likely to delay completion of the Mercer Remuneration Report which is a Government priority. I have committed to publishing the details underpinning the review in view of the public interest in the matter. The report will provide a comprehensive and professional analysis of remuneration structures and levels across the Covered Banks both now and before the onset of the banking crisis. As part of the review process I will ask my officials to engage with the banks to agree an appropriate level of public disclosure relating to remuneration that ensures an appropriate balance between the public good and the commercial and data protection issues which arise for the Covered Banks.

### **Liquor Licence Numbers**

243. **Deputy Michelle Mulherin** asked the Minister for Finance the number of intoxicating liquor licences that have lapsed for each year from 2002 until 2007 inclusive; the reasons the licences have lapsed; and if he will make a statement on the matter. [3977/13]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the numbers of lapsed licences for each of the years 2002 to 2007 inclusive, is set out below under various categories. I am further advised by the Revenue Commissioners that traders are not obligated to inform Revenue as to why they have decided to let a licence that they hold lapse. Accordingly, the Revenue Commissioners are not in a position to comment on this matter.

Questions - Written Answers

<b>Licence Type</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>
Beer & Wine Retailer's Off Licence						1
Cider Retailer's Off Licence						
Publican's Licence (6-Day)						
Publican's Licence (7-Day Ordinary)	32	28	14	6	4	2
Publican's Licence (Ordinary) Hotel - 1902 Act (Public Bar)	3					
Publican's Licence (Ordinary) Hotel - 1902 Act. (Resident's Bar)						
Publican's Licence (Ordinary) Hotel - BF - 1902 Act (Public Bar)	6	13	2	2		1
Publican's Licence (Ordinary) Hotel - BF - 1902 Act (Resident's Bar)	2	2				

<b>Licence Type</b>	<b>2007</b>	<b>2006</b>	<b>2005</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>
Publican's Ordinary Railway Refreshment Rooms Licence						
Special Restaurant Licence	3	1		1		
Spirit & Beer Retailer's Off Licence		1				
Spirit & Wine Retailer's Off Licence						
Spirit, Beer & Wine Retailer's Off Licence	3					
Wholesaler Dealer in Beer		1				
Wholesaler Dealer in Beer & Spirits	1					
Wholesaler Dealer in Beer & Wine	1					
Wholesaler Dealer in Beer & Wine Retailer's Off Licence						
Wholesaler Dealer in Beer, Wine & Spirits	2	1	1			

Licence Type	2007	2006	2005	2004	2003	2002
Wholesaler Dealer in Spirits & Spirits Retailer's Off Licence						
Wholesaler Dealer in Wine & Spirits, & Wine Retailer's off Licence						
Wholesaler Dealer in Wine & Wine Retailer's Off Licence			2			
Wine Retailer's Off Licence	13	7		2		

### EU-IMF Programme of Support Drawdowns

244. **Deputy Michael McGrath** asked the Minister for Finance the amount of loans maturing under the EU / IMF programme in each year from 2015 in tabular form; and if he will make a statement on the matter. [4106/13]

**Minister for Finance (Deputy Michael Noonan):** The data requested by the Deputy is set out in the table below which has been supplied by the National Treasury Management Agency (NTMA) and is also available on the NTMA's website. The table shows the amounts maturing under the EU/IMF programme in each year from 2015. The figures reflect the position as at end-December 2012, at which point just under €56 billion of the €67.5 billion in external funding available under the EU/IMF programme had been drawn down. The figures in the table do not reflect the agreement at the recent Eurogroup and ECOFIN meetings to examine the extension of maturities on EU/IMF Programme EFSF and EFSM loans.

Year of Maturity	EU/IMF & Bilateral Facilities as at end-December 2012 *
-	<b>Amount maturing</b>
-	<b>€m</b>
2015	6,854
2016	6,144
2017	3,161
2018	7,059
2019	5,892

<b>Year of Maturity</b>	<b>EU/IMF &amp; Bilateral Facilities as at end-December 2012 *</b>
-	<b>Amount maturing</b>
-	<b>€m</b>
2020	4,398
2021	5,559
2022	3,683
2023	0
2024	0
2025	0
2026	2,000
2027	1,000
2028	2,300
2029	0
2030	0
2031	0
2032	3,000
2033	0
2034	0
2035	0
2036	0
2037	2,800
2038	0
2039	0
2040	0
2041	480
2042	1,500

\* The figures in the table are unaudited figures and include the effect of currency hedging transactions. Rounding can affect totals.

### **EU-IMF Programme of Support Drawdowns**

245. **Deputy Michael McGrath** asked the Minister for Finance if he has asked the IMF to consider extending maturities of loans to Ireland in a manner similar to the consideration being given to extending loans from the EFSF and EFSM; and if he will make a statement on the matter. [4107/13]

**Minister for Finance (Deputy Michael Noonan):** In 2010 the IMF approved a programme under the Extended Fund Facility (EFF) to Ireland amounting to SDR 19.5 billion, which equates to €22.5 billion, as part of the overall EU/IMF programme of financial support. The IMF Executive Board has made a decision on the appropriate amortization schedule for EFF programmes with any member country of the IMF. This decision provides that repayments be made in 12 equal six-monthly instalments, within an outside range of four to ten years after each such disbursement. Ireland's amortisation schedule reflects the parameters established by the IMF Executive Board. It is not the IMF's practice to extend repayment schedules, and we have not made such a request.

At the end of the eighth EU/IMF review mission, in October, I indicated that we would be discussing the measures necessary for a successful exit with the Troika. Discussions with Troika officials on exit options will be part of the ninth review mission, which started today. All options will be considered in the light of what is appropriate for Ireland, including the terms and conditions attaching to them. Evidently this will require further consideration and no decisions have been taken to date.

### **Government Bonds**

246. **Deputy Michael McGrath** asked the Minister for Finance the preconditions which apply in order for Irish Government bonds to be eligible for purchase under the ECB's outright monetary transactions; and if he will make a statement on the matter. [4108/13]

**Minister for Finance (Deputy Michael Noonan):** The European Central Bank (ECB) has legal personality under public international law, and is fully independent in the carrying out of its functions. This independence is enshrined in the EU Treaties. The ECB has stated that Outright Monetary Transactions (OMT) will be considered for future cases of EFSF/ESM macroeconomic adjustment programmes or precautionary programmes. They may also be considered for Member States currently under a macroeconomic adjustment programme when they are regaining bond market access.

The ECB has also stated that a necessary condition for OMT is strict and effective conditionality attached to an appropriate European Financial Stability Facility/European Stability Mechanism (EFSF/ESM) programme. Such programmes can take the form of a full EFSF/ESM macroeconomic adjustment programme or a precautionary programme (Enhanced Conditions Credit Line), provided that they include the possibility of EFSF/ESM primary market purchases. The ECB will seek the involvement of the IMF for the design of the country-specific conditionality and the monitoring of such a programme.

The ECB notes that its Governing Council will consider OMT to the extent that they are warranted from a monetary policy perspective as long as programme conditionality is fully respected, and terminate them once their objectives are achieved or when there is non-compliance with the macroeconomic adjustment or precautionary programme. The ECB's Governing Council will decide on the start, continuation and suspension of OMT, following a thorough assessment, in full discretion and acting in accordance with its monetary policy mandate. I believe the ECB's announcement regarding its OMT programme is a significant development and is viewed as such by the financial markets.

### **EU-IMF Programme of Support Negotiations**

247. **Deputy Michael McGrath** asked the Minister for Finance the discussions he has had with the troika in respect of the possibility of putting in place precautionary funding lines when the Ireland EU-IMF programme concludes; and if he will make a statement on the matter. [4109/13]

**Minister for Finance (Deputy Michael Noonan):** Ireland is entering the final year of our EU/IMF programme of financial assistance and we are preparing to exit that programme. At the end of the eighth, EU/IMF review mission, in October, I indicated that we would be discussing the measures necessary for a successful exit with the Troika. This discussion will be initiated during the ninth review mission, which started today. All options will be considered in the light of what is appropriate for Ireland, including the terms and conditions attaching to them. Evi-

dently this will require further consideration and no decisions have been taken to date.

*Questions Nos. 248 and 249 answered with Question No. 237.*

### **Tax Reliefs Cost**

250. **Deputy Róisín Shortall** asked the Minister for Finance further to Parliamentary Question No. 99 of 20 December, 2012 and in respect of the part of the question dealing with tax breaks on rental income from foreign property, if he will provide a breakdown by country of the location of the foreign properties with details of the amount of tax foregone by country; the rationale for continuing the regime whereby approximately €70 million of tax revenue each year is lost through allowing landlords to offset interest on borrowings against the rental income derived from properties outside the State; the benefits to the State of continuing this tax break; if any cost-benefit analysis has been undertaken of this tax break and if unpublished will he now publish same; and if he will consider using the Finance Bill to eliminate this tax break. [4133/13]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that as the information furnished in income tax returns in relation to foreign rental income does not require the location of these properties to be identified it is not possible to provide a breakdown of the properties in question by country of location as requested by the Deputy. I am also advised by the Commissioners that the legislative provision which allows a deduction for interest on borrowings used for the purchase, improvement or repair of rental property outside the State (section 71(4) of the Taxes Consolidation Act 1997 (TCA 1997)) was introduced by Finance Act 1974, and provides a similar deduction in respect of interest for the owners of such property as applies in respect of owners of rental property in the State (section 97(2)(e) TCA1997).

Rental income received by a property owner who is resident or ordinarily resident in the State from property outside the State is taxable here under the provisions of the TCA1997. As such, taxable rents from property outside the State form part of the property-owner's total taxable income and are subject to tax here at the applicable rates in force when the charge to tax arises, currently 20% and 41% for income tax and 25% for corporation tax. They are also subject to the Universal Social Charge in the hands of an individual.

Discontinuing the existing interest deduction for properties outside the State could fall foul of EU law on grounds of discrimination in that different tax treatments would apply here for some residents of the State as compared with other residents of the State. In addition, it would likely fall foul of EU law in terms of restricting the free movement of capital within the Union. In those circumstances, discontinuing the interest deduction for foreign rental property could not be contemplated without a similar abolition of the deduction for all rental property owners. Such a move would have broader economic impacts, for example, by acting as a disincentive to potential investors in the Irish residential property market at a time when stabilisation and normalisation of the market is desirable.

### **Tax Reliefs Abolition**

251. **Deputy Michael McGrath** asked the Minister for Finance in view of the usefulness of his carbon tax relieving measures for environmentally friendly heat and power cogeneration in Finance Act 2012, when it is proposed to designate competent authorities under Section 81(g) of the Finance Act 2012 to review and approve systems appropriate to the relief; and if he will

make a statement on the matter. [4136/13]

**Minister for Finance (Deputy Michael Noonan):** I have decided that that the Commission for Energy Regulation should be the designated authority for the relief set out in Finance Act 2012 and CER has acceded to my request to perform this function. The process of designation is underway and a number of issues are being finalised between Revenue and the Commission for Energy Regulation so that the relief can be applied.

### **Tax Collection**

252. **Deputy Michael Lowry** asked the Minister for Finance if his attention has been drawn to a case relating to stamp duty and the transfer of farming land (details supplied) in County Tipperary; if he will make an exemption in this case; and if he will make a statement on the matter. [4137/13]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that based on the information provided they are unable to locate any documentation relating to the two parties concerning the property mentioned. If the Deputy can provide a reference number, a further search will be made to retrieve the documentation and a comprehensive reply will issue. The person concerned or the Deputy may contact the Dublin Stamping District, Dublin Castle Dublin 2, telephone number 01 - 8589394 who will provide assistance on the matter.

*Question No. 253 answered with Question No. 204.*

### **Insurance Coverage**

254. **Deputy Noel Grealish** asked the Minister for Finance the discussions that are ongoing between his Department and insurance companies regarding flood insurance cover for people whose homes flooded in the past. [4168/13]

**Minister for Finance (Deputy Michael Noonan):** At the outset, it should be noted that the issue of flood cover and its unavailability is one which I am familiar with. I am also very conscious of the difficulties that the absence of such cover can cause to householders. The Deputy will be aware, that the issue of provision of new flood cover or the renewal of existing flood cover is a commercial matter for insurance companies, which has to be based on a proper assessment of the risks they are accepting. These are often considered on a case by case basis and it is important to be clear that neither the Government nor the Central Bank has any influence over this matter. Consequently I am not in a position to direct insurance companies to provide flood cover to specific individuals.

However, I appreciate the issue the Deputy has raised and believe that there are a number of avenues that can be explored in order to try and resolve this matter satisfactorily. Firstly, individuals can contact the Irish Insurance Federation which operates a free Insurance Information Service for those who have queries, complaints or difficulties in relation to insurance. Their service can be contacted at (01) 676 1914 or by email at [iis@iif.ie](mailto:iis@iif.ie). Furthermore, if there is not a satisfactory outcome as a result of this approach, then there is the option of referring the matter to the Financial Services Ombudsman who deals independently with unresolved complaints from consumers about their individual dealings with all financial service providers. The Office can be contacted at <http://www.financialombudsman.ie/> and is a free service to the complainant.

It should be noted that the Office of Public Works is committed to doing all it can to alleviate the impact of flooding through the provision of defences and by taking steps to manage and reduce flood risk in the future through a strategic and sustainable approach under the National Catchment Flood Risk Assessment & Management (CFRAM) Programme. This commitment is underpinned by a very significant capital works investment programme which, along with expenditure on maintenance of arterial drainage schemes, will see up to 250 million euro being spent on flood relief measures over the next five years.

In addition because of the difficulties currently being experienced by householders in certain areas in accessing flood insurance, the OPW has had a number of meetings with the Irish Insurance Federation (IIF). The discussions are aimed with a view to reaching agreement on a sustainable system of information sharing in relation to completed flood alleviation schemes and works undertaken by the OPW or, in certain instances, by local authorities with OPW funding, and where the standard of protection afforded by these works could be verified. This should lead to flood cover being available to those in areas where remedial works have been satisfactorily completed.

### **Property Taxation Collection**

255. **Deputy Noel Grealish** asked the Minister for Finance when he proposes to provide for local property tax to be deductible from rental income; if he will clarify his statement that it will be introduced on a phased basis; if primary legislation or ministerial order is required, and if it is the former, the legislative vehicle that he will use; if he will also consider extending the expense status for the 2013 tax year only of the other local service charges for the remainder of their existence; and if he will make a statement on the matter. [4171/13]

**Minister for Finance (Deputy Michael Noonan):** The Thornhill Group, the inter-departmental group, chaired by Dr Don Thornhill, established to consider the structures and modalities of a property tax, recommended that owners and not occupiers be the liable persons for the local property tax. This was also the view of the 2009 Commission on Taxation. The Thornhill Group recommended that the Local Property Tax paid in respect of a rented property should be deductible for income tax or corporation tax purposes, in a similar manner to commercial rates. This is not provided for in the Finance (Local Property Tax) Act 2012; it is the intention of the Government to introduce such a provision on a phased basis but the manner in which this will happen has not been decided. Such change would be provided for by primary legislation.

I am advised by the Revenue Commissioners that the Household Charge and the Non-Principal Private Residence (NPPR) Charge are not allowable deductions from rental income for tax purposes. There will be no Household Charge in 2013 and there are no plans to change this position in respect of the NPPR charge for the 2013 tax year.

### **Tax Code**

256. **Deputy Noel Grealish** asked the Minister for Finance if he will consider whatever legislative or ministerial order changes are required to allow individual private landlords to be considered as operating a business, rather than being treated as recipients of unearned income; and if he will make a statement on the matter. [4172/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that under existing legislation income tax is charged under Schedule D of the Taxes Consolidation Act 1997 in respect of a number of sources of income, which are classified into

five separate Cases. Under this provision, rent received by landlords (individuals and companies) from property in the State is chargeable to tax under Case V, while income from trading activity in the State is chargeable under Case I. To make the change suggested by the Deputy, that is to treat the generation of rental income as a trading business, would require a legislative change to effectively reclassify rental income as trading income for tax purposes. A major consequence of such a move would be the removal of the current ring-fence on rental losses which restricts the set-off of such losses solely to rental profits of future years. Allowing such losses to be set side-ways against other income of landlords would reduce overall tax receipts.

### **Tax Code**

257. **Deputy Noel Grealish** asked the Minister for Finance if he will consider removing the interest restriction applying to private landlords who have taken out loans for the provision or upgrading of private rental property, in view of the fact that it can give rise to a taxable gain on a loss; his views that the restriction is unfair, especially as it only applies to private landlords and not to those operating formal businesses; if its continued application since its introduction in the April 2009 supplementary budget can be justified on grounds of tax inequality, notwithstanding that the estimated cost of removing the restriction is €95 million per year; and if he will make a statement on the matter. [4173/13]

**Minister for Finance (Deputy Michael Noonan):** This question relates to the restriction on the deductibility of interest in computing taxable rental income from residential property: in the case of interest accruing on or after 7 April 2009 (insofar as it would otherwise be allowable) the deduction available to the landlord is limited to 75% of such interest. For the purpose of this reply, I am treating the reference to “formal businesses” as being a reference to trading businesses. In this regard, I am advised by the Revenue Commissioners that there is no inherent right to interest deductibility in the case of investment property and this is reflected in the structure of the tax code. Unlike in the case of a trading business, where the law provides that taxable income is closely aligned to the accounting profit (subject to certain explicit prohibitions), for landlords, whether individuals or companies, the taxable amount is the gross rent as reduced by a very limited number of specified deductions set out in section 97 (2) TCA 1997. While those specified deductions have generally included interest on borrowed money to purchase, improve or repair the rented premises, that entitlement has been removed or restricted on a number of occasions. An example was the interest restriction imposed between 1998 and 2002 in respect of certain rented residential property borrowings (following the Bacon reports).

*Question No. 258 answered with Question No. 237.*

### **State Savings Schemes**

259. **Deputy Michael McGrath** asked the Minister for Finance in the context of the recent reduction in interest rates paid on State savings products, if he or his Department had been lobbied by any of the covered institutions in favour of such reductions; if he or his Department expressed a view to the National Treasury Management Agency in respect of the pricing of these products; and if he will make a statement on the matter. [4180/13]

**Minister for Finance (Deputy Michael Noonan):** Officials of my Department regularly engage with the National Treasury Management Agency (NTMA), covered institutions and other stakeholders on a wide range of issues, including the cost of funding. The NTMA is responsible for the State Savings schemes which includes Savings Certificates, Savings Bonds,

Prize Bonds, the National Solidarity Bond, Instalment Savings and Deposit Accounts such as the Ordinary Deposit Account and the Deposit Account Plus. The NTMA keeps the suite of State Savings products and the interest rates paid on them under constant review to ensure that the products remain competitive and attractive to retail investors, while balancing the funding requirements and financing costs of the State.

In December 2012, my Department received a submission from the NTMA, for my approval, to reduce the interest rates on State Savings products, thereby lowering the cost of funding for the State for new funds. I approved the new rates proposed in the light of trends in interest rates in the domestic market generally and of the need to maintain market share in the retail investment sector given the important contribution made by retail investors in the State Savings products to the funding of the National Debt.

### **European Stability Programmes**

260. **Deputy Michael McGrath** asked the Minister for Finance the supervision process that is imposed on countries that have exited the excessive deficit procedure but who still have over 75% of loans drawn down from the European Financial Stability Facility outstanding; and if he will make a statement on the matter. [4201/13]

**Minister for Finance (Deputy Michael Noonan):** As part of its response to the global economic and financial crisis, the EU has adopted a number of measures. This began with EU 2020, the EU's growth strategy for the decade which aims to make the EU a smart, sustainable and inclusive economy. This was followed by the European Semester to which was added the Euro Plus Pact and the so-called 'six-pack' which came into effect on 13 December 2011. The 'six-pack' is the name given to a legislative package, comprising of five regulations and one directive, designed to reform and strengthen the Stability and Growth Pact and to introduce new macroeconomic surveillance. The proposed 'two-pack' is a further step in this process and is, to a great extent, a natural extension of the measures contained in the 'six-pack'. It is applicable to euro area member states only. The first piece of proposed legislation in the two-pack is in relation to 'the monitoring and assessment of draft budgetary plans and on ensuring the correction of excessive deficits'. The second proposed regulation under the two-pack, is on the strengthening of economic and budgetary surveillance, and sets out explicit rules for enhanced surveillance.

As part of this proposed regulation, a post-programme surveillance process will be put in place and maintained for a Member State until the balance outstanding under EU-sourced financial assistance falls below 25% of the total. This covers all EU funding sources, including bilateral loans. Under the terms of this draft regulation, which is now close to being finalised, the Commission shall conduct, in liaison with the ECB, regular review missions in the Member State under post-programme surveillance to assess its economic, fiscal and financial situation.

The reports generated following such missions shall be considered by the European Council, and the Council, acting by qualified majority on a proposal from the Commission, may recommend to the Member State to adopt corrective measures.

### **European Stability Mechanism**

261. **Deputy Michael McGrath** asked the Minister for Finance if he has sought a deferral of interest payable on loans from the European Financial Stability Facility and European Financial Stabilisation Mechanism; if he sees merit in such a course of action; and if he will make a

statement on the matter. [4202/13]

**Minister for Finance (Deputy Michael Noonan):** The deferral of interest on loans received under a programme of financial assistance from the European Financial Stability Facility (EFSF) and European Financial Stabilisation Mechanism (EFSM) that you propose arose in the context of the recently agreed package of measures designed to further assist Greece regain financial stability. The interest Greece will pay on its EFSF loans (it has no loans from the EFSM) will be deferred for 10 years, but will continue to accrue and that accrual will itself be subject to interest. It is important to note that the concessions that have been agreed are specific to Greece and are accompanied by significant additional conditionality. In Ireland on the other hand we have entered the final year of our programme. As such our focus is on making a successful exit from the programme and a return to sustainable market based funding.

Ireland's needs, as a country exiting a programme, are very different to those of Greece. We are however examining the Greek package to see if aspects of it offer any possible benefit to Ireland, particularly in the context of our programme exit. In this context, the Deputy will be aware of the recent decision by the Eurogroup and ECOFIN to consider a request for an extension of maturities for the EFSF and EFSM funding for Ireland and Portugal. This proposal will be examined by senior officials and will then come back to Finance Ministers for decision.

### **Property Taxation Exemptions**

262. **Deputy Michael McGrath** asked the Minister for Finance his estimate of the number of houses that will be entitled to an exemption from the local property tax; and if he will make a statement on the matter. [4205/13]

**Minister for Finance (Deputy Michael Noonan):** The Finance (Local Property Tax) Act 2012 sets out in detail how Local Property Tax (LPT) is to be administered and provides how a residential property is to be valued for LPT purposes. The Act also provides for a number of specific exemptions from the charge. A broad outline of exempt properties include:

- New and previously unused properties that are purchased from a builder or developer between 1 January 2013 and 31 October 2016;

- Properties purchased by first time buyers between 1 January 2013 and 31 December 2013, if occupied as their sole or main residence;

- Residential properties owned by a charity or public body and used to provide accommodation and support for people who have a particular need to enable them to live in the community;

- Registered nursing homes;

- Unoccupied properties which had been the sole or main residence of a person who has vacated the property because of long term mental or physical infirmity;

- Properties fully subject to commercial rates;

- Diplomatic properties exempt under other legislation;

- Residential properties constructed by a builder or developer that remain unsold and have not been used as dwellings;

- Properties in unfinished housing estates as prescribed by the Minister for the Environment, Community and Local Government.

In addition, I recently advised the House that I will bring forward proposals to exempt properties prescribed by the Minister for the Environment, Community and Local Government as pyrite affected homes.

I am informed by the Revenue Commissioners that it is not possible to provide an estimate of the number of houses in unfinished or pyrite affected estates that will qualify for exemption from LPT until the Minister for the Environment, Community and Local Government has prescribed them and in relation to the other categories until the relevant LPT tax returns have been submitted and the exemptions claimed by property owners.

### **NAMA Property Leases**

263. **Deputy Michael McGrath** asked the Minister for Finance the average length of time that the National Assets Management Agency takes for processing applications for rent abatement for commercial clients; the process for making such applications; and if he will make a statement on the matter. [4206/13]

**Minister for Finance (Deputy Michael Noonan):** The Department cannot provide all the details requested by the Deputy in the time available. This information should be available within the next week and, accordingly, I will issue a reply to the Deputy at that stage.

### **NAMA Property Sales**

264. **Deputy Michael McGrath** asked the Minister for Finance if the National Asset Management Agency has requested a lifting of the restriction on it selling properties back to defaulting debtors; if he sees merit in such a course of action; and if he will make a statement on the matter. [4207/13]

**Minister for Finance (Deputy Michael Noonan):** NAMA has not requested a lifting of the restriction on it selling properties back to defaulting debtors. I do not believe there is merit in such a course of action at this time as I consider it appropriate that NAMA has put procedures in place to deal with this issue.

### **Civil Service Code of Conduct**

265. **Deputy Seamus Healy** asked the Minister for Finance if, in view of the recent resignation of a senior official (details supplied) who was head of Shareholder Management Unit, in his Department to take up a senior position at Bank of Ireland and their possession of vital up to date information which might be of advantage to now privately owned Bank of Ireland and its North American investor, and in view of the fact that the current Government had agreed to the sale of over 35% of BOI to North American investors for €1.1 billion though the State had invested circa €5 billion in BOI and now holds a mere 15% share of ownership, less than half that owned by the North American investor, the possession by the senior official of knowledge of the affairs of competitors of BOI, including State owned AIB and Permanent TSB which may be of advantage to BOI, the prohibition on senior civil servants taking up employment in private sector for 12 months after resignation from the public service to avoid such conflicts of interest, the fact that the senior official in question was employed by the National Treasury Management Agency and seconded to his Department, the senior official concerned and or the section of his Department of which he was head was involved in anyway in the process that lead

to the sale of 35% of BOI to the North American investor in Summer 2011 whether by advice or otherwise; if he will extend the 12 month stay on senior public servants taking up employment in private sector employment to those on secondment in order to preclude conflicts of interest; if he will further extent the same 12 month stay to senior employees of the National Treasury Management Agency [4209/13]

**Minister for Finance (Deputy Michael Noonan):** The Civil Service Code of Standards and Behaviour contains provisions regarding acceptance of outside appointments and of consultancy engagement following resignation or retirement. The code does not apply to directors or employees in State bodies in the wider public service. I am informed by the National Treasury Management Agency (NTMA) that NTMA employees have notice periods of one or three months and six months in the case of the Chief Executive. All NTMA employees are subject to section 14 of the National Treasury Management Agency Act, 1990 which prohibits an employee from disclosing any information obtained while carrying out their duties as employees of the NTMA. NTMA employees are also subject to the Official Secrets Act. Contravention of the NTMA Act and the Official Secrets Act is a criminal offence and the prohibition on disclosing confidential information applies indefinitely and extends to former employees. I understand the Chief Executive of the Agency is reviewing NTMA policy in this area.

### **Tax Reliefs Availability**

266. **Deputy Michael Creed** asked the Minister for Finance if persons in receipt of invalidity pension are exempt from DIRT tax; and if he will make a statement on the matter. [4210/13]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that there is no specific exemption from DIRT for a person in receipt of invalidity pension. However, an exemption does apply to a person who is permanently incapacitated by reason of physical or mental infirmity from maintaining himself or herself and who would be entitled to a refund of the entire amount of DIRT deducted by a Financial Institution. The Finance Act 2007 introduced arrangements that allow a person to have any interest earned on money on deposit automatically credited to their savings account by their Financial Institution without deduction of DIRT where they satisfy certain conditions.

The conditions are:

#### **A Where the individual (or their spouse or civil partner) is aged 65 or over**

The individual must submit a declaration on form DE 1 to the financial institution where the account is held to the effect that they or their spouse or civil partner are aged 65 years or over during the year and—

1. in the case of an individual who is single, his or her total annual income does not exceed the current exemption limit of €18,000, or

2. in the case of an individual who is married or in a civil partnership, the joint total annual income of the individual and his or her spouse or civil partner does not exceed €36,000.

#### **B All other cases**

The individual must apply to their local Revenue tax office requesting the exemption and stating that he or she is permanently incapacitated from maintaining him or herself and that his or her (or spouse or civil partner's) tax credits for the year will exceed the tax that would be chargeable on his or her (or spouse's or civil partner's) total income (this is essentially gross

income from all sources, including invalidity pension, deposit interest etc). The tax office will then notify the financial institution where the account is held that the individual qualifies for the automatic exemption. Where a person's income exceeds the relevant exemption limit by a small amount, he or she will not be entitled to the exemption but may be entitled to a partial refund of the tax deducted.

### **Credit Unions Regulation**

267. **Deputy Michael McGrath** asked the Minister for Finance if a High Court judgment against a person would disqualify that person from serving on a board of a credit union under the new fitness and probity regime. [4214/13]

**Minister for Finance (Deputy Michael Noonan):** The statutory basis for the Fitness and Probity regime is the Central Bank Reform Act 2010. The provisions were commenced for credit unions on 24 September 2012 and require Central Bank regulations and a code of practice to be in place before being fully implemented. The Central Bank has informed me that the Fitness and Probity regime for credit unions is undergoing consultation and is set out in Consultation Paper No. 62 which is available on the Central Bank's website at [www.centralbank.ie/regulation/poldocs/consultation-papers/documents/cp62%20fitness%20and%20probity%20regime%20for%20credit%20unions/cp%2062-%20fitness%20and%20probity%20regime%20for%20credit%20unions.pdf](http://www.centralbank.ie/regulation/poldocs/consultation-papers/documents/cp62%20fitness%20and%20probity%20regime%20for%20credit%20unions/cp%2062-%20fitness%20and%20probity%20regime%20for%20credit%20unions.pdf). The final date for submissions on this consultation is 1 March 2013. It is proposed that the Fitness and Probity regime for credit unions will commence from 1 July 2013, with phasing and transitional arrangements applying to the implementation of the regime. In applying a Fitness and Probity regime to credit unions, the Central Bank's aim is to improve governance standards at board and management level within the credit union sector by ensuring that individuals who exercise significant influence and control in a credit union are capable, competent and financially sound individuals with the appropriate skills, experience, knowledge and integrity to manage and govern the credit union for the benefit of all stakeholders.

The Central Bank has issued non-statutory guidelines in relation to the current fitness and probity regime for regulated financial service providers. These guidelines set out the approach to be taken where the holder of a controlled function (CF) has been declared bankrupt or is subject to a judgment debt. Such a person must be in a position to demonstrate that his or her ability to perform the CF is not adversely affected to a material degree by that matter. A regulated financial service provider must assess whether an issue is material to a particular CF or pre-approval controlled function. The Central Bank has set out a number of matters which should be considered in such an assessment, including the seriousness of the matter and its relevance to the duties to be performed. It is anticipated by the Central Bank that the guidance provided to credit unions on implementation of the Fitness and Probity regime for credit unions will be consistent with the approach in the existing Fitness and Probity regime.

### **Retail Sector Issues**

268. **Deputy Seamus Kirk** asked the Minister for Finance if he has received notification of motions passed by Dun Laoghaire-Rathdown County Council, Fingal County Council, Leitrim County Council, Longford County Council and Offaly County Council, supporting the findings in the recent Retail Ireland black market report which outlines proposals to tackle the activity of criminal gangs in the laundering of fuel, smuggling of cigarettes and sale of other counterfeit goods, which is estimated to cost the taxpayer €861 million each year, as set out in Retail Ire-

land report Tackling the Black Market and Retail Crime; his views on the concerns as expressed by the elected members of these local authorities; the action he proposes to take to address the illicit trade; and if he will make a statement on the matter. [4233/13]

**Minister for Finance (Deputy Michael Noonan):** To date, I have only received notification of the motion passed by Leitrim County Council in relation to the Retail Ireland report. I share the concerns expressed by the elected representatives with regard to the loss of revenue arising from these illegal activities. With regard to action to deal with the illicit trade, I am advised by the Revenue Commissioners that they are mindful of the unfair competitive advantage gained by those businesses that do not fulfil their tax obligations. Revenue's tax and duty compliance programmes are under constant review to ensure they are focussed on the areas of greatest risk, including risks from the shadow economy. Revenue tackles the problem of the shadow economy through a range of compliance and audit interventions including targeted special projects. A variety of methodologies are used by Revenue to identify those who are operating in the shadow economy including covert surveillance, cold calls to businesses and venues as well as pre-arranged aspect queries on specific items. In addition, joint operations are conducted with the Department of Social Protection using Joint Investigation Units and there is a strong focus on cash businesses, given its potential high-risk nature.

I am confident that the Revenue Commissioners are pursuing a programme that is dealing in a very determined way with tax evasion in all its forms. In 2012, Revenue carried out more than 537,000 compliance interventions, yielding more than €492 million. For the period January to August 2012, specific Shadow Economy Projects carried out by Revenue show that in the cash business, white-collar cash, construction and rental sectors, a total of 1,963 audits were undertaken, with a yield in excess of €62 million. Considerable success has been achieved in combating the illegal trade in tobacco products. In 2012, Revenue's Customs Service seized a total of 95.6 million cigarettes from 8,105 seizures. A further 5,276 kg of other tobacco products were taken in 2012 from 1,395 seizures.

In addition to the ongoing enforcement action against the illegal fuel trade, steps are being taken to ensure enhanced control and supervision at all stages of the fuel supply chain. Key actions include a strengthening of the licensing arrangements for businesses selling auto-fuel, and of the enforcement of licensing requirements. As well as these important licensing changes, a requirement operates from 1 January 2013 for all fuel traders to make electronic monthly returns to Revenue on their fuel transactions. This will facilitate Revenue in detecting unusual or anomalous patterns of activity. Given the links of organised criminality with the illegal fuel trade, Revenue works closely with An Garda Síochána in combating it. Searches undertaken as part of intelligence-led operations have resulted in a considerable number of seizures of diesel and the closure of laundering plants, particularly in Border counties.

The Revenue Commissioners advise that in 2012, 11 oil laundries were detected and shut down and 199,000 litres of oil were seized along with 28 vehicles and five trailers. There were ten arrests in the course of these operations. In the period January to November 2012, 56 premises were closed. Finally, I am further advised by the Revenue Commissioners that they hold regular meetings with trade and representative bodies through The Hidden Economy Monitoring Group where the risks posed by shadow economy activities are discussed. The Deputy should also note that changes are frequently made in tax legislation aimed at counteracting shadow economy activity. Two examples from 2012 include the introduction of the electronic Relevant Contracts Tax regime and an enhanced penalty regime for employers who fail to operate PAYE regulations fully.

269. **Deputy Michael McGrath** asked the Minister for Finance if he will provide a breakdown of the levies currently being applied to home, motor and commercial insurance, including a history of each of the individual levies; and his views on the timeframe that he expects each levy to remain in place. [4251/13]

**Minister for Finance (Deputy Michael Noonan):** The Deputy should note that the only levy being applied to home, motor and commercial insurance is the 2% Insurance Compensation Fund (ICF) levy which operates under the Insurance Act 1964 and came into effect from 1 January 2012. It is expected to generate €65 million a year and will have to repay the €890 million advanced to date by the Exchequer to the ICF and on which a commercial rate of interest is applied. The timeframe for its application is expected to be in the region of 15 years. It should be noted that a number of variables may impact on this time period, the most important of which is an increase in the volume of non-life insurance products sold in the future. A higher figure for this would lead to a larger annual amount being generated by the 2% levy. The ICF levy should not be confused with a 3% stamp duty on non-life insurance premiums introduced in 1982, which is often referred to as an insurance levy. This Stamp Duty forms a part of general stamp duty receipts and is paid into the Central Fund along with other tax receipts. The ICF levy has only been applied once before to meet the liabilities of an insolvent insurer when it was introduced on 1 January 1984 following the collapse of PMPA. The levy was paid by all non-life insurers at a rate of 2% until 31 December 1991. The rate was reduced to 1% from 1 January 1992 to 31 December 1992 and ceased to apply from 1 January 1993 as it was felt that sufficient funds had been collected to enable the successful completion of the administration of the former PMPA.

### Public Service Reform Plan Update

270. **Deputy Patrick O'Donovan** asked the Minister for Finance with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4287/13]

**Minister for Finance (Deputy Michael Noonan):** The Deputy in his question refers to Appendix IIa of the Public Service Reform Document. In Appendix IIa only one proposal is listed under the heading Department of Finance/Department of Public Expenditure and Reform. That proposal was to merge the Commission on Public Service Appointments (CPSA) with the Ombudsman's Office. The Department of Public Expenditure and Reform has advised my Department that this merger has been completed and is legislated for in the Ombudsman (Amendment) Act 2012.

### Ministerial Meetings

271. **Deputy Shane Ross** asked the Minister for Finance the number of occasions that he has met the Chief Executive of IBEC, Mr Danny McCoy, since the last general election; the purpose of the meeting; the date of the meetings; the outcomes; the other attendees; and if he will make a statement on the matter. [4314/13]

**Minister for Finance (Deputy Michael Noonan):** I met Mr. Danny McCoy of IBEC on 19 October 2011 and 31 October 2012 to discuss pre-budget issues. I have attended a number of conferences hosted by IBEC, including the Property Industry Ireland Conference and others,

where I would have met representatives of IBEC including Mr. McCoy. In addition, officials from my Department have met representatives of IBEC on a number of matters. My Department analyses the publications and reports of IBEC to consider their analysis and recommendations in the context of the preparation of Government policies.

### **NAMA Transactions**

272. **Deputy Pearse Doherty** asked the Minister for Finance if the European Commission has approved the valuations and transfers of loans from the participating institutions to the National Asset Management Agency, that were the subject of tranches three and four which had a book value of €19.2 billion and were transferred to NAMA in June 2011 and tranche five which has a book value of €27.6 billion which was transferred to NAMA in March 2012; if the European Commission has not provided its full approval; and the reason for the delay. [4364/13]

**Minister for Finance (Deputy Michael Noonan):** I wish to reassure the Deputy that there has been no delay in dealing with the final tranches of loans acquired by NAMA. The Deputy may be aware that following the completion of NAMA's due diligence of acquired loan assets, the Financial Regulator of Ireland carries out its own independent validation of the transfer process. This was also done in the case of the earlier tranches and is in line with European Commission guidelines designed to ensure there is full transparency in relation to state aid. I am advised that in relation to the final tranches, this validation work will be concluded shortly and at that point my Department will be in a position to apply to the European Commission for its full approval.

### **EU-IMF Programme of Support Issues**

273. **Deputy Michael McGrath** asked the Minister for Finance if he will show separately in respect of each source of funding, EFSF, EFSM, IMF each bilateral arrangement, under the EU-IMF programme of assistance the blended cost of funding drawn down to date; and if he will make a statement on the matter. [4367/13]

**Minister for Finance (Deputy Michael Noonan):** As at 31 December 2012, the nominal liability of EU-IMF Programme loans amounted to €56.4 billion. Of this, loans from EU sources, including the bilaterals, amounted to €37.4 billion and loans from the IMF amounted to €19 billion. After adjustment for below-par issuance, deduction of a prepaid margin of €530 million, and the effect of foreign exchange transactions, the amount received by the Exchequer as at 31 December 2012 was €55.7 billion. I am advised by the NTMA that the position on the interest rates for our programme loans is as follows: In terms of the EFSF, €6.7 billion of Ireland's EFSF loans are at fixed interest rates which were based on a matched EFSF bond/loan structure. As a result of changes to the EFSF's structure which removed the direct link between specific bond issues and programme countries, the balance of Ireland's disbursed EFSF loans, currently €5.5 billion, is part of a pooled system whereby all programme countries pay the same interest rate. The pooled interest rate is calculated daily and is based on the EFSF's cost of funds in managing the pool. This can be characterised as the weighted average cost of its bond and bill issuance. As at 31 December 2012 the blended interest rate on Ireland's EFSF loans was 2.82%.

Exceptionally, Ireland has one EFSF loan tranche of €1.27 billion which is considered to be part of the pool but has a fixed interest rate until February 2015, at which point it will roll at the pooled interest rate. The effective interest rate on Ireland's EFSM loans is based on the EFSM's

cost of funds when it issues bonds. Such issuance is matched against the loans. Some of its matched issuance can be spread across both Ireland and Portugal. As at 31 December 2012 the blended interest rate on Ireland's EFSM loans was 3.10%. The interest rate on the United Kingdom's bilateral loan to Ireland is fixed and is based on the weighted gross redemption yield on all UK Debt Management Office gilt issuances to the market in the six-month period up to the date of the disbursement of each portion of the loan, plus a service fee of 18 basis points. As at 31 December 2012 the blended interest rate on Ireland's UK loans was 2.70%. The interest rate on both bilateral loans from the Kingdom of Sweden and the Kingdom of Denmark is floating and is based on the three-month Euribor plus a margin of 100 basis points. As at 31 December 2012 the blended interest rate on these loans was 1.23%.

The interest rate on the IMF Extended Fund Facility is tied to the IMF's market-related interest rate, known as the basic rate of charge. As the IMF loan is provided in Special Drawing Rights, which is composed of a basket of four currencies (USD, EUR, GBP, JPY), the interest rate is constructed from three-month Eurepo, US and UK Treasury Bills and Japanese Government Discount Notes rates plus a margin of 100 basis points. Borrowings of up to three times a country's IMF quota are subject to the basic rate of charge. Borrowings above three times quota attract a surcharge of 200 basis points which is in addition to the 100 basis points margin which forms part of the basic rate of charge. This surcharge rises to 300 basis points three years after the loan size exceeds three times the quota. As at 31 December 2012 the overall blended euro equivalent interest rate on Ireland's IMF loan was 4.16%. The Deputy should note that the mixture of floating and fixed interest rates across facilities and, in the case of the EFSF within a facility, makes it difficult to compare one facility directly against another as they contain different interest rate risk profiles and maturities. In addition, the floating interest rates quoted are at a point in time and are, therefore, subject to change depending on movements in market rates. Subject to these caveats, the NTMA has estimated that the all-in fixed euro equivalent cost of loans received under the EU-IMF programme was 3.36% at the end of December 2012.

### **State Banking Sector Regulation**

274. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 215 of 22 January 2013, the name of the licensed institution on the banking licence used by Irish Bank Resolution Corporation. [4379/13]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that Anglo Irish Bank Corporation plc is the name of the licensed institution on the banking licence used by IBRC.

### **State Banking Sector Regulation**

275. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 215 of 22 January 2013, if Irish Bank Resolution Corporation, in which he is the sole shareholder of 100% of the shares, can meet Central Bank of Ireland banking licence criteria as set out in the Licensing and Supervision Requirements and Standards for Credit Institutions. [4380/13]

**Minister for Finance (Deputy Michael Noonan):** IBRC has a banking licence and is regulated by the Central Bank of Ireland. I have been advised that as disclosed previously in the Bank's published accounts, IBRC is not in full compliance with Irish regulatory requirements because it is an organisation in wind-down. Page 14 of the 2012 Interim Report clearly dis-

closes the following under “Regulatory Compliance Risk”: Regulatory compliance risk primarily arises from a failure or inability to comply fully with the laws, regulations, standards or codes applicable specifically to regulated entities in the financial services industry. The Bank continues to operate as a regulated entity and, as such, is therefore subject to certain minimum prudential and other regulator requirements. At 30 June 2012, the Bank is not in full compliance with all Irish regulatory requirements. While the Bank ensures that the relevant Authorities are kept fully informed in this regard, noncompliance may result in the Group being subject to regulatory sanctions, material financial loss and/or loss of reputation.

### **State Banking Sector Regulation**

276. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 215 of 22 January 2013, if Irish Bank Resolution Corporation, in which he is the sole shareholder of 100% of the shares, has been assessed by the Central Bank of Ireland for authorisation requirements as detailed in the instructions paper entitled Checklist for Completing and Submitting Bank Licence Applications. [4381/13]

**Minister for Finance (Deputy Michael Noonan):** I have been advised that IBRC was subject to the relevant Central Bank of Ireland approval process at the time of the granting of its licence.

### **Tax Reliefs Cost**

277. **Deputy Kevin Humphreys** asked the Minister for Finance the projected cost in 2013 and 2014 to the Exchequer of allowing millionaires to direct their tax relief on charitable donations to the approved body of their choice if the charitable donations scheme is removed from the scope of the high earners’ restriction; and if he will make a statement on the matter. [4422/13]

278. **Deputy Kevin Humphreys** asked the Minister for Finance the reason the decision to remove the charitable donations scheme from the scope of the high earners’ restriction up to an annual donation limit of €1 million per individual was not announced during his budget 2013 speech or associated documentation at the time; and if he will make a statement on the matter. [4423/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 277 and 278 together.

I announced in the recent Budget my intention to simplify the scheme of tax relief for donations to approved bodies. Details of all of the simplification measures, including those set out by the Deputy were provided in Annex E of the Budget book. I am unable to provide a projected cost for this measure as it is not possible to anticipate the level of donations that donors might make. In addition, in order to provide an estimate, it would be necessary to know the level of incomes and consequent income tax liabilities of such donors. However, the simplification measures when taken together are designed to be Exchequer neutral.

### **Tax Reliefs Availability**

279. **Deputy Kevin Humphreys** asked the Minister for Finance the rationale for allowing millionaires to direct their tax relief on charitable donations up to €1 million to the approved

body of their choice when it will remove moneys from the public Exchequer, that could be spent on vital services; the evidence there is that wealthy persons require State support to donate their accumulated wealth to approved bodies; and if he will make a statement on the matter. [4424/13]

280. **Deputy Kevin Humphreys** asked the Minister for Finance if he will confirm that the maximum tax relief on charitable donations up to €1 million that a millionaire can direct towards the approved body of their choice, under the scheme as proposed, in a year will be €310,000; his views that it is fair that a wealthy person will be able to decide the way in which their taxes are spent; and if he will make a statement on the matter. [4425/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 279 and 280 together.

Donations to charities and other approved bodies qualify for tax relief where the amount donated to any one such body is €250 and above. Previously, self-assessed individuals were able to claim the tax relief due on these donations while charities claimed the relief in respect of donations made by PAYE workers. In the recent Budget I announced measures to simplify the scheme of donations to approved bodies. One of these will mean that tax relief in all cases will now be refunded directly to the charity. Therefore, self-assessed individuals will no longer have the benefit of tax relief in respect of their donations.

In addition, and as recommended by the Forum on Philanthropy and Fundraising, I have imposed a maximum limit of €1 million per annum on individual donations which can be tax relieved. There was no limit on the donations scheme prior to this. Any tax relief due will be paid to the charity on a 'grossed-up' basis as has always been the case in respect of donations from individuals within the PAYE collection system. This means that the tax relief due is calculated with reference to the amount a donor would have had to have earned in order to be left with the amount donated after income tax. In the new regime, a blended rate of relief of 31% will apply regardless of the marginal tax rate paid by the donor. Therefore, a donation of €1 million to a single charity from a self-assessed (and PAYE) taxpayer will result in a tax refund of €449,275 to the charity, provided the individual has paid sufficient Income Tax.

Prior to these amendments the donor would have received a refund of €410,000 on a donation of €1 million. However, this relief would have been subject to the high earners' restriction which imposes a maximum relief amount that could be claimed of €80,000 or 20% of adjusted income in any one tax year. Depending on the income of the donor it is possible that the full relief amount could have been claimed in a single tax year. Where the individuals' income was not sufficient to absorb all of the relief due, any unclaimed amount could be carried forward and claimed in subsequent years. It is worth noting that notwithstanding the application of the high earners' restriction, prior to the changes I announced, there was no limit on the amount of donation that could attract tax relief.

One of the aims of the donations scheme is to encourage philanthropy amongst those with high incomes, although some surveys show that tax relief is not the only factor that donors take into account when making a donation. However, I would like to assure the Deputy that the scheme operates to ensure that no benefit can accrue to the donor in respect of their donations.

### **Tax Code**

281. **Deputy Michael McGrath** asked the Minister for Finance the taxation obligations of a person who is paying rent to an overseas landlord; if he will clarify the nature of the guidance or

advice provided to such a person; the way a tenant will be dealt with if they were dealing with an agency and were genuinely unaware the landlord was based abroad. [4437/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that under existing tax legislation a tenant paying rent to a non-resident landlord in respect of property located in the State, is obliged to deduct income tax from the gross rent at the standard rate, which is currently 20%, unless the non-resident landlord is assessable and chargeable to income tax here in the name of a representative in the State. I am further advised by the Commissioners, that they have raised awareness of this legislative requirement by, for example, including relevant material in operational instructions on the Revenue website (Chapter 45.1.4 of the Income Tax/ Capital Gains Tax /Corporation Tax Manual) and on relevant forms. In that regard, the Rent Tax Credit leaflet and Form Rent 1, which is used by tenants to claim tax relief on rent, contain information on the tenant's obligation to deduct tax in certain circumstances.

The Commissioners have also indicated to me that where a tenant, who would have been required to deduct tax, has acted in good faith and was genuinely unaware of his or her obligation or of the residence status of the landlord, Revenue take a practical approach and generally only seek to apply the legislation prospectively from a current date.

### **Property Taxation Application**

282. **Deputy Martin Heydon** asked the Minister for Finance the position regarding the property tax and those in shared ownership properties; if they are liable for the tax; and if he will make a statement on the matter. [4522/13]

**Minister for Finance (Deputy Michael Noonan):** The Finance (Local Property Tax) Act 2012 provides that a liability for local property tax will arise where a person owns a residential property on the liability date which will be 1 May 2013 for the year 2013 and for subsequent years, 1 November in the preceding year. Where a property is owned by more than one person, joint owners are to be jointly and severally liable for the payment of the tax. This means that Revenue can pursue one person for the full liability and payment by that person discharges the tax liability of all joint owners. For the purposes of completing a local property tax return, joint owners are required to agree a valuation for the property. A single return should be submitted on behalf of the joint owners. If the local property tax is not paid, the Revenue Commissioners can proceed to collect the tax from any of the owners.

If the Deputy is referring to formal Local Authority shared ownership schemes, the position is that details of the arrangements for payment of Local Property Tax in respect of local authority housing have yet to be finalised and my understanding is that there are a range of different arrangements which may need to be catered for. Discussions are ongoing between my Department, the Revenue Commissioners and the Department of the Environment, Community and Local Government and further information will be provided in due course.

*Question No. 283 answered with Question No. 241.*

### **European Securities Markets Programme**

284. **Deputy Michael McGrath** asked the Minister for Finance if he has held discussions with the ECB in respect of the disbursement of profits on its purchase of Government bonds under the securities markets programme including the possible disbursement of these profits solely to Ireland as the ECB has agreed to do in the case of Greece; and if he will make a state-

ment on the matter. [4548/13]

**Minister for Finance (Deputy Michael Noonan):** The recently agreed package of measures for Greece is designed to help put its economy on a path to sustainable growth and its domestic finances on a sound footing. This package was agreed in the context of the statement by Euro Area Heads of State or Government that the scale of the Greek problem is so large that it requires special attention. In this regard, on November 26th euro zone Finance Ministers agreed to partly reschedule Greece's debt, and offered several other measures to alleviate the country's financial burden. Taken together, these actions are expected to cut Greece's debt by up to 20 percentage points of GDP by 2020. This will bring its debt to GDP level to 124% in 2020, and a debt to GDP level of below 110% is targeted for 2022.

One of the measures agreed, the Securities Market Programme (SMP) measure, will see Member States pass on to Greece's segregated account, an amount equivalent to the income on the SMP portfolio accruing to their national central bank as from budget year 2013. Member States under a full financial assistance programme are not required to participate in this scheme for the period in which they receive financial assistance. It is important to note that the SMP measure involves a transfer of an accounting profit, but does not involve any retirement of debt by Greece. It is also important to note that the concessions that have been agreed are specific to Greece and are accompanied by significant additional conditionality.

In Ireland, on the other hand, we have entered the final year of our programme and our focus is on making a successful exit from the programme. In line with the EU Heads of State or Government commitments in June, discussions are also underway to further improve the sustainability of Ireland's programme. These discussions include our continuing interaction with the EU, the ECB and the IMF (the Troika) on exiting the programme and issues related to our banking debt, including the restructuring of the promissory note.

Ireland's needs, as a country exiting a programme, are very different to those of Greece. We are, however, examining the Greek package to see if aspects of it offer any possible benefit to Ireland, particularly in the context of our programme exit. We will also be engaging on this issue with the Troika officials as part of the 9th review mission which started earlier today. The decision on the measures, if any, to be sought will be taken on the basis of this examination.

### **Mortgage Resolution Processes**

285. **Deputy Michael McGrath** asked the Minister for Finance the number of residential mortgages that were subject to write-down by covered banks in the period 2008 to 2012; the amount of balances written off; and if he will make a statement on the matter. [4549/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware write-downs of residential mortgages are agreed on a case by case basis and are not disclosed by the covered banks. However the Deputy will find information on the accounting write-offs of the covered banks in their annual and interim reports. The Deputy should not equate the level of accounting write-offs with actual write-downs of residential mortgages agreed with customers. I have been provided with the following responses from each of the covered banks.

#### **Bank of Ireland**

I am informed by Bank of Ireland that it has provided comprehensive residential mortgage disclosure in its previous annual and interim reports. Specific references to mortgage amounts written off are provided on the following pages of the annual/interim reports:

Period	Page Reference	Write-off amount €million
Year ended 31.03.2008	p121	3
Year ended 31.03.2009	p51	9
9-months ended 31.12.2009	p207	30
Year ended 31.12.2010	p254	44
Year ended 31.12.2011	p246	49
6-months ended 30.06.2012	p93	23

Bank of Ireland notes that the split of mortgage amounts written off between the Republic of Ireland and the United Kingdom is not historically provided but Bank of Ireland gave an incremental disclosure to the interim report for June 2012 in answer to PQ 51262/12 on 20 November 2012 as follows:

*“Consistent with its accounting policies, the Group only writes off debt once all avenues to recover the loans have been exhausted. In the case of Residential Mortgages in the Republic of Ireland, this happens after the property has been repossessed / sold and all other means of recovering any residual amount owing have been exhausted. As an additional disclosure to its Interim accounts, the Group now advises that it recorded an accounting write off amounting to €2.3 million of its impairment provisions in respect of Residential Mortgages in the Republic of Ireland in the six months ended 30 June 2012.”*

### **AIB**

I have been informed by AIB that it makes detailed disclosures in respect of its mortgage portfolio on a semi-annual basis as part of its regulatory reporting requirements. The relevant data in respect of AIB’s mortgage books as of June 2012 can be found on pages 30-35 of AIB’s Half Yearly Financial Report 2012. Disclosures for year end 2010 and 2011 can be found on pages 112 – 122 of AIB’s Annual Financial Report 2011 while information for 2008 and 2009 is on pages 196 – 205 of AIB’s Annual Financial Report 2009. These reports are available on AIB’s website at [www.aibgroup.com/investorrelations](http://www.aibgroup.com/investorrelations) or by clicking on the following link: [http://www.aib.ie/servlet/ContentServer?pagename=AIB\\_Investor\\_Relations/Miscellaneous/ir\\_article\\_printer&c=AIB\\_Article&cid=1096576948103&channel=IRFP](http://www.aib.ie/servlet/ContentServer?pagename=AIB_Investor_Relations/Miscellaneous/ir_article_printer&c=AIB_Article&cid=1096576948103&channel=IRFP)

Further disclosures on Provisions for impairment of loans and receivables are contained in note 32 (page 313) of AIB’s Annual Financial Report 2011 which shows a write-off on Residential mortgages of €32 million in 2011 and €36 million in 2010. Please note that the “amounts written off” number refers to provisions rather than actual loan amounts written off for customers in difficulty in line with our accounting policies (please see page 239). The comparable information is contained on page 93 of AIB’s Half Yearly Report 2012 and page 203 of AIB’s Annual Financial Report 2009, which shows a write-off of €16 million on Residential mortgages for H1 2012, €13 million in 2009 and €0 million in 2008.

### **Permanent TSB**

Permanent TSB provides extensive disclosure on its Residential mortgage portfolio in its annual and interim accounts. The following table sets out the location of the relevant information in the accounts:

<b>Period</b>	<b>Location of relevant data in published accounts</b>	<b>Write-off amount €million</b>
2008	2008 Annual Report, Note 15, Page 100	n/a*
2009	2009 Annual Report, Note 9, Page 114	n/a*
2010	2010 Annual Report, Note 10, Page 116	n/a*
2011	2011 Annual Report, Note 11, Page 119	3
2012	Interim Report, Note 8, Page 48	6* PTSB does not show the split of residential mortgage write-offs in these accounts. It only provides a figure for write-offs in total.

Permanent TSB advises that write-downs are agreed with customers only at the end of a process where other options are not sustainable and customers have engaged fully with the bank.

## **IBRC**

Detailed information in relation to the Bank's financial performance, including information on provisioning, is published semi-annually in the Bank's interim report and annual report and accounts. The Bank's 2011 Annual Report, pages 169-173, provides detailed disclosure on the Bank's residential mortgage portfolio. More recent information can be found in the Bank's Interim Report 2012, page 72. It is Bank policy not to publish any additional confidential commercially sensitive financial information which could potentially have a detrimental impact on asset recovery. The Bank is scheduled to publish its 2012 Annual Report on 28 March 2013.

## **Apprenticeship Programmes**

286. **Deputy Joanna Tuffy** asked the Minister for Education and Skills if the redundancy replacement scheme through FÁS will be available this year to apprentices based in the Dublin area who require to work outstanding hours to complete their apprenticeships; and if he will make a statement on the matter. [4003/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** This is a day to day operational matter for FAS. I understand that FÁS is currently reviewing the guidelines and criteria for the introduction of a Redundant Apprentice Placement Scheme for 2013. FAS expect to be in a position to commence the 2013 scheme in February.

## **Apprenticeship Programmes**

287. **Deputy Brendan Griffin** asked the Minister for Education and Skills if payment for training in the FÁS redundant placement scheme will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4123/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The person in question commenced employment with his employer hoping to avail of the Phase 7 Redundant Apprentice Placement Scheme (RAPS). His employer was contacted in relation to

supplying the relevant documentation in order to start the individual in question on the RAPS. However, I understand that the company did not meet the requirements of RAPS as they were unable to supply a Tax Clearance Certificate. I am informed that the individual in question was notified that his employers did not meet the requirements of the RAPS; therefore he could not be paid by FÁS under this scheme.

### **Apprenticeship Programmes**

288. **Deputy Sean Fleming** asked the Minister for Education and Skills if a person can work as part of an apprenticeship to obtain a trade and qualifications for a company in Northern Ireland where the company is carrying out works on projects here; and if he will make a statement on the matter. [4190/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** This is a day to day operational matter for FAS who have responsibility for the operation of the Standards Based Apprenticeship Programme. I understand from FAS that the following is a Schedule of Requirements for companies outside the jurisdiction to register apprentices:

- The employer provides evidence of being tax compliant with the taxation requirements of the Irish State Exchequer and provides a Revenue Employer Registration Number.

- The employer has a Registered Office in the State; a site office is not an acceptable alternative.

- The employer provides the full details of the employer's representative within the State jurisdiction with the overall responsibility for the apprentice(s).

- The employer provides evidence of issuing a direct employment contract for the intended apprentice(s); sub-contract arrangements will not suffice for potential approval.

- The employer has the capability to provide access for the apprentice to the range of work specified in the curriculum for the on-the-job phases of the apprenticeship specified within the jurisdiction of the State.

- The employer's ability to provide access for the apprentices to the equipment and special tools specified in the curriculum for the on-the-job phases of the apprenticeship specified.

- The employer's ability to provide a suitably qualified and experienced craftsperson within the jurisdiction of the State to supervise the training and the work of the apprentice during the on-the-job phases of the apprenticeship specified.

- The employer's ability to provide a suitable person within the jurisdiction of the State who is approved by FÁS or is suitable for approval by FÁS to act as a workplace assessor with responsibility for administering, recording and processing assessment checklists and the on-the-job schedules for the specified apprenticeship.

### **Education and Training Provision**

289. **Deputy Joe Carey** asked the Minister for Education and Skills the supports available for training for those not in receipt of either jobseeker's benefit or allowance and are only signing on with reference to maintaining credits; and if he will make a statement on the matter. [4276/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):**

Despite reducing resources, my Department will fund up to 430,000 education and training places across the range of provision in the higher education, further education and training sectors in 2013. Owing to the number of long-term unemployed and the need to keep these individuals close to the labour market, places have been prioritised on certain programmes specifically for those who have been unemployed for 12 months or more. This investment includes the provision of a substantial number of training places under FAS Training Services. Individuals not in receipt of either jobseeker's benefit or allowance are entitled to apply for training places with FAS Training Services but they may not be entitled to a FAS Training Allowance. In addition, individuals not in receipt of either jobseeker's benefit or allowance are also eligible to apply for a training place under the Skillnets Training Programme but places have been prioritised for the long term unemployed.

**Apprenticeship Programmes**

290. **Deputy Dara Calleary** asked the Minister for Education and Skills if he will provide statistics, in tabular form, for the number of apprenticeship registrations with FÁS each year for the past ten years per training category; and if he will make a statement on the matter. [4341/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):**

FÁS have provided the statistics as requested by the Deputy in the attached document.

**Apprentice Registrations by Trade by Family of Trade 2002 - 2012**

Sector	Trade	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	National Total
		Jan.-Dec.	2002 - 2012										
Construction													
	Brick & Stonelaying	441	549	679	599	473	247	57	20	10	11	6	3,092
	Cabinet-making *	235	217	194	179	207	154	75	21	9	3	1	1,295
	Carpentry & Joinery	1547	1849	2089	2124	1907	1350	511	140	96	72	91	11,776
	Floor & Wall Tiling	39	37	36	41	32	43	12	4	4	1	1	250
	Painting & Decorating	151	139	157	149	161	112	62	19	8	18	11	987
	Plastering	186	268	310	278	220	143	57	14	12	5	4	1,497
	Plumbing	731	938	1249	1251	1500	1038	453	127	91	146	97	7,621
	Wood Machining *	22	15	24	15	14	13	4	3	1		0	111
	Wood Manufacturing & Finishing									13	12	11	36
	Total	3,352	4,012	4,738	4,636	4,514	3,100	1,231	348	244	268	222	26,665

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Sector	Trade	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	National Total
		Jan.-Dec.	2002 - 2012										
Electrical													
	Aircraft Mechanics	75	28	28	33	57	66	24	21	18	35	36	421
	Electrical	1814	1766	2028	2159	2269	2057	1106	523	373	355	397	14,847
	Electrical Instrumentation	37	41	43	39	46	56	37	24	15	18	24	380
	Electronic Security Systems						12	51	16	11	8	7	105
	Instrumentation	24	20	17	19	17	19	7	4	2	4	8	141
	Refrigeration & Air Conditioning	78	74	88	88	106	117	83	27	26	29	34	750
	Total	2,028	1,929	2,204	2,338	2,495	2,327	1,308	615	445	449	506	16,644
Engineering													
	MAMF	229	212	180	166	171	203	134	69	65	101	110	1,640
	Farriery							21	6	3	9	5	44
	Industrial Insulation						7	7	3	5		1	23
	Metal Fabrication	266	256	223	199	198	190	192	87	57	60	103	1,831
	Sheet Metal-working	98	69	74	67	46	51	68	31	10	8	11	533
	Toolmaking	43	46	39	34	33	15	21	18	31	42	57	379
	Total	636	583	516	466	448	466	443	214	171	220	287	4,450
Motor													
	Agricultural Mechanics	67	45	50	51	51	62	48	18	26	21	19	458
	Construction Plant Fitting	82	84	102	103	88	94	64	26	30	32	45	750
	Heavy Vehicle Mechanics	193	140	105	136	135	151	117	92	65	59	74	1,267
	Motor Mechanics	458	419	404	453	439	450	415	158	191	221	253	3,861
	Vehicle Body Repairs	93	100	102	111	95	69	109	50	28	32	23	812
	Total	893	788	763	854	808	826	753	344	340	365	414	7,148

Sec- tor	Trade	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Na- tional Total
		Jan.- Dec.	2002 - 2012										
Print- ing													
	Print Media					14	44	30	14	4	5	5	116
	Carton Maker **	1											1
	Book- binder **	7	2	1		5							15
	Origina- tor **	5	5	2		2							14
	Printer **	10	18	15	10	20							73
	Total	23	25	18	10	41	44	30	14	4	5	5	219
	National Total	6,932	7,337	8,239	8,304	8,306	6,763	3,765	1,535	1,204	1,307	1,434	55,126

\* Cabinet Making and Wood Machining amalgamated into a new trade of Wood Manufacturing & Finishing.

\*\* Trades Amalgamated into a new trade of Print Media.

### Apprenticeship Programmes

291. **Deputy Dara Calleary** asked the Minister for Education and Skills if he will provide statistics, in tabular form, for the number of construction related apprenticeships completed within FÁS each year for the past ten years per training category [4342/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** FÁS have provided the statistics as requested by the Deputy in the attached document.

#### APPRENTICE CERTIFICATION STATISTICS - CONSTRUCTION TRADES 2002 - 2012 (25/1/2013)

TRADE	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Grand Total
BRICK & STONE- LAYING	224	159	272	259	259	332	307	197	176	133	82	2400
CABI- NET MAKING	174	166	188	161	182	138	126	118	82	73	55	1463
CAR- PENTRY & JOIN- ERY	755	671	1076	999	959	998	1275	836	783	797	556	9705
FLOOR & WALL TILING	5		22	16	16	24	19	27	12	6	6	153
PAINT- ING & DECO- RATING	71	55	92	80	69	91	58	57	50	37	25	685
PLAS- TERING	48	59	72	51	87	128	150	115	76	81	55	922

TRADE	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Grand Total
PLUMB- ING	344	341	387	474	500	719	740	660	557	638	578	5938
WOOD MA- CHIN- ING	18	20	21	29	17	14	7	9	7	1	3	146
National Total	1639	1471	2130	2069	2089	2444	2682	2019	1743	1766	1360	21412

Provided by FÁS

### Education and Training Provision

292. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills his plans to maximise the number of training and or up skilling places likely to be provided through SOLAS and or other agencies with consequent reduction in the numbers on the live register; and if he will make a statement on the matter. [4538/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Despite reducing resources, my Department will fund up to 430,000 education and training places across the range of provision in the higher education, further education and training sectors in 2013. Owing to the number of long-term unemployed and the need to keep these individuals close to the labour market, places on certain programmes have been prioritised specifically for those who have been unemployed for 12 months or more. In relation to SOLAS, the recently published SOLAS Implementation Plan further articulates a key role for SOLAS in terms of proposing a clear strategy for the Further Education and Training sector that is consistent with policy in this area to enable informed prioritisation of scarce resources by my Department and its agencies.

### Student Grant Scheme Delays

293. **Deputy Frank Feighan** asked the Minister for Education and Skills the reason a third level grant has not been awarded to a person (details supplied) in County Roscommon despite the fact that they have submitted additional requested information on three occasions to Student Universal Support Ireland. [3706/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Following initial submission of a grant application, students progressing to the next stage of the assessment process are issued with a checklist of documentary evidence which they need to provide in order to complete their application. This checklist is tailored from the specific information provided on the student's application. The checklist outlines the supporting documentation required and where this documentation can be sourced. In the case of the student referred to by the Deputy the initial documentation provided was incomplete. When the documentation was subsequently provided, it emerged that further information omitted from his initial on-line application needed to be submitted. Officials in my Department have also confirmed with Student Universal Support Ireland that his application is currently being assessed and a letter will issue shortly to the student outlining the position.

### Anti-Racism Measures

294. **Deputy Nicky McFadden** asked the Minister for Education and Skills if the existing anti-racist educational programmes targeting school children will be introduced to all educators, possibly through the reformed Junior Certificate syllabus; and if he will make a statement on the matter. [3752/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Framework for Junior Certificate, published in October 2012, is underpinned by the 8 principles, 8 key skills and 24 Statements of Learning. Taking these on board, each school will have the flexibility to develop their junior cycle programme to meet the needs of their students. One of the 8 principles in the Framework is “Inclusive Education”. This will require that “The educational experience is inclusive of all students and contributes to equality of opportunity, participation and outcomes for all”. A number of the Statements of Learning are relevant to anti-racism and these will focus on what students should know, understand, value and be able to do at the end of junior cycle, having fully engaged with and participated in the junior cycle programme of their school.

Through the Statements of Learning the student will “appreciate and respect how diverse values, beliefs and traditions have contributed to the communities and culture in which she/he lives”; and will “value what it means to be an active citizen, with rights and responsibilities in local and wider contexts”. The new Framework will, therefore, give schools and their students the opportunity to, inter alia, incorporate anti-racism into their programmes.

### **Student Grant Scheme Appeals**

295. **Deputy Timmy Dooley** asked the Minister for Education and Skills when a student (details supplied) in County Clare will be notified of a decision with regard a Student Universal Support Ireland appeal; and if he will make a statement on the matter. [3794/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Student Universal Support Ireland has confirmed that the applicant referred to by the Deputy appealed the decision on her grant with regard to the rate of grant awarded and that a letter on the appeal issued on 23rd January, 2013. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grant Appeals Board. The relevant appeal form will be available on request from SUSI.

### **School Transport Provision**

296. **Deputy Jack Wall** asked the Minister for Education and Skills if a school bus service will be provided in new estates (details supplied) in County Kildare; and if he will make a statement on the matter. [3802/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The purpose of my Department’s School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school. Under the terms of the scheme children are eligible for transport where they reside not less than 3.2 kms from and are attending their nearest national school as determined by my Department/Bus Éireann, having regard to ethos and language. These eligibility criteria are applied equitably on a national basis. The families referred to by the Deputy, in the details supplied, do not meet the minimum distance eligibility criterion and therefore, under the terms of the scheme, the establishment of a school transport service cannot be considered.

## **Schools Amalgamation**

297. **Deputy Dara Calleary** asked the Minister for Education and Skills the extra staffing supports available to two schools that amalgamate; if a favourable staffing ratio is still in place; and if he will outline other supports that are available. [3804/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Where schools are amalgamating there is a provision for the allocation of a concessionary mainstream teaching post in cases where the approved number of mainstream teachers serving in the schools at the time the amalgamation takes place exceeds the number of mainstream posts warranted by the total enrolment on the basis of the staffing schedule. The continued allocation of the concessionary post is dependent on the teachers concerned remaining on the staff of the school and the appropriate enrolment figures being maintained.

In regard to other supports, schools may require capital investment. However, as the number of these schools is relatively small, it is not necessarily the case that capital investment would be needed to support amalgamation. However, each case is assessed on an individual basis to determine the extent and type of accommodation required taking into account the condition of buildings, site capacity etc.. My Department discusses any accommodation issues arising with the boards of management of the schools and aims to provide an appropriate accommodation solution subject to available resources.

## **School Patronage**

298. **Deputy Jerry Buttimer** asked the Minister for Education and Skills if he will outline the progress being made on the white paper on patronage of schools; when it will be published; and if he will make a statement on the matter. [3815/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that as part of my response to the Patronage Forum Advisory Group Report, I indicated that I would issue a call for submissions on the findings and recommendations in the report on promoting greater inclusiveness in primary schools and that a leaflet for parents would be developed in consultation with the National Parents Council Primary. Work has been ongoing on developing the leaflet and a call for submissions document and they are expected to issue in Spring 2013. The Advisory Group recommendations in this area, and the submissions received, will inform the development of a White Paper in the coming months.

## **School Patronage**

299. **Deputy Jerry Buttimer** asked the Minister for Education and Skills if he will provide details of the method of surveying local communities on the issue of patronage of schools; the way the surveys were conducted; the persons eligible to participate; the way invitations were issued and the level of engagement to date; and if he will make a statement on the matter. [3816/13]

300. **Deputy Jerry Buttimer** asked the Minister for Education and Skills if the opinions expressed in the surveys on school patronage will conclusively direct his policy or if the results will be used to inform further discussions on patronage pending further engagement with local communities; and if he will make a statement on the matter. [3817/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions

Nos. 299 and 300 together.

This survey initiative follows on from the recommendations of the Forum on Patronage and Pluralism in the Primary Sector. Pilot surveys on primary school patronage were conducted late last year in five areas: Arklow, Castlebar, Tramore, Trim and Whitehall (including Kilmore West & Beaumont). A report on the pilot surveys is available on my Department's website. The surveys are being conducted mainly through an on-line facility while paper survey forms are also available for parents in the areas concerned. The current surveys commenced on January 14th and will run to February 8th and during this time a free phone help line is available. The surveys are open to parents or guardians of all children aged 0 to 12 years old in those areas.

Information leaflets have been circulated to all primary schools in the relevant areas and also to pre-school organisations. A comprehensive information campaign is being undertaken in each of the areas including a leaflet drop to every household giving details of the surveys, and there is advertising on local radio and newspapers to raise parental awareness of the surveys. A detailed analysis of parental preferences submitted to the surveys will be conducted after the closing date. The survey process is being overseen by the independent New Schools Establishment Group (NSEG). The Department will publish detailed reports on the survey outcomes. These reports will be sent to Catholic patrons for their response in consultation with each local community.

### **School Patronage**

301. **Deputy Michael McGrath** asked the Minister for Education and Skills the reason a town (details supplied) in County Cork was chosen as one of the locations in which parents of children aged 0 - 12 years are being asked to complete an online survey; if he will explain the general criteria used in selecting the locations; if he will state the number of locations that were chosen; and if he will make a statement on the matter. [3821/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The following criteria were applied in selecting locations for the parental surveys:

1. Areas with a population of greater than 5,000 persons and less than 20,000 persons, as per the 2011 Census.
2. Areas that did not experience greater than 20% growth in the inter-censal period 2006-2011 and where the establishment of new schools is unlikely to emerge until at least 2016.
3. Areas that have at least three primary schools within a 2km range of the CSO Town Boundary.
4. Areas where school provision is predominantly Catholic or where there is very limited diversity of provision at present.

A total of 44 areas met the criteria outlined above and surveys were undertaken in five of those areas on a pilot basis late last year. Surveys are currently being conducted in thirty eight remaining areas. One area that met the criteria is not being surveyed as diversity of school patronage is already being provided in that area.

### **School Accommodation**

302. **Deputy Dara Calleary** asked the Minister for Education and Skills the options avail-

able to a school (details supplied) in County Mayo in a poor physical condition and in a non population growth area that was previously sanctioned for a new school but that now cannot proceed with a new build owing to his policy of building in growth areas only; if consideration will be given to a prefab replacement scheme; if he will outline other avenues that may be available to it; and if he will make a statement on the matter. [3822/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The 5 Year Construction Plan that I announced on 9 March 2012 last, outlines the major school projects that will commence construction over the duration of the Plan. The primary aim at the core of the Five Year Plan is focussed on meeting demographic demands to ensure that every child will have access to a physical school place and that our school system is in a position to cope with increasing pupil numbers.

Under my Department's Prefab Replacement Initiative announced in March 2012, over 170 schools have been approved to replace their rented prefab accommodation with permanent accommodation. In excess of €42 million has been allocated for this initiative of which €15.6 million was paid in 2012. This funding is being provided to schools to replace rented prefabs that are currently providing mainstream classroom and resource rooms for an estimated 6,000 pupils. In total, 286 mainstream classrooms currently in rented prefabs will receive permanent buildings. My Department will consider applications by schools for funding for additional classrooms, where an immediate enrolment need is arising.

### **Road Safety Issues**

303. **Deputy Dara Calleary** asked the Minister for Education and Skills the options available to a school board of management when An Garda Síochána has advised that school traffic is a serious traffic hazard but when there is no room on the existing site to accommodate such traffic; if he will support the school in purchasing an adjoining piece of land to enable the school to facilitate school traffic [3823/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The matter of road safety measures outside the vested site areas of schools on public roads, such as road signage, traffic calming measures etc., is a matter for the relevant Local Authority. Local Authorities have the power to decide on road safety measures outside schools to ensure that measures are in place to protect the safety of local school children. Due to competing demands on my Department's capital budget, imposed by the need to prioritise the limited funding available for the provision of essential additional classroom accommodation to meet increasing demographic requirements, my Department is not in a position to provide grant aid for the purposes proposed by the Deputy.

### **Student Grant Scheme Applications**

304. **Deputy Dessie Ellis** asked the Minister for Education and Skills if his attention has been drawn to the student grant application in respect of a person (details supplied) in Dublin 11 who is due back to college on 14 February and is struggling to make ends meet [3827/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Support Ireland that the student referred to by the Deputy has been awarded a grant and an award letter issued on 22nd January, 2013.

## School Patronage

305. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills the reason his Department decided not to proceed with a survey of parents on the issue of school patronage at a location (details supplied) in County Kildare; and if he will make a statement on the matter. [3829/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The location in County Kildare referred to by the Deputy was removed from the original list of areas to be surveyed following consultation with patrons. The location already has an Educate Together school that opened in September 2011 and a new Gaelscoil under the patronage of An Foras Patrúnachta will commence there in September 2013.

## Special Educational Needs Expenditure

306. **Deputy Seán Ó Fearghaíl** asked the Minister for Education and Skills the furnishings and equipment provided in or funded by his Department for the special needs units in each of the second bundle of public private partnership schools; and if he will make a statement on the matter. [3830/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Five of the schools built through Bundle 2 of the Public Private Partnership process were provided with Special Needs Units. One of those schools was equipped with furniture, fittings and equipment having regard to the specific needs of that school. The net cost of providing this equipment was €173,636.70 plus additional ancillary costs of €34,217.32 (exc. VAT). A second school has recently been allocated funding of €6,500 for one special class plus €7,000 for further equipment purchase. In this respect, I would refer the Deputy to my previous answer to PQ 1740/13 answered on 16th January, 2013 in which I also provided details as to how the scheme in question is applied.

## Student Grant Scheme Applications

307. **Deputy Barry Cowen** asked the Minister for Education and Skills when a person (details supplied) in County Offaly may expect a decision on an application for student grant. [3836/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Support Ireland that the student referred to by the Deputy has been awarded a grant and an award letter issued on 23rd November 2012.

## Student Grant Scheme Applications

308. **Deputy Barry Cowen** asked the Minister for Education and Skills when a person (details supplied) in County Offaly may expect a decision on an application for student grant. [3837/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have been informed by Student Universal Support Ireland that, based on the information supplied by the student in question in his application, additional supporting documentation is required. SUSI will be in contact with the student shortly in relation to this matter.

## **Student Grant Scheme Applications**

309. **Deputy Sean Fleming** asked the Minister for Education and Skills when a Student Universal Support Ireland grant will be awarded in respect of a person (details supplied); and if he will make a statement on the matter. [3846/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have been informed by Student Universal Support Ireland that it has been in contact with the student in question in relation to his grant application, which will progressed as speedily as possible.

## **School Enrolments**

310. **Deputy Simon Harris** asked the Minister for Education and Skills the position regarding a child in sixth class who cannot access a secondary school place in their locality; the advice he will give to parents of such a child; and if he will make a statement on the matter. [3874/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The question of enrolment in individual schools is the responsibility of the managerial authority of those schools. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act 1998. In this regard a board of management may deem it necessary to restrict enrolment to children from a particular age group or to children living in a particular area or on the basis of some other criterion. The selection process and the enrolment policy on which it is based is a matter for the individual school authority. In formulating an enrolment policy a school must, however, ensure it is lawful and applied fairly to all applicants.

Section 29 of the Education Act 1998, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to either the relevant Vocational Educational Committee or to the Secretary General of my Department. The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The Board can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

## **Special Educational Needs Services Provision**

311. **Deputy Eric Byrne** asked the Minister for Education and Skills the availability of places or plans for children with PDD-NOS or mild to moderate autism who are currently in ADS units with mainstream primary schools students progressing to mainstream secondary schools with supports in the Dublin 6, 8 and 12 areas; and if he will make a statement on the matter. [3937/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have arranged for the matter raised by the Deputy to be forwarded to the NCSE for their attention and direct reply. The Deputy will be aware that the National Council for Special Education (NCSE), through its network of local special educational needs organisers (SENOs), is responsible for processing

applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support. The Deputy will also be aware that the establishment of a network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years.

### **Schools Building Projects Status**

312. **Deputy Peter Mathews** asked the Minister for Education and Skills if he will provide an update in relation to the development of a secondary school (details supplied) in Dublin 24; and if he will make a statement on the matter. [3950/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The project referred to by the Deputy is proposed to provide a new 1,000 pupil post-primary school. The Design Team appointment has now been completed and the project will commence Architectural Planning. The project was included in the 5 year construction programme announced in March 2012 and is scheduled to progress to construction in 2015/16.

### **Substance Abuse Prevention Education**

313. **Deputy Regina Doherty** asked the Minister for Education and Skills if he plans an assessment of alcohol education in the school curriculum; and if he will make a statement on the matter. [3957/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Substance abuse prevention education is implemented as part of the Social, Personal and Health Education (SPHE) curricula. SPHE is mandatory in all primary and post-primary schools up to Junior Certificate level. A full time support service offers professional development to teachers and advice to schools. The second level support service is operated jointly with the Health Sector.

The "substance use" module of the SPHE curriculum focuses on the issues relating to the use and misuse of a range of substances. While most young people are aware of the implications and consequences of misusing substances, including alcohol, the SPHE curriculum actively seeks to promote healthy and responsible choices by students in relation to their lives. There is a commitment in the Programme for a National Government, 2011-2016, to "update the out-dated drugs awareness programmes in schools to reflect current attitudes and reality of recreational drug use amongst teens". To meet this commitment, I have established a Working Group to examine the resource materials being used in the SPHE curriculum, especially those materials that are most relevant to substance use education. The Group has representatives from the Department of Health and the Department of Children and Youth Affairs as well as from my own Department. It is anticipated that the Group's report will be finalised shortly. In drafting its report, the Group has had regard to current international experience of substance use prevention programmes in schools.

The Inspectorate is preparing a composite report on the delivery of SPHE at post-primary level, based on the subject inspections of SPHE carried out in schools during the academic year 2010/2011. It is anticipated that the report will be published shortly. A composite report on the delivery of SPHE at primary level was completed in 2009.

## **Substance Abuse Prevention Education**

314. **Deputy Regina Doherty** asked the Minister for Education and Skills if he has any plans to implement or introduce a drug and alcohol awareness study in secondary schools; and if he will make a statement on the matter. [3958/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Department of Education and Skills, through Social, Personal and Health Education (SPHE) and its substance abuse prevention education, contributes to the overall aim of Government policy in relation to drugs and alcohol which is to provide an effective, integrated response to the problems posed by substance abuse. Substance abuse prevention education is implemented as part of the SPHE curricula. SPHE is mandatory in all primary and post-primary schools up to Junior Certificate level. A full time support service offers professional development to teachers and advice to schools. The second level support service is operated jointly with the Health Sector.

The substance use module of the SPHE curriculum focuses on the issues relating to the use and misuse of a range of substances. While most young people are aware of the implications and consequences of misusing substances, including alcohol, the SPHE curriculum actively seeks to promote healthy and responsible choices by students in relation to their lives. The Framework for Junior Cycle, published in October 2012, is underpinned by 8 principles one of which is “Wellbeing”. Through Wellbeing “the student experience contributes directly to their physical, mental, emotional and social wellbeing and resilience. Learning takes place in a climate focused on collective wellbeing of school, community and society”. In addition the Framework contains 24 Statements of Learning which students should experience. The Principles plus 24 statements will provide the basis for school planning and evaluation. One of these statements aims to ensure that the student “takes action to safeguard and promote his/her wellbeing and that of others”.

In addition, there are six key skills required for successful learning by students across the curriculum and for learning beyond school. These key skills are linked to the skills required at senior cycle and those already developed for early childhood and primary education. One of the six key skills of Junior Cycle is “Staying Well”. While education has a role to play in addressing the problem of alcohol misuse, behavioural change will not happen without the support and co-operation of parents, industry and society as a whole. Parents have a responsibility to help children and young people to adopt sensible and responsible attitudes and behaviours in relation to alcohol and drug abuse.

## **Residential Institutions Redress Scheme**

315. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding the statutory fund; and if he will make a statement on the matter. [3961/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Arrangements to establish the Residential Institutions Statutory Fund Board are being pursued and I intend to appoint the members to the Board shortly. The position of Chief Executive Officer (Designate) was recently advertised by the Public Appointments Service and I look forward to the early appointment of a suitably qualified individual, whose responsibilities will include driving the various elements of the establishment process.

## **Schools Building Projects Status**

316. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he will provide an update in relation to the school building works which are outstanding at a primary school (details supplied) in County Kildare; and if he will make a statement on the matter. [3984/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The project is at an advanced stage of the tender process. The tender report was recently submitted to my Department for review. Subject to no issues arising, it is anticipated that work will commence on site later this year and will be completed in quarter 2.

### School Staffing

317. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide details of the new panel arrangements in respect of primary school teachers; the priority, if any, that will be given to those who had been previously placed on the subsidiary panel with five years service; and if he will make a statement on the matter. [3988/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The core function of the re-deployment arrangements is to facilitate the redeployment of all surplus permanent teachers to other schools that have vacancies. The redeployment of all surplus permanent teachers is key to the Department's ability to manage within its payroll budget and ceiling on teacher numbers. Thereafter, schools are required under the panel arrangements to fill permanent vacancies from supplementary panels comprised of eligible fixed-term (temporary/substitute) and part-time teachers. Following a review of the operation of the subsidiary and supplementary panels in the 2012/13 school year and in order to enable the redeployment process to operate in a more efficient manner, with effect from the 2013/14 school year all eligible applicants who meet the relevant eligibility criteria will be placed on the supplementary panels and there will no longer be a separate subsidiary panel.

The arrangements for panel access for fixed term (temporary/substitute) and part-time teachers for the 2013/14 school year are set out in Department Circular 0038/2012 which is available on the Department website. The supplementary panel set up in accordance with the arrangements set out in this circular will be used for appointments to full-time permanent posts in primary schools but only where those posts are not otherwise required to facilitate the redeployment of surplus permanent and CID holding teachers. The closing date for application for access to the supplementary panel under the terms of the circular was Friday, 14 December, 2012.

### School Staffing

318. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will outline the situation in relation to a post for a Permanent Resource Teacher at a school (details supplied) in County Galway which was advertised, offered to and accepted by a person; if this post can now be ratified in view of the fact that the school in question was not aware of the deadline for filling the post; and if he will make a statement on the matter. [3989/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the staffing arrangements for the school year 2012/2013, which are set out in my Department's Circular 0007/2012 published in February, 2012, the latest date for filling a permanent post on a permanent basis through the subsidiary and supplementary panels or through open recruitment, if applicable, was the first working day of November, 2012. Thereafter, unless there is a surplus permanent teacher to be redeployed, posts are filled on a fixed term basis. If the post in question is sus-

tained by the school for the 2013/14 school year, it can only be filled by a surplus permanent teacher from the relevant main redeployment panel. The staffing arrangements for the 2013/14 school year will be published shortly.

### **School Accommodation**

319. **Deputy Pearse Doherty** asked the Minister for Education and Skills if his Department has plans to purchase prefabricated classrooms for a school (details supplied) in County Donegal; his views on whether this would provide appropriate accommodation for new entrants; and if he will make a statement on the matter. [3990/13]

320. **Deputy Pearse Doherty** asked the Minister for Education and Skills further to Parliamentary Question No. 296 of 27 November 2012, if he has considered the baptismal records of the parish in question which suggest that the school's overall enrolment figures may increase by one hundred by 2016; the plans he has to facilitate such an increase in enrolment in view of the fact that the school is not currently on the Capital Building Programme and is struggling to cater for its present enrolment with 150 students being taught in prefabricated classrooms [3991/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 319 and 320 together.

As the Deputy is aware, a new school is proposed to meet the long term accommodation needs of the school in question. A site has been acquired for this purpose and a building project will be progressed through the various stages of the architectural planning process in the context of the available funding. Pending the provision of a new school building, it is open to the school authorities to submit an application for additional accommodation should the current accommodation be insufficient to cater for increasing enrolments. An application form is available on my Department's website [www.education.ie](http://www.education.ie). My Department is currently liaising with the school authorities regarding the potential purchase of existing prefabricated classrooms.

### **Schools Building Projects Applications**

321. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will confirm if a new site has been acquired for a school (details supplied) in County Wicklow; when work on the new school building is due to commence; and the projected timeframe for when work on the new school building will be completed. [4010/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that my Department is working closely with the relevant Local Authority in relation to identifying and acquiring a suitable site for the provision of permanent accommodation for the school to which he has referred. Given the sensitivities associated with land acquisitions generally, I am not in a position to comment further at this point in time in relation to the site acquisition. As the Deputy may be aware, the provision of a new school building for the school in question is included in the 5 Year School Building Programme 2012 - 2016.

### **Student Grant Scheme Delays**

322. **Deputy Dara Calleary** asked the Minister for Education and Skills the reason a person (details supplied) in County Mayo is consistently being asked for information by Student Universal Support Ireland; if he will expedite their student grant application; and if he will make a

statement on the matter. [4012/13]

**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, the documentation supplied was not adequate. The student declared an amount for rental income from land or property on the application form. Incomplete rental accounts were submitted and Student Universal Support Ireland wrote to the student on 19th December requesting the documentation. When the requested documentation is returned the student will be notified directly of the outcome.

### **State Examinations Issues**

323. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding aids for a school (details supplied) in County Cork; and if he will make a statement on the matter. [4020/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations, determining procedures in places where examinations are conducted including the supervision of examinations and making arrangements for the marking of work presented for examination. In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### **Irish Language Issues**

324. **Deputy Pearse Doherty** asked the Minister for Education and Skills when a response will be issued to a parents committee (details supplied) in County Donegal with particular emphasis on the correspondence sent to him on 1 July 2012 and the follow on questions submitted to his Department following his response to their initial query; his response to the questions posed to him; and if he will make a statement on the matter. [4117/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department does not have a record of correspondence dated 1st July 2012 as referred to by the Deputy, however, a response to further representations from the Parents Committee of the school in question will issue from my Department shortly. My response to the questions raised may be summarised as follows:

My Department is fully committed to the implementation of the 20-Year Strategy for the Irish Language including its proposals relating to education in the Gaeltacht and Irish-medium education. We are liaising closely with our colleagues in the Department of Arts, Heritage and the Gaeltacht to support the systematic implementation of the numerous educational measures in the Strategy. The issues concerning schooling in the Gaeltacht are complex and require further detailed analysis before any policy decisions or initiatives are considered. Plans are in place to carry out a thorough examination of the issues and policy options at the earliest opportunity.

With regard to participation in the DEIS programme, the post-primary school in question was not selected for inclusion in DEIS as it did not meet the relevant criteria. An appeal by the school to the independent review body in 2006 confirmed that the level of disadvantage did not warrant the school's inclusion.

As announced in the 2012 Budget, five scholarship schemes for higher education were re-

placed with a new single scheme of bursaries based solely on merit and financial need. There are no language requirements associated with the bursaries. This change has been made in order to make the best use of the limited funds we have available for bursaries so as to focus on the best performing students in the cohort of those who are most in need of financial help.

### **School Discipline**

325. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills the policy in place regarding circumstances in which a school might consider it necessary to expel a student in the latter part of the Leaving Certificate year; if he will seek to have the student placed in an alternative school or might home tuition be provided; and if he will make a statement on the matter. [4139/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under Section 15 of the Education Act, 1998, each school Board of Management shall publish, in such manner as the Board - with the agreement of the patron - considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school in relation to the expulsion and suspension of students. Under Section 24 of the Educational Welfare Act 2000, where the board of management of a school is of the opinion that a student should be expelled from a school, it shall - before expelling the student - notify the education welfare officer to whom functions under this Act have been assigned. On receipt of the notification concerned, the education welfare officer shall make all reasonable efforts to ensure that provision is made for the continued education of the student.

The National Educational Welfare Board (NEWB) is the statutory agency which may be able to assist parents who are experiencing difficulty in securing a school place for their child. The NEWB may be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB are NEWB 16-22 Green Street Dublin 7 01-8738700. Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of this Department, or - in the case of a Vocational Educational Committee (VEC) school - to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld. Educational provision by means of Home Tuition can only be considered as a temporary educational arrangement, and all efforts must continue to find a school place. The roles of the NEWB and the roles of the National Council for Special Education (NCSE) are also relevant in this context.

### **Student Grant Scheme Applications**

326. **Deputy Eric Byrne** asked the Minister for Education and Skills the reason a person (details supplied) in Dublin 8 has been asked to withdraw their Student Universal Support Ireland registration grant; and if he will make a statement on the matter. [4147/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the student in question has been unable to substantiate information supplied in her original application form. SUSI has, however, been in contact with the student to provide advice on how she might progress an application.

## Student Grant Scheme Appeals

327. **Deputy Sean Fleming** asked the Minister for Education and Skills the number of appeals received by the Independent Student Grant Appeals Board; the number of appeals that have been decided on; if he will provide a breakdown of the decisions in relation to whether the original decision was confirmed or amended; the total amount of grants approved to date; when all the appeals will be dealt with; and if he will make a statement on the matter. [4184/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy may be aware that prior to an appeal to the Student Grant Appeals Board, an initial appeal to the relevant grant awarding authority is provided for under the Student Support Act 2011. This provides for a review of the decision by an appeals officer, independently of the original assessment process. If the grant applicant is still not satisfied with the outcome of the initial appeal, a further appeal can be made to the Student Grants Appeals Board which is fully independent in the performance of its functions.

Up to 15 January 2013, the Student Grants Appeals Board received and considered 89 appeals for the 2012/13 academic year. The appeals were in respect of decisions made by 18 grant awarding authorities. Of the 89 appeals heard, 10 were overturned. The statistical data sought by the Deputy in relation to these appeals is contained in the accompanying table. As at the close of business on 25 January 2013, a further 34 appeals have been received and these are scheduled for consideration by the Appeals Board on 13 February 2013. The number scheduled for hearing may increase if further appeals are received in time. Appeals are received on an on-going basis throughout the academic year. They are considered by the Appeals Board as quickly as possible and within the maximum 60 days prescribed by the Student Support Act, 2011.

### Breakdown of results of appeals to the independent Student Grants Appeals Board for the 2012/13 academic year as at 15 January, 2013

Total no. of appeals received and considered	Decision upheld	Decision overturned	*Referred back to GAA for further action	Referred back to student for further action
89	54	10	23	2

\*Generally referred back to a grant awarding authority (GAA) to consider a change in a student's circumstances.

## Public Procurement Tenders

328. **Deputy Michelle Mulherin** asked the Minister for Education and Skills if he will address the new procurement rules which can result in schools being required to purchase their stationary supplies from one national supplier notwithstanding the possibility of purchasing from local suppliers for a similar or better price; and if he will make a statement on the matter. [4197/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The National Procurement Service is focused on developing centralised arrangements for the procurement of goods and services used commonly across the public service nationwide. The benefits arising from these central arrangements include: cash savings; administrative savings from reduced duplication of tendering; greater purchasing expertise; improved consistency; and enhanced service levels. Within the Education Sector, the mandatory arrangement relating to stationery currently applies to the Higher Education and VEC Sectors. I understand that the National Procurement Service

is working on a new contract for stationery which will be in place from April 2013. I appreciate the Deputy's concerns on this matter. My Department is currently working on a procurement circular for schools and the content of this will be the subject of discussion with the National Procurement Service and the school management bodies.

### **Student Grant Scheme Applications**

329. **Deputy Dara Calleary** asked the Minister for Education and Skills when a person (details supplied) in County Mayo, may expect their higher education grant application to be processed; if he will expedite the application; and if he will make a statement on the matter. [4226/13]

**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 refused and a letter outlining the position issued on the 21st January, 2013. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down, in writing, by SUSI, and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grant Appeals Board.

### **School Staffing**

330. **Deputy Ciara Conway** asked the Minister for Education and Skills the criteria his Department will be setting out regarding teacher appointments under developing school status for the 2013/ 2014 school year; if the same criteria will be used for the 2013/ 2014 school year or when the circular will be issued to schools; and if he will make a statement on the matter. [4227/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The staffing arrangements for primary schools will be published on the Department website shortly. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The criteria includes the provision whereby schools experiencing rapid increases in enrolment can apply for additional mainstream posts on developing grounds, using projected enrolment. The retention of such posts is subject to schools' having achieved their projected enrolment on 30 September. If the enrolment is not achieved the post allocated on developing grounds is suppressed.

### **Student Grant Scheme Eligibility**

331. **Deputy Catherine Murphy** asked the Minister for Education and Skills the reason a person (details supplied) was not awarded the tuition fee grant when in this case the applicant had satisfied all of the conditions for such award; and if he will make a statement on the matter. [4228/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Support Ireland that the grant application of the student referred to by the Deputy for the 2012/13 academic year was awarded a postgraduate fee contribution based on the terms and conditions of the scheme. Maintenance support is not available

for students entering postgraduate courses in the academic year 2012/13. Students entering approved postgraduates courses who meet the qualifying conditions for the special rate of grant will be eligible to have their post-graduate tuition fees paid up to the maximum fee limit under the Student Grant Scheme.

If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grant Appeals Board. The relevant appeal form will be available on request from SUSI. In addition to the student grant support is also available to students under the Student Assistance Fund which assists students in third-level institutions in exceptional financial need. Information on the fund is available through the Access Officer in the third level institution attended. The Access Officers themselves will also continue to provide support and advice to students.

### **Third Level Courses Availability**

332. **Deputy Dara Calleary** asked the Minister for Education and Skills the supports and or options available to private colleges who are now seeking to avail of Government funding and supports; if he will explain the process of attaining FETEC and or FÁS accreditation for such colleges; and if he will make a statement on the matter. [4230/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I understand that in order to provide programmes leading to FETAC awards, providers must become registered with FETAC, which involves establishing policies and procedures for quality assurance of provision and agreeing those policies and procedures with FETAC. Once they are agreed, providers can then submit programmes of education and training for validation. Information on these processes can be found on FETAC's website, [www.fetac.ie](http://www.fetac.ie). It should be noted that FETAC was amalgamated with HETAC and the NQAI in November 2012 to form a new body called Quality and Qualifications Ireland (QQI). QQI is currently in the process of establishing its own revised procedures and, once adopted, they will appear on their website, [www.qqi.ie](http://www.qqi.ie).

FÁS do not accredit Colleges or Contractors. I am informed, however, that when FÁS Training Services procure training, contractors must become pre-qualified on the FAS Contract Training Tender List (CTTL). To become pre-qualified it is not currently necessary to be a registered FETAC provider. Once on the FÁS Contract Training Tender List, the contractor is invited on a rotational basis to partake in mini regional tenders for provision of training courses. In addition, when FÁS competitively funds training programmes, such as the Momentum Programme, contractors have to become pre-qualified, as outlined above, but with one key difference in that they have to be accredited by either an awarding body on the Framework of Qualifications or by an awarding body aligned to the Framework. Again there is a second stage tendering competition in this scenario. Education and Training providers should liaise directly with FAS with regard to their eligibility for tendering for training in this regard.

### **School Services Staff**

333. **Deputy Dan Neville** asked the Minister for Education and Skills further to Parliamentary Question No. 256 of 13 November 2012, the position regarding an application for gratuity

payment on retirement in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [4255/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The person referred to by the Deputy was an employee of the Board of Management of the Limerick Model School. The Board of Management applied under the terms of the Superannuation Act, 1887, seeking to award the individual concerned a gratuity payment on retirement. My officials are currently concluding this matter with the Department of Public Expenditure and Reform. A response is expected to issue to the Board of Management within the next two weeks.

### **School Accommodation**

334. **Deputy Peter Mathews** asked the Minister for Education and Skills if he will provide an update on the requirement for a new school building (details supplied) in Dublin 24; and if he will make a statement on the matter. [4275/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that my Department is currently considering the position relating to the accommodation needs of the school to which he refers and my officials will be in further contact with the school authority shortly.

### **Public Service Reform Plan Update**

335. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4285/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the Public Service Reform plan the following were identified for rationalisation:

- The merger of the Irish Research Council for Science, Engineering and Technology & Irish Research Council for the Humanities and Social Science into consolidated single council under HEA.

- The amalgamation of Further Education and Training Awards (FETAC), Higher Education and Training Award Council (HETAC) and National Qualifications Authority of Ireland (NQAI) into one body the QQI.

- The reduction of the number of VECs from 33 to 16. The following actions have been taken to date:

The Irish Research Council for Science, Engineering and Technology and Irish Research Council for Humanities and Social Sciences were merged in March 2012 to form the Irish Research Council (IRC). The IRC has been established as a sub-board of the HEA.

Under the Qualifications and Quality Assurance (Education and Training) Act 2012, the National Qualifications Authority of Ireland (NQAI), the Higher Education Training Awards Council (HETAC) and the Further Education Training Awards Council (FETAC) were amalgamated into a new agency, the Quality and Qualifications Ireland (QQI) on the 6th November,

2012.

In June of 2011, I announced that the Government had approved a revised reconfiguration of the Vocational Education Committees system. The Government decision confirmed that the number of VECs would be reduced to 16.

The Education and Training Boards Bill was published on 5th October 2012 and completed second stage in the Dáil on October 17th 2012. The Committee Stage was completed on 17 January 2013 and the Report and Final Stages are scheduled to take place on 12th and 14th February 2013. It is expected that the Education and Training Boards will be established in early 2013.

In section 8.1.iv of the Public Service Reform plan in addition to the rationalisation of the VECs there is a commitment to legislate for the establishment of SOLAS, as the Education and Training Boards would acquire training functions previously under the auspices of FÁS. As part of the reorganisation of FÁS and the creation of the National Employment and Entitlements Service (Intreo) by the Department of Social Protection, FÁS Employment and Community Services (over 700 staff) was transferred to the Department of Social Protection in January 2012.

The passing of primary legislation is required for the establishment of SOLAS. The Further Education and Training Bill 2013 has recently been published. The Bill will, among other things, provide for the establishment of SOLAS, the dissolution of FÁS and the transfer of the FÁS training division to the newly formed Education and Training Boards.

### **School Accommodation**

336. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills when a decision will issue on an application for an additional classroom in respect of a school (details supplied) in County Galway; and if he will make a statement on the matter. [4308/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that the school to which he refers has submitted an application for additional classroom accommodation. The application is currently being considered and a decision will be conveyed to the school authorities as soon as this process has been completed.

### **Further Education and Training Programmes Provision**

337. **Deputy Willie O’Dea** asked the Minister for Education and Skills if he has had consultation with the Teachers’ Union of Ireland in advance of the decision to reduce the PTR for students in adult and further education; and if he will consider reversing this decision in view of the damage it will cause within the sector. [4317/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There was no prior consultation with the Teachers Union of Ireland (TUI) in relation to this decision but I can advise the Deputy that I have arranged to meet the TUI this week, to discuss their concerns. It is not possible to amend this measure without introducing additional Budget measures in education which would impact on other frontline services.

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

338. **Deputy Willie O’Dea** asked the Minister for Education and Skills if his attention has been drawn to the fact that there are currently no ASD Units in Limerick City; his plans to put same in place; and if he will make a statement on the matter. [4329/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have arranged for the matter raised by the Deputy to be forwarded to the NCSE for their attention and direct reply. The Deputy will be aware that the National Council for Special Education (NCSE), through its network of local special educational needs organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department’s criteria in allocating such support. The Deputy will also be aware that the establishment of a network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years.

### **School Staffing**

339. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will provide, in tabular form, the number of posts of responsibility by grade lost in primary schools each year since the imposition of the moratorium on promotion in the public service; the number of applications for alleviation received by his Department in each year and the number of applications upheld by his Department in each year. [4330/13]

340. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will provide, in tabular form, the number of posts of responsibility by grade lost in post primary schools each year since the imposition of the moratorium on promotion in the public service; the number of applications for alleviation received by his Department in each year and the number of applications upheld by his Department in each year. [4331/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take questions 339 and 340 together.

When the moratorium on the filling of posts of responsibility was introduced the Government exempted Principal and Deputy Principal posts in all primary and post-primary schools and these posts continue to be replaced in the normal manner. The impact of the moratorium is therefore limited to the Director of Adult Education, Assistant Principal and Special Duties posts of responsibility. Vacancies at this level arise due to retirements in the specific grades and typically also from the knock on effect of filling Principal and Deputy Principal posts. Limited alleviation was introduced for schools that are acutely affected by the impact of the moratorium at Assistant Principal level. This alleviation is mainly focused on post-primary schools.

The detailed information requested by the Deputy would take some time to compile by staff in my Department. I do not therefore propose to divert them from their work on the staffing allocations for the 2013/14 school year. Instead I am providing you with the summary information on the overall impact of the moratorium since it was first introduced in March 2009. At that time about 53% of teachers had posts of responsibility. This has since reduced to about 39%. The following tables give some more detail on the overall position since the moratorium was introduced.

**Level of Reduction in Posts of Responsibility**

Post type	Post Primary	Primary
Assistant Principal	-2,150	-751
Special Duties	-1,900	-2,276
Total	--4,050	-3,027

**Alleviation.**

Post type	Post Primary	Primary
Director of Adult Education	30	N/A
Programme Co-ordinator (AP post)	90	N/A
Assistant Principal	307	38
Total	427	38

**School Transport Eligibility**

341. **Deputy Róisín Shortall** asked the Minister for Education and Skills further to Parliamentary Question No. 326 of 16 January 2013, the assistance available with regard to transport costs in view of the fact that this family do not have the financial means to pay such costs; and if he will ensure that every effort is made to support this vulnerable family to ensure that they continue in full time education. [4378/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** As the Deputy is aware, under the terms of my Department's Primary School Transport Scheme children are eligible for transport where they reside not less than 3.2 kms from and are attending their nearest national school as determined by my Department/Bus Éireann, having regard to ethos and language. These eligibility criteria are applied equitably on a national basis. Bus Éireann, which operates the school transport scheme on behalf of my Department, has advised that the family referred to in the details supplied are not attending their nearest school and are therefore not eligible for school transport. There is no provision under the terms of the scheme to offer financial assistance to families of children who are ineligible for school transport.

**State Examinations Issues**

342. **Deputy James Bannon** asked the Minister for Education and Skills the position regarding an exemption from the requirement to take Irish in the junior certificate in respect of a person (details supplied) in County Longford [4395/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In primary and post-primary schools recognised by my Department the study of Irish is compulsory however, there are certain limited circumstances whereby an exemption from the study of Irish may be granted. In this regard my Department's Circular M10/94 for pupils attending post-primary schools outlines the circumstances whereby an exemption from the study of Irish may be granted. Under the terms of this Circular delegated authority to grant exemptions, within the conditions laid down, is vested in the school management authorities of recognised post-primary schools. Where a school has a query on how the Circular should be applied in respect of any particular application they may seek the advice of my Department's Inspectorate.

With regard to the particular case referred to by the Deputy, the position is that the school wrote to my Department in December 2012 seeking advice on how Circular M10/94 should be applied in this instance. The matter is currently with a nominated Inspector within my Department's Inspectorate for advice and a reply will issue shortly.

### **School Enrolments**

343. **Deputy Pearse Doherty** asked the Minister for Education and Skills if his attention has been drawn to correspondence regarding a pupil (details supplied) in County Donegal who has been denied access to their school; and if he will make a statement on the matter. [4403/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The question of enrolment in individual schools is the responsibility of the managerial authority of those schools. The Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. The selection process and the enrolment policy on which it is based is matter for the individual school authority. In formulating an enrolment policy a school must, however, ensure it is lawful and applied fairly to all applicants.

Section 15(g) of the Education Act 1998, provides that a board shall use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of building and provision of appropriate equipment. Section 29 of the Education Act, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the Board refuses enrolment to a student or suspends a student for 20 or more days in any school year. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

Appeals application forms and details of procedures for taking a Section 29 appeal are available from my Departments website, [www.education.ie](http://www.education.ie) or directly from Section 29 appeals administration unit at Section 29 Appeals Section Friars Mill Road, Mullingar, Co. Westmeath or by phone at 044 9337018. The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The Board can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

### **Student Grant Scheme Appeals**

344. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if he has received an appeal against the decision to disallow the student grant application in respect of a person (details supplied) in County Monaghan; if so, when he expects a decision to be issued; and if he will make a statement on the matter. [4404/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My officials understand from Student Universal Support Ireland (SUSI) that the grant application from the student in question was unsuccessful and that he appealed this decision to its appeals officer on 9th January, 2013. SUSI aims to issue appeal determinations as promptly as possible and within the specified timeframe specified in the Student Support Act, 2011.

### **Schools Refurbishment**

345. **Deputy Kevin Humphreys** asked the Minister for Education and Skills further to Parliamentary Question No. 214 of 23 October 2012 and 92 of 23 January 2013; if he outline in his reply specifically if there are grants available to DEIS schools to purchase scientific equipment for fitted school laboratories; the amount of money available; if there is a programme of grants

available for such a purpose in view of the fact that it is impossible to find anything on the website [www.education.ie](http://www.education.ie) referred to in a previous response; if he will further outline specifically in his reply the way a school without scientific equipment is meant to teach scientific subjects; and if he will make a statement on the matter. [4409/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm to the Deputy that the school concerned received funding in the amount of €184,830 under the Summer Works Scheme 2010 for the upgrade of three Science Laboratories. This sum included for fitted furniture and equipment for the upgrade of the three Science Laboratories. In the past my Department provided periodic grants for science laboratory equipment in schools. However, given the need to focus on meeting the demand for additional school places, it is unlikely that funding would be available for such purposes in the coming years. However, given the concerns expressed by the Deputy on recent occasions about this school, I have asked my officials to contact the school authority directly about the matter raised.

### **Student Grant Scheme Applications**

346. **Deputy Patrick Nulty** asked the Minister for Education and Skills if a student grant application will be expedited in respect of a person (details supplied) in Dublin 15; the reason for the delay; and if he will make a statement on the matter. [4419/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The student in question is a renewal student and his grant awarding authority is County Dublin VEC. Officials in my Department have confirmed with the grant awarding authority that it issued a request for further documentation initially on 5 September 2012. The documentation was again requested on 15 October 2012 and 15 November 2012. When the requested documentation is returned the student will be notified directly of the outcome.

### **School Accommodation**

347. **Deputy Seán Kyne** asked the Minister for Education and Skills when a school (details supplied) in County Galway will have its inadequate, temporary accommodation replaced. [4429/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has three purchased temporary classrooms. One of these classrooms was installed in 2008 and should be in good condition. The remaining two classrooms were installed in 2001 and 2003 respectively. In relation to the latter two classrooms, the school was advised in September 2012 that it could submit an application, with appropriate supporting documentation, to have these considered for replacement. An application has not been received in my Department to date. The school also rents two further temporary classrooms under a lease arrangement. It is recommended that the school authorities ensure that the supplier(s) of these classrooms maintain them to an acceptable standard for school use.

### **Schools Building Projects Expenditure**

348. **Deputy Seán Kyne** asked the Minister for Education and Skills if he will confirm when the Five Year Schools Building Programme will be updated and published. [4430/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In addition to the five year

plan announced in March 2012, a detailed annual programme in relation to major school projects commencing construction is also published. The first of these, which related to 2012 expenditure, was published in December 2011 and the 2013 construction programme representing the second phase of the five-year plan was published in December 2012. Details are available on my Department's website at [www.education.ie](http://www.education.ie). Information in respect of the current status of all assessed applications for major capital works is also available on my Department's website which is updated regularly throughout the year.

### **Schools Building Projects Expenditure**

349. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will provide a breakdown of the cost of school building across each county including actual size, number of classrooms and square footage, for the year 2012; if total costs includes site cost and where the site cost is included and the actual site cost in each case. [4435/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy has indicated that the request relates to information in counties Galway, Sligo, Donegal, Kerry and Dublin. The data is now being compiled and will be forwarded to the Deputy shortly.

### **Student Grant Scheme Applications**

350. **Deputy John McGuinness** asked the Minister for Education and Skills if an application for a grant submitted to Student Universal Support Ireland in August 2012 will be expedited and approved in respect of a person (details supplied) in County Carlow. [4441/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Support Ireland that the application from the student in question is being examined and it will notify the student directly of the outcome as soon as possible.

### **School Placement**

351. **Deputy John McGuinness** asked the Minister for Education and Skills if an appropriate school placement will be arranged in respect of a person (details supplied) in County Kilkenny. [4445/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that the National Council for Special Education (NCSE) is responsible for the provision of a range of educational services at local and national level for students with special educational needs, including children with autism. In particular, its network of Special Education Needs Organisers (SENOs) co-ordinates special needs education provision at local level and arranges for the delivery of special educational services. The SENOs act as single points of contact for parents of students with special educational needs. A specific function of the SENO is to identify appropriate educational placements for children with special educational needs. SENOs are a valuable source of support to parents who are actively sourcing a placement for their children. All schools have the names and contact details of their local SENO. Parents can contact SENOs directly to discuss their child's special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

## Student Grant Scheme Appeals

352. **Deputy John McGuinness** asked the Minister for Education and Skills if a Student Universal Support Ireland grant will be approved and expedited in respect of a person (details supplied) in County Kilkenny. [4449/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My officials understand from Student Universal Support Ireland (SUSI) that the grant application from the student in question was unsuccessful and that she appealed this decision to its appeals officer on 14 January 2013. SUSI aims to issue appeal determinations as promptly as possible and within the specified timeframe specified in the Student Support Act 2011.

## Vocational Education Committees Amalgamation

353. **Deputy Willie O’Dea** asked the Minister for Education and Skills the persons who hold the responsibility for the decision regarding the location of the headquarters for the proposed Mid West Regional Vocational Education Committee; if the headquarters will be located in Limerick city centre; and if he will make a statement on the matter. [4558/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In October 2011, I announced and published the headquarter locations where VECs are being merged as a result of the Government decision to reduce the number of VECs from 33 to 16. The Deputy will be aware that in respect of the specific merger of City of Limerick VEC with Co. Limerick VEC and Co. Clare VEC I decided that the headquarters of the Education and Training Board will be in Limerick (greater city area). It will be a matter for the CEO of the new Education and Training Board to work through and judge what the best approach is to ensure the optimum approach to service delivery. The establishment of SOLAS is also likely to have a bearing on the precise arrangements to be made. I want to make clear that my Department will not be forcing any one size fits all approach to staff deployment and office accommodation by the new Education and Training Boards. We will be receptive to any reasonable and sensible arrangements that are the best fit for the needs of the areas served by the new board.

## Land Acquisition

354. **Deputy Tom Barry** asked the Minister for Public Expenditure and Reform if he will provide an update on the progress, if any, made regarding the acquisition of Annesgrove Gardens by the State. [4164/13]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** There has been no significant progress to date on the acceptance of the offer of donation of Annesgrove demesne lands and gardens to the State. However the offer continues to be under active consideration by the Commissioners of Public Works.

## Public Sector Staff Issues

355. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will provide an update in the progress made on the Programme for Government commitment which states that this Government will introduce a two year time period preventing senior civil servants from moving into positions in the private sector which may prove to contain a conflict

of interest. [3710/13]

356. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the current practice enacted for senior civil servants transferring from public sector roles into the private sector which may contain conflicts of interest; if there is a cooling off period; and the timeframe for that period. [3711/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 355 and 356 together.

The information requested by the Deputy relating to the requirements applying to senior civil servants taking up employment outside of the Civil Service in the circumstances set out in the Deputy's question, can be found in section 20 the Civil Service Code of Standards and Behaviour which is available at the Standards in Public Office Commission's website ( www.sipo.ie.). Civil servants who hold positions which are "designated positions" for the purposes of the Ethics Acts are prohibited, within twelve months of resigning or retiring from the service, from accepting an offer of appointment from an employer outside the Civil Service or an engagement in a particular consultancy project, without first obtaining approval from the Outside Appointments Board - in the case of officers at and above Assistant Secretary level or the appropriate Secretary-General / Head of Office otherwise. This would apply where the nature and terms of such appointment or engagement could lead to a conflict of interest.

Applications are considered by the Outside Appointments Board on the basis of determining whether or not a clear conflict of interest exists. The Board can either approve the take up of an appointment, the acceptance of an engagement, attach conditions or recommend against the appointment. The composition, operation and reporting arrangements for the Board are set out in section 21 of the Code. Officers must also continue to observe the restrictions imposed by the Official Secrets Act 1963. Departments and Offices are required under the Code to monitor the acceptance of outside appointments by civil servants and former civil servants.

Significant progress has been made in developing my proposals for the regulation of lobbying in relation to the commitment included in the Programme for Government referred to in the Deputy's question. The consultation process undertaken on this commitment was based on the OECD Principles for Transparency and Integrity in lobbying which recommend that it may be necessary to impose a 'cooling-off' period that temporarily restricts former public officials from lobbying their past organisations.

My proposals in this area - which draw on the Outside Appointments Board model applying to senior civil servants - will be published following consideration by Government as part of the General Scheme of a Regulation of Lobbying Bill. The relevant OECD principles also highlight the requirement for countries to consider establishing restrictions for public officials leaving office to address other potential conflict of interest situations that could arise. It is planned that these other elements of the Programme for Government commitment which also arise from the recommendations contained in the final report of the Mahon Tribunal will be addressed through the proposed reform of the legislative framework for ethics which is currently under way.

### **Proposed Legislation**

357. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform when he intends to publish the draft heads of the Public Service Management (Recruitment and Appointments) Act 2004 (Amendment) Bill. [3776/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** My officials are currently liaising with the Office of the Parliamentary Counsel (OPC) on the text of the Bill to amend the Public Service Management (Recruitment and Appointments) Act 2004. Subject to the agreement of Government, it is expected that the Bill will be published during the Spring Session.

### **Departmental Contracts**

358. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform when he will begin holding meetings with the various industry stakeholders about the review of the Government form of construction contracts; the industry stakeholders that he proposes to invite to these meetings; the expected timeframe for the review; and if he will make a statement on the matter. [3825/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Fixed-price lump-sum public works contracts were developed during the last decade. The standardised contracts were introduced as a significant reform measure in the construction area in 2007 on foot of a Government decision in 2004 to deal with significant cost overruns on public works projects. The main objectives of this reform initiative are cost certainty at tender stage; better value for money; and more efficient delivery of public works projects.

A commitment was given to the Construction Industry Federation (CIF) in 2006 by the Minister for Finance at that time that a review would be conducted by the Government Contracts Committee for Construction (GCCC) at an appropriate time when adequate experience had been obtained in the use of the new contracts by contracting authorities. Consideration was given to a review in 2010 but at the time it was agreed that insufficient numbers of contracts had reached final account stage to provide material for a review. I am satisfied that sufficient projects have now reached agreed final account stage to conduct a review of the performance of the contracts. The CIF's most recent request for a review is currently being considered. The arrangements about which the Deputy is enquiring will be decided shortly.

### **EU-IMF Programme of Support Negotiations**

359. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if he will detail the policies being implemented by his Department on which he wrote to the EU / ECB / IMF troika; and if he will make a statement on the matter. [3887/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy will be aware Ireland is in the final year of the EU-IMF Programme of Financial Support. The Programme is subject to a quarterly review mission with the three external partners, the EU, the ECB and the IMF (the Troika). It is at these review missions that discussions take place with regard to programme commitments which translate into the Programme documents which are updated and agreed after every mission. The review missions, the 9th of which begins today, involve a large number of technical meetings which are attended by my Department, the Department of Finance and, when appropriate, other Departments, the Central Bank and the NTMA. A wide range of topics are covered at these meetings, including financial reforms, structural reforms, economic developments and the progress of the Programme itself.

Following each review mission the external partners and the Irish authorities agree updated programme documents, specifically the Memorandum of Understanding on Specific Economic Policy Conditionality, the Memorandum of Economic and Financial Policies and the Technical

Memorandum of Understanding. The programme documents outline the policies discussed with our external partners and detail the commitments which we have agreed to. Once the documents are finalised, the Letters of Intent are signed jointly by the Minister for Finance and the Governor of the Central Bank and are issued to the EU and the IMF, along with the accompanying programme documents. The Programme documents then go through an EU and IMF approval procedure and once approved these documents are laid before the Houses of the Oireachtas and placed on the Department of Finance website following their transmission.

I have not had the need to write separately to the Troika on the policies being implemented because of the processes which we have in place, as outlined above. There are, of course continuing contacts at official level, relating to technical and implementation issues.

### **Land Transfers**

360. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the position regarding transfer of land (details supplied) in County Kerry from the Office of Public Works to Kerry County Council; and if he will make a statement on the matter. [4193/13]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The conveyancing of the property at Derrynane from the Commissioners of Public Works to Kerry County Council has been a complex legal process. The key issue is establishing title documentation. I understand that the matter has progressed significantly in conjunction with the Chief State Solicitor's Office and I am hopeful that the contracts can be concluded in the near future.

### **Land Transfers**

361. **Deputy Joe Higgins** asked the Minister for Public Expenditure and Reform his views on the State's sale of part of land and assets (details supplied) [4241/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Section 28 (2) of the State Property Act 1954, provides that the Minister for Finance assumes responsibility for all personal property and land vested in or held in trust for a body corporate (other than personal property or land held by such body in trust for another person) immediately prior to its dissolution. Upon the dissolution of the body corporate, such property becomes State property. This function transferred in July 2011 to the Minister for Public Expenditure and Reform under the Ministers and Secretaries (Amendment) Act, 2011 and S.I. No. 418/2011 — Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011. The effect of Section 28 is that the Minister does not hold the assets of dissolved companies as beneficial owner. He holds them in trust. The title which the Minister acquires under this Section has been described as a defeasible title since, if the dissolved company is restored to the Register of Companies within twenty years of the date of its dissolution, its property is automatically restored to it. The State Property Act also includes, in Section 31, a power for the Minister to waive the interest acquired under Section 28 of the Act.

It is understood that the property which is the subject of the current question was held within a company which was struck off the Register of Companies in September, 1972 for failure to file annual returns with the Companies Office. The beneficial owner of the property applied to the Department of Finance for a waiver of the interest acquired by the Minister for Finance under the provisions of the State Property Act and that waiver, in respect of which the consideration was £160, was completed in October, 1986, approximately 14 years after the dissolution

of the company. The effect of the waiver, which was not a sale by the State, would have been to allow the beneficial owner to complete the process of assembling a satisfactory title. The waiver itself would have formed only a limited element in the establishment of that title and the transaction was a normal exercise of Departmental functions. The price which the beneficial owner may have secured in a subsequent sale was not a matter for consideration in the context of the waiver.

### **Departmental Properties**

362. **Deputy Charlie McConalogue** asked the Minister for Public Expenditure and Reform if he will consider the sale or lease on a building (details supplied) in County Donegal; and if he will make a statement on the matter. [4277/13]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The property in question forms part of the property portfolio currently utilised by the Department of Social Protection. I can confirm that the Department of Social Protection have no plans at this time to withdraw from the property. In the circumstances, the Commissioners of Public Works are not in a position to consider the sale or lease of the property.

### **Public Service Reform Plan Update**

363. **Deputy Patrick O'Donovan** asked the Minister for Public Expenditure and Reform with reference to the public service reform document published by his Department on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4292/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question regarding progress made on Bodies listed in Appendix IIa of the Public Service Reform Plan within my Department that were rationalised, amalgamated or abolished in 2012 I can confirm that the Commission for Public Service Appointments merged with the Ombudsman's Office as a rationalisation measure. I am glad to say that this merger has been completed and is legislated for in the Ombudsman (Amendment) Act 2012.

### **Employment Appeals Tribunal**

364. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation when payment will issue to a person (details supplied) in Dublin 9. [3758/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Employment Appeals Tribunal is independent in the exercise of its quasi-judicial function and I have no direct involvement in its day to day operations. Its sole function is to adjudicate on disputes on individual employment rights and as such its function in this matter is completed. I understand that the Tribunal received a claim from your constituent on 23rd June 2010 under the Unfair Dismissal Acts 1977 to 2007. The matter was heard by the Tribunal on 28th May 2012. The Tribunal found that the claimant was unfairly dismissed and that the appropriate redress was compensation. The decision of the Tribunal was conveyed by registered post to the parties concerned on 20th September 2012.

If an employer fails to implement a determination of the Employment Appeals Tribunal in

relation to a claim for redress within 6 weeks from the date on which the determination is communicated to the parties, I as Minister may, if it is considered appropriate having regard to all the circumstances, institute proceeding in the Circuit Court on behalf of the employee against the employer for redress under the Act. The National Employment Rights Authority (NERA) acts on behalf of the Minister in processing requests in this regard. However, in this case as the employer involved went into receivership with effect from 24th February 2012 it is more appropriate in that circumstance that the claim for payment of the award is made to the Minister for Social Protection under the Insolvency Payments Scheme.

An application for payment of the award should be made to the insolvent employer's representative, in this case the receiver, Mr. Kieran Wallace of KPMG, 1 Stokes Place, Stephen Green, Dublin 2. The form EIP3 can be used to make an application to the fund which is managed by the Department of Social Protection. The Receiver may choose to use the on-line facility available at [www.welfare.ie](http://www.welfare.ie). The claimant would need to make contact with Mr. Wallace to agree the best way of forwarding the determination for submission for payment.

There are statutory limitations and conditions with regard to the payment of such awards under the Insolvency Payments Scheme, and further details of these may be sought from the Department of Social Protection at: Insolvency Payments Section, Floor 3, Department of Social Protection, Block C, Earlsfort Centre, Lower Hatch Street, Dublin 2. Telephone:(01) 6734501, (01) 6734502, (01) 6734503, (01) 6734504, (01) 6734505, (01) 6734506, (01) 6734507, (01) 6734508.

### Jobs Data

365. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation if he will provide a tabular breakdown of the number of Industrial Development Agency supported jobs both created and lost in the years between 2007 and 2012, inclusive, in the Dublin 15 area, including the number of jobs involved, the name of the company and location of their investment in the Dublin 15 area; and if he will make a statement on the matter. [3807/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the enterprise development agencies. Data is compiled on an annualized basis and is aggregated at county level. The information is provided by companies on a confidential basis for statistical purposes only. It is therefore not possible to provide information at company level or for individual locations throughout the country. The attached tabular statement shows the number of jobs lost and gained in Dublin, including Dublin City, in each of the years 2007 to 2012.

**Table showing the number of jobs gained and lost in IDA Ireland supported companies in Dublin, including Dublin City, in each of the years 2007 to 2012 inclusive**

Year	2007	2008	2009	2010	2011	2012
Jobs gained	4,180	4,439	2,263	5,208	7,460	6,769
Jobs lost	4,076	4,250	6,815	5,305	3,395	3,059

### Third Level Facilities

366. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the level of State investment in the new clean technology campus at Dublin City University; if a competition was held for the funding; if other institutions are to be asked to participate in such

projects; and if he will make a statement on the matter. [3808/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In September 2008, the former Enterprise Ireland (EI) Headquarters site at Glasnevin became vacant due to the relocation of the EI Dublin offices to East Point Business Park. The total site is an approximate area of 11 acres and consists of several office and laboratory type buildings and a green space. Dublin City University (DCU), which has its main campus very close to the Glasnevin site, expressed an interest in acquiring the site to accommodate a Green Way Innovation Campus. The University developed a long-term plan detailing the development of the site as an innovation campus, including job creation targets in respect of new start-up ventures to be accommodated on the site. The remaining part of the site, comprising approximately two acres, was assigned to the Department of Education and Skills, which plans to build an “Educate Together” national school to serve the local area.

The Department of Public Expenditure and Reform approved the transfer of both sites in January 2012 and this was subsequently approved by the EI Board in June 2012. The transfer to DCU is under a long-term lease with agreed metrics/targets to be achieved within 10 years of signing the lease. These targets will be monitored by EI and my Department. My Department is supportive of the initiative by DCU to develop an internationally-recognised “Innovation Campus” on the site, with a particular focus on research-active Cleantech firms. The campus is an important element within “The Green Way” Cleantech cluster and it is envisaged that it will support high-value employment in indigenous and multinational companies focussed on eco-innovation. The partners in “The Green Way” cluster include Dublin City Council, Fingal County Council, Dublin City University, Dublin Institute of Technology, the Dublin Airport Authority, North Dublin Chamber and Ballymun Regeneration Ltd.

### **Departmental Funding**

367. **Deputy Patrick Nulty** asked the Minister for Jobs, Enterprise and Innovation if the Consumers’ Association of Ireland has made an application for funding for 2012 or 2013; if his Department has evaluated same; if this funding has been made available, the amount his Department allocated to the Consumers’ Association of Ireland and for what purpose; and if he will make a statement on the matter. [4122/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Consumers’ Association of Ireland made an application seeking funding on 27th September 2012 to support a marketing project. A number of meetings were held with the Association to discuss the details of its application and in particular the value for money that the project would offer. Arising from these discussions, the Association provided further detailed information in relation to the project and in particular in relation to the key performance indicators that it intended to apply to the project. In the light of the further information provided by the Association, funding in the amount of €46,865 was approved to support the marketing project. As part of the agreement to provide funding support, the Association has committed to providing my Department with quarterly reports in relation to the various performance indicators identified in respect of the marketing project. No application for funding for 2013 has been received to date. As I have previously stated, it is essential that all public bodies ensure that value for money is a key consideration in any expenditure of public funds and accordingly this has been the main focus of the interaction with the Consumers’ Association of Ireland in relation to its application for funding support.

*Questions - Written Answers*  
**Foreign Direct Investment**

368. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation the amount of grants paid by the Industrial Development Agency to companies (details supplied) in County Laois in each of the past ten years; the number of companies receiving such grants in each of the past ten years; and if he will make a statement on the matter. [4167/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I have been informed by IDA Ireland that in the 10 year period 2002 to 2011 a total of €830,072 was paid in grants to 4 client companies in County Laois. Details of the amount of grants paid to each individual company in each of the years in question are set out in the attached tabular statement. As papers supporting grant payments made in 2012 are as yet unaudited, it is not possible to provide details of grant payments made in 2012 at this stage.

County Laois, along with Counties Longford, Offaly, Westmeath and Roscommon, forms part of IDA Ireland's Midlands Region. The locations of emphasis in the Region are the Gateway Towns of Athlone, Tullamore and Mullingar. In addition, IDA Ireland actively promotes the County towns of Portlaoise, Longford and Roscommon.

Laois has traditionally been a centre of manufacturing for foreign direct investment (FDI). However, over recent years, it has proved challenging to maintain and attract overseas manufacturing companies into the County as much of this global investment is going to low cost destinations such as Eastern and Central Europe and China. As a result of this locational shift in global manufacturing, Laois has seen a number of closures within the multinational sector. In order to address this decline, and as part of the transition and re-positioning of the County to a more knowledge based economy, IDA Ireland is marketing Portlaoise as a key location for investment in the Globally Traded Services sector. To support this strategy, IDA Ireland is working closely with educational institutions in the Region to develop the skill sets necessary to attract high value added employment to the county.

IDA Ireland has indicated that it has invested in the physical infrastructure required to attract FDI to County Laois. €3.2m has been invested in a quality flagship Business Park in Portlaoise which is now an integral part of the agency's international marketing programme. The Park has a modern 17,000 sq ft advance office building as well as all the necessary infrastructure, including ducting for broadband, which is being marketed to potential inward investors. I am informed by IDA Ireland that while marketing Laois has proved challenging in the current global market and in common with many other regional locations, recent infrastructural enhancements have significantly strengthened the marketability of Portlaoise Town, which bodes well for securing new FDI investment.

**Table showing grant payments to IDA client companies in County Laois in each of the years 2002 to 2011**

Company Name	Tretorn Sport Limited	DIS enbi SealsIreland Limited	Aubren Limited	Kenetics Ireland
2002	€79,012.00			
2003	€90,792.00	€58,280.00		
2004		€5,527.00	€91,416.00	
2005		€2,636.00		€110,945.00
2006		€11,250.00		
2007			€45,708.00	
2008				
2009		€39,000.00		



*Questions - Written Answers*

Body	Action	Host Body	Progress on Action including legislative progress /timeframe for completion	Expected timeframe for conclusion
Forfás	Establish the scope to merge Forfás into the Department [DJEI]	DJEI	<p>The Minister has decided to integrate the core policy functions of Forfás into the Department. An Implementation Group is overseeing the integration project in addition to the relocation of a number of functions not associated with the core policy functions of Forfás.</p> <p>An Executive style Board has been put in place in Forfás to oversee the transfer of the agency's functions and responsibilities.</p> <p>Completion of the project will require the enactment of legislation to transfer Forfás' functions to the Department.</p> <p>The next step is to identify legislative changes required to facilitate this reform and seek Government approval to initiate legislation. (Q1 2013).</p> <p>The legislation will be progressed with a view to enactment by year end.</p> <p>The project is expected to be completed by end 2013.</p>	By end 2013
County and City Enterprise Boards (CEBs)	Review of City and County Enterprise Boards	DJEI	<p>Government approved the establishment of a new "one-stop-shop" micro-enterprise support structure through the dissolution of the existing CEBs and the formation of Local Enterprise Offices (LEOs).</p> <p>An Implementation Working Group (IWG) has been established under the chair of DJEI to oversee the practical implementation of the Government decision. Significant progress has been made on a Service Level Agreement and the development of appropriate LEO structures and functions.</p> <p>In November, Ministers Bruton and Perry published a Consultation Paper inviting views from interested parties by mid-January, 2013.</p> <p>Also in November, the Government approved the drafting, as a matter of priority, of the Industrial Development (Micro Enterprise and Small Business) Bill 2012. Parliamentary Counsel was assigned on 25th January 2013.</p>	This legislation appears on the A List of the 2013 Spring Session of the D/JEI Legislative Programme. Final enactment depends upon passage through the Oireachtas.

### EU Directives

370. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the position regarding Directive 2011/7/EU which relates to combatting late payments in commercial transactions; the status of the consultation that took place on that directive; and if he will make a statement on the matter. [4340/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In order to protect European businesses, and in particular SMEs, against late payment, the Commission adopted Directive 2011/7/EU, known as the Late Payment Directive on 16 February, 2011. The purpose of the Directive is to combat late payment in commercial transactions, in order to ensure the proper functioning of the internal market, thereby fostering the competitiveness of undertakings and in particular of SMEs. The Directive came into force on 15th March, 2012 and must be transposed into Irish Law by 16th March, 2013.

Previously EU rules on late payments were defined in Directive 2000/35 enacted in Ireland by S.I. 388 of 2002 and this new legislation repeals and modernises these rules. On 22nd December 2012, I signed the Statutory Instrument transposing Directive 2011/7/EU of 16 February 2011 on Combating Late Payment in Commercial Transactions into Irish law. It has been assigned S.I. No "580 of 2012" by the Government Publications Office and laid before both of the Houses of the Oireachtas.

In respect of the consultation that took place on this Directive, my Department published a consultation document on the transposition into Irish Law of the Late Payments Directive

(2011/7/EC) on 08 August 2012. The public consultation process was open for submissions over a six week period from: 09 August 2012 to 17 September 2012. During this period five submissions were received, all of which came from industry or business representative groups. My Department provided a summary of submissions received and a response to the issues raised to all stakeholders in November 2012. A number of the suggestions made during the consultation process cannot be addressed directly by the transposition of the Late Payments Directive as they relate to matters which fall outside the direct scope of the Directive. My Department will, however, address these through the work on Action Plan for Jobs 2013.

### **Job Initiatives**

371. **Deputy John Halligan** asked the Minister for Jobs, Enterprise and Innovation further to Parliamnetary Question No. 228 of 2 October 2012, in which he stated that following on from the setting up of the South East Employment Action Plan all of the key State players are actively pursuing initiatives to facilitate development and job creation in the South East region, if he will now confirm who exactly these key State players are; since his last response in October, 2012, the positive developments that have emerged stemming from the setting up of this Action Plan; if the Industrial Development Agency have any concrete job creation initiatives in the pipeline; if he is currently in negotiation with any national or international companies considering creating jobs in Waterford or its surrounding areas; his views on whether in terms of a comparison with similar sized counties (details supplied) the statistics for Waterford seem to be way below par; and if he will make a statement on the matter. [4346/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I established a South East Forum following the publication of the South East Action Plan in December 2011. The Forum consists of key stakeholders from the region who are responsible for implementing the actions set out in that Plan. These stakeholders are representatives from the following agencies/bodies: IDA Ireland, Enterprise Ireland, Forfas, FAS/Solas, South East Regional Authority, Waterford City Council, Wexford County Council, Kilkenny County Council, Carlow County Council, the County/City Enterprise Boards in Waterford, Wexford and North & South Tipperary, Teagasc, Failte Ireland, Higher Education Authority, and Waterford and Carlow Institutes of Technology.

Since the setting up of the Action Plan, there have been a number of positive developments in the region. Key amongst these are 280 Enterprise Ireland-supported jobs created by the Eishtec Call Centre in Waterford city, and the awarding of a 5 year €300 million contract to Dawn Meats to process up to 18,000 tonnes of Irish beef annually for McDonald's. The deal has led Dawn Meats to invest €14.5 million in a new purpose built, state of the art, beef processing facility in Carroll's Cross, Co Waterford, creating 65 new jobs. Additionally, I have, in conjunction with IDA Ireland, launched a new online marketing tool called "Connect and Invest" in September 2012 which focuses on Waterford and the South East Region. "Connect and Invest Waterford" is a digital based and interactive marketing experience designed for use on tablets, smart phones and PCs. Information on location, education, lifestyle and existing IDA Ireland and indigenous companies is provided through rich imagery, video and text and will be continuously updated. This website will enhance the ability of IDA Ireland Executives to showcase the Waterford's unique attributes in face-to-face client meetings.

A significant number of site visits were made by multinational companies to Waterford in 2012. The number of visits last year was higher than those to one of the three other counties mentioned in the supporting information supplied and comparable to one of the others. However, you will appreciate that, while IDA makes every effort to encourage companies to visit

specific locations, the decision to visit a particular county or region is a matter for the individual company concerned.

### **Foreign Direct Investment**

372. **Deputy Willie Penrose** asked the Minister for Jobs, Enterprise and Innovation if he will outline in comprehensive detail, the number of Industrial Development Agency sponsored visits to Mullingar, Athlone, County Westmeath and County Longford on an annual basis since 2010 by potential investors; if he will further outline the number of these visits that ultimately led to a positive decision by the visiting industrialists to locate an industry in any of the foregoing towns; and if he will make a statement on the matter. [4426/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I am informed by IDA that in the 3 year period 2010 to 2012 there were a total of 44 IDA sponsored site visits by potential investors to Co Westmeath but there were no such visits to Co Longford. Arising from these site visits there were a total of 4 company announcements in 2011 with the potential to create 250 jobs together with a €25m investment in R&D. Details of the number of site visits in each year and the company announcements in respect of each county are set out in the attached tabular statement.

The challenge facing IDA is to continue to win top quality investment for Ireland in a very difficult market place. International competition for FDI has become extremely intense and continues to increase. The Agency has indicated that, in seeking to achieve balanced regional development and the broader goal of securing new FDI projects for Ireland in a very competitive global environment, the concept of scale is crucial. Leading global corporations require a significant population pool, access to qualified talent, world class physical and digital infrastructure as well as the availability of sophisticated professional and business support services. Ireland has only one such Region, the Greater Dublin area. In its efforts to achieve balanced regional economic development, IDA prioritises the marketing of its Gateway locations within each Region as the locations of critical mass and highlights the opportunities provided by other locations on an opportunistic basis, which are within commuting distances of these Gateways.

Both Longford and Westmeath form part of IDA's Midland Region, together with Counties Laois, Offaly and Roscommon. In that region IDA priorities the marketing of the linked gateway of Athlone/ Tullamore/ Mullingar. In addition, the Agency promotes Longford, Portlaoise and Roscommon as part of its wider marketing efforts and in response to specific client requests. When arranging itineraries for potential investors, the normal practice for IDA is to show the company three or four locations within a Region that can meet its requirements and, in certain cases, other locations are visited on an opportunistic basis. In selecting locations to market to client companies, IDA Ireland endeavours to include locations which have been affected by closures/job losses. Whilst IDA Ireland seeks to influence the selection of a location, the final decision on where to locate is taken in all cases by the investor.

At present in the Midlands Region there are 44 IDA client companies employing over 5,000 people in total, of which more than half are located in Longford and Westmeath. There are 24 IDA client companies located in Longford and Westmeath and employing 2,884. With the improved infrastructure that is now in place, a significant number of people commute within the Midlands Region and a project win in one Midlands location has a positive impact on the other surrounding areas. In view of the concerns that have been expressed to me by Deputies on all sides of the house about the lack of site visits to certain regional locations, I propose to discuss this problem with IDA in the coming weeks.

**Number of IDA sponsored site visits to counties Longford and Westmeath in each of the years 2010 to 2012**

-	Longford	Westmeath
2010	0	22
2011	0	15
2012	0	7

**Number of investment announcements arising from site visits in County Westmeath**

Company	Location	Site Visit	Announced	Potential Jobs
AMS	Athlone	2010	2011	50
NPD	Athlone	2010	2011	100
Ericsson	Athlone	ExistingClient	2011	100
Covidien	Athlone	ExistingClient	2011	€25m investment in R&D

**Workplace Relations Services Provision**

373. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on the creation of the new Workplace Relations Service; and if he will indicate when this service will be operational. [4427/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Government is committed to the reform of the State's Workplace Relations Services. The Reform Programme, which I am progressing, will replace the current outdated system, which has developed in an ad hoc manner over the last sixty years, with a new two tier structure that will deliver a world-class Workplace Relations Service.

I am happy to report that substantial progress has been made to date and a number of important priority actions have been successfully delivered within the target timescale. These include:

- Two public consultation processes have been completed and two policy papers published (*Blueprint to Deliver a World-Class Workplace Relations Service (Blueprint)* in April, 2012 and *Legislating for a World-Class Workplace Relations Service* in July, 2012).

- A new single contact portal called "Workplace Relations Customer Services" has replaced the five separate entry points resulting in complaints being acknowledged and employers notified of complaints in a much speedier fashion.

- There are now no backlogs for Rights Commissioner hearings.

- A Single Complaint Form that deals with over 100 first instance complaints has replaced the 30 forms previously in use. It will shortly be possible to submit this form online.

- A new workplace relations interim website is in place and design of the final site is at an advanced stage.

- A pilot Early Resolution Service is now seeking to resolve disputes at an early stage without the need for adjudication.

- A major Business Process Review is at an advanced stage. This will identify the procedures, processes and systems which will underpin the new structures.

- Responsibility for the Equality Tribunal (but not including the policy functions of the Minister for Justice and Equality concerning equality) was transferred from the Minister for Justice and Equality to myself with effect from 1 January, 2013.

My intention is to continue to progress the reform programme. The next major step is to establish a two-tier Workplace Relations structure. This will involve two statutorily independent bodies replacing the current five. We will have a new single body of first instance to be called the Workplace Relations Commission (WRC) and a separate appeals body, which will effectively be an expanded Labour Court. The WRC will replace the LRC, NERA, the Equality Tribunal and undertake the first instance functions of the EAT. The Labour Court will take on the appellate functions of the EAT.

While considerable progress has been achieved to date on an administrative basis, completing the proposed reform requires the enactment of detailed legislation. This is necessary in order to provide the statutory basis for the new structures and processes. A significant amount of work has been completed on the preparation of the Workplace Relations Bill which will give statutory effect to the Reform proposals. In July 2012, I published a policy document – *Legislating for a World Class Workplace Relations Service* - which was submitted to the Oireachtas Committee on Jobs, Enterprise and Innovation in order to give the Committee an early opportunity to shape the legislation. I had a constructive dialogue with the Committee on the basis of this document.

Enactment of the Bill will necessitate amendments to 22 primary acts, 12 specified parts or sections of acts and 71 statutory instruments. The Scheme of the Workplace Relations Bill was approved by Government, in July 2012, for priority drafting. The Cabinet also approved the inclusion of the Workplace Relations Bill on the Government's A-list of legislation planned for the Spring 2013 Legislative Programme. I am committed to enactment of the legislation at an early date, with a view to having the proposed new structures in place in 2013.

Pending the enactment of the legislation, I intend to continue to progress the reform and bring about further enhancements for users of the services on an administrative basis in the coming months. These include:

- Establish a Single Hearings Management and Scheduling Unit.
- Establish a Single/Shared Corporate Services Unit for the Workplace Relations Bodies.
- Provide a version of Workplace Relations Complaint Form that can be submitted online (e-Complaint Form).
- Enhance Adjudication Arrangements and reduction of backlogs in the Equality Tribunal.
- Develop and deliver an accredited training programme for Adjudicators.
- Implement new business processes in the Workplace Relations Bodies.
- Implement a Code of Practice and Conduct for adjudicators.
- Introduce standard templates for Rights Commissioners' decisions/Equality Tribunal and EAT Determinations.
- Review and revise, as necessary, existing statutory instruments (SIs).
- Rationalise hearings venues.
- Develop a Single Determinations Database.

- Put in place a Single Complaints Management System.

I am determined to progress the next phase of the reform and the enactment of the legislation with the same determination and priority that has delivered excellent results to date.

### **Consumer Protection**

374. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if he will outline the progress made in the planned merger of the Competition Authority and the National Consumer Agency; his plans to ensure the new body is as effective as possible in promoting fair competition among businesses and in upholding the rights of consumers, both of which are central to our country's economic recovery. [4428/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Work on drafting the Consumer and Competition Bill is on-going and the Bill is included in the "A list" in the Government's current Legislative Programme. In addition to merging the National Consumer Agency and the Competition Authority, the Bill will, inter alia, update and reform competition law on foot a review of the operation and implementation of the Competition Act 2002, give effect to the recommendations of the Advisory Group on Media Mergers and introduce enabling provisions for a code of practice for the grocery goods sector. The merger of the two bodies is aimed at ensuring improved co-ordination of the two policy areas. Enforcing both competition and consumer laws will give the newly merged body synergies and efficiencies in carrying out its functions. This will have benefits for consumers due to the existence of a stronger and more co-ordinated body dealing with consumer and competition issues.

*Question No. 375 answered with Question No. 187.*

### **Child Care Services Provision**

376. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the studies that have been carried out by her Department to ensure that a Scandinavian model of childcare is in place now that applicants for one parent family payments have a cut-off date once their youngest child reaches seven. [4454/13]

**Minister for Social Protection (Deputy Joan Burton):** The number of one-parent family payment (OFP) recipients was 87,918 in December, 2012 at a cost of €1.06 billion. As part of the package of measures in Budget 2013 I announced, along with the Minister for Children and Youth Affairs, Frances Fitzgerald, a €14 million joint childcare initiative between our Departments. This initiative demonstrates my determination to progress this issue despite the difficult financial and budgetary situation. The new scheme will provide approximately 6,000 afterschool childcare places for eligible clients of my Department. It will be targeted to support those who engage in the activation process and who enter into employment. The places will be limited to low income families with children aged 4 to 12 years.

I believe that the availability of these childcare places is a very positive measure for lone parents. I secured the agreement for this scheme from Government, in conjunction with Minister Fitzgerald, to address the child care needs of lone parents as part of the reforms of the OFP scheme. In addition, I have postponed the commencement date of the reductions to the age of the youngest child for receipt of OFP from January 2013 to July 2013, to provide time for some of these additional after-school child care supports to be put in place. The new scheme will build on the existing supports provided by the Department of Children and Youth Affairs in

the child care sector. My Department is working closely with the Department of Children and Youth Affairs to fully define the scheme. I expect that the scheme will commence with a pilot and be rolled out on a phased basis.

### **Disability Allowance Appeals**

377. **Deputy Pat Deering** asked the Minister for Social Protection when a decision on a disability allowance claim appeal will be made in respect of a person (details supplied). [3707/13]

**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 12th September 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 06th December 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Family Income Supplement Appeals**

378. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding an application for family income supplement in respect of a person (details supplied) in County Mayo when a decision will issue; and if she will make a statement on the matter. [3731/13]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied to have their family income supplement (FIS) payment renewed with effect from 15 November 2012. Following this re-application, the case of the person concerned was referred to a social welfare investigator to confirm the position regarding family income. The report of the social welfare investigator has recently been received in FIS section and FIS has now been awarded to the person concerned with effect from 15 November 2012 for 52 weeks. Payment including any arrears due since 15 November will reach their nominated bank account on Thursday 31 Jan 2013. The person concerned will be notified directly of the details of this decision.

### **Carer's Allowance Applications**

379. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [3738/13]

**Minister for Social Protection (Deputy Joan Burton):** I confirm that the department received an application for carer's allowance from the person in question on the 2nd May 2012. A request for further information required to make a decision was issued to the person in question on 24th January 2013. As soon as the information is received it will be processed and the person concerned will be notified directly of the outcome.

*Question No. 380 withdrawn.*

## Asylum Support Services

381. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she will ensure that asylum seekers in direct provision are not subjected by their community welfare officers to a five days notice requirement to receive payments for travel to Dublin for legal appointments in view of the short deadlines applying within the asylum process. [3744/13]

**Minister for Social Protection (Deputy Joan Burton):** Under the supplementary welfare allowance (SWA) scheme, the Department may make a single exceptional needs payment (ENP) to help meet essential, once-off, exceptional and unforeseen expenditure which a person could not reasonably be expected to meet out of their weekly income. There is no automatic entitlement to a payment under this scheme. ENPs are payable at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance. The Government has provided approximately €48 million for the scheme in 2013.

The timescale for determining and paying ENPs is dependent on a number of factors including the availability of all the required information and making arrangements for the issue of the payment. The Department is advised that this enquiry relates to the Waterford area. Officers in this area have confirmed that applications for assistance for travel in the circumstances outlined by the Deputy are generally processed within one to two days. Arrangement for the payment of the allowance, having regard to the immediacy of the situation, is determined by the officer administering the scheme.

## Social Welfare Code Issues

382. **Deputy Nicky McFadden** asked the Minister for Social Protection if she will outline the rights generally of the Roma Community in Ireland in relation to access to Social Protection supports such as job seeker's allowance and rent supplement. [3755/13]

**Minister for Social Protection (Deputy Joan Burton):** The group in question have the same access to social welfare income support schemes as other EU nationals coming here to live or work. EU nationals who are entitled to work here pay PRSI contributions on the same basis as other employees and, if they satisfy the qualifying conditions, they may receive contributory benefits on the same basis as Irish and other EU citizens.

Social assistance schemes such as those referred to by the Deputy are subject to the habitual residence condition. The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The effect of the condition is that a person whose habitual residence is elsewhere would not normally be entitled to social welfare assistance or child benefit payments on arrival in Ireland.

The determination of a person's habitual residence takes accounts of five factors which are set out in legislation, as follows:

- (a) the length and continuity of residence in the State or in any other particular country;
- (b) the length and purpose of any absence from the State;
- (c) the nature and pattern of the person's employment;
- (d) the person's main centre of interest, and

(e) the future intentions of the person concerned as they appear from all the circumstances.

These five factors have been derived from European Court of Justice case law. A deciding officer will assess a person's situation having regard to the factors outlined and if he is not satisfied that the person is habitually resident in Ireland they will not qualify for a payment.

*Questions Nos. 383 and 384 withdrawn.*

### **Mortgage Interest Supplement Applications**

385. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when mortgage interest support will be restored to the levels at which it was primarily paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [3785/13]

**Minister for Social Protection (Deputy Joan Burton):** Payment of mortgage interest supplement to the person concerned is currently under review. In order to establish the correct level of supplement payable she was issued with an explanatory letter and the relevant form for completion on the 13th January, 2013. This form has not been returned to date nor has she contacted the local community welfare service office. To enable the review to be completed, the person concerned should return the completed form or contact her local community welfare service office.

*Questions Nos. 386 and 387 answered with Question No. 129.*

*Question No. 388 withdrawn.*

### **Invalidity Pension Appeals**

389. **Deputy Derek Keating** asked the Minister for Social Protection the reason for the delay in reaching a decision on an appeal for invalidity pension in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [3813/13]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 8th January 2013, 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.

### **Disability Allowance Appeals**

390. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an appeal regarding disability allowance will be heard in respect of (details supplied) in County Galway in view of the fact that the appeal was lodged more than thirteen months ago; and if she will make a statement on the matter. [3814/13]

**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 14th December 2011. It is a statutory requirement of the appeals process that the relevant Departmen-

tal papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 22nd January 2013 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 391 withdrawn.*

### **Invalidity Pension Appeals**

392. **Deputy Anne Ferris** asked the Minister for Social Protection the reason for the delay in an appeal for invalidity pension in respect of a person (details supplied) in County Dublin considering the appeal was lodged in March 2012; if she will indicate when this invalidity pension claim will be completed; and if she will make a statement on the matter. [3845/13]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. The person concerned has appealed a decision to disallow, on medical grounds, her invalidity pension claim. Further medical evidence has been submitted by the person in question which is currently awaiting review by a medical assessor. If, following this review, it is decided that she still does not satisfy the medical criteria, her file and all relevant papers will be prepared and forwarded to the Social Welfare Appeals Office for determination. If the claimant is deemed to satisfy the medical criteria, a revised decision will be made by a deciding officer and she will be notified of same.

### **Invalidity Pension Appeals**

393. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding an invalidity pension appeal in respect of a person (details supplied) in County Cork. [3864/13]

**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 16th January 2013. 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.

### **Domiciliary Care Allowance Appeals**

394. **Deputy Michael Creed** asked the Minister for Social Protection the reason for the delay in issuing a decision on a domiciliary care allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [3867/13]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office

has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case on 6th February 2013. The person concerned has been notified of the arrangements for the 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.

### **EU-IMF Programme of Support Negotiations**

395. **Deputy Michael McGrath** asked the Minister for Social Protection if he will detail the policies being implemented by his Department on which he wrote to the EU/ECB/IMF troika; and if he will make a statement on the matter. [3888/13]

**Minister for Social Protection (Deputy Joan Burton):** As the Deputy will be aware Ireland is in the final year of the EU-IMF Programme of Financial Support. The Programme is subject to a quarterly review mission with the three external partners, the EU, the ECB and the IMF (the Troika). It is at these review missions that discussions take place with regard to programme commitments which translate into the Programme documents which are updated and agreed after every mission. The review missions, the ninth of which begins today, involve a large number of technical meetings which are attended by officials from the Department of Finance, the Department of Public Expenditure and Reform and when appropriate from other Departments (including the Department of Social Protection), the Central Bank and the NTMA.

Following each review mission the external partners and the Irish authorities agree updated programme documents, specifically the Memorandum of Understanding on Specific Economic Policy Conditionality, the Memorandum of Economic and Financial Policies and the Technical Memorandum of Understanding. The programme documents outline the policies discussed with our external partners and detail the commitments which we have agreed to. Once the documents are finalised, the Letters of Intent are signed jointly by the Minister for Finance and the Governor of the Central Bank and are issued to the EU and the IMF, along with the accompanying programme documents. The Programme documents then go through an EU and IMF approval procedure and once approved these documents are laid before the Houses of the Oireachtas and placed on the Department of Finance website following their transmission.

There are also continuing contacts at official level, relating to technical and implementation issues. I have not written to the Troika in relation to any specific policy which is being implemented in order to meet the expenditure ceilings for my Department.

*Question No. 396 withdrawn.*

### **Disability Allowance Appeals**

397. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite a disability allowance appeal in respect of a person (details supplied). [3983/13]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 21st November 2012 and in accordance with the statutory procedures the relevant department papers and the comments of the Deciding Officer on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out. The Social Welfare Appeals Office

functions independently of the Minister for Social and Family Affairs and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 398 answered with Question No. 128.*

### **Supplementary Welfare Allowance Applications**

399. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she will ensure that a person (details supplied) in County Donegal receives basic supplementary welfare allowance in view of the fact that they have satisfied the habitual residence condition; and the date on which he will receive payment. [3998/13]

432. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection the reason a person (details supplied) in County Donegal has been refused welfare allowance under the habitual residence condition. [4166/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 399 and 432 together.

The habitual residence condition (HRC) applies to all claimants for certain social welfare payments, including supplementary welfare allowance (SWA), regardless of nationality. The SWA scheme is the 'safety net' within the overall social welfare system in that it provides a basic income support payment to eligible people in the State whose means are insufficient to meet their needs and those of their dependants. The main purpose of the SWA scheme is to provide immediate and flexible assistance for those in need who do not qualify for payment under other State schemes. However, at any time, SWA cannot be viewed as a temporary or interim means of income support available independently of the habitual residence condition. Having regard to all of the circumstances in this case, the person concerned was refused SWA as he did not satisfy the conditions relating to habitual residence. This decision was upheld by the independent Appeals Office.

### **Exceptional Needs Payment Applications**

400. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an exceptional needs payment can issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4004/13]

**Minister for Social Protection (Deputy Joan Burton):** There is no record that the person concerned contacted his local community welfare service office regarding a heating allowance. On foot of this Question, an application form issued to him on 25th January, 2013. To enable the application to be considered, he should return the completed form or contact his local community welfare service office.

### **Supplementary Welfare Allowance Payments**

401. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if he will clarify the payments being received by a person (details supplied) in County Kildare; the amount of same; and if she will make a statement on the matter. [4005/13]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned is in receipt

of supplementary welfare allowance at a weekly rate of €310.80. This consists of a personal rate of €186.00 plus €124.80 qualified adult allowance.

### **Rent Supplement Scheme Applications**

402. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent allowance will be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4006/13]

**Minister for Social Protection (Deputy Joan Burton):** The above person has been contacted, details clarified, and rent supplement put in payment.

*Question No. 403 withdrawn.*

### **Exceptional Needs Payments**

404. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an exceptional needs payment will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4008/13]

**Minister for Social Protection (Deputy Joan Burton):** Exceptional needs payments issued to the person concerned on 24 January 2013.

### **Social Welfare Code Issues**

405. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she has made any progress regarding the situation facing people who were previously self-employed and who no longer can create work for themselves and who are unable to avail of any type of social welfare payments support; and if she will make a statement on the matter. [4021/13]

477. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she has been in a position to resolve any outstanding issues arising from those who are formerly self-employed to qualify for a social welfare payment; and if she will make a statement on the matter. [4542/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 405 and 477 together.

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). Ordinary employees who have access to the full range of social insurance benefits pay Class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI Class A. (For employees earning less than €356 per week, the rate of employer's PRSI is 4.25%).

In 2011 I established the Advisory Group on Tax and Social Welfare to meet the commitment made in the Programme for Government. The Advisory Group is charged with, inter alia, examining and reporting on issues involved in providing social insurance cover for self-employed persons in order to establish whether or not such cover is technically feasible and

financially sustainable. The Advisory Group's overall method of working is based on producing modular reports on the priority areas identified in the Terms of Reference. Where possible, the aim is to provide recommendations that can be acted upon in time for the annual budget, estimates and legislative cycle and to allow the Government to best address its commitments under the EU-IMF Programme of Financial Support. The Group has been considering the issue of social insurance coverage for the self-employed and will submit its report once its examination of the various questions has been completed.

The third Actuarial Review of the Social Insurance Fund, as at 31 December 2010, was completed by consultants KPMG in June 2012 and laid before each House of the Oireachtas on 24 August 2012. The Review covers a 55 year period from 2011-2066 and builds on the findings of the 2000 and 2005 Actuarial Reviews of the Fund.

One of the issues examined in the 2010 Review was the long-term cost implications to the Social Insurance Fund (SIF) and the break-even contributions rates required to provide invalidity pensions to the self-employed and to provide jobseeker's benefit for self-employed workers. The report found that the effective annual rate of contribution, or the required contribution as a percentage of salary, needed to provide the core full-rate State pension (contributory), which is the benefit currently available to self-employed contributors, is approximately 15%. This compares favourably with the 4% rate currently paid by the self-employed. An incremental increase in contribution rates from approximately 15% to 16% would be required if jobseeker's benefit in addition to core State pension (contributory) is provided. The average contribution rate required for the core State pension (contributory) plus jobseeker's benefit and the invalidity pension is estimated to be in the region of 17.3%.

Any proposals to revise the social insurance system for self-employed persons by extending social insurance entitlements will have to be considered in a budgetary context, taking account of the finding of the Actuarial Review that the self-employed achieve very good value for money compared with the employed – when the comparison includes both employer and employee contributions in respect of the employed person.

Self-employed workers may access social welfare payments supports by establishing entitlement to assistance-based payments such as jobseeker's allowance and disability allowance. In the case of jobseeker's allowance they can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general, their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year and, in the current climate, account is taken of the downward trend in the economy. As in the case of a non-self-employed claimant for jobseeker's allowance or disability allowance, the means of husband/wife, civil partner or co-habitant will be taken into account in deciding on entitlement to a payment.

### **Ministerial Responsibilities**

406. **Deputy Nicky McFadden** asked the Minister for Social Protection the reason a the carer's allowance falls under the remit of her Department; if it could be transferred to the Department of Health in view of the the savings that carers bring to the health service; and if she will make a statement on the matter. [4027/13]

**Minister for Social Protection (Deputy Joan Burton):** The Government values the role of carers very much and it is for this reason that they receive significant income supports from my Department. In addition to carer's allowance or carer's benefit, carers receive additional support in the form of free travel and household benefits (for those who live with the person

for whom they care) and the annual respite care grant in respect of each person for whom they care. If a person is getting certain qualifying social welfare payments and also providing full time care and attention to another person, they can keep their main social welfare payment and get the half-rate carer's allowance as well. They can also receive an extra half-rate carer's allowance if they care for more than one person.

The reason these payments fall under the remit of my Department is that they are income supports for carers who are unable to work while they are caring. They are not intended to cover the cost of care which is a matter for the Department of Health and the HSE. They are also not intended to cover the income needs of the care recipient, who, in most cases, will be in receipt of a payment from the Department in their own right, such as a State pension or a disability payment. For operational reasons, including the links with other payments, such as domiciliary care allowance and a range of schemes for those applying for half-rate carer's allowance, it would not be appropriate to transfer the control of the carer's allowance payment to the Department of Health.

Expenditure on carers has increased significantly in recent years. The estimated expenditure on carers in 2012 was over €771 million: €509 million on carer's allowance, €24 million on carer's benefit, €135 million on the respite care grant and €103 on domiciliary care allowance. This represents an increase of almost €20 million on expenditure in 2011. There are over 52,000 people in receipt of carer's allowance. Of these, over 23,000 are getting half-rate carer's allowance in addition to another social welfare payment at an annual cost of some €90 million. There are over 1,600 people in receipt of carer's benefit and more than 70,000 people are in receipt of the annual respite care grant.

### **Social Welfare Code Issues**

407. **Deputy Nicky McFadden** asked the Minister for Social Protection if in the event of the death of a person who had been cared for by a person (details supplied) in County Longford, that the person who had been in receipt of carer's allowance could access Social Protection supports through a means other than job seekers' allowance; if the payment could be made directly to the person through the post office instead of the Social Welfare Office; and if she will make a statement on the matter. [4028/13]

**Minister for Social Protection (Deputy Joan Burton):** My Department administers a range of social insurance and assistance schemes to cater for the support needs of its customers. These schemes are contingency based and are designed to address particular circumstance such as involuntary unemployment, illness, disability, reaching pension age etc. Entitlement to payment depends on the individual circumstances of the customer concerned and in order to qualify for payment the person must satisfy the eligibility criteria and conditions of entitlement for the scheme.

In the case of jobseeker payments all customers are required to occasionally attend a Social Welfare Local Office to confirm on-going eligibility and to verify the fact that that they are still unemployed, available for work and that they are genuinely seeking employment opportunities. Payments to customers are generally made via the local post office. As the specific details of this case are not known I have asked my Department to contact your office to establish the person's possible entitlement to another social welfare payment.

### **Youth Unemployment Measures**

408. **Deputy Dara Calleary** asked the Minister for Social Protection the strategies she has in place to reduce youth unemployment; and if she will make a statement on the matter. [52078/12]

412. **Deputy Dara Calleary** asked the Minister for Social Protection the targets that are in place regarding reducing youth unemployment; and if she will make a statement on the matter. [51858/12]

413. **Deputy Dara Calleary** asked the Minister for Social Protection the action she is taking to tackle youth unemployment; and if she will make a statement on the matter. [51843/12]

414. **Deputy Dara Calleary** asked the Minister for Social Protection the measures she is putting in place to reduce youth unemployment; and if she will make a statement on the matter. [51864/12]

423. **Deputy Peadar Tóibín** asked the Minister for Social Protection the steps taken by her to redress youth unemployment and her assessment of the impact of these steps. [3232/13]

426. **Deputy Peadar Tóibín** asked the Minister for Social Protection the current levels of youth unemployment and the steps taken to address this matter. [51881/12]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 408, 412 to 414, inclusive, 423 and 426 together.

Young people, typically, suffer disproportionately from job losses in recessions as they tend to have entered employment more recently, are more likely to hold temporary contracts and to be employed in cyclically sensitive industries than older workers. There were 71,000 young unemployed, on average, in the first nine months of 2012, made up of 20,000 aged 15-19 and 51,000 aged 20-24. Overall, the under-25 age group had an unemployment rate of 31% (41% for 15-19 year-olds and 29% for 20-24 year-olds). This compares to an unemployment rate of 13.8% for prime age workers (ages 25–54). Of particular concern is the continued increase in the share of youth unemployed who are out of work for more than one year. They now account for 41% of all youth unemployment.

In the first instance, the Government's primary strategy to tackle youth unemployment is to create the environment for a strong economic recovery by promoting competitiveness and productivity. Economic recovery will underpin jobs growth. Past experience suggests that youth unemployment, which tends to rise relatively rapidly in a downturn, can be expected to fall relatively rapidly during the recovery. In addition to promoting economic recovery, the Government recognises the need for interim measures to support the young unemployed and keep young jobseekers close to the labour market. There are five main approaches being taken to tackle youth unemployment: education, training, job search assistance/guidance, work experience, and encouraging job creation. These actions range across a number of Departments and Agencies.

In terms of **education**, the Youthreach programme provides integrated education, training and work experience for unemployed early school leavers without any qualifications or vocational training who are between 15 and 20 years of age. There are almost 6,000 places available nationwide under the Youthreach umbrella.

The Vocational Training Opportunities Scheme (VTOS) scheme, operated through VECs, provides a range of courses to meet the education and training needs of unemployed people over 21 years of age (particularly early school leavers). The most recent data indicate that there are almost 1,000 participants on VTOS who are under 25 years of age.

The Back to Education Allowance scheme run by my Department provides income maintenance, along with a contribution to education costs, for unemployed people returning to further or higher education. Over 6,500 young people participated in the BTEA in the last academic year.

Approximately 12,000 persons aged under 25 completed a **training** course with FÁS in 2012 (excluding apprenticeships and evening courses). Training allowances on eligible courses exceed what a young person would receive in jobseekers' payments, providing an incentive to take up training programmes.

In addition, in 2013 MOMENTUM, a scheme for education and training interventions, is part of the Government's Action Plan for Jobs initiative and is currently being rolled out by the Department of Education. MOMENTUM will support the provision of free education and training projects to allow 6,500 jobseekers (who are unemployed for 12 months or more) to gain skills and to access work opportunities in identified growing sectors. MOMENTUM will provide eligible jobseekers with

- Access to a range of quality education and training projects
- Links to identified job vacancies and employers
- Work placement and support
- Relevant industry and National Framework of Qualifications (NFQ ) Certification.

Under the scheme, Labour Market Education and Training Fund (LMETF) funding is being utilised to provide education and training solutions nationwide to the needs of both unemployed individuals and employers within the context of four themes. The first three themes are based on 'clusters of occupations'. These have been chosen because there is evidence available which shows that these skills are associated with relatively good employment opportunities. Theme 4 is dedicated to under 25s and will provide a solid foundation for them to gain employment and/or continue in further education and training that will progress them into employment.

In terms of **job search assistance**, some 25,500 young people registered with Employment Services in 2012, representing 36% of all registrants. Registering with Employment Services gives job-seekers access to guidance interviews, job search assistance, and training courses, as well as self-service job-seeking options.

Under the National Employment Action Plan (EAP) persons between the ages of 18 and 65 years who are approaching 3 months on the Live Register are identified by the Department of Social Protection and referred to Employment Services for interview with the aim of assisting them to enter/re-enter the labour market. In 2012, there were some 33,000 referrals of under 25s to the EAP, affecting approximately 26,000 individual jobseekers (those who do not attend initially are referred again). Of those referred, 68% of clients had signed off the Live Register by the end of the year. The EAP process is being changed on a progressive basis across the country to one where referral will take place immediately on becoming unemployed for those identified, through profiling, as being at greatest risk of remaining unemployed for long periods.

There are a number of schemes/programmes available that are focussed on **work experience**. The most relevant for young people are JobBridge (the National Internship Scheme), and its predecessor the Work Placement Programme. Over 1,500 young people are currently participating on these schemes. The total number of placements of young people on JobBridge during 2012 was 2,700.

The findings of the interim evaluation of JobBridge, The National Internship Scheme by

Indecon International Economic Consultants (published – 5th October 2012) found that 61% of finishers secured employment within five months of completing their internship. These progression rates compare favourably with European averages in this area and represent very significant progress in a short period of time. It is expected that the progression outcomes in respect of those ‘under 25’ would be broadly in line with the 61% figure.

A further breakdown of progression into employment by age category will be provided in the final Evaluation Report. In addition to the above this evaluation will assess the design, delivery and impact of the JobBridge Scheme and present recommendations on how the Scheme might be improved. It is at this stage that further consideration will be given to amending the terms and conditions of the Scheme.

Young people will also continue to benefit from the reduced rate of employer’s PRSI, the purpose of which is to support job creation, as well as from the impact of Revenue Job Assist and the Employers PRSI Incentive Scheme.

In terms of targets for reducing youth unemployment, the Pathways to Work initiative has specific targets for increasing the number of people who are long-term unemployed moving into employment and reducing the average length of time spent on the Live Register. As two out of five young unemployed are long-term unemployed, these targets are pertinent to young people.

Finally the European Commission has proposed a European-wide approach to a “youth guarantee” that is currently being discussed during Ireland’s Presidency of the EU Council. The Commission’s proposals were published in December, and achieving political agreement on these proposals in the Council will be a major objective of Ireland’s Presidency in the first half of 2013.

### **Action Plan for Jobs**

409. **Deputy Dara Calleary** asked the Minister for Social Protection her plans to tackle the crisis of long-term unemployment; and if she will make a statement on the matter. [51849/12]

410. **Deputy Dara Calleary** asked the Minister for Social Protection her strategy to reduce long term unemployment; and if she will make a statement on the matter. [51861/12]

411. **Deputy Dara Calleary** asked the Minister for Social Protection the measures she is putting in place to reduce long term unemployment; and if she will make a statement on the matter. [51866/12]

416. **Deputy Thomas P. Broughan** asked the Minister for Social Protection her views regarding the recent rise in figures for the long term unemployed; if she is bringing forward any specific proposals to target the problem of long term unemployment; and if she will make a statement on the matter. [3176/13]

422. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will outline the effectiveness of her response to long term unemployment. [3230/13]

425. **Deputy Peadar Tóibín** asked the Minister for Social Protection the steps taken by her Department to arrest the increase in long term unemployment since she became Minister; and her assessment of the impact of these steps. [3229/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 409 to 411, inclusive, 416, 422 and 425 together.

The unemployment rate is currently 14.6% and while it has stabilised after several years of increases, the rate remains unacceptably high. It is of additional concern that long-term unemployment (defined as being unemployed for a year or more) accounted for 60% (193,000) of total unemployment in Q3 2012, and for almost half of all unemployment among young people.

In the first instance, the Government's primary strategy to tackle long-term unemployment is to create the environment for a strong economy recovery by promoting competitiveness and productivity through the Action Plan for Jobs. Economic recovery will underpin jobs growth and thus reduce unemployment and long-term unemployment. In addition to promoting economic recovery, the Government recognises the need for measures to support the long-term unemployed and keep jobseekers close to the labour market. Past experience suggests that, without such measures, long-term unemployment may fall more slowly than overall unemployment when strong economic growth returns.

Given the scale of the unemployment crisis, the key objective of labour market policy and of the NEAP (National Employment Action Plan) is to keep those on the Live Register close to the labour market and prevent the drift into long-term unemployment. Persons from the Live Register availing of activation measures will get an opportunity to engage in employment, training and work experience and so be in a position to avail of employment opportunities as the economy improves. As such, the policy objective is to prioritise scarce resources on those on the Live Register so as to increase their chances of leaving it thereby ensuring a reduction in Exchequer costs over time.

In this context, the major elements of the Government's response are set out in the **Pathways to Work** policy which is aimed at ensuring that as many as possible of the job vacancies that are created are filled by people from the Live Register, with a particular focus on those who are long term unemployed or at risk of long-term unemployment.

### **Pathways to Work**

The Pathways to Work policy and the establishment of the new integrated INTREO service will transform the nature and level of engagement between our employment and income support services and the unemployed. The policy is underpinned by five core strands which reflect the new integrated employment and income support services which are currently being established. Each of these strands places the customer at the centre of all the service's activities, recognising their individual and specific needs. The strands provide for:

- Transforming and reforming the employment and income support services institutions to deliver better services to the unemployed through an integrated approach.

- More regular and on-going engagement with people who are unemployed through active case management and profiling. There were almost 130,000 referrals of unemployed welfare recipients to the employment service in 2012.

- Greater targeting of activation places and opportunities by providing for over 85,000 places on initiatives such as Job Bridge – the National Internship Scheme, Tús, the Rural Social Scheme and the Jobs Initiative.

- Incentivising the take up of opportunities by the unemployed.

- Creating and enhancing relations with employers through incentivising the provision of opportunities for people who are unemployed. A major initiative planned for 2013 will be the streamlining of the existing Revenue Job Assist and Employer PRSI schemes into a single easy to administer scheme that offers an attractive incentive to employers recruiting people who are long-term unemployed.

The Pathways to Work policy sets very ambitious targets for the long-term unemployed to be achieved over the next three years:

- To ensure that 75,000 of those long term unemployed in 2012 will move into employment by 2015.

- To reduce the average time spent on the live register from 21 months to less than 12 months.

- To ensure that employers have access to and are offered suitable candidate to fill full time vacancies and that the proportion of vacancies filled by the Department's employment services from the Live Register is at least to 40% by 2015.

- To ensure that each person in receipt of a jobseeker payment fulfils their personal responsibility to engage fully with the employment and training supports provided by the State as a pre-condition for receipt of their welfare payments.

In addition to the new initiatives announced under the Pathways to Work programme, the Department also manages a number of schemes providing temporary employment for the long-term unemployed on works and services of value to the community. There are currently 26,000 people participating on Community Employment and Tús. As part of Budget 2013, the Government approved 10,000 new places across CE, TÚS, JobBridge and a new social employment scheme with the Local Authorities. The Department also supports long-term unemployed people who create jobs through self-employment. Currently, about 12,000 people are being supported under the Back to Work Allowance scheme and the Short-term Enterprise Allowance scheme.

### **Education & Training**

The Government has also taken various initiatives to allow those who are out of work to up-skill through the education and training system. The most prominent schemes in this regard are the Back to Education Allowance and the Springboard Initiative. There are almost 26,000 participants on the Back to Education Allowance scheme in the current academic year. Springboard offers a choice of free courses in higher education from certificate, to degree, to post-graduate level. All courses lead to qualifications in enterprise sectors which are growing and need skilled personnel. Participants on Springboard courses retain their social welfare payments. Sixty-per cent of Springboard participants have been unemployed for more than twelve months and one third of those for more than 24 months. Over 3,500 people graduated from the first round of Springboard programmes, which were put in place in 2011, and an additional 6,000 places were made available for this academic year.

The State is also providing a wide range of vocational training options outside of the mainstream education system that are closely aligned to the needs of the labour market. Specific Skills Training courses are employment-led and lead to qualifications that offer learners both generic and advanced skills. The expected outcomes are progression to employment in the occupational field or to further and higher education/training and the achievement of certification from levels 5 – 7 in the National Qualifications Framework. The training system also provides Apprenticeships and Traineeships which entail significant skill requirements best acquired through a combination of alternating periods of on and off-the-job training. There were some 27,000 participants on these three FAS programmes in 2011. The Government is prioritising places on training courses for those who have been on the Live Register for 12 months or more.

In addition to these programmes, MOMENTUM, a scheme for education and training interventions specifically for the long-term unemployed, is currently being rolled out by the Depart-

ment of Education. MOMENTUM will support the provision of free education and training projects to allow 6,500 long-term unemployed to gain skills and to access work opportunities in identified growing sectors. MOMENTUM will provide the long-term unemployed with

- Access to a range of quality education and training projects
- Links to identified job vacancies and employers
- Work placement and support
- Relevant industry and National Framework of Qualifications (NFQ ) Certification.

Under the scheme, Labour Market Education and Training Fund (LMETF) funding is being utilised to provide education and training solutions nationwide to the needs of both long-term unemployed and employers within the context of four themes. The first three themes are based on ‘clusters of occupations’. These have been chosen because there is evidence available which shows that these skills are associated with relatively good employment opportunities. Theme 4 is dedicated to under 25s and will provide a solid foundation for them to gain employment and/or continue in further education and training that will progress them into employment.

### **Policy Impact:**

The additional places being provided on a range of employment and education measures in 2013 will have a direct impact in providing opportunities for people who are currently long-term unemployed. While there should be an impact in medium to long term in improving people’s probability of sustainable exit from the Live Register as a result of these measures, the impact is not quantifiable. However, we do have some preliminary evaluation of a significant component of Pathways to Work - the JobBridge Internship Scheme. The findings of the interim evaluation of JobBridge, the National Internship Scheme by Indecon International Economic Consultants, published in October 2012, found that 61% of finishers secured employment within five months of completing their internship. These progression rates compare favourably with European averages in this area and represent very significant progress in a short period of time. Long-term unemployed made up 38% of participants covered by the evaluation.

More generally, while it is clear that long-term unemployment remains stubbornly high, there has been a noticeable reduction in the inflow into long-term duration on the live register in the recent past. For example, the number of people unemployed for between one and two years fell from almost 80,000 in early 2011 to 55,000 at the end of 2012. However, many of those who became unemployed at the height of the jobs crisis in 2009 have found it particularly difficult to find employment. They are now a target priority group for activation measures.

*Questions Nos. 412 to 414, inclusive, answered with Question No. 408.*

### **Job Initiatives**

415. **Deputy Dara Calleary** asked the Minister for Social Protection when the full details of the plus one scheme announced in Budget 2013 will be made available; and if she will make a statement on the matter. [3312/13]

**Minister for Social Protection (Deputy Joan Burton):** One of the disruptive reforms under the Action Plan for Jobs suggests that the existing employer job PRSI exemption and Revenue job assist schemes be replaced by a single scheme which is simplified, easier to administer and targeted at the long term unemployed. Senior officials in my Department in conjunction

with colleagues from other relevant Departments are engaged in on-going discussions on proposals for consideration by Government.

*Question No. 416 answered with Question No. 409.*

*Question No. 417 answered with Question No. 135.*

### **Back to Education Allowance Payments**

418. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if the decision in Budget 2013 to cut the back to education allowance was equality proofed; his views on whether decreasing this allowance will prevent marginalised and disadvantaged learners from upskilling through their participation in further education courses. [2673/13]

**Minister for Social Protection (Deputy Joan Burton):** The number of recipients of the back to education allowance (BTEA) in the 2012/2013 academic year is approximately 25,800 which represents an increase of over 190% on the numbers participating in the 2007/2008 academic year. Expenditure in 2013 is expected to be over €189 million, compared to over €77m in 2008. Approximately 58% of people on BTEA are male and 42% are female.

A number of measures in relation to the scheme were introduced in Budget 2013. These were:

- the discontinuation of the up-rating of payments where a person was on a means reduced rate of a qualifying payment;
- reducing for new participants the up-rating from €188 per week to €160 where a person was on a reduced, age related rate of jobseeker's allowance; and
- the discontinuation of the cost of education allowance.

The first two measures I have outlined above apply to new entrants to the scheme from January and will not affect recipients who were in receipt of BTEA in 2012 or previous years.

The BTEA scheme remains an attractive scheme for social welfare recipients who wish to further their education. A significant majority of those entering the scheme are in receipt of the maximum personal rate of payment of €188 per week, in addition increases for qualified adults and children may also be payable. This compares very favourably with other State funded supports for those pursuing education. My Department is currently finalising a Social Impact Assessment of the main taxation and welfare changes announced in Budget 2013. This SIA will include an analysis of the distributive and poverty impacts of these changes on different family types as well as the impact on at risk of poverty levels. I will be examining the analysis when it is finalised and I will give consideration to its publication at that stage.

### **Job Losses**

419. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection her views on the situation workers in the meat industry find themselves in where factories have had to close for indefinite duration; and if she will make a statement on the matter. [3366/13]

**Minister for Social Protection (Deputy Joan Burton):** It is understood that some or all of the employees concerned may be in a lay-off situation. The Department is not aware of any of the employees concerned having been made redundant to date. Jobseeker's benefit is a weekly

payment to people out of work and covered by social insurance. To qualify for jobseeker's benefit a person must:

- be unemployed;
- be under 66 years of age;
- have enough social insurance contributions;
- be capable of work;
- be available for and genuinely seeking work; and
- have had a substantial loss of employment and as a result be unemployed for at least 3 days out of any 6.

If a person does not qualify for jobseeker's benefit they may qualify for means tested jobseeker's allowance. Where people are in a lay-off situation they may be regarded as unemployed and as having suffered a substantial loss of employment. Subject to the general scheme criteria, workers would usually be entitled to claim jobseeker's benefit or allowance in such circumstances.

Where an employee has been put in a lay-off situation or put on short-time working hours, or a mixture of both, either for four consecutive weeks or for a broken series of six weeks where all six weeks occur within a 13 week period, he/she can serve written notice to his/her employer stating his/her intention to claim a redundancy lump sum payment. In these situations, an employer can, within seven days from the date of notice from the employee, give a counter notice by offering the employee not less than thirteen weeks unbroken employment commencing within 4 weeks of the employee serving notice.

In the event that any of the employees concerned are eventually made redundant they may be eligible for a statutory redundancy payment under the Redundancy Payments Acts 1967 to 2012. In order to be eligible for a statutory redundancy lump sum payment, an employee must:

- have at least two years continuous service;
- be in employment which is insurable under the Social Welfare Acts;
- be over the age of 16; and
- have been made redundant as a result of a genuine redundancy situation meaning that the job no longer exists and he/she is not replaced.

Under the scheme, an eligible employee is entitled to two weeks' pay for every year of service, plus a bonus week, subject to a gross weekly salary ceiling of €600.

It is the employer's responsibility to pay statutory redundancy payments in the first instance. Where an employer can prove to the satisfaction of the Department that it is unable to pay statutory redundancy to its eligible employees the Department will make lump sum payments directly to those employees. Such payments raise a debt against the employer which the Department will seek to recover.

*Question No. 420 answered with Question No. 136.*

## **Job Initiatives**

421. **Deputy Peadar Tóibín** asked the Minister for Social Protection the actions taken by her Department to address the underemployment in the labour market. [51893/12]

424. **Deputy Peadar Tóibín** asked the Minister for Social Protection the steps taken by her Department to tackle the issue of underemployment. [3231/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 421 and 424 together.

Underemployment is defined as employment where people are

1. Working part-time
2. Willing to work additional hours
3. Available to work additional hours.

There has been a significant rise in the numbers classified as underemployed in recent years, with the latest figures showing almost 148,000 people, 1 in 3 part-time workers being classified as such by the CSO. The main factor driving this rise in underemployment is the same factor that has been the main cause of the unemployment problem, namely weak labour demand. Similarly, the approach to reducing underemployment is the same as reducing unemployment. In the first instance, the Government's primary strategy to tackle both unemployment and underemployment is to create the environment for a strong economy recovery by promoting competitiveness and productivity through the Action Plan for Jobs. Economic recovery will underpin jobs growth.

In addition to promoting economic recovery, the Government recognises the need for interim measures until labour demand recovers. These intervention measures involve both activation measures and income support. In many cases the activation measures contained in Pathways to Work and outlined in response to parliamentary questions on tackling long-term unemployment are also of relevance to tackling underemployment. The activation measures of particular relevance to counteracting underemployment are those that incentivise employers to give full-time jobs to persons who are currently on the Live Register (including the underemployed) – most notably the Employers PRSI Incentive and the Revenue Job Assist Scheme (which is the responsibility of the Revenue Commissioners).

Additionally, the Part-Time Job Incentive (PTJI) Scheme is intended as a stepping stone to full-time work partly in recognition of the reality of underemployment. It allows certain long-term unemployed people to take up part-time work and get a special weekly allowance instead of their jobseeker's payment. Recipients of the Part-Time Job Incentive Scheme must be available for and seeking full-time work while getting the payment.

Finally, the Department provides income support via Jobseekers Benefit/Jobseekers Allowance to the underemployed to supplement their earned income, provided a person is working no more than 3 days a week. In addition, jobseekers payments paid in conjunction with such periods of casual employment may now count towards satisfying the 6 month qualifying period for access to the JobBridge Internship programme.

*Question No. 422 answered with Question No. 409.*

*Question No. 423 answered with Question No. 408.*

*Question No. 424 answered with Question No. 421.*

*Question No. 425 answered with Question No. 409.*

*Question No. 426 answered with Question No. 408.*

### **Personal Insolvency Act**

427. **Deputy Catherine Murphy** asked the Minister for Social Protection if she will confirm that under the terms of the Personal Insolvency Bill 2012, all pre-existing debt advisory services, in particular State funded ones, who will likely perform several of the functions established under the Bill will be adequately resourced to provide such advice; if she will detail any steps he has taken in this regard; and if she will make a statement on the matter. [54441/12]

**Minister for Social Protection (Deputy Joan Burton):** The Personal Insolvency Act 2012 provides for a Debt Relief Notice for persons with no assets or income with unsecured debts of up to €20,000. With the assistance of an approved intermediary, a person may apply for a Debt Relief Notice which will allow for the full write-off of qualifying unsecured debt after a three year supervision period. The Citizens Information Board, which has the statutory responsibility for the Money Advice and Budgeting Service (MABS) has agreed to my request that MABS be an approved intermediary for the purpose of processing applications for Debt Relief Notices. Those who can avail of Debt Relief Notices are typically part of the MABS core client cohort of people on low incomes in debt or in danger of falling into debt.

Sanction has been given for 16 temporary staff to be assigned to MABS for up to 2 years, to establish an Approved Intermediary Service (AIS) for the purposes of processing Debt Relief Notices as part of the new Insolvency Service. It is envisaged that the service will be mainstreamed across the MABS network over that period. An implementation process is underway and the CIB/MABS are working closely with the new Insolvency Service to ensure that the AIS will be operational in time for the establishment of the Insolvency Service. I am satisfied that MABS has sufficient available resources to undertake this important new statutory role and to continue to provide an excellent service to assist people with debt difficulties.

*Question No. 428 answered with Question No. 184.*

### **Rent Supplement Scheme Administration**

429. **Deputy Catherine Murphy** asked the Minister for Social Protection her views on whether the length of time it takes for her Department to process a rent supplement application is acting as a disincentive to landlords providing accommodation for persons who may need rent supplement; her views on whether this trend is having a detrimental effect on the ability of persons to access accommodation in their locality; and if she will make a statement on the matter. [4125/13]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term income support, to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are approximately 88,000 persons in receipt of rent supplement for which the Government has provided a sum of €403 million for 2013. Approximately 48,700 rent supplement claims were awarded during 2012 throughout the country, proving that private landlords are accommodating people under the scheme and that recipients are sourcing accommodation in their localities.

The timescale for determining individual applications for rent supplement is dependent, among other things, on the availability of the required information, such as details of the applicant's income, bank statements, information from landlords, etc. In addition, some aspects of the applications are inevitably time consuming and delays can occur where further investigations or third party evidence is required. Delays can also arise if the applicant is slow to respond to requests for additional information. The Department's units responsible for rent supplement applications in the Kildare area generally process them within 2 days of receipt where all the necessary information has been supplied.

If the Deputy has a concern in relation to processing times in a particular area or in respect of an individual, she should provide this detail to the Department for follow up. I am satisfied that the Department's staff dealing with these applications make every effort to ensure rent supplement claims are processed in an efficient manner.

### **Social Insurance Payments**

430. **Deputy Róisín Shortall** asked the Minister for Social Protection if it is her intention from 2014 to impose PRSI on State savings bond and certificates, on State prize bonds and on other such accounts where interest currently accrues on a tax-free basis; and will she outline her full plans regarding same. [4132/13]

**Minister for Social Protection (Deputy Joan Burton):** In Budget 2013 the Minister for Finance announced that, with effect from 2014, PRSI will be payable on income generated from wealth such as rental income, investment income, dividends and interest on deposits and savings. It is not possible at this early stage to provide details of the impact of the measure on different forms of income. However, in general, the rules which apply to income for taxation purposes also apply to income for the purposes of charging PRSI.

*Question No. 431 withdrawn.*

*Question No. 432 answered with Question No. 399.*

### **Social Welfare Rates**

433. **Deputy Sean Fleming** asked the Minister for Social Protection if she will confirm if a person (details supplied) in County Laois is in receipt of their correct payment from the Department; and if she will make a statement on the matter. [4175/13]

**Minister for Social Protection (Deputy Joan Burton):** The person in question is currently receiving carer's allowance for two children. The weekly carer's allowance payment the person in question is receiving is €330.50 per week. This payment consists of a personal rate of €204 for the first caree, €102 for the second caree, and payments of €14.90 half rate for each of her five children. This total weekly payment of €380.50 is reduced to €330.50 as there is a weekly debt recovery deduction of €50 assessed against the person concerned in relation to a significant overpayment on a previous one-parent family payment.

The person in question is also in receipt of domiciliary care allowance in respect of two children at a monthly rate of €619.00. She also received the annual respite care grant payment which is paid to all carers in receipt of domiciliary care allowance and/or carer's allowance. If you are caring for more than one person you may be entitled to an additional 50% of the maximum rate of carer's allowance each week. The person in question is already receiving this

additional payment and therefore no increase for a third child is possible. There is no restriction on the number of children in respect of whom you may claim domiciliary care allowance. As far as this department is concerned the person in question is currently in receipt of the correct payments. The person concerned should apply for any further entitlements she believes she may qualify for.

### **Fuel Allowance Applications**

434. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the outstanding requirements of her Department in respect of further documentation required to determine the eligibility for free fuel allowance in the case of a person (details supplied) in County Kildare who has already provided all the required information to the best of their ability; and if she will make a statement on the matter. [4176/13]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned is in receipt of invalidity pension since 15 September 2011. In order to qualify for the national fuel scheme, applicants must satisfy a means assessment and be living alone or only with persons who satisfy specific criteria. On 24 May 2012, in order to determine entitlement to free fuel allowance, the person in question was asked for details regarding employment with and payment from a specific company and for full details of the income of other person(s) residing with him. To date no correspondence has been received from him regarding same. However, according to my department's records, the claimant's son, residing at the same address, has earnings from employment which exceed the limit allowed for entitlement to a fuel allowance and therefore fuel allowance was refused by a deciding officer on 18 December 2012. If the circumstances in this case have changed, the person in question should submit full details to my Department and his application for fuel allowance will be reviewed.

### **Carer's Allowance Appeals**

435. **Deputy John McGuinness** asked the Minister for Social Protection if an appeal for carer's allowance in respect of a person (details supplied) in County Kilkenny will be expedited; and if she will make a statement on the matter. [4177/13]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, including that adduced at oral hearing, has allowed the appeal of the person concerned. The person concerned has been notified of the decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Rent Supplement Scheme Eligibility**

436. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason rent supplement payment has ceased in respect of a person (details supplied) in County Carlow; if payment will be recommenced in this instance; and if she will make a statement on the matter. [4186/13]

**Minister for Social Protection (Deputy Joan Burton):** The rent allowance claim of the person concerned is currently under review. A written request for information was sent to her on

9th January 2013 and a reminder letter issued on 21st January 2013. To enable the rent allowance review to be completed, the person concerned should submit the information requested or contact her local community welfare service office.

### **Pension Provisions**

437. **Deputy Sean Fleming** asked the Minister for Social Protection if she will confirm that in a review of her Department employment support schemes that in table 3.2 community employment numbers and expenditure, page 38 that there is confirmation that in 2008 there was an accrual of €3.75 million in respect of CE supervisors pension claims and that this figure was written back into the Department accounts in 2011; the reason this occurred; and if she will make a statement on the matter. [4188/13]

**Minister for Social Protection (Deputy Joan Burton):** In July 2008 the Labour Court recommended that an agreed pension scheme should be introduced for Community Employment (CE) scheme supervisors and assistant supervisors, and that such a scheme should be adequately funded by FÁS (LCR19293). It must also be noted that the employer in this situation is the sponsoring organisation and not FÁS (or the Department of Social Protection, which now have responsibility for CE).

The annual cost of introducing a defined contribution scheme for CE Supervisors was estimated at €3.75m in 2008. Therefore, in line with good accrual accounting practice, a one-year provision for the pension claim was made in the FÁS accounts should the debt materialise. This was prior to discussions with the Department of Finance, the Department of Enterprise, Trade & Employment and the CE Supervisors' Union Representatives. No subsequent provisions were made following these discussions.

The method of accounting used in FÁS is the Accrual Accounting method which recognises potential economic events regardless of when the actual cash transaction occurs. This meant that the accrual of €3.75m in 2008 for CE supervisor pensions was simply a provision for an event that may occur (i.e. no actual cash was transacted). After transfer of responsibility for the Community Employment programme to the Department of Social Protection in October 2010 this accrual had to be reversed as the Department of Social Protection works under the Cash Accounting method. This was carried out in the 2011 accounts for CE, as recorded in the published document.

### **Domiciliary Care Allowance Applications**

438. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding a domiciliary care allowance application in respect of a person (details supplied) in County Cork. [4189/13]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received on the 18th January 2013 from the person concerned. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Upon receipt of this opinion, a decision will be made and the person concerned will be notified. It can currently take up to 8 weeks to process an application for DCA.

### **Rural Social Scheme Applications**

439. **Deputy Michael Healy-Rae** asked the Minister for Social Protection in view of the excellent reputation of the rural social scheme, if she will consider raising the numbers to allow more persons to participate in the scheme; and if she will make a statement on the matter. [4194/13]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rural social scheme (RSS) is to provide income support for farmers and fisherpersons who have an entitlement to specified social welfare payments. Persons 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. I have no plans to increase the number of places available on this scheme. The funds allocated for 2013 amount to €45m, which should enable the scheme to continue as in previous years but does not allow for the recruitment of additional participants above the numbers stated above. The Department of Social Protection has recently published a review of its employment support schemes which, together with outcome of the focused policy assessment of the RSS which the Department of Public Expenditure and Reform has indicated it intends to conduct this year, will inform future policy developments of the scheme.

### **Supplementary Welfare Allowance Payments**

440. **Deputy Róisín Shortall** asked the Minister for Social Protection further to Parliamentary Question No. 125 of 19 December 2012, the value, number and proportion of social welfare allowance payments from the last period for which figures are available that were recouped from primary social welfare schemes when applicants are awarded a primary social welfare payment; the value, number and proportion that were not recouped; if a thorough profiling of SWA claimants or any other economic analysis has been conducted by her Department to determine the ultimate cost to the State of supplementary welfare claims arising from processing delays; if not, her plans to do so; and if she will make a statement on the matter. [4198/13]

**Minister for Social Protection (Deputy Joan Burton):** The supplementary welfare allowance (SWA) scheme is the safety net within the overall social welfare system in that it provides assistance to eligible people in the State whose means are insufficient to meet their needs and those of their dependants. SWA may be payable to customers awaiting the outcome of a claim or an appeal for a primary social welfare or Health Service Executive payment. The practice is that payments issued under the SWA scheme are fully recouped, where possible, from the primary social welfare scheme on award. Scheme conditions, such as payment waiting days, may affect full recovery in some instances. Due to the nature of the scheme and the high level of customer churn, it is not possible to provide the statistics requested by the Deputy. The compilation of these figures would require individual tracking of each customer's claim for a specified period.

I can, however, assure the Deputy that the Department has introduced a number of measures which, when combined, will reduce the recourse to SWA. These include the transfer of the Community Welfare Service from the Health Service Executive to the Department on 1st October 2011 with the purpose of providing a streamlined, consistent and enhanced service to the customer. The process of integration is on-going and progress has already been made with a new unified service, Intreo, now in the process of being delivered across all local offices. A significant feature of the new Intreo service is an integrated decisions team comprising deciding officers, community welfare service staff and investigators which has enabled decisions on primary payments for jobseekers to be made within a short time and has resulted in reduced recourse to a SWA payment.

Significant efforts are also being made in the processing of illness related schemes with additional temporary staff having being assigned to the area, the recent completion of a major service delivery modernisation project and an in-depth business process improvement project having commenced with the aim of eliminating backlogs and improving customer service. Significant resources and efforts have also been put into reducing volumes and improving processing times for appellants to the Social Welfare Appeals Office, including the assignment of 15 additional Appeals Officers.

### **Social Welfare Benefits Applications**

441. **Deputy Brendan Smith** asked the Minister for Social Protection if she will outline the changes to the telephone allowance arising from Budget 2013; the level of expenditure incurred under this scheme in 2012; the projected expenditure for 2013; and if she will make a statement on the matter. [4216/13]

**Minister for Social Protection (Deputy Joan Burton):** The household benefits package comprises the electricity/gas allowance, the telephone allowance and the free television licence. The package is primarily available to older people, people with disabilities and carers. The allocation for the telephone allowance scheme has been reduced in 2013 as a cost saving measure. The estimated expenditure outturn on the telephone allowance in 2012 is €113 million compared with projected expenditure for 2013 of €48 million. As a result the monthly allowance will fall from €22.60 to €9.50, a reduction of 58%.

The number in receipt of telephone allowance has increased significantly in recent years, in line with increases in customers receiving qualifying payments, as well as the increases in those aged over 70. In 2005 there were 311,000 customers in receipt of telephone allowance; in 2012 there were 397,000, an increase of 28% over seven years. Over the last three years the numbers have increased on average by 9,000 per year. At the same time the market has been transformed with deregulation, mobile services and bundled services including television, broadband and telephone. It makes the former notion of an allowance covering handset rental, standing charges and a number of calls somewhat outdated. There is a wide variety of deals available. For example, it is possible to get a standard pay-as-you-go brand name mobile telephone for as little as €19.99.

I am aware that any reduction in social welfare payments or benefits is difficult. However, to allow the Government to protect the core payments which people receive such as pensions, disability payments and carer's allowance, we had to look very carefully at other additional payments such as the household benefits package.

### **Carer's Allowance Applications**

442. **Deputy John Halligan** asked the Minister for Social Protection further to Parliamentary Question No. 107 of 7 November 2012, in which she acknowledged processing times for carer's allowance applications were not satisfactory and that appropriate action would be taken which would resolve the situation, how effective the service delivery modernisation project has been; the way the efficiency levels have been improved since completion of the new carer's system in June 2012; and the reason processing times for the historic cases which have been ringfenced do not seem to have improved. [4236/13]

**Minister for Social Protection (Deputy Joan Burton):** Good inroads have been made over the last number of months by my Department to clear the current backlog of carer's allow-

ance applications and a plan is in place to process the remaining backlogged claims by the end of Q1 2013. I am happy that the actions they are taking will achieve this.

Following the completion of a major modernisation project, an in-depth business process improvement (BPI) project was completed for the carer's allowance scheme. This project focused on optimising output and customer service and the reduction of backlogs. This has resulted in a significant increase in the number of new claims processed in recent months where claims processed have substantially exceeded claim intake. The total number carer's allowance applications which were awaiting decision at mid-June 2012 was approximately 11,600. At present, the number is under 8,000. Additional resources have been allocated to this task and are now fully trained. The claim clearance plan is continually monitored in order that the backlog is eliminated in the shortest possible timeframe. Average processing times will not show any significant improvement as the Department continues to clear older applications and until the remaining backlogged claims have been eliminated.

### **Social Welfare Overpayments**

443. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 371 of 22 January 2013, if she will re-examine the case of an alleged overpayment in the case of a person (details supplied) in County Kildare who did not receive €67 per week as outlined but only €33 per week; and if she will make a statement on the matter. [4239/13]

**Minister for Social Protection (Deputy Joan Burton):** During the period 31 August 2012 to 02 October 2012 the person concerned was paid at a rate of €100 per week.

*Question No. 444 withdrawn.*

### **Public Service Reform Plan Update**

445. **Deputy Patrick O'Donovan** asked the Minister for Social Protection with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if she will make a statement on the matter. [4293/13]

**Minister for Social Protection (Deputy Joan Burton):** The statutory bodies operating under the aegis of the Department of Social Protection are the Citizens Information Board, the Pensions Board, the Pensions Ombudsman and the Social Welfare Tribunal. No body under the aegis of the Department has been amalgamated or abolished in 2012. The Public Service Reform Programme provides for a critical review of the Pensions Board with a view to integrating the regulatory functions of the Pensions Board with the Financial Regulator. The Public Service Reform Programme also provides for a critical review of the Pensions Ombudsman with a view to a merger with the Financial Services Ombudsman. The Critical Review Group, established to carry out the reviews announced under the Public Service Reform Programme, is finalising a draft report with recommendations. The report will identify any potential savings arising from such an amalgamation. I expect to receive the final report from the Group in the very near future. Following receipt of this report, decisions in relation to reform, including legislation changes required, if any, will be taken.

*Questions Nos. 446 and 447 withdrawn.*

### **Disability Allowance Appeals**

448. **Deputy John Perry** asked the Minister for Social Protection if she will ensure that a person (details supplied) in County Leitrim will have their disability allowance appeal processed as a matter of urgency; the likely date for decision; and if she will make a statement on the matter. [4322/13]

**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 12th October 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. In that context, an examination by another Medical Assessor will be carried out. The person concerned will be notified when arrangements for the examination have been completed. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Benefits Applications**

449. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if the existence of extenuating circumstances in the form of a serious illness will be taken into consideration as an admissible explanation for their absence for this jurisdiction and retention of their deserted wives benefit in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4326/13]

**Minister for Social Protection (Deputy Joan Burton):** In line with scheme requirements, claimant's means are regularly reviewed to ensure that their circumstances have not changed and that they continue to have legitimate entitlement. In this particular case, I understand that a review process was underway when the claimant advised the Department in June, 2012 that she required her payment to be made into a bank account as she was going abroad to care for an ill relative. The review undertaken and the termination of her claim was not connected with her need to care for the ill relative abroad: her payment was suspended in July because she failed to reply to the Department's correspondence.

The person concerned was interviewed at home by a Social Welfare Inspector in September, 2012 and was requested to provide certain documentation in support of her continued entitlement. This was not provided and she was written to again in November and advised that failure to supply all the information sought would cause the termination of her claim. As all the documentation requested was not received, the customer was advised in December, 2012 of the decision to terminate her payment. She was also advised of the right to appeal this decision.

### **Redundancy Rebates**

450. **Deputy Dara Calleary** asked the Minister for Social Protection the total number of redundancy rebates made each year over the past five years; the total sum in rebates provided each year; and if she will make a statement on the matter. [4351/13]

451. **Deputy Dara Calleary** asked the Minister for Social Protection the total number of

occasions on which the Government has been forced to pay the full statutory redundancy payment to employees of insolvent companies over the past five years; and if she will make a statement on the matter. [4352/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 450 and 451 together.

During the period 2008 to 2012 inclusive expenditure on the redundancy payments scheme was €1.6 billion. This includes rebates to employers who paid statutory redundancy and lump sum payments directly to employees whose employer was insolvent and could not make the statutory redundancy payments. A breakdown of these payments for each of the years in question is set out in Table A.

**Table A: Expenditure on the Redundancy Payments Scheme 2008-2012**

Year	Lump Sum	Rebate	Total
2008	€31,936,998	€161,774,389	€193,711,387
2009	€87,970,092	€247,891,733	€335,861,825
2010	€96,715,171	€373,253,295	€469,968,466
2011	€124,482,281	€188,252,607	€312,734,888
2012*	€134,565,622	€167,705,378	€302,271,000
Total	€475,670,164	€1,138,877,402	€1,614,547,566

It is not possible to provide a breakdown of the number of rebate and lump sum claims processed over the period 2008 to 2012 inclusive. Table B sets out the total number of redundancy claims processed over the period.

**Table B: Redundancy Claims Processed, 2008-2012**

Year	Total
2008	29,802
2009	50,664
2010	73,851
2011**(Oct-Dec only)	4,616
2012*	56,094

\*All 2012 figures are provisional.

\*\* A new redundancy processing system was introduced in October 2011. It is not possible in the time available to provide details of the number of claims processed in 2011 prior to the introduction of the new system. This information will be provided to the Deputy as soon as possible.

### Unemployment Benefits

452. **Deputy Dara Calleary** asked the Minister for Social Protection if she will provide a breakdown of persons formerly employed in construction trade categories currently receiving unemployment benefit; the action being taken to help these persons back into work; and if she will make a statement on the matter. [4353/13]

**Minister for Social Protection (Deputy Joan Burton):** One in four persons on the Live

Register – some 109,000 persons – is a former construction worker. Approximately half of these persons (53,000) stated that they previously worked in a trade, over 10,000 previously worked as plant and machinery operatives, and some 1,500 previously worked as architects, town planners or surveyors. The remainder have no stated occupation within construction.

The Pathways to Work policy and the establishment of the new integrated National Employment and Entitlement Service (Intreo) service will transform the nature and level of engagement between our employment and income support services and the unemployed. The Pathways to Work approach involves more regular and on-going engagement with people who are unemployed through active case management and profiling. These policies apply to former construction workers in the same way as for other unemployed workers.

There are various initiatives to allow those who are out of work to up-skill through the education and training system. The most prominent schemes in this regard are the range of training programmes provided by FÁS, the Back to Education Allowance, the Springboard Initiative and MOMENTUM. Some 24,000 people commenced full-time FÁS courses for unemployed adults in 2012, and a further 21,000 undertook FÁS evening courses. FÁS offers a wide range of training programmes in the areas of energy efficiency and sustainable sources of energy that are of potential relevance to former construction workers. These include oil-fired appliance servicing; domestic gas installation; domestic solar hot water systems; domestic thermal insulation; air tightness testing and measurement; insulation; passive house building envelope; passive house construction; heat recovery mechanical systems and overhead line worker. FÁS also offers training in traditional stone building following an increase in demand from householders and local authorities for persons qualified in these traditional skills.

FÁS is increasing its training provision in sustainable technologies in response to an anticipated increase in demand for these types of skills. New courses include intelligent building control systems; small scale wind systems implementation; micro solar photo voltaic systems; large scale wind turbine technician; and sustainable waste management. In recent years, following the collapse of the construction industry, almost 7,000 of a population of roughly 28,000 apprentices were made redundant. Under the Redundant Apprentice Placement scheme, FÁS places redundant apprentices with reputable employers to enable them to complete the on-the-job components (phases 3, 5, and 7) of their apprenticeship and thus qualify for the National Craft Award. For the year 2012/13, there were 25,800 participants on the Back to Education Allowance scheme.

Springboard offers a choice of free courses in higher education from certificate, to degree, to post-graduate level. Some 6,000 places are available for this academic year. Sixty-per cent of Springboard participants have been unemployed for more than twelve months and one third of those for more than 24 months. At just under 20% of the total, people previously employed in the construction sector accounted for the largest single group of participants on the first series of Springboard courses launched in 2011.

MOMENTUM, a scheme for education and training interventions, is part of the Government's Action Plan for Jobs initiative and is currently being rolled out by the Department of Education and Science through FÁS. MOMENTUM will support the provision of free education and training projects to allow 6,500 jobseekers (who are unemployed for 12 months or more) to gain skills and to access work opportunities in identified growing sectors. MOMENTUM will provide eligible jobseekers with

- Access to a range of quality education and training projects
- Links to identified job vacancies and employers

- Work placement and support
- Relevant industry and National Framework of Qualifications (NFQ ) Certification.

Under the scheme, Labour Market Education and Training Fund (LMETF) funding is being utilised to provide education and training solutions nationwide to the needs of both unemployed individuals and employers within the context of four themes. The first three themes are based on ‘clusters of occupations’. These have been chosen because there is evidence available which shows that these skills are associated with relatively good employment opportunities.

### Social Welfare Overpayments

453. **Deputy Simon Harris** asked the Minister for Social Protection the level of overpayments recorded by her Department in social welfare payments in each of the years 2007 to 2012 inclusive in tabular form; if she will provide a breakdown of these overpayments by individual social welfare scheme; the process in place to prevent such over payment; the reasons overpayments occur; and if she will make a statement on the matter. [4356/13]

**Minister for Social Protection (Deputy Joan Burton):** Ensuring that the right person is paid the right amount of money at the right time is an integral part of the day-to-day work of the Department. Overpayments are generally defined as money obtained contrary to or in excess of a valid decision. Most overpayments arise as a result of a revised decision regarding entitlement. Deciding officers decide the effective date of a revised decision having regard to the new facts or new evidence and the circumstances of the case. An overpayment is assessed for the period that a client was not entitled to a payment and the recovery of the overpayment is followed up by the relevant section of the Department.

The Department has comprehensive control strategies in place across the various scheme areas which are designed to control fraud and abuse and minimise overpayments. Where overpayments do occur, it is the Department’s policy is to actively pursue the recovery of debt in order to maximise recovery levels, with due regard to value for money. Current measures to control fraud and abuse and minimise overpayments include desk reviews of claim papers, home visits, the issue of mail-shots to selected customers, database checking, and medical reviews in the case of illness payments.

Controls are exercised at both the initial claim stage and at subsequent stages during the claim life cycle. Claims are reviewed on a regular and targeted basis. Means tested payments are reviewed at certain intervals or when there are indications of changes in circumstances. Those in receipt of illness payments are called for a medical examination by the Department’s medical assessors. Customers in receipt of unemployment payments are checked on an on-going basis to verify continued compliance with such requirements as being available for and genuinely seeking employment. In general, the main causes of overpayments recorded are means/income not disclosed and concurrently working and claiming. The value of overpayments recorded from 2007 to 2011 are set out below.

Scheme	€m’s 2007	€m’s 2008	€m’s 2009	€m’s 2010	€m’s 2011
Illness Benefit	€2.41	€3.28	€3.79	€4.09	€3.99
Jobseekers Benefit	€7.16	€8.03	€7.02	€6.71	€5.86
State Pension Contributory	€3.54	€3.48	€5.02	€10.16	€6.73
Carers Allowance	€0.38	€2.05	€4.37	€3.91	€3.06
Child Benefit	€2.49	€3.23	€5.98	€7.01	€4.85

Scheme	€m's 2007	€m's 2008	€m's 2009	€m's 2010	€m's 2011
Jobseekers Allowance	€10.40	€8.91	€7.57	€12.01	€16.61
One Parent Family Payment	€4.66	€8.63	€9.55	€8.01	€11.77
State Pension Non Contributory	€7.44	€7.84	€11.70	€12.09	€12.79
Other Schemes	€12.04	€10.13	€11.81	€19.43	€26.69
TOTALS	€50.52	€55.58	€66.81	€83.42	€92.35

The Department is not in a position to publicly comment on overpayments recorded in 2012 as these figures form part of the statutory accounts of the Department and are currently the subject of an audit by the Office of the Comptroller and Auditor General.

### Rent Supplement Scheme Applications

454. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will indicate the extent to which rent supplement is available in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4363/13]

**Minister for Social Protection (Deputy Joan Burton):** The above person needs to make an application for rent supplement so that his entitlement can be established and rent limit set.

### Carer's Allowance Appeals

455. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for carer's allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [4365/13]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 28th June 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 22nd January 2013 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 456 withdrawn.*

*Question No. 457 withdrawn.*

### Departmental Programmes

458. **Deputy David Stanton** asked the Minister for Social Protection if she has conducted or intends to conduct, a review of the effectiveness of the TÚS programme; and if she will make a statement on the matter. [4382/13]

**Minister for Social Protection (Deputy Joan Burton):** Tús - the community work placement initiative - came into operation in mid-2011 and to date some 7,200 participants have completed or are currently serving in work placements provided by community organisations. As part of the budget measures to provide 10,000 additional work placement, internship and training programmes places, a further 2,500 placements will be made available under Tús over the coming months. As a new initiative, Tús continues to be monitored and developed by my Department. While the Department has no firm proposal to conduct a review of the effectiveness of this initiative as yet, it is likely that an evaluation of the initiative will be undertaken beginning later in 2013. Separately, the Department recently published a review of employment support, activation and work schemes, including Tús. This review is available to download from the Departments website - [www.welfare.ie](http://www.welfare.ie).

### **Disability Allowance Appeals**

459. **Deputy James Bannon** asked the Minister for Social Protection the position regarding an appeal for disability benefit/allowance in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [4386/13]

**Minister for Social Protection (Deputy Joan Burton):** An application for disability allowance was received from the person concerned on 5 April 2012. This application was referred to one of the Department's medical assessors who found that the person was not medically eligible for disability allowance. The deciding officer accepted this opinion and refused the claim and the person was notified in writing of this decision on the 12 July 2012. The person concerned subsequently forwarded further medical evidence which was referred to a medical assessor. When the opinion of the medical assessor is received a decision will be made on the review of the person's application and she will be notified directly of the outcome.

*Questions Nos. 460 and 461 withdrawn.*

### **Social Welfare Appeals Status**

462. **Deputy Emmet Stagg** asked the Minister for Social Protection when an appeal in relation to means assessed and backdating of claim to November 2011 is likely to be dealt with in respect of a person (details supplied) in County Kildare. [4411/13]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 22nd November 2012, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Benefits Applications**

463. **Deputy John Browne** asked the Minister for Social Protection when an application for old age pension will be approved in respect of a person (details supplied) in County Wexford. [4418/13]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the available evidence disal-

lowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the Appeals Officers decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Fraud Cost**

464. **Deputy Denis Naughten** asked the Minister for Social Protection further to Parliamentary Question No. 190 of 8 November 2012, if she will outline the results of the fraud and error survey on the child benefit scheme; when the report will be published; and if she will make a statement on the matter. [4432/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department has undertaken a fraud and error survey on Child Benefit and the results will be published on the Department's website in the next few weeks. The findings from the survey confirm the Department's view that Child Benefit is very low risk in terms of fraud and error and that the scheme's existing control policy is effective.

### **Departmental Expenditure**

465. **Deputy Denis Naughten** asked the Minister for Social Protection the total control savings under each scheme in 2012; the corresponding target figure for 2012 and 2013; and if she will make a statement on the matter. [4433/13]

**Minister for Social Protection (Deputy Joan Burton):** Control savings are an estimate of the value of the various control activities across the schemes in payment. They represent an estimate of the value of prevented expenditure on fraudulent claims over a future period. Control savings refer to future expenditure that would have been incurred but for this control work. Without this control work the social welfare expenditure would over time increase by this amount. Control savings are used as a performance indicator for year-on-year activities. In 2012, the overall control savings target was €645 million. The 2012 outturn of control savings is currently being finalised and will be available shortly. Further details will be provided to the Deputy when the figures are finalised. There is a commitment to increase savings from control activity by €40m in 2013.

### **Domiciliary Care Allowance Appeals**

466. **Deputy John McGuinness** asked the Minister for Social Protection if an application for domiciliary care allowance now under appeal will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [4450/13]

**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 24th July 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 14th December 2012 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of

the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Invalidity Pension Appeals**

467. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when an appeal for invalidity pension will be finalised in respect of a person (details supplied) in County Roscommon; and if she will make a statement on the matter. [4525/13]

**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 6th November 2012. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Disability Allowance Appeals**

468. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the basis on which it was determined that an overpayment of disability allowance was made in the case of a person (details supplied) in County Kildare; when the decision was conveyed to the applicant; when the notice of appeal was received by her Department; the reason the appeal was refused and the date of same; the way notice of appeal refusal was conveyed to the applicant; and if she will make a statement on the matter. [4532/13]

**Minister for Social Protection (Deputy Joan Burton):** In August 2012, following a review of the person's disability allowance claim it was found that the person had failed to disclose his means from self-employment. As a result it was decided that the person had no entitlement to disability allowance from 8 April 2009 to 2 May 2012. His payment was stopped and he was assessed with an overpayment of €63,206.30. The person was notified in writing of this decision on 14 August 2012 and of his right of appeal to the Social Welfare Appeals Office. The person did not submit an appeal.

A letter issued to the person advising him of the amount due to the Department and enclosing an information leaflet on the recovery of social welfare overpayments and the method proposed to recover the debt. The person was given the right to comment on the method of recovery. A representation was received from you on 18 October 2012 stating that the person in question now wished to question the basis of the revised decision to disallow his disability allowance from April 2009. Although the statutory time limit for an appeal has, in this case, expired, the Social Welfare Appeals Office (SWAO) has agreed to open an appeal on the person's behalf. The SWAO will be in touch with the person in question regarding the appeal.

### **Mortgage Interest Supplement Appeals**

469. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when she will review the decision to refuse mortgage interest support in the case of a person (details supplied)

in County Kildare; and if she will make a statement on the matter. [4533/13]

**Minister for Social Protection (Deputy Joan Burton):** The decision to refuse mortgage interest supplement in December 2011 was upheld by the Social Welfare Appeals Office in July 2012. It is open to the person concerned to re-apply for mortgage interest supplement if her circumstances have changed.

### **Rent Supplement Scheme Administration**

470. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she might be prepared to review the maximum rent her Department is prepared to pay in rent support throughout the Eastern region with particular reference to areas experiencing an extreme local authority housing shortage thereby making it impossible for families on local authority housing lists to source private rented property in lieu of local authority housing; if her attention has been drawn to the extreme hardship now being caused to some families arising from this problem; and if she will make a statement on the matter. [4534/13]

**Minister for Social Protection (Deputy Joan Burton):** The purpose of the rent supplement scheme is to provide short-term income support, to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are approximately 88,000 persons in receipt of rent supplement for which the Government has provided a sum of €403 million for 2013. Revised rent limits are in place since January 2012 and are applicable to all new rent supplement tenancies from this date and existing tenancies on review. These limits were set after an analysis of the most up to date market data available. The emphasis of the rent limit review was to ensure that maximum value for money was obtained whilst at the same time ensuring that people on rent supplement are not priced out of the market for private rented accommodation. Approximately 48,700 rent supplement claims were awarded during 2012, showing that accommodation can be secured within the new limits.

As part of the rent limit review, all major urban population centres were tested to ensure that rent supplement applicants can access temporary housing arrangements whilst seeking employment opportunities. On-going analysis shows that for the eastern counties of Dublin, Meath, Kildare and Wicklow there are properties available within the maximum rent limits for rent supplement recipients. Over 41,500 persons in receipt of rent supplement, representing almost half of the customer base, reside in these counties. Officials in the Department continue to examine the impact of the rent limits on those who claim rent supplement and continue to ensure that accommodation needs for recipients can be met. The next review of rent limits will take place before June 2013 and any changes to the existing limits will be considered as part of this review.

On 27 March 2012, the Government approved, in principle, to transfer responsibility for the provision of rental assistance to persons with a long-term housing need from this Department to housing authorities using a new Housing Assistance Payment (HAP). The Department has been advised that pilot testing of HAP will commence in selected counties during the second half of 2013 and a general roll out of HAP from early January 2014. This initiative, along with the on-going rental accommodation scheme, should reduce the numbers of persons who are in receipt of long term rent supplement as they are transferred to local authority housing sponsored solutions.

*Question No. 471 answered with Question No. 142.*

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

472. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the qualification limitations that have taken place in respect of contribution or other requirements for contributory old age pension including that of the self-employed; and if she will make a statement on the matter. [4536/13]

**Minister for Social Protection (Deputy Joan Burton):** Social structures in Ireland are changing rapidly and the structures of our social support need to change to accommodate this. Addressing the demographic challenges of more people living longer and the impact on the cost of pensions lies behind the current pension reform measures. It is a fundamental principle of our social insurance system that those qualifying for benefits must satisfy a range of contribution and other conditions. The recent State pension reform measures, outlined below, support the direct link between contributions made and the rate of pension received which underpins State pension policy. Aligning the rate of pension with the contribution made by the person ensures that those who contribute more during a working life benefit more in retirement.

Recent State pension reform measures are as follows:

- As provided for in legislation in 1997, the number of paid contributions required for State pension increased from 260 paid contributions to 520 paid contributions with effect from April 2012.

- As provided for in legislation in 2011, State pension transition will cease from 2014, standardising pension age at 66.

- As provided for in legislation in 2011, State pension age will be increased to 67 in 2021 and 68 in 2028.

- New rate bands for State pension were introduced in September 2012, aligning rate of pension paid with contributions paid. The new rates are available at [www.welfare.ie](http://www.welfare.ie).

- A further planned change in 2020 is a move to a 'total contributions approach'. This will be adopted to replace the current averaging system. The level of pension paid will be directly proportionate to the number of social insurance contributions made by a person over his or her working life. This will remove the current anomaly whereby some people qualify for higher pension payments even though they have fewer contributions (but a higher average) than others who do not qualify, or qualify for a lower pension, due to the average contributions test. It is also planned to cap the number of credits that an individual can avail of to 10 years. Again, it will more directly reflect the number of contributions.

Reforms to pension provision are necessary if we are to continue to maintain pensions on a sustainable and adequate level. The State pension is a valuable benefit and the conditions are designed to ensure that those qualifying have had a sufficient and on-going attachment to the social insurance system.

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

473. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which persons who gave up employment to care for a relative have been credited with contribu-

tions for old age pension; and if she will make a statement on the matter. [4537/13]

**Minister for Social Protection (Deputy Joan Burton):** Those who leave the workplace for homemaking/caring purposes can, if eligible, avail of the homemakers scheme which helps to provide a higher rate of pension for those who meet the qualifying conditions. The Homemaker scheme comprises a period of disregard when calculating eligibility for a State pension so time taken out of the work, for those who qualify for the scheme, can be disregarded when assessment is being made for State pension. The scheme was introduced in and took effect from 1994 and allows up to 20 years spent caring for children under 12 years of age or incapacitated adults to be disregarded when a person's social insurance record is being averaged for pension purposes. It impacts on women in particular as it assists them to qualify for a State pension (contributory) by recognising periods spent caring for children or incapacitated persons.

The homemaker disregard will not, of itself, qualify a person for a pension. Eligibility for the homemaker's scheme is conditional on firstly meeting the standard qualifying conditions for State pension, which require a person to enter insurance ten years before pension age, pay a minimum of 520 contributions at the correct rate and achieve a yearly average of at least 10 contributions on their record from the time they enter insurance until they reach pension age, must also be satisfied.

The State pension is a very valuable benefit and is the bedrock of the Irish pension system. Therefore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives. The Actuarial Review of the Social Insurance Fund published in 2012 examines the extent to which individuals receive value for money from the Fund in respect of their own and their employer's contributions. The Review finds that those with short contribution histories fare better than those with full contribution histories and also that the Fund provides better value to female rather than male contributors.

*Question No. 474 answered with Question No. 140.*

### Social Welfare Overpayments

475. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of instances of overpayment in respect of various social welfare entitlements in each of the past two years to date; the degree to which overpayment was discovered by her Department or brought to her attention by recipients who were not aware of the conditions which caused the problem; and if she will make a statement on the matter. [4540/13]

**Minister for Social Protection (Deputy Joan Burton):** Ensuring that the right person is paid the right amount of money at the right time is an integral part of the day-to-day work of the Department of Social Protection. The Department has comprehensive control strategies in place across its various scheme areas which are designed to control fraud and abuse and to minimise overpayments. Where overpayments do occur, it is the Department's policy is to actively pursue the recovery of debt in order to maximise overall recovery levels, with due regard to value for money. The number and value of overpayments across the various social welfare payments in 2010 and 2011 are as follows:

Year	Number of cases	Value of overpayment
2010	52,600	€83.4m
2011	63,330	€92.4m

Overpayments raised by the Department are categorised as ‘Fraud’, ‘Non-Fraud’ or ‘Estate’ cases. Estate cases arise where undisclosed means by customers (usually pensioners) come to light after their deaths. Non-fraud cases are primarily due to customer or third party error, with some due to departmental error. Fraud cases arise mainly on foot of false declarations by customers concerning their employment, income and/or family status. The 2011 overpayments raised were categorised as follows:

-	<b>Suspected Fraud</b>	<b>Customer Error</b>	<b>Departmental Error</b>	<b>Estate</b>	<b>Total</b>
2011 over-payments	€34.9m	€40.5m	€5.5m	€11.5m	€92.4m

The Department is not in a position to publicly report on overpayments recorded in 2012 as these figures form part of the statutory accounts of the Department and are currently subject to audit by the Office of the Comptroller and Auditor General.

### Community Employment Scheme Numbers

476. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the current total number of persons engaged in community employment or related training or education schemes throughout County Kildare; the extent to which she expects to be in a position to ensure the retention of all such places in view of the particularly high degree of professional management and occupational skills encompassed in the programme within the county; and if she will make a statement on the matter. [4541/13]

**Minister for Social Protection (Deputy Joan Burton):** The following are the numbers for Co. Kildare as at 31 December 2012.

<b>County</b>	<b>CE</b>	<b>Tús</b>	<b>RSS</b>	<b>BTW</b>	<b>BTEA</b>	<b>STEA</b>	<b>Total</b>
	Places	Places	Places	Places	Places	Places	Places
Kildare	562	173	23	399	765	48	1,970

**Key:**

CE – Community Employment

RSS – Rural Social Scheme

BTW – Back to Work Allowance

BTEA – Back to Education Allowance

STEA – Short Term Enterprise Allowance

The Community Employment and Tús programmes are being expanded in 2013 by 2,000 and 2,500 places respectively on a national basis.

*Question No. 477 answered with Question No. 405.*

*Question No. 478 answered with Question No. 142.*

### Social Welfare Application Forms

479. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she is investigating a method whereby it would be possible to simplify the application forms and procedures for any of the social protection entitlements in view of the length of time taken to process voluminous application forms; and if she will make a statement on the matter. [4544/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department has a continuous programme of process improvement initiatives underway aimed at streamlining the processing of claims, supported by modern technology. The simplification and reduction of application forms complements the introduction of more streamlined processes. The key principles underpinning the design of the Department's application forms are the use of clear and simple language, with consistent layout and presentation across both online and paper forms. All primary application forms are designed to facilitate the use of scanning and automated processing. This ensures that the application is processed as efficiently as possible and that customers receive their entitlement in a timely manner. Primary application forms are regularly reviewed to ensure they request only the information required to establish the customer's entitlement, in a clear and easy to understand manner.

Staff in the Department's local and branch offices and Intreo centres provide information and guidance to customers on the completion of application forms when required. In addition, the Citizens Information Board, through its network of offices around the State provides information, advice and advocacy services to members of the public on a wide range of public and social services, including assistance in completing application forms. All primary application forms are also available on the Department's website, [www.welfare.ie](http://www.welfare.ie). Applications for a number of schemes, i.e. child benefit, State pension (contributory), widow(er)'s or surviving civil partner's contributory pension, household benefits and, in certain cases, jobseeker's payments, can be completed and submitted online.

The objective is to enable people to access services at a time and place that best suits their needs. The use of online application forms reduces the administrative burden for the customer and facilitates efficient processing of claims by the Department. I am satisfied that the ongoing initiatives underway in the Department, the improvements to processes and procedures supported by the redesign of application forms, and the Department's use of modern technology will continue to deliver an improved and efficient service to customers.

*Question No. 480 answered with Question No. 140.*

*Question No. 481 withdrawn.*

### **Environmental Policy**

482. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht his plans to extend the hedge cutting season this year in view of the extremely wet winter months; and if he will make a statement on the matter. [3742/13]

483. **Deputy Regina Doherty** asked the Minister for Arts, Heritage and the Gaeltacht if consideration will be given to extend the season for hedge cutting into April in view of due of the inclement weather and wet land; and if he will make a statement on the matter. [3797/13]

484. **Deputy Dominic Hannigan** asked the Minister for Arts, Heritage and the Gaeltacht if there are any plans to extend the deadline for hedge cutting until April; and if he will make a statement on the matter. [3799/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 482 to 484, inclusive, together.

I refer the Deputies to my previous reply to Questions Nos. 157, 158, 160 and 161 of 23 January 2013.

### EU-IMF Programme of Support Negotiations

485. **Deputy Michael McGrath** asked the Minister for Arts, Heritage and the Gaeltacht if he will detail the policies being implemented by his Department on which he wrote to the EU / ECB / IMF troika; and if he will make a statement on the matter. [3876/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I would like to advise the Deputy that no such policies arise in relation to my Department.

### Environmental Impact Statements

486. **Deputy Joanna Tuffy** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the environment impact study on the future development of the Moore Street site in Dublin associated with the 1916 Rising; and if he will make a statement on the matter. [3954/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Environmental Impact Statement was submitted to my Department on 25 January 2013. It is available for public examination and interested parties have five weeks from the submission date to provide their comments to me, as Minister, for consideration as part of my assessment of it.

### Turf Cutting Compensation Scheme Expenditure

487. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 145 of 28 November 2012, if he will provide information on the cost of each of the various turf compensation schemes he references from 2000 to 2010 in tabular form. [4140/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department has operated a number of compensation schemes applicable to those who have been cutting turf on raised bog special areas of conservation and natural heritage areas for domestic and commercial purposes. Details are set out in the table below of the expenditure on these schemes between 2000 and 2010.

Compensation Scheme	No. of Approved Applications	Expenditure 2000-2010
Voluntary Bog Purchase Scheme	814	€23,439,811
Commercial Turf Cutters Compensation	11	€4,044,512
Interim Compensation Scheme	171	€171,000

## EU Funding

488. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the way the moneys outlined under the following EU Funds were allocated and spent, €3.5 million Euro for the implementation of Natura 2000 through the ERDF Structural Funds and €11.8 million under the Life and Nature and Biodiversity Fund part of which also relates to projects in Natura 2000 sites [4141/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Under the Priority Axis 2 (Environment and Risk Prevention) of the Border Midlands West Regional Operational Programme 2007-2013, there was provision of ERDF Structural Funds for a natural and cultural heritage intervention. This funding supported the construction of visitor centres for Ballycroy National Park in Co. Mayo and at the Clara Bog Nature Reserve in Co. Offaly. In regard to the Life, Nature and Biodiversity Fund, I assume the Deputy is referring to the current funding cycle (2007-13) known as LIFE+. The allocation of funding for projects under the LIFE programme is a matter for the European Commission and I am advised that applications from Ireland are co-ordinated by the Department of Environment, Community and Local Government.

## Public Service Reform Plan Update

489. **Deputy Patrick O'Donovan** asked the Minister for Arts, Heritage and the Gaeltacht with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4281/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Public Service Reform Plan published by the Government on 17th November 2011 outlined a series of rationalisation measures and some of those measures related to a certain number of the bodies funded from my Department's Vote Group. In this regard, my Department conducted a critical examination of the structure and operation of the institutions included in the Public Service Reform Plan and developed a comprehensive and practical approach to the implementation of the various Government Decisions in this area. This was endorsed by the Minister for Public Expenditure. Summary documents which outline the main outcomes of this examination in relation to the relevant bodies and institutions have been published on my Department's web-site.

My Department is working closely with the Directors of the relevant Institutions and bodies to progress the reform programme and real progress is being made across all the bodies concerned. Draft Heads of Bill are currently being prepared to address any possible changes in legislation and are expected to be finalised shortly. However, progress is being made across all bodies on an administrative basis pending enactment of legislation. The Deputy should note that savings of €20 million in enhanced service efficiencies and value-for-money were targeted in the Public Service Reform Plan. In this context, it is expected that savings in the region of approximately €1m will be made initially across the institutions involved in the reform programme which are funded from my Department's Vote Group, with further savings to be identified as the various cost saving measures are implemented.

In the immediate term, savings are being made primarily in three key ways:

One: through the ending of payments to Chairpersons and members of boards or advisory councils;

Two: through a programme of shared services between institutions, including, for example, in retail, security, marketing, procurement and storage; and,

Three: through the provision of services by my Department to some institutions - including human resources services and financial services - relieving those institutions of the need to incur a cost in accessing these services.

### State Bodies Mergers

490. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht the steps being taken to ensure, while acknowledging the need for the State to secure savings, the continued existence of An Coimisinéir Teanga and the effective performance of the functions ascribed to this position as set out in the Official Languages Act 2003. [4524/13]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** As the Deputy will be aware, a decision was taken to merge the functions of the Office of An Coimisinéir Teanga with the Office of the Ombudsman in the Government's *Public Service Reform Plan*, published on 17 November 2011. Following a review in October 2012 of progress achieved to date, the Government agreed the following key reform actions to be progressed:

- The Office of An Coimisinéir Teanga is to merge with the Office of the Ombudsman.
- The statutory powers and functions of An Coimisinéir Teanga under the Official Languages Act 2003 will transfer to the Ombudsman and will be delegated to An Coimisinéir Teanga under the amending legislation.
- A statutorily appointed Coimisinéir Teanga will continue to independently exercise existing powers under the Official Languages Act and will continue to be Gaeltacht-based.

My Department is working with the Department of Public Expenditure and Reform to implement these reforms. I am satisfied that, as a result of the Government decision of October last, a statutorily appointed Coimisinéir Teanga will continue to perform the functions assigned to that office holder, as set out in the Official Languages Act 2003.

### Inland Fisheries Issues

491. **Deputy Ciarán Lynch** asked the Minister for Communications, Energy and Natural Resources if he has considered the provision of out of season fishing of identified rainbow trout stocked lakes (details supplied) in County Cork which come under the control of Inland Fisheries Ireland; and if he will make a statement on the matter. [4174/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I am advised by Inland Fisheries Ireland (IFI), which manages the Lough Aderra fishery, that the fishery there is a "put and take" fishery and reared rainbow trout are stocked periodically throughout the year. The fishery operates throughout the regular angling season up to the end of September each year when most trout fishing ceases. Put and take rainbow trout fisheries are among the few types of fishery with potential to operate through the winter. However, while the Aderra Fishery was previously operated through the winter, IFI advises that the use of the

facility was limited. On that basis, extending opening beyond the traditional season was not economically viable due to the significant maintenance and stocking requirements and the lake is currently closed to angling.

### **Electricity Grid Connection Fees**

492. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources when will gate four offers be forthcoming; if it is necessary for all gate three offers to be determined prior to this offer; the grid connection price, if any, that will be charged; and if he will make a statement on the matter. [3783/13]

493. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources when the CER is making their decision with regard to Gate three offers, the grid connection fee, if any, that will be charged per megawatt; and if he will make a statement on the matter. [3784/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):**  
I propose to take Questions Nos. 492 and 493 together.

Supervision of the grid connection process is vested in the Commission for Energy Regulation. The Gate 3 Direction to System Operators (CER/08/260) published in December 2008 set out the list of projects to receive grid connection offers. As explained in the Direction, Gate 3 was designed to ensure the 40% target for renewable electricity (RES-E) by 2020 could be achieved and this was based on an assumption that 5800MW of renewable generation would be required. Gate 3 followed Gate 1 and Gate 2 and provided for additional grid connection offers totalling almost 4000MW. Since then, due to changes in economic conditions, SEAI estimated for the First Progress Report on the National Renewable Energy Action Plan (NREAP) that the amount of MW needed to meet 40% RES-E has fallen to approximately 4000MW.

Gate 3 grid connection offers were issued between December 2009 and mid-2011. All offers have now issued and to date, there has been approximately 10% take up. The low take-up to date is primarily due to a delay in technical market decisions from the All Island SEM Committee. I am concerned about this delay and its potential impact on meeting our renewable energy targets. I understand that the key decisions will be made shortly by the SEM committee. This should bring clarity to the situation in relation to the take up rate of Gate 3 connection offers and which projects intend to proceed to build. I expect that the outcome will be that there is still sufficient capacity in Gate 3 to ensure that our 40% RES-E target can be met. The matter will, however, be kept under ongoing review.

The implementation of Gate 3 requires a significant amount of grid build and grid upgrade, which will be challenging to achieve in the period to 2020. EirGrid's Grid 25 implementation plans are designed around building the necessary grid and upgrading the grid as necessary, in order to build the necessary grid to underpin the Gate 3 grid connection offers and to deliver on our 2020 targets. Any decision on a potential future Gate will have to be considered in the context of the SEM committee processes already underway.

In terms of the cost of grid connections, costs will vary by project connecting, in line with the "shallow connection" principle. The National Renewable Energy Action Plan (NREAP) available on my Department's website [www.dcenr.gov.ie](http://www.dcenr.gov.ie) explains the processes that are in place. The rules outlining cost sharing and bearing of network technical adaptations are published by EirGrid and approved by the Commission for Energy Regulation (CER.) The capital costs of connection and technical adaptation are divided between producers, transmission and

distribution system operators using a methodology based on a version of the “shallow connection” principle. This means that the costs of the immediate connection assets to the network are borne by the connecting producer while the costs of additional reinforcement of the surrounding base network are recovered through a tariff imposed on all users of the system. This costing mechanism has evolved from a number of CER decisions over a number of years. The relevant rules outlined are based on objective, transparent and non-discriminatory criteria. The DSO (ESB Network) document ‘Standard Prices for Generators 2010’ provides details and descriptions of standard connection building blocks and may be viewed at:

<http://www.esb.ie/esbnetworks/en/commercial-downloads/Standard-Prices-for-Generator-Connections.pdf>

### **Community Radio Stations Funding**

494. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources the funding options available to support community radio stations; and if he will make a statement on the matter. [3810/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Community radio stations in Ireland receive funding from various sources, including funds derived from donations, advertising and sponsorship. In terms of public funding, the Broadcasting Funding Scheme is a significant source of support. The Broadcasting Authority of Ireland (BAI) is assigned responsibility under Part 10 of the Broadcasting Act 2009 for the administration of the Scheme which aims, inter alia, to develop local and community broadcasting by providing funding for the provision of high quality, diverse and innovative programming by community broadcasters. In addition, the BAI operates the Community Broadcasting Support Scheme, a development fund, which allows community radio stations to conduct evaluations of their activities. The scheme provides funding for stations to carry out key review work to assist with their overall performance and to build capacity. Further information is available on the BAI website: [www.bai.ie](http://www.bai.ie)

### **Broadband Services Provision**

495. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources if he will comment on Údarás na Gaeltachta’s annual report, which notes that access to high-speed broadband is still a challenge for companies in some Gaeltacht areas; and if he will make a statement on the matter. [3856/13]

496. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources with reference to Údarás na Gaeltachta’s annual report, which notes that access to high-speed broadband is still a challenge for companies in some Gaeltacht areas, if he will indicate his strategy for addressing this electronic infrastructure issue; and if he will make a statement on the matter. [3857/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 495 and 496 together.

Broadband connectivity, as an enabling infrastructure for economic and social development, is a critical element of future sustainable economic growth and a priority for Government. In terms of telecommunications policy, my Department plays a key role in providing a supportive legislative and regulatory environment within which competition can flourish and private sector

investment can take place.

The telecommunications market in Ireland has been fully liberalised since 1999 and, since then, has seen the steady growth and development of vibrant well-regulated competition in the provision of the full range of telecommunications products and services. The Government is not a player in this market and can only intervene in cases of clear market failure. It has, in the past, undertaken, following EU State aid clearance, a number of initiatives to bring broadband to those parts of the country where operators have been unable to offer services on a commercial basis. State investment in the Metropolitan Area Networks (MANs) and the National Broadband Scheme (NBS) are examples of such interventions.

With basic broadband services widely available across Ireland, the focus is now on accelerating the roll out of high speed services. The Government's National Broadband Plan, which I published in August last, aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, including those located in Gaeltacht areas. During the preparation of the National Broadband Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. The areas to be provided with those services will be determined by the commercial market operators.

My Department is making preparations to commence a formal national mapping exercise to determine the exact position in relation to commercial service providers' existing and planned broadband services throughout the country. This exercise will identify where the market is expected to succeed and fail in the delivery of high speed broadband over the coming years and will therefore inform the level of Government interaction that may be required and the areas that need to be targeted.

It will also form a critical input to an EU State Aids application in respect of any intervention. I would reiterate that the Government remains committed to ensuring that all parts of Ireland, including Gaeltacht areas, will have at least 30Mbps connectivity, through public or private sector investment as outlined in the National Broadband Plan. In specific regard to Údarás na Gaeltachta, my Department had had no request on this issue from the agency but would be happy to meet Údarás officials to discuss its concerns. Contact will be made to set up such a meeting.

### **Renewable Energy Incentives**

497. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources the incentives available for the development of wind energy in Ireland. [3861/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** In terms of supporting renewable energy, Ireland is legally obliged under Directive 2009/28/EC to increase consumption of renewables to 16% by 2020. The National Renewable Energy Action Plan sets out the planned trajectory for achieving the target across the electricity, heat and transport sectors with 40% needed in electricity, 10% in transport and 12% in heat to meet Ireland's overall 16% commitment.

Renewable energy is being supported by a variety of policy initiatives. Renewable electricity is now the largest contributor to renewable energy consumption and is expected to contribute most to our 2020 target. The largest contribution in the electricity sector is expected to be made through generation from wind technologies, followed by biomass technologies. For the support of commercial renewable generation, my Department administers a renewable energy

support mechanism known as the Renewable Energy Feed in Tariff (REFIT). The terms and conditions of REFIT are available on the Department of Communications, Energy and Natural Resources' website.

The feed in tariff or REFIT scheme underpins investment in renewable energy to meet Ireland's legally binding renewable target, by providing sufficient certainty to developers to finance projects through guarantee of a minimum price for wind exported to the grid over a 15 year period. Research by the Economic and Social Research Institute (ESRI), shows that wind acts as a hedge against high fossil fuel prices.

### **Fuel Prices**

498. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources his plans to reduce the cost of imported oil. [3862/13]

499. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources his plans to reduce the amount of oil imported into Ireland. [3863/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 498 and 499 together.

I have no statutory function in the setting of oil prices. The Irish oil industry is fully privatised, liberalised and deregulated and there is free entry to the market. Increases in oil prices arise primarily from increases in the international commodity prices over which Ireland has no control. For example, the spot price of a barrel of Brent Crude Oil has risen from a low of US\$90 in June 2012 to US\$111 in January 2013. This has inevitably resulted in an increase in retail oil prices. Upward trends in global oil prices underscores the Government's commitment to delivering national energy efficiency and renewable energy objectives, which are aimed at moving the economy away from reliance on imported, carbon intensive fossil fuels such as oil.

The electrification of transport offers huge potential for Ireland, not just in terms of energy efficiency but also because of the ability to use cheaper electricity, an increasing amount of which will be sourced from renewable resources as we progressively deliver on our ambitious target of 40% renewable generation by 2020. In addition, the Biofuel Obligation Scheme incentivises and enables the sustainable growth of an Irish biofuels market affording opportunities for indigenous biofuel producers and allowing for the displacement of traditional oil products in the transport sector. The Statutory Biofuel Obligation Scheme was introduced in July 2010 and currently requires that the amount of biofuel brought to the market is not less than 4.166% of the relevant disposal of petroleum road transport fuels. The scheme ensured that 144.5 million litres of biofuel were brought to the Irish market in 2011.

I am very aware that many households are experiencing financial hardship due to the current economic difficulties. As such, the Government is taking a range of actions to address the challenge of affordable energy for vulnerable households. Over the last ten years €2 billion has been distributed in energy supports under the National Fuel Scheme and the Household Benefits Package administered by the Department of Social Protection. In addition, €100 million has been spent, from my own Department's Vote, on energy efficiency improvements in vulnerable homes. Permanent improvements to the thermal efficiency of houses are the most cost-effective means of addressing energy poverty.

The Sustainable Energy Authority of Ireland (SEAI) administers on behalf of my Department, the Better Energy Warmer Homes Scheme, which is free-of-charge to eligible applicants. With over 93,000 homes refurbished to date, 2013 will see approximately 10,000 low-income

households benefit from energy efficiency upgrades. I have allocated approximately €20 million to the Warmer Homes Scheme in 2013.

More generally, the Government's Strategy for Affordable Energy in Ireland was launched by me in November 2011. The Strategy sets out our plans for enhancing the affordability of energy for low-income households. The strategy includes 48 actions that will be implemented over the life of the Strategy. Delivery on these commitments will progressively reduce our dependence on imported fossil fuels such as oil, while supporting energy competitiveness and security.

### **Public Service Reform Plan Update**

500. **Deputy Patrick O'Donovan** asked the Minister for Communications, Energy and Natural Resources with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4283/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I wish to advise the Deputy that following the review undertaken on rationalisation of State agencies, insofar as Bodies under the aegis of my Department are concerned, it was determined that the Digital Hub Development Agency (DHDA) will be merged with Dublin City Council (DCC). A transition team has been established to give effect to the transfer of the DHDA to DCC and administrative arrangements are being put in place, pending legislation being completed. This merger is expected to yield short term savings of approximately €400k, which amounts to over 20% of the Exchequer current subvention.

In addition, the Government also announced further proposed mergers, which include provision for the Ordnance Survey of Ireland, which is also under the aegis of my Department, to merge with the Valuation Office and Property Registration Authority. The lead Department in relation to this rationalisation is the Department of Justice and Equality. The merger potentially provides an opportunity for more efficient and cost-effective delivery of land and property administration services. Savings are likely to be achievable in the areas of common back office functions such as HR, conventional (non-specialised) IT systems, Financial Management and Corporate Services. There may also be potential savings in the areas of accommodation and software licences. There is also provision for the back-office administrative functions of the Commission for Communications Regulation (ComReg) to be merged with the Broadcasting Authority of Ireland (BAI). I would advise the Deputy that neither BAI nor ComReg is Exchequer funded and as a result any savings achieved would not directly impact on the Exchequer.

### **Commission for Energy Regulation Staff**

501. **Deputy Joanna Tuffy** asked the Minister for Communications, Energy and Natural Resources the number of persons currently employed by the Commission for Energy Regulation; the number of staff who received performance related payments for the years 2010, 2011 and 2012; the overall amount paid out each year; the average amount paid to each employee; his policy on such payments; and if he will make a statement on the matter. [4335/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Commission for Energy Regulation (CER) is a statutory independent regulator, established

under the Electricity Regulation Act, 1999. I have no function in the day to day operational matters of the CER in line with its statutory regulatory independence. The scheme of performance related payments referred to by the Deputy dates from when the CER was set up in 1999, and was subject to the approval of the then Department of Public Enterprise and the Department of Finance at that time.

The reduction in the pay of civil servants in December 2009, introduced as part of the Financial Emergency Measures in the Public Interest (No. 2) Act, 2009, included the termination of the scheme of performance-related awards previously applicable to Deputy Secretary and Assistant Secretary grades. Accordingly, the scheme of performance-related awards was terminated in the CER for similar grades at Director level in 2010. CER Commissioners never received performance related payments. Staff of CER have been subject to reductions in pay in accordance with the FEMPI No 2 Act.

CER has continued to operate a performance related pay scheme for staff below the level of Director. The responsibility for conditions of employment of staff other than Chief Executives, is a matter for senior management and Boards (or in this case the Commissioners) of the State Company or organisation concerned. I would expect that their decisions in this regard would take into account general government policy on pay determination. I have requested the Commission to reply directly to you on the matters raised in your question with particular reference to the specific categories of information you have requested. I am also aware that this matter was raised at the recent meeting of the Public Accounts Committee with the CER and that the CER is in the process of providing further detail to the Committee, in line with its request.

### **Broadband Services Provision**

502. **Deputy Simon Harris** asked the Minister for Communications, Energy and Natural Resources the position regarding the national broadband roll-out programme; the date on which an area (details supplied) in County Wicklow is likely to be covered by the national broadband plan; and if he will make a statement on the matter. [4355/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Government's National Broadband Plan aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible. During the preparation of the National Broadband Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. The areas to be provided with those services will be determined by the commercial market operators.

My Department is making preparations to commence a formal national mapping exercise to determine the exact position in relation to commercial service providers' existing and planned broadband services throughout the country. It will also identify where the market is expected to succeed and fail in the delivery of high speed broadband over the coming years and will therefore inform the level of Government intervention that may be required. It will also form a critical input to an EU State Aids application in respect of any intervention. Until that process is complete, the precise areas of the country which will require State intervention to deliver on the commitments in the Plan will not be known. I would reiterate however, that the Government remains committed to ensuring that all parts of Ireland, including Kilcoole, County Wicklow, will have at least 30Mbps connectivity.

## Household Charge Exemptions

503. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the reason for the review of 23,000 applications for exemptions to paying the household charge; the reasons for this review; and if he will make a statement on the matter. [3795/13]

505. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the number of households that claimed a waiver for the household charge who have now been informed that they did not qualify for a waiver and must make payment of this charge; and if he will make a statement on the matter. [4203/13]

506. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the number of households who having made an initial payment of the household charge by direct debit did not subsequently make all further instalments as they fell due; and if he will make a statement on the matter. [4204/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 503, 505 and 506 together.

The Local Government (Household Charge) Act 2011 provides the legislative basis for the Household Charge. Under the Act, an owner of a residential property on the liability date was liable to pay the Household Charge, unless otherwise exempted or entitled to claim a waiver. It is a matter for an owner of a residential property to determine liability and pay the Charge. The Local Government Management Agency is administering the Household Charge system on a shared service/agency basis for all county and city councils.

A liable person is entitled to a waiver from payment of the Household Charge in two circumstances. If a person is entitled to receipt of mortgage interest supplement towards the amount of mortgage interest payable by him or her in respect of that property, he or she is entitled to a waiver. A person who owns a property situated in a category 3 or category 4 unfinished housing estate, listed in the schedule to the Local Government (Household Charge) Regulations 2012, is also entitled to a waiver in respect of that property.

I am advised by the Agency that, as of 25 January 2013, 22,954 properties have been registered by applicants seeking a waiver. Each application for a Household Charge waiver is checked and verified by the Agency. I am advised by the Agency that, as of 25 January 2013, there have been 1,394 unfinished housing estate waiver applications and 1,340 mortgage interest supplement waiver applications which have not qualified. Such applicants are informed that they do not qualify for a waiver, and therefore must make payment of the Charge. I am also advised by the Agency that a total of 386 households have made partial direct debit payments and therefore have an outstanding amount due in respect of the Household Charge.

## Motor Tax Exemptions

504. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding tax on vintage/classic cars; and if he will make a statement on the matter. [4145/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** To qualify for the vintage rate a vehicle must be constructed more than 30 years prior to the commencement of the period in relation to which the licence is sought. I have no plans

to change this. A concessionary rate of motor tax was introduced on 1 July 1991 for vintage vehicles. The rates of motor tax were initially set at £10 (€13) for motorcycles and £25 (€32) for all other vehicles. The current annual rates are €26 for motorcycles and €56 for all other vehicles, which must be regarded as favourable rates of tax.

*Questions Nos. 505 and 506 answered with Question No. 503.*

### **Environmental Protection Agency Staff**

507. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will seek the removal of a person (details supplied) from the Director General's Office of the Environmental Protection Agency. [3705/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Environmental Protection Agency (EPA) was established by the Government in 1993 following the enactment of the Environmental Protection Act 1992. The EPA was established as a non-commercial and independent state-sponsored body. A recent independent review of the EPA, available on my Department's website, [www.environ.ie](http://www.environ.ie), concluded that the EPA has the independence to arrive at informed and objective decisions and to undertake objective assessment and reporting on the state of the environment. This independence is one of its key strengths and is well provided for in existing legislation, including in relation to the enforcement of licences and consents in individual cases.

As highlighted in the 2011 Annual Report and Accounts of the Environmental Protection Agency and as stated publically elsewhere by the Agency, the EPA continues to fulfil its statutory obligations by following a broad enforcement strategy encompassing a range of activities. The Report can be found on the Agency's website, [www.epa.ie](http://www.epa.ie), and sets out that in 2011 the Agency completed 169 audits and 658 inspections of waste and Integrated Pollution Prevention Control (IPPC) licensed sites; issued 870 notifications of non-compliance; held 122 meetings with licensees to address non-compliance issues; and, ultimately, brought 22 successful prosecutions in the District Court during the year. These prosecutions resulted in costs and fines totalling over €130,000.

The Agency also continues to co-ordinate a national Environmental Enforcement Network. Participants of the Network include the EPA, all local authorities, government departments, An Garda Síochána, the National Bureau for Criminal Investigations, the Northern Ireland Environment and Heritage Service, the Police Service of Northern Ireland, the Fisheries Boards, the Health Service Executive, the Revenue Commissioners, and the Director of Public Prosecutions. The Network harnesses the collective resources and expertise available nationally to co-ordinate a consistent and more effective approach to the enforcement of environmental legislation in Ireland.

The EPA Review also found that there is "widespread respect and regard for the Agency's work, and its staff," and that it provides "considerable benefit for Ireland's environment, and for the health and well-being of its people." I am confident that the EPA, and its Director General, will continue appropriately to discharge its mandate to safeguard and improve Ireland's environment.

### **Rural Development Programme Funding**

508. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and

Local Government the position regarding an application to the former partnership company Meitheal Forbatha na Gaeltachta by (details supplied); when outstanding payments will be made; and if he will make a statement on the matter. [3732/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Gaeltacht area of North Mayo where the projects referred to in the question are situated was formerly serviced by Meitheal Forbartha na Gaeltachta (MFG) for the purposes of funding under Axes 3 & 4 (LEADER) of the Rural Development Programme (RDP). MFG went into liquidation on 7 September 2011. Following a complex and difficult legal winding up process most Gaeltacht areas are now operational through Local Development Companies in geographically contiguous areas. Progress is still on-going in the context of determining a delivery solution for RDP funding in the North Mayo Gaeltacht areas where the projects referred to are situated.

My Department is responsible for ensuring that funding provided through the LEADER elements of the RDP is delivered in an efficient and effective way, and that the solution determined for the North Mayo Gaeltacht area has the capacity to meet the standards required to ensure compliance with both National and EU regulations. My Department is working to determine a solution that will facilitate access to RDP funding for the North Mayo area as soon as possible.

### **Local Government Elections**

509. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if the proposed new Limerick Local Authority will have a maximum number of either 40 or 45 members; and if he will make a statement on the matter. [3734/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I refer to the reply to Questions Nos. 311 to 313, inclusive, on 11 December 2012, which indicated that the terms of reference for the independent Local Electoral Area Boundary Committee specify, inter alia, a maximum total of 40 members of every council other than Dublin City Council and Cork County Council.

### **Local Authority Housing Provision**

510. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form by local authority the number of inspections on local authority houses in relation to condensation and or dampness. [3756/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Local authorities, as landlords and owners of their social housing stock, are responsible for the management, maintenance and repair of all their rented properties. The information requested in relation to numbers of inspections for dampness or condensation in dwellings is not available in my Department.

### **Rental Accommodation Scheme Eligibility**

511. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government if a person in seeking to obtain a position on a community employment scheme can have their entitlements to rental accommodation scheme transferred from their current base to their new base; the mechanisms they must pursue to allow this to be agreed to; and if he will

make a statement on the matter. [3767/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The administration of the Rental Accommodation Scheme is entirely a matter for local authorities. Transfer from one authority to another within RAS is by agreement with both authorities, and a number facilitate mutual transfers on an informal basis. A tenant considering transferring from accommodation provided under the scheme should first contact the authorities in question to determine what policy, if any, they have in place on transfers within the scheme.

### **Housing Adaptation Grant Applications**

512. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government when he will release funding to Dublin City Council which will be used for extensions/adaptions for people with disabilities. [3779/13]

528. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government when further funding will be allocated to local authorities for housing adaptation grant schemes for older persons and persons with a disability; the date on which this allocation will be made in view of the fact that most local authorities are either on hold or are moving very slowly through applications due to of a lack of funding; and if he will make a statement on the matter. [4143/13]

529. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government if further funding will be provided to Dublin City Council in order to fund housing adaptation grants that have been approved but unable to be completed due to lack of funding; and if he will make a statement on the matter. [4144/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 512, 528 and 529 together.

My Department remains committed to providing financial assistance to older people and people with a disability who wish to carry out essential repairs, extensions/adaptations to their homes in order to meet their accommodation needs. Work is currently underway on preparing the capital allocations under the housing programme for 2013, including the suite of Grants for Older People and People with a Disability. As part of this process, my Department requested local authorities earlier this month to submit details of their capital requirements under the grant schemes. This information is being assessed at present. I intend to announce details of the capital allocations to individual authorities as soon as possible.

### **Homelessness Strategy**

513. **Deputy Seán Ó Fearghail** asked the Minister for the Environment, Community and Local Government if he will outline whether funding was granted (details supplied) to a proposed homeless hostel in Wicklow Town to be run in partnership between the Simon Community and Wicklow County Council; to whom this funding was granted; the reasons for granting the award; and if he will make a statement on the matter. [3828/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department is aware of the property in question which

is in the ownership of Wicklow County Council. The Council purchased the property for social housing purposes with the assistance of capital funding from my Department's Social Housing Investment Programme. Wicklow County Council's proposal to utilise the property as a homeless facility has been the subject of on-going communication between the Council and my Department. Funding under Section 10 of the Housing Act 1988 has not been approved or agreed by my Department for the operation of the proposed service. Wicklow County Council has confirmed that it is entering into a service level agreement with the Simon Community to operate the facility on a pilot basis for 12 months, without recourse to the Department for Section 10 funding.

### **Security of the Elderly**

514. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government the position regarding an application for a personal alarm in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [3847/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Seniors Alert Scheme supports qualifying older people, aged 65 and older, by providing funding towards monitored personal alarms. Applications are made through the applicant's local community or voluntary group. An application has not been received in my Department, to date, on behalf of the person referred to in the question.

### **EU-IMF Programme of Support Value**

515. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if he will detail the policies being implemented by his Department on which he wrote to the EU / ECB / IMF troika; and if he will make a statement on the matter. [3881/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The EU/IMF Programme of Support for Ireland includes measures relating to extensive reform in the water services sector, replacement of rent supplement with a Housing Assistance Payment and management of local government finances. My Department maintains contact with the relevant EU authorities and the IMF as appropriate in the development and implementation of these measures.

### **Motor Tax Collection**

516. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government the amount of income from road tax which went to local authorities in 2012, specifically to Dublin City Council for local road maintenance; and if he will make a statement on the matter. [3930/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The full proceeds of motor tax are paid into the Local Government Fund. The gross motor tax receipts paid into the Fund in 2012 were €1,049,938,718. This may not represent the final net figure, as reconciliation processes are ongoing. I have no function in relation to the funding of local road maintenance. I have been advised by my colleague, the Minister for Transport, Tourism and Sport, that information in relation to funding of road projects in 2012,

including road maintenance, is available in the Dáil Library under the 2012 grant allocations to local authorities for regional and local roads.

### **Pyrite Remediation Programme Issues**

517. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government the timescale for the setting up of the Pyrite Resolution Board; when it will begin to accept applications from homeowners affected by pyrite; and if he will make a statement on the matter. [3939/13]

518. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if any legislation is needed to set up the Pyrite Resolution Board; if so, the timescale for its introduction; and if he will make a statement on the matter. [3940/13]

519. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government the way the remediation fund will be administered; if any decision has been taken on the way the grants will be distributed; if it will be on a house by house basis; and if he will make a statement on the matter. [3941/13]

520. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if he will make provision for representatives of the residents, eg the pyrite action group, to be members of the Pyrite Resolution Board; and if he will make a statement on the matter. [3942/13]

521. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if he plans to allow Homebond representatives to be a member of the Pyrite Resolution Board; and if he will make a statement on the matter. [3943/13]

523. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government if he will provide an update on the works completed, currently underway and planned over the next six months for pyrite affected homes. [3980/13]

524. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government when residents of the Coldrick's Pass estate, Dunshaughlin, County Meath, may expect reparative work on pyrite affected home in the estate to get underway. [3981/13]

539. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the date on which the special purpose vehicle set up to administer the pyrite levy will come into effect; and if he will make a statement on the matter. [4360/13]

540. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the rate of the pyrite levy on construction materials; the date on which it will come into effect; the expected duration of this levy; and if he will make a statement on the matter. [4361/13]

541. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide details of the insurance related to the pyrite levy; the date on which this will come into effect; the forms of insurance that will be covered; and if he will make a statement on the matter. [4362/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 517 to 521, inclusive, 523, 524, and 539 to 541, inclusive, together.

I have recently received Government approval for the imposition of a levy on both the quarrying and insurance sectors, as recommended by the independent Pyrite Panel, in order to provide the funding necessary for the remediation of pyrite damaged dwellings where no other forms of redress are available to the homeowner. The imposition of the levies will require primary legislation and I am committed to having the legislation published and enacted in the shortest timeframe possible.

The Government also approved the establishment of a Resolution Board which will have full oversight of the operation of the remediation scheme to ensure that the public interest, and the particular interest of the affected homeowners, is well served. The Resolution Board, which I am currently establishing, will, in conjunction with my Department, draw up the terms and conditions for the proposed remediation scheme. The terms of the scheme will set out the relevant eligibility criteria for affected homeowners.

It is envisaged that the Resolution Board will comprise a small number of persons with the range of technical skills necessary to oversee the successful operation of the remediation scheme. Given the focussed nature of its particular role, there are no proposals to include a representative from Home bond or the Pyrite Action Group on the Board. I have, however, recently appointed a Chairman who, with me, is keen for the Board to commence its work as soon as possible.

### **Local Government Fund**

522. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government if he will detail the local government grant amount for each local authority, town and county, throughout the State as per capita; and if he will outline efforts to redress any differences between the local government grant allocated to Navan and Meath and the State average. [3962/13]

530. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the local government grant amount for each local authority, town and county, throughout the State per capita; if he will make efforts to equalise the difference between the local government grant allocated to Navan and Meath and the State average. [4192/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 522 and 530 together.

I assume that the Questions refer to general purpose grants from the Local Government Fund. General purpose grants are my Department's contribution towards meeting the cost to local authorities of providing a reasonable level of services to their customers. These grants continue to make a significant contribution to the revenue funding of local authorities. I was pleased to announce general purpose grant allocations for 2013 totalling €640m, a slight decrease of 1.7% on the initial allocation for 2012. Meath County Council's 2013 allocation is some €21.25m, a decrease of 2% on the 2012 allocation, whereas Navan County Council's allocation of €472,699 represents an increase of 20.5% on its 2012 allocation.

Local authorities cost and income bases vary significantly from one another and calculating an appropriate distribution of these grants is complex. General purpose grants from the Local Government Fund are structured to bring about equalisation over time; that is a position of balance where the financial needs of local authorities are met by their resources and they are able to provide an appropriate level of service to their customers. In determining these grants a number of factors are taken into account including the overall funding available for this purpose, the

estimated cost to each authority of providing a reasonable level of services to their customers, the income each authority should generate from local sources and the necessity to provide each authority with a baseline allocation that will support its financial stability. Any system designed to align funding solely or mainly on a per capita basis would ignore important differences between local authority cost and income bases.

The most recent population information can be obtained from 2011 census data available on the Central Statistics Office's website at [www.cso.ie](http://www.cso.ie). The 2013 General purpose grant allocations are set out in the following table.

<b>Local Authority</b>	<b>2013 Allocation</b>
Carlow County Council	8,560,762
Cavan County Council	14,123,740
Clare County Council	10,072,651
Cork County Council	32,048,612
Donegal County Council	30,840,363
Fingal County Council	19,619,590
D.Laoire/Rathdown Co Co	24,772,291
Galway County Council	27,400,744
Kerry County Council	18,374,432
Kildare County Council	20,634,229
Kilkenny County Council	15,105,892
Laois County Council	13,070,064
Leitrim County Council	11,952,743
Limerick County Council	17,668,930
Longford County Council	11,488,728
Louth County Council	9,044,372
Mayo County Council	27,650,043
Meath County Council	21,251,612
Monaghan County Council	11,968,784
Tipp NR County Council	14,504,742
Offaly County Council	12,095,491
Roscommon County Council	15,828,208
Sligo County Council	13,584,307
Sth Dublin County Council	16,285,348
Tipp South County Council	17,302,006
Waterford County Council	18,176,169
Westmeath County Council	16,055,537
Wexford County Council	15,912,433
Wicklow County Council	14,357,641
Cork City Council	16,612,544
Dublin City Council	52,613,531
Galway City Council	5,750,549
Limerick City Council	8,264,861
Waterford City Council	5,415,345
Clonmel Borough Council	2,235,458
Drogheda Borough Council	3,047,680

<b>Local Authority</b>	<b>2013 Allocation</b>
Kilkenny Borough Council	1,203,255
Sligo Borough Council	2,000,541
Wexford Borough Council	1,684,540
Arklow Town Council	1,200,969
Athlone Town Council	1,231,467
Athy Town Council	543,047
Ballina Town Council	1,209,373
Ballinasloe Town Council	645,234
Birr Town Council	590,609
Bray Town Council	3,138,743
Buncrana Town Council	666,687
Bundoran Town Council	404,340
Carlow Town Council	1,265,988
Carrickmacross Town Council	442,918
Carrick-on-Suir Town Council	860,228
Cashel Town Council	490,624
Castlebar Town Council	693,522
Castleblayney Town Council	343,549
Cavan Town Council	621,373
Clonakilty Town Council	450,662
Clones Town Council	441,092
Cobh Town Council	904,763
Dundalk Town Council	3,410,323
Dungarvan Town Council	673,294
Ennis Town Council	1,625,178
Enniscorthy Town Council	878,576
Fermoy Town Council	627,850
Kells Town Council	343,356
Killarney Town Council	1,251,767
Kilrush Town Council	461,460
Kinsale Town Council	298,163
Letterkenny Town Council	756,453
Listowel Town Council	533,911
Longford Town Council	830,162
Macroom Town Council	454,502
Mallow Town Council	823,011
Midleton Town Council	420,864
Monaghan Town Council	787,065
Naas Town Council	1,067,472
Navan Town Council	472,669
Nenagh Town Council	805,581
New Ross Town Council	741,554
Skibbereen Town Council	320,195
Templemore Town Council	479,867

Local Authority	2013 Allocation
Thurles Town Council	693,222
Tipperary Town Council	599,444
Tralee Town Council	2,078,813
Trim Town Council	404,706
Tullamore Town Council	878,613
Westport Town Council	581,332
Wicklow Town Council	1,141,936
Youghal Town Council	834,709
Total	640,000,000

Questions Nos. 523 and 524 answered with Question No. 517.

### Proposed Legislation

525. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he intends to review the 2004 Tenancy Act; and if he will make a statement on the matter. [3982/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The Residential Tenancies Act 2004 regulates the tenant-landlord relationship in the private rented residential sector. Following a review of the Act in 2009 Government approved the preparation of the Heads of a Bill to deliver on the review’s recommendations. The Residential Tenancies (Amendment) (No. 2) Bill 2012 was published on 19 July 2012 and Second Stage in the Dáil concluded on 24 January 2013.

### Regeneration Projects Funding

526. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the way the regeneration funding for estate regeneration has been reduced from €145 million in 2012 to €111.4 million; and the projects that will be affected by these cuts. [4126/13]

527. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the regeneration projects that are being funded in 2013; and the amount that will be allocated to them. [4127/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 526 and 527 together.

Notwithstanding the constraints on capital expenditure a cross the various measures under my Department’s Social Housing Investment Programme, I will continue to support the National Regeneration Programme to the fullest extent possible. I am determined that there will be no loss of momentum in 2013 in progressing regeneration projects in Dublin City, including the former PPP projects and Ballymun, and the other priority projects in Limerick City, Cork City and in a number of regional towns around the country. Work is currently underway in my Department on preparing the capital allocations under the housing programme for 2013, including allocations to agencies and local authorities in respect of their regeneration programmes. I

intend to announce details of these allocations as soon as possible.

*Questions Nos. 528 and 529 answered with Question No. 512.*

*Question No. 530 answered with Question No. 522.*

### Household Charge Collection

531. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 672 of 16 January 2013, if he will provide a breakdown of payment levels by local authority area. [4208/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Household Charge) Act 2011 provides the legislative basis for the Household Charge. Under the Act, an owner of a residential property on the liability date was liable to pay the Household Charge, unless otherwise exempted or entitled to claim a waiver. It is a matter for an owner of a residential property to determine liability and pay the Charge. The Local Government Management Agency is administering the Household Charge system on a shared service/agency basis for all county and city councils. The attached table details the total number of payments and waivers registered for the Household Charge nationally and by local authority area on 25 January 2012.

County/City Council	Properties registered and paid	Properties registered for waiver	Total
Carlow	12,467	325	12,792
Cavan	16,664	1,146	17,810
Clare	33,638	436	34,074
Cork City	28,531	176	28,707
Cork County	94,845	2,638	97,483
Donegal	37,612	541	38,153
Dublin City	139,985	1,207	141,192
Dún Laoghaire-Rathdown	63,962	405	64,367
Fingal	61,657	2,302	63,959
Galway City	21,179	59	21,238
Galway County	42,428	740	43,168
Kerry	44,036	329	44,365
Kildare	45,565	1,785	47,350
Kilkenny	21,932	530	22,462
Laois	16,694	377	17,071
Leitrim	9,228	203	9,431
Limerick City	14,180	227	14,407
Limerick County	32,017	690	32,707
Longford	8,688	596	9,284
Louth	25,283	1,018	26,301
Mayo	39,681	994	40,675
Meath	38,901	988	39,889
Monaghan	14,065	292	14,357
North Tipperary	18,020	535	18,555
Offaly	15,580	412	15,992
Roscommon	16,986	423	17,409
Sligo	18,587	284	18,871
South Dublin	53,493	414	53,907

County/City Council	Properties registered and paid	Properties registered for waiver	Total
South Tipperary	21,079	326	21,405
Waterford City	10,735	169	10,904
Waterford County	16,767	156	16,923
Westmeath	20,576	366	20,942
Wexford	36,592	1,255	37,847
Wicklow	32,271	494	32,765
National	1,123,924	22,838	1,146,762

### Septic Tank Registration Scheme

532. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the findings of the domestic waste water systems consultation which was carried out in early 2012; the number of submissions received to the consultation; if those who made a submission were supplied with details of the findings of the consultation and if not, the reason; and if he will make a statement on the matter. [4213/13]

533. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government the planning requirements for domestic waste water treatment systems that will be required resulting from the Water Services (Amendment) Act 2012; and if legislation will deal with such requirements. [4218/13]

545. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if the new grant scheme for improvement works to domestic sewerage/waste water systems will be available to persons who have not registered by 1 February 2013; if expenditure incurred prior to this date to bring these systems up to the appropriate standard will be considered for grant purposes; and if he will make a statement on the matter. [4392/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 532, 533 and 545 together.

In 2012, my Department undertook public consultation on performance standards for domestic waste water treatment systems, including the requirements for operation, maintenance and desludging. Draft standards were published on 1 March 2012 together with an invitation for interested parties to make submissions as part of the consultation process. The invitation to participate in the consultation process clearly stated that it was not intended to reply to individual submissions.

In total, 165 submissions were received from members of the public, political representatives, public authorities, environmental groups, professional organisations and the water services industry. The submissions were carefully considered by my Department and by the EPA and informed the finalising of standards which were given legal effect in the Water Services Acts 2007 and 2012 (Domestic Waste Water Treatment Systems) Regulations 2012, which I signed on 26 June 2012. My Department is currently examining what amendments to the exempted development provisions of planning legislation may be necessary where the provision of improved on-site waste-water treatment and disposal systems arises as a result of inspections carried out under the 2012 legislation. The necessary legislation will be in place in advance of inspections commencing this year.

I recently announced my intention to introduce a grant scheme to provide financial assistance to households whose septic tanks and other domestic wastewater treatment systems require remediation or upgrading following inspection under the Water Services (Amendment)

Act 2012. Eligibility for support under the scheme will be confined to householders who have complied with the legal obligation to register their treatment systems by 1 February 2013 . Only expenditure incurred directly by an eligible householder as a result of an inspection under the 2012 Act and the subsequent issue of an advisory notice under that legislation will qualify. Full details of the scheme will be set out in regulations which I will make in advance of inspections commencing.

### **Leader Programmes Funding**

534. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if any agreement or progress has been made between his Department and the Inspectorate of the Leader Programme with regard to the finalising of the MFG legacy projects when documentation relating to the decision making process cannot be located; if he will provide an update on one such project (details supplied); and if he will make a statement on the matter. [4250/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department has issued advice to the relevant Local Development Companies contracted to deliver Axes 3&4 in Gaeltacht areas on how to progress MFG legacy projects where issues have arisen in relation to missing or inadequate documentation. This will assist the Groups in their decision making process and facilitate the submission of claims for payment where appropriate. In relation to the project referred to in the question, I understand that the promoter involved is expected to submit a claim to Donegal Local Development Company in the very near future. Once the relevant claim has been submitted, it will be reviewed and processed in line with normal procedures.

### **Public Service Reform Plan Update**

535. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4286/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Miscellaneous Provisions) Act 2012, provides the legal framework for further implementation of the Department's Agency rationalisation programme. In relation to the specific actions outlined in Appendix IIa of the Public Service Reform Plan the following is the up to date position:

The Local Government Management Services Board and the Local Government Computer Services Board have merged with the establishment of the Local Government Management Agency (LGMA) in August 2012.

The Limerick Northside and Southside Regeneration Agencies were dissolved on 31 July 2012 and their functions taken over by the Office for Regeneration which has been established in Limerick City. The Regeneration Office has been set up with administrative support from Limerick City Council and reports directly to the new City/County Manager who was appointed in August 2012.

An Chomhairle Leabharlanna was dissolved on 1 November 2012 with key residual functions transferred to the Local Government Management Agency.

Comhar (Sustainable Development Council) was discontinued at the end of 2011 and its sustainable development role has been integrated into the work of the National Economic and Social Council (NESCC).

The Housing and Sustainable Communities Agency (HSCA) was established in 2012. It rationalises the functions of the National Building Agency (NBA), the Affordable Homes Partnership (AHP) and the Centre for Housing Research (CHR). The AHP and the CHR have been closed down and the NBA ceased operating in June 2011.

The Dormant Accounts Board was dissolved on 31 December 2012 with the enactment of the Dormant Accounts (Amendment) Act, 2012.

### Local Authority Funding

536. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government when the 2013 funding will be allocated to Wicklow County Council; the total amount of this funding; if he will provide a breakdown of the way this funding will be allocated between the county council and town councils; and if he will make a statement on the matter. [4332/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I assume that the Question refers to general purpose grants from the Local Government Fund. General purpose grants are my Department's contribution towards meeting the cost to local authorities of providing a reasonable level of services to their customers. Some €640m in general purpose grants has been allocated to local authorities for 2013. In general, payment of the allocated grants will be made to local authorities in quarterly tranches during 2013. Payment of the first 25% of the allocation was made to local authorities on 22 January 2013. The breakdown requested is set out in the table.

Local Authority	Breakdown
Wicklow County Council	€ 14,357,641
Arklow Town Council	€1,200,969
Bray Town Council	€3,138,743
Wicklow Town Council	€ 1,141,936

### Local and Community Development Programme Project Funding

537. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if he intends to review the proposal that local development companies would no longer be the delivery bodies for the disbursement of all local development funding once the current LEADER programme has expired; if he will explain the role that he envisages LDCs fulfilling in the future; and if he will make a statement on the matter. [4333/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The reforms relating to local development, which I am now implementing, arise from Putting People First - Action Programme for Effective Local Government, approved by Government and published in October 2012; this incorporates the recommendations made in the Final Report of the Local Government/Local Development Alignment Steering Group. That

report noted the number of local development entities involved with service delivery locally, including 51 local development companies implementing certain programmes for my Department and for other Government Departments and agencies. It also includes a range of other entities, apart from local development companies, involved with the disbursement of local development funding.

I appreciate the value of these local development entities. I anticipate their continued involvement in programme implementation on behalf of my Department. In recognising the key strengths of local development companies in particular, the Alignment Steering Group also noted the potential for duplication and overlap and, accordingly, the recommendations it made seek a more co-ordinated and integrated approach to local service provision.

### **Local Government Reform**

538. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if he will support the proposals (details supplied) put forward by Irish Local Development network in relation to aligning local government and local development. [4349/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Government has approved enhanced alignment between Local Government and Local Development as part of Putting People First – Action Programme for Effective Local Government, which was published in October 2012. The alignment proposals were developed by an expert steering group following consultation and inputs from the key stakeholders, including the Irish Local Development Network. The information gathered and the inputs received from all stakeholders were given full consideration by the Steering Group, and I am satisfied that the Group's recommendations represent a balanced and sensible way forward. I intend that the implementation of the Group's recommendations will be carried forward in a spirit of co-operation between the key stakeholders, including the Irish Local Development Network, and I look forward to their inputs to this process.

*Question Nos. 539 to 541, inclusive, answered with Question No. 517.*

### **Housing Adaptation Grant Applications**

542. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the extent to which a disabled persons grant can be administered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [4366/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Under the terms of the suite of Housing Adaptation Grants for Older People and People with a Disability, grants are available to assist households to have necessary repairs, adaptations or improvement works carried out in order to meet the accommodation needs of an older person or a person with a disability. The suite of grants include three separate grant measures: the Mobility Aids Grant scheme with grants of up to €6,000; the Housing Aid for Older People scheme with grants of up to €10,500; and the Housing Adaptation Grant for People with a Disability with grants of up to €30,000, depending on household income. The schemes are administered by the local authorities and it is a matter for each local authority to process applications from householders and to determine the extent of the grant-eligible works and the amount of grant aid to be paid in individual cases.

### **Foreshore Licences Applications**

543. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if he will confirm the public consultation arrangements that have applied to date in respect of an application for a foreshore licence (details supplied) in County Cork; the consultations he will now engage in when considering the application; and if he will make a statement on the matter. [4385/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** The following arrangements for public consultation have been put in place in relation to this foreshore licence application:

- The applicant arranged for the application form and supporting documentation to be made available for public inspection from 15 December 2012 to 23 January 2013 at Togher Garda station, Co. Cork.

- This arrangement was notified to the public by a notice published by the applicant in ‘The Southern Star’ on 15 December 2012. In recognition of the holiday season, seven extra days were added to the standard 21-day notice period.

- The application and supporting documentation have also been available on my Department’s website from 14 December 2012.

- Submissions from the public were invited by post or email. Thirteen submissions were received and will be posted on my Department’s website this week.

The application has also been circulated to all relevant statutory consultees and their responses are currently awaited. To conclude the consultation phase of the process, the applicant will be invited to respond to any issues raised in the submissions received.

The next phase of the process involves an assessment of the potential environmental impact of the application, taking account of all submissions received and the applicant’s response to issues raised. This assessment will be carried out by the scientific and technical advisors of the Marine Licence Vetting Committee (MLVC). That Committee’s recommendation together with the recommendation of my Department will inform my ultimate determination of the application. Notice of my determination of this application and the report of the MLVC will be published in due course on my Department’s website and will include information on how a review of the decision may be sought.

### **Leader Programmes Funding**

544. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government when a grant application will be approved in respect of an organisation (details supplied); and if he will make a statement on the matter. [4391/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Axes 3 & 4 (LEADER) of the Rural Development Programme (RDP) 2007-2013, for which my Department has responsibility, continues to facilitate access to significant financial resources for rural communities. One of the objectives of the RDP is to provide appropriate amenity and leisure facilities to local communities not otherwise available to them. I am pleased, therefore, that the application for funding under the Village Renewal and Development measure of the RDP for the project referred to in the question has been approved and Laois Partnership, the relevant Local Development Company in this case, will be in contact with the

project promoter in that regard.

*Question No. 545 answered with Question No. 532.*

### **Local Authority Housing Maintenance**

546. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for the Environment, Community and Local Government if he considers section 4 (1) c of Statutory Instrument 534 (2008), namely the exemption of local authorities from housing standards for rented houses regulations, to be appropriate to rented properties; the reason this should be the case; the grounds on which it can be justified that local authorities do not have to live up to the same standards of rental as all other landlords; and if he will make a statement on the matter. [4420/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Minimum standards for rental accommodation are prescribed in the Housing (Standards for Rented Houses) Regulations 2008, as amended by the Housing (Standards for Rented Houses) (Amendment) Regulations 2009, made under section 18 of the Housing (Miscellaneous Provisions) Act 1992 . Local authorities are not, in the main, exempt from these regulations. The regulations apply to all rental accommodation with the exception of holiday homes, or accommodation provided by the HSE or an approved body containing communal sanitary, cooking and dining facilities, or demountable housing such as mobile homes provided by a housing authority. It is this latter exemption that is provided for by Section 4(1)(c) of the 2008 regulations.

### **Deportation Orders Data**

547. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which he is satisfied that the original application for refugee status by a person (details supplied) in Dublin 16 was fully examined in an unbiased manner; and if he will make a statement on the matter. [5038/13]

553. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will make available the copy of the proceedings at hearing and its conclusions made by the Refugee Applications Commissioner in the case of a person (details supplied) with particular reference to the need to ensure that all aspects of the application were considered; and if he will make a statement on the matter. [3774/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 547 and 553 together.

I have previously outlined the position in respect of this case in response to numerous Parliamentary Questions from the Deputy. Applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal which make recommendations to the Minister on whether such status should be granted. All applications for refugee status are considered on their individual merits on a case by case basis having regard to the subjective and objective elements of the claim.

The person concerned has received copies of all documents in relation to his proceedings and final conclusions made by the Refugee Applications Commissioner. I am satisfied that the applications made by the person concerned has been fairly and comprehensively examined.

The person concerned is the subject of a Deportation Order signed on 28 June, 2004. He has been evading his deportation since 3 November, 2009 and as such he is committing an offence. Should he come to the notice of the Garda authorities, he would be liable to arrest and detention. He should, therefore, present himself to the Garda National Immigration Bureau without any further delay.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Departmental Bodies Expenditure**

548. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the fees paid to each refugee appeals tribunal member, individually, for each of the years 2008 to 2012 inclusive. [3745/13]

549. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of cases head by each refugee appeals tribunal member, individually, for each of the years 2008 to 2012 inclusive. [3746/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 548 and 549 together.

The information sought by the Deputy is set-out in the appendices to this reply. Overall, in line with the reduction in the number of new claims for asylum in recent years, there has been a significant reduction in the number of cases coming before the Refugee Appeals Tribunal. Accordingly, the number of cases and fees paid in 2012 has decreased by approximately 80% over the 2009 levels. The scale of fees paid to Members depends on a number of criteria such as whether it involves a substantive hearing, an accelerated appeal or a case under the Dublin Convention/Manifestly Unfounded process. Within each of these categories, the scale of fees are tiered in accordance with the nature of the work involved such as for an oral hearing, cases of a husband and wife heard together or separate and so forth. The amounts listed include some training costs, particularly in the earlier years and payments in any particular year may relate to work done in earlier years.

The Refugee Appeals Tribunal is an independent, statutory body, established and operating pursuant to the Refugee Act, 1996 (as amended). The business of the Tribunal is conducted in accordance with the provisions of the Act and in particular the Second Schedule therein. In this regard my Department has been advised by the Chairperson of the Tribunal that the work of the Tribunal is assigned to Members commensurate with experience, expertise in particular areas of work and their availability. All Members are barristers or solicitors with at least 5 years experience and are appointed as Members of the Tribunal to act in a part-time capacity.

Due to the fall in asylum applications and the consequential fall in appeals lodged with the Tribunal in recent years, there has not been a requirement since I took office to appoint new members or to consider the re-appointment of Members whose 3 year term of office has expired. However, as the complement of Members currently stands at 13 (from a peak of 35 in 2008) and will be further reduced over the course of 2013 with the expiry of terms of office of current Members, I have decided that a Public Appointments Service (PAS) competition will

be advertised shortly. Arising from this competition I propose to appoint suitably qualified candidates as and when the need arises. I should add that a separate PAS competition was recently advertised to fill the position of Chairperson.

**Appendix 1: The number of cases processed to completion by each Tribunal Member in the period 2008-2012 (inclusive of all appeal types).**

**Table 1: 2008**

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Anne Tait, Solr.	11
Ben Garvey, BL	208
Bernadette Cronin, SC	16
Bernard McCabe, BL	269
Bruce St. John Blake, Solr.	8
Conor Gallagher, BL	43
David Andrews, SC	155
David Goldberg, SC	27
Denis Linehan, Solr.	114
Donal Egan, BL	17
Eamon Barnes, BL	10
Eamon Cahill, SC	113
Elizabeth O'Brien, BL	199
Emma Toal, BL	2
Fergus O'Connor, BL	44
John Hayes, Solr.	19
Joseph Barnes, BL	4
Judy Blake, BL	16
Laura McKenna, BL	48
Majella Twomey, BL	81
Margaret Levey, BL	189
Michael O'Kennedy, SC	23
Michelle O'Gorman, BL	400
Nehru Morgan Pillay, BL	21
Olive Brennan, BL	130
Patrick Hurley, Solr.	103
Paul Christopher, BL	15
Paul Gormley, BL	9
Paul McGarry, BL	34
Ricardo Dourado, BL	38
Samantha Cruess Callaghan, BL	7
Sean Deegan, BL	27
Susan Nolan, Solr	54

**Table 2 : 2009**

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Anne Tait, Solr.	70
Ben Garvey, BL	152
Bernadette Cronin, SC	35
Bernard McCabe, BL	479
Bruce St. John Blake, Solr.	2
Conor Gallagher, BL	68
David Andrews, SC	105
David Goldberg, SC	85
Denis Linehan, Solr.	123
Donal Egan, BL	52
Eamon Barnes, BL	14
Eamon Cahill, SC	111
Elizabeth O'Brien, BL	195
Emma Toal, BL	71
Fergus O'Connor, BL	194
John Hayes, Solr.	16
Judy Blake, BL	18
Laura McKenna, BL	34
Majella Twomey, BL	134
Margaret Levey, BL	191
Michael O'Kennedy, SC	58
Michelle O'Gorman, BL	377
Nehru Morgan Pillay, BL	139
Olive Brennan, BL	136
Patrick Hurley, Solr.	98
Paul Christopher, BL	144
Paul Gormley, BL	33
Paul McGarry, BL	76
Ricardo Dourado, BL	52
Samantha Cruess Callaghan, BL	5
Sean Bellew, BL	62
Sean Deegan, BL	33
Susan Nolan, Solr	64

**Table 3: 2010**

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Anne Tait, Solr.	59
Ben Garvey, BL	103
Bernadette Cronin, SC	31
Bernard McCabe, BL	211
Conor Gallagher, BL	40
David Andrews, SC	129
David Goldberg, SC	55

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Denis Linehan, Solr.	99
Donal Egan, BL	30
Eamon Barnes, BL	4
Eamon Cahill, SC	68
Elizabeth O'Brien, BL	96
Emma Toal, BL	72
Fergus O'Connor, BL	159
John Hayes, Solr.	19
Judy Blake, BL	20
Laura McKenna, BL	22
Majella Twomey, BL	71
Margaret Levey, BL	157
Michael O'Kennedy, SC	18
Michelle O'Gorman, BL	344
Nehru Morgan Pillay, BL	148
Olive Brennan, BL	197
Patrick Hurley, Solr.	79
Paul Christopher, BL	143
Paul Gormley, BL	43
Paul McGarry, BL	46
Ricardo Dourado, BL	60
Ronan Maguire, BL	5
Samantha Cruess Callaghan, BL	17
Sean Bellew, BL	162
Sean Deegan, BL	29
Susan Nolan, Solr	45

**Table 4 : 2011**

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Anne Tait, Solr.	14
Ben Garvey, BL	50
Bernadette Cronin, SC	17
Bernard McCabe, BL	146
Conor Gallagher, BL	29
David Andrews, SC	57
David Goldberg, SC	6
Denis Linehan, Solr.	18
Donal Egan, BL	6
Eamon Cahill, SC	41
Elizabeth O'Brien, BL	63
Emma Toal, BL	22
Fergus O'Connor, BL	54
John Hayes, Solr.	1

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Judy Blake, BL	3
Laura McKenna, BL	18
Majella Twomey, BL	72
Margaret Levey, BL	78
Michael O’Kennedy, SC	4
Michelle O’Gorman, BL	155
Nehru Morgan Pillay, BL	6
Olive Brennan, BL	44
Patrick Hurley, Solr.	45
Paul Christopher, BL	139
Paul Gormley, BL	32
Paul McGarry, BL	16
Ricardo Dourado, BL	54
Ronan Maguire, BL	16
Samantha Cruess Callaghan, BL	2
Sean Bellew, BL	86
Susan Nolan, Solr	31

**Table 5; 2012**

<b>Tribunal Member</b>	<b>No. of Cases processed to completion</b>
Ben Garvey, BL	38
Bernadette Cronin, SC	8
Bernard McCabe, BL	83
Conor Gallagher, BL	24
David Andrews, SC	14
Donal Egan, BL	5
Eamon Cahill, SC	13
Elizabeth O’Brien, BL	40
Fergus O’Connor, BL	36
Laura McKenna, BL	5
Majella Twomey, BL	122
Margaret Levey, BL	45
Michelle O’Gorman, BL	82
Olive Brennan, BL	27
Patrick Hurley, Solr.	40
Paul Christopher, BL	66
Paul Gormley, BL	19
Ronan Maguire, BL	18
Susan Nolan, Solr	6

**Appendix 2: Fees paid to Tribunal Members for the years 2008 - 2012****Table 1: 2008.**

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Anne Tait	3,128
Ben Garvey	109,321
Bernadette Cronin	9,015
Bernard McCabe	113,641
Bruce St John Blake	3,479
Conor Gallagher	23,292
David Andrews	86,590
David Goldberg	17,793
Denis Linehan	43,500
Donal Egan	9,075
Eamon Barnes	7,024
Eamonn Cahill	54,844
Elizabeth O'Brien	101,878
Emma Toal	1,059
Fergus O'Connor	14,031
Jim Nicholson	484
John Hayes	10,436
Judy Blake	7,647
Laura Mc Kenna	19,179
Majella Twoomey	32,125
Margaret Levey	86,338
Michael O'Kennedy	13,812
Michelle O'Gorman	176,271
Nehru Morgan Pillay	11,803
Olive Brennan	78,704
Paul Christopher	6,958
Paul Gormley	5,233
Patrick Hurley	48,842
Paul Mc Garry	10,085
Ricardo Dourado	25,628
Rory Mc Cabe	3,485
Samantha Cruess Callaghan	13,250
Sean Deegan	6,963
Susan Nolan	27,727

**Table 2 : 2009.**

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Anne Tait	30,297
Ben Garvey	86,037
Bernadette Cronin	15,935

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Bernard Mc Cabe	188,539
Bruce St John Blake	1,285
Conor Gallagher	34,139
David Andrews	63,364
David Goldberg	46,533
Denis Linehan	78,340
Donal Egan	24,469
Eamon Barnes	8,154
Eamonn Cahill	46,165
Elizabeth O' Brien	92,277
Emma Toal	26,819
Fergus O' Connor	79,262
John Hayes	6,950
Judy Blake	7,109
Laura Mc Kenna	13,096
Majella Twoomey	55,261
Margaret Levey	97,829
Michael O' Kennedy	33,055
Michelle O' Gorman	178,888
Nehru Morgan Pillay	72,278
Olive Brennan	81,013
Paul Christopher	78,474
Paul Gormley	16,494
Patrick Hurley	51,078
Paul Mc Garry	63,809
Ricardo Dourado	29,828
Samantha Cruess callaghan	335
Sean Bellew	22,681
Sean Deegan	8,664
Susan Nolan	31,271

**Table 3 : 2010.**

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Anne Tait	33,179
Ben Garvey	61,802
Bernadette Cronin	14,171
Bernard Mc Cabe	97,210
Conor Gallagher	23,795
David Andrews	71,824
David Goldberg	29,882
Denis Linehan	61,046
Donal Egan	10,625
Eamon Barnes	2,744
Eamonn Cahill	25,511

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Elizabeth O'Brien	11,900
Emma Toal	31,685
Fergus O'Connor	80,780
John Hayes	10,498
Judy Blake	8,371
Laura Mc Kenna	14,388
Majella Twoomey	35,016
Margaret Levey	77,320
Michael O' Kennedy	10,840
Michelle O' Gorman	167,513
Nehru Morgan Pillay	98,174
Olive Brennan	93,150
Paul Christopher	76,762
Paul Gormley	26,465
Patrick Hurley	33,775
Paul Mc Garry	22,397
Ricardo Dourado	28,163
Ronan Maguire	1,336
Samantha Cruess callaghan	8,199
Sean Bellew	68,943
Sean Deegan	8,221
Susan Nolan	22,863

**Table 4 : 2011.**

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Anne Tait	5,772
Ben Garvey	25,916
Bernadette Cronin	7,002
Bernard McCabe	41,041
Conor Gallagher	13,386
David Andrews	30,686
David Goldberg	4,665
Denis Linehan	6,735
Donal Egan	1,308
Eamonn Cahill	15,713
Elizabeth O'Brien	66,146
Emma Toal	10,537
Fergus O'Connor	30,652
John Hayes	1,280
Judy Blake	1,642
Laura Mc Kenna	6,797
Majella Twoomey	25,231
Margaret Levey	42,926

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Michael O’Kennedy	2,560
Michelle O’Gorman	69,776
Nehru Morgan Pillay	6,095
Olive Brennan	19,498
Paul Christopher	71,090
Paul Gormley	16,520
Patrick Hurley	18,139
Paul Mc Garry	10,882
Ricardo Dourado	25,047
Ronan Maguire	6,262
Samantha Cruess Callaghan	1,158
Sean Bellew	33,547
Susan Nolan	14,778

**Table 5 : 2012 (Provisional).**

<b>Tribunal Member</b>	<b>Amount Paid (€)</b>
Ben Garvey	22,831
Bernadette Cronin	4,295
Bernard McCabe	35,554
Conor Gallagher	14,606
David Andrews	7,899
Donal Egan	1,358
Eamonn Cahill	7,784
Elizabeth O’Brien	15,316
Fergus O’Connor	20,160
Laura McKenna	1,301
Majella Twomey	39,109
Margaret Levey	23,939
Michelle O’Gorman	31,414
Paul Christopher	43,733
Olive Brennan	19,033
Patrick Hurley	15,443
Paul Gormley	11,754
Ronan Maguire	5,896
Susan Nolan	2,970

### **Garda Ethnic Liaison**

550. **Deputy Nicky McFadden** asked the Minister for Justice and Equality if he will outline some of the collaboration currently taking place in the midlands between the Gardaí and migrant communities through the Garda Racial and Intercultural Office; and if he will make a statement on the matter. [3751/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the Garda Racial, Intercultural and Diversity Office (GRIDO) actively engages

and proffers support to Garda Ethnic Liaison Officers in the midlands regarding all matters in the area of policing multicultural society. Local Garda Ethnic Liaison Officers (ELO) liaise with members of minority communities to reassure them of the Garda services available to them. Regular contact is maintained with personnel from GRIDO resulting in Divisional Gardaí being in a position to receive and communicate information on issues which may be raised by members of the migrant communities. Trained ELOs interact with members of ethnic minorities on issues affecting the Garda organisation. A successful multicultural open day was held at Mullingar Garda Station at the end of 2011. Contacts made from the open day have been maintained in order to ensure that An Garda Síochána continues to provide an excellent service to ethnic minority communities.

The Garda authorities also advise that a text alert system is in operation in the area, which includes members of migrant communities. Other relevant actions in this area include a crime prevention presentation, for the South Asian Community, which was held in July 2012. In addition, an intercultural coffee morning is due to be held in the Lios Na Greine Family Resource Centre in February 2013. This event has been organised by the local Garda ELO in conjunction with local migrant community members. Garda ELOs have visited primary and secondary schools and addressed pupils as part of the Garda Schools Programme. The Social Personal and Health Education Programme in schools specifically covers racism and ethnicity. I am advised that these and similar activities are used as a means to strengthen relationships and build confidence between local Gardaí and migrant communities.

### **Asylum Seeker Accommodation**

551. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he visited Hatch Hall or any other direct provision centre last year, including the names of those centres; if he will state the purpose and outcome of each visit. [3753/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As Minister for Justice and Equality, it is important to me that I have an on-the-ground understanding of the services provided by my Department and its agencies. It was to that end that I visited the asylum seeker accommodation centre at Hatch Hall, Hatch Street, Dublin 2 on 22 November last. This was my first visit to such a centre but I intend to visit at least one other later this year.

I was shown around the centre in the company of centre management staff and officials from the Reception and Integration Agency (RIA), a functional unit of the Irish Naturalisation and Immigration Service (INIS) of my Department responsible for the accommodation of persons while their applications for international protection are being processed. Towards the end of visit I met with several residents in the centre with whom I discussed a number of their concerns, mainly relating to the length of time spent in the direct provision system.

Hatch Hall is one of 35 centres currently under contract to RIA, accommodating approximately 4,900 residents. The centres operate in accordance with the Government policy of direct provision. Under this system, RIA provides full board accommodation and ancillary services to asylum seekers while they await a final decision on their asylum and related applications. RIA also works with other State service providers, including the HSE, Department of Social Protection and the Department of Education, to ensure that the necessary ancillary services are provided to the residents.

In relation to the broader asylum issues arising from my visit to the centre, particularly the complexity and length of the associated processes, it confirms to me that my efforts should remain concentrated on speeding up the processing of applications, primarily by redeploying

staff from the refugee determination bodies. The Immigration, Residence and Protection Bill, 2010, which I intend to republish, provides for the introduction of a single procedure to determine applications for protection and other reasons to remain in the State. This should substantially simplify and streamline the existing arrangements. This reorganisation of the protection application processing framework will remove the current multi-layered processes and provide applicants with a final decision on their applications in a more straightforward and timely fashion.

Finally, I recently approved an initiative to put in place a panel with legal expertise who will assist INIS in processing a cohort of repatriation cases, thus speeding up the overall process and reducing the time spent by persons in the direct provision system. I would expect to see significant dividends, in terms of cases finalised, from this initiative in the coming months.

### **Residency Permits**

552. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if there will be any change to the requirement for non-EEA nationals to register with the Gardaí following the recent Sulaimon decision where the Supreme Court ruled that residency permission is effective from the date of the letter from the Minister granting permission to reside and not from the date of registration with the Garda National Immigration Bureau, as was the previous policy of INIS; and if he will make a statement on the matter. [3754/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The judgement of the Supreme Court in the Sulaimon case does not make any change to the legal requirement for a non-national who has permission to remain in the State to register with An Garda Síochána. I am advised by the Irish Naturalisation Immigration Service (INIS) that in consultation with the State's legal advisors and the Gardaí it is currently finalising amended administrative processes in relation to the grant of residency in order to comply with the terms of the Supreme Court judgement in question.

In accordance with section 9 of the Immigration Act, 2004 a non-national who has permission to remain in the State is required to register with An Garda Síochána and to comply with the requirements as to registration set out in the Act of 2004. Certain categories of non-nationals are exempted from the registration requirement. These are:

- (a) a non-national who is under the age of 16 years;
- (b) a non-national who was born in Ireland;
- (c) a non-national not resident in the State who has been in the State for a period of not more than 3 months since the date of his or her arrival in the State;
- (d) a non-national seaman not resident in the State whose ship remains at a port in the State and who does not land in the State for discharge.

A person who contravenes the requirements to register commits an offence.

*Question No. 553 answered with Question No. 547.*

### **Private Security Authority Remit**

554. **Deputy Timmy Dooley** asked the Minister for Justice and Equality when the board of

the Private Security Authority expect to conclude their review of the licence fee structure; and if he will make a statement on the matter. [3786/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Private Security Authority, an independent agency under the remit of my Department, is the regulatory body with responsibility for regulating and licensing the private security industry in the State. There has been ongoing contact between the Department and the Authority about the matter and I expect to be in a position shortly to make an announcement.

### Garda Transport Provision

555. **Deputy Dara Calleary** asked the Minister for Justice and Equality the total number of Garda cars that have been taken out of service in County Mayo in 2011 and 2012; the number that were replaced; and if he will make a statement on the matter. [3824/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** Decisions in relation to the provision and deployment of Garda transport are matters for the Garda Commissioner. In that context, I am informed that the information requested by the Deputy in respect of the Mayo Division is as follows:

Year	No. of Patrol Cars/vans allocated	No. of patrol Cars/vans Decommissioned
2011	5	4
2012	2	8

With regard to transport matters generally, the Deputy will be aware that an additional investment of €3 million in the Garda fleet towards the end of 2012 has resulted in over 170 new vehicles being purchased. These vehicles are currently being rolled out and I am informed by the Garda authorities that 30 of the vehicles are due to be allocated to the Garda Western Region, which includes the Mayo Division. In addition, €5 million has been made available for the purchase and fit-out of new Garda vehicles in 2013.

### Asylum Applications

556. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he will provide information on the number of Syrian nationals, if any, that were refused leave to land here in 2012 in view of the recent comments by the High Commissioner for Refugee, Mr António Guterres, in Dublin, to keep EU borders open to those fleeing violence in Syria [3834/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed that 11 people who presented as Syrian nationals were refused leave to land in 2012, three of whom were subsequently permitted to enter the State having made an application pursuant to the Refugee Act, 1996 (as amended). The remaining eight persons were returned to their last port of departure for the State. The Deputy will be aware that at the recent informal JHA Council which I chaired under our Irish Presidency of the EU, the issue of Syria was discussed. I was very pleased to provide the opportunity to Mr. Guterres to update my ministerial colleagues from the Member States on the humanitarian crisis that is unfolding in Syria. There is, of course, no doubt, but that the State will fulfil its obligations to those persons in need of protection.

### **Garda Investigations**

557. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will provide an update on the inquiry into the Fr. Niall Molloy murder case. [3892/13]

574. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if an inquiry will be held into the the death of Fr. Niall Molloy. [4231/13]

575. **Deputy Marcella Corcoran Kennedy** asked the Minister for Justice and Equality if the Serious Crime Review Team has finalised their enquiries into the case of the death of Fr. Niall Molloy; if an Garda Síochána has submitted a file to the Director of Public Prosecutions; and if he will make a statement on the matter. [4237/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 557, 574 and 575 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 the officers carrying out the examination are continuing to keep the family members of the deceased updated on progress. While I fully appreciate the concerns of the family, in any case where criminal behaviour is suspected it is only through a Garda investigation, and where evidence of criminal wrongdoing is available through the submission of a file by the Gardaí to the Director of Public Prosecutions, that persons can be brought fully to account. Therefore, I hope that the Deputies will agree that, in the first instance, we need to allow the present Garda examination to proceed to its conclusion.

### **Garda Síochána Ombudsman Commission Issues**

558. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality in accordance with section 18 (3) of the Coroners Act 1962 in order to ensure that in the period prior to informing the coroner and/or after the coroner has been informed, if he will ensure that a protocol is in place to ensure that the necessary steps are taken to preserve the scene and evidence and to determine if the scene is one of homicide. [3905/13]

559. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if his attention has been drawn to the fact that the Coroners Act 1962 states that although the coroner may be notified of a death, it may still be treated as sudden by the Gardai in view of the fact that there is no protocol in place, until the coroner raises questions in relation to the death but this may be more than 24 hours later, when it is too late; and if he will make a statement on the matter. [3906/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 558 and 559 together.

Section 18(3) of the Coroners Act 1962 provides that it shall be the duty of an Inspector or officer of the Garda Síochána, if he becomes aware of the death within the district of a coroner of any person in whose case a medical certificate of cause of death is not procurable, to inform the coroner of such death. I am informed by the Garda authorities that An Garda Síochána investigate all deaths which appear to be unnatural, unaccountable, suspicious or as a result of violence. In investigating such a death An Garda Síochána has recourse to section 5 of the Criminal Justice Act 2006 which permits the designation of a place as a crime scene for the pur-

poses of preserving any evidence of, or relating to, the commission of the offence being investigated. Where An Garda Síochána is investigating a suspicious death the location is preserved as a crime scene until such time as all evidence has been secured.

### **Garda Policing Plans**

560. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he will name the document in which the Garda policy on Family Liaison Officers is contained. [3907/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the policy for Family Liaison Officers is contained in an internal Garda directive which issued to all members of the organisation in 2006. Internal Garda documents are not made publicly available.

### **Crime Levels**

561. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number detected and undetected murders which took place in Donegal in 2009. [3908/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy.

### **Charities Regulation**

562. **Deputy Mattie McGrath** asked the Minister for Justice and Equality if he will consider an amendment to Section 99 (3) of the Charities Act 2009 to specify the Irish Catholic Church in view of the fact that concerns have been raised that many of the signed mass cards on sale are coming from abroad and there is difficulty confirming the authenticity of such cards; and if he will make a statement on the matter. [3909/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** Section 99 of the Charities Act 2009, which regulates the sale of pre-signed Mass cards, came into effect on 1 September 2009. It has been the subject of a constitutional challenge, which failed in the High Court, but which is to be brought before the Supreme Court. I have no plans at this time to amend Section 99 of the Charities Act 2009.

### **Crime Levels**

563. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality if he will provide details for the years 2011 and 2012 of the number of each of the following offences, rape, sexual assault, aggravated sexual assault, sexual offences relating to children, sexual offences involving a person with a disability, incest, that were reported to the Gardaí and as a result of these reports the number of charges that were brought against persons; the number of cases that were brought before the courts; the number of convictions that were secured; the number of custodial sentences that were handed down; the duration of sentences; the number of persons

that were added to the register of sex offenders; and if he will make a statement on the matter. [3936/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy. I have requested a report from the Garda authorities in relation to the number of persons subject to the requirements of Part 2 of the Sex Offenders Act 2001. I will contact the Deputy again when the report is to hand.

### **Garda Transport Provision**

564. **Deputy Pat Deering** asked the Minister for Justice and Equality the timeframe for the delivery of the new Garda vehicles for 2013. [3959/13]

565. **Deputy Pat Deering** asked the Minister for Justice and Equality the number of the 2013 fleet of Garda vehicles allocated to County Carlow in view of the fact that there has been a disproportionate reduction in the number of cars in service in the county over the past three/four years. [3960/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 564 and 565 together.

As the Deputy will be aware, a substantial number of Garda vehicles was purchased towards the end of last year and they are currently being rolled out to Garda Divisions throughout the country. In this context I have been informed by the Garda authorities that 25 of the vehicles are due to be allocated to the Garda South Eastern Region, which includes the Kilkenny/Carlow Division. A more detailed breakdown is not currently available and the Deputy will appreciate that the vehicles will be deployed in line with Garda operational requirements. In addition, a further provision of €5 million has been made available for the purchase and fit-out of Garda transport in 2013. I am confident that this package of funding will considerably strengthen the overall effectiveness of the Force in delivering a policing service to all communities.

### **Courts Service Issues**

566. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the current number of cases awaiting a hearing the Court of Criminal Appeal; the average length of time awaiting a hearing at the Court of Criminal Appeal; and if he will make a statement on the matter. [3994/13]

567. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality if he will outline the additional resources allocated to the Court Service to deal with the backlog of cases to be heard by the Court of Criminal Appeal. [3996/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 566 and 567 together.

The allocation of the business of the courts, scheduling of court cases and the management of court lists are matters for the judiciary and the Presidents of the courts. The Deputy will also be aware that judges are, subject to the Constitution and the law, independent in the exercise of their judicial functions.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that the number of appeals awaiting hearing in the Court of Criminal Appeal is 162. The average waiting time for an appeal is approximately 15 months from the time an appeal is entered on the list, with all papers lodged, to when the appeal is heard. I am informed that the judiciary monitor waiting times and backlogs of court cases on an ongoing basis to ensure that delays are kept to a minimum. The Courts Service works with the judiciary to ensure that all cases are dealt with and disposed of as speedily as possible. The Service has been engaged in a modernisation programme including an end-to-end examination and reform of court processes and procedures to bring about efficiencies in the management of the courts and the services provided.

As the Deputy will be aware, the Court of Criminal Appeal consists of a Judge of the Supreme Court and two Judges of the High Court so any additional sittings would likely have implications for the Supreme Court which continues to experience lengthy waiting times. Although considerable efforts are being made to manage this, the issue of capacity in the Supreme Court can only be fully resolved through the establishment of a Court of Appeal which can deal with civil cases. This necessitates the holding of a Constitutional referendum on Article 34 to which the Government is committed and work has commenced in my Department in this regard.

### **Constitutional Amendments**

568. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality his plans for the creation of a permanent appeals court; and if he will make a statement on the matter. [3997/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Government has approved, in principle, the holding a referendum to allow, inter alia, for the establishment of a new Court of Appeal and for the drafting of the necessary legislative scheme. Work to this end is progressing in my Department. While the precise timing of a referendum is a matter for the Government to decide in due course, the intention is that it will be held on the same day as at least one other referendum.

### **Joint Policing Committees Remit**

569. **Deputy Róisín Shortall** asked the Minister for Justice and Equality if he will give consideration to giving a consultative role to Joint Policing Committees in respect of the operation of local licensed premises in respect of compliance with the law in order that the local Gardaí can be well informed prior to the annual renewal of licences; and if he will make a statement on the matter. [4002/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The functions and powers of Joint Policing Committees (JPCs) are set out in the Garda Síochána Act 2005, which provides for a Committee in each local authority area. The essential role of JPCs is to provide appropriate advice to the Gardaí and local authorities and to support collaborative engagement among stakeholders in relation to local policing issues. The Act provides that JPCs operate under guidelines issued by the Minister for Justice and Equality after consultation with the Minister for the Environment, Community and Local Government. The current guidelines were issued in September, 2008.

The Programme for Government makes a commitment to build on existing community po-

licing partnerships and forums to enhance trust between local communities and their Gardaí. In the spirit of that commitment I initiated a review of the operation of JPCs and I have published a discussion document to open the matter for wider consultation. In the context of the present review I will be happy to consider all views on the functioning of JPCs and the Deputy is most welcome to contribute to the consultation process. It is important to bear in mind, however, in considering any changes to the remit of the JPCs, that they are intended as a forum for engagement to promote more effective action by the various stakeholders and not as an additional administrative structure. In this regard An Garda Síochána already has the power to object to the renewal of a licence under existing legislation, and as the Gardaí are essential participants in the work of JPCs, it would seem that relevant views can be aired in the context of the existing JPC structures.

### Garda Síochána Ombudsman Commission Issues

570. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will assist a family (details supplied) in County Louth which is being subjected to intimidation [4111/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy again when the report is to hand.

### Prison Committals

571. **Deputy Patrick Nulty** asked the Minister for Justice and Equality the number of persons committed to prison for non-payment of fines in 2012; if he will provide comparative figures for the previous three years; and if he will make a statement on the matter. [4120/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** A breakdown of the number of persons imprisoned solely for non-payment of fines for each of the years 2009, 2010, 2011, 2012 is set out in the table.

Year	Number of Persons
2009	4,350
2010	5,995
2011	6,727
2012*	7,467

\* The 2012 figure is provisional pending the publication of the Irish Prison Service Annual Report.

I can advise the Deputy that the number of such persons held in custody at any one time is a tiny fraction of the overall prisoner population. To illustrate this point, on 25 January, 2013, 7 people, 0.16 percent, out of a prison population of 4,182 in custody that day fell into this category.

### Garda Síochána Ombudsman Commission Issues

572. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality if he will provide in tabular form the number of pipe bombs discovered by an Garda Síochána each and every year since 2005; and if he will make a statement on the matter. [4162/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have requested the information sought by the Deputy from the Garda authorities. However, I am informed that in the time available it has not been possible to compile fully the data required. I will be in contact with the Deputy when this information is to hand.

### **Private Security Authority Remit**

573. **Deputy Simon Harris** asked the Minister for Justice and Equality if he has expanded the role of the Private Security Authority to cover the issuing of licences for businesses working in the area of CCTV, security gates and so on; if he has given consideration to the implementation costs to businesses; if he is confident that the Private Security Authority has adequate knowledge of this industry; if he is concerned about the potential black market activity; and if he will make a statement on the matter. [4163/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Private Security Authority, an independent agency under the remit of my Department, is the regulatory body with responsibility for regulating and licensing the private security industry in the State. The Private Security Services Act 2004 (as amended) sets out the activities in the private security industry which are, or will be, subject to licensing. One of the security services prescribed in the primary legislation is that of ‘installers of security equipment’ which includes services such as Intruder Alarms, Access Control, and CCTV.

The Authority has adopted a phased approach to the licensing of the industry and the licensing of installers of intruder alarms systems commenced in August 2006. More recently, since 1st October 2012, contractors providing security services in the Access Control and CCTV sectors require a licence from the Authority. Contractors such as those in the Access Control and CCTV sectors are required to pay a licence fee to the Authority. The Authority is aware of the difficulties faced by the industry at this time and there has been ongoing contact between the Department and the Authority about the fee level. I expect to be in a position shortly to make an announcement about the matter.

The Authority has, since its establishment, shown its competence in regulating the security industry. A wide range of stakeholders have been represented on the Board of the Authority to date and they have brought their knowledge of the industry to the policy formation process. The Authority is committed to consulting with all stakeholders and considers the opinions of those in the industry in its business planning. I am informed that there were two periods of public consultation prior to the introduction of licensing to the Access Control and CCTV which contributed to the formulation of licensing regulations.

The Authority has extensive powers of enforcement under the legislation. I am informed by the Authority that it aims to ensure that all contractors are operating within the law and that it is in the process of boosting its inspection capabilities with a view to targeting unlicensed operators. Where there is sufficient evidence prosecution proceedings will be pursued against those operating outside the legislation. The Deputy will also appreciate that tax clearance certification is part of the licensing process.

*Questions Nos. 574 and 575 answered with Question No. 557.*

### **Temporary Release of Prisoners**

576. **Deputy John Halligan** asked the Minister for Justice and Equality in view of the fact

that the number of prisoners being granted Christmas temporary release has increased from 107 in 2008 to 226 in 2012, if he will clarify of the 226 prisoners granted varying periods of temporary release for the Christmas period December, 2012 under the Criminal Justice Act, 1960 the number of these prisoners serving their sentences in high security institutions; the number of these prisoners convicted of serious crimes such as murder; attempted murder; rape; aggravated sexual assault; assault; armed robbery and so on; if he will further clarify how far into the serving of their sentences were these prisoners; the criteria taken into consideration in determining if a prisoner should qualify for temporary release; whether the victims and the families of the victims of these crimes notified of the temporary release; the cost to the State when these prisoners fail to return after Christmas temporary release; and if he will make a statement on the matter. [4256/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that 226 prisoners were granted temporary release for Christmas 2012 under the Criminal Justice Act 1960. This figure represented approximately 4% of the overall prisoner population. The Prison estate consists of 1 high security prison, Portlaoise Prison, and a total of 12 prisoners were granted Christmas temporary release from this institution. In general the periods of release varied from a few hours (in some cases accompanied by another responsible person) up to 7 nights. All releases were subject to stringent conditions and any offender who breaks these conditions may be arrested and returned immediately to prison by the Gardaí.

The table below outlines that nature of offences committed by those prisoners who were granted Christmas temporary release.

Offence Group	Total number of prisoners
Homicide Offences	26
Controlled Drug Offences	59
Weapons and Explosives	10
Damage to property and environment	6
Public order and social code	3
Road and traffic offences	5
Government, Justice and Organised Crime offences	5
Offences not elsewhere classified	1
Sexual Offences	2
Attempts/Threats to murder	24
Dangerous negligent acts	10
Robbery, extortion and hijacking offences	9
Burglary and related offences	15
Theft and related offences	35
Fraud, deception and related offences	16
Overall total	226

\* In 2010 the Irish Prison Service recategorised the offence groups under which prisoners' convictions are recorded. Statistics are now compiled using the same groups as those used by An Garda Síochána, the Central Statistics Office, the Courts Service and the Probation Service.

The majority of prisoners released were nearing the end of their sentences and the overriding concern when considering the applications is the safety of the public. In addition to compassionate and humane considerations, other criteria taken into account included the nature and gravity of the offence, prior record on temporary release, behaviour while in custody and

previous criminal history.

The majority of prisoners released were participating in Incentivised Regime at the enhanced level. These incentivised regimes enable prisoners to progress through the system, in a way that helps them prepare for their eventual reintegration into society. This involves engaging with the services and partaking in training and educational programmes. The Incentivised Regimes Policy provides for a differentiation of privileges between prisoners according to their level of engagement with services and quality of behaviour. The Victim Liaison Officer of the Irish Prison Service informs all registered victims when any form of temporary release is being granted to a prisoner. Where prisoners granted temporary release fail to return, the details are passed to An Garda Síochána. However, I can advise the Deputy that all 226 prisoners returned to custody after their respective periods of temporary release.

### **Public Service Reform Plan Update**

577. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4291/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, the radical streamlining of State bodies is a key deliverable of the Public Services Reform Plan, published in November 2011. This streamlining included the rationalisation of 48 bodies by the end of 2012, as listed in Appendix IIa to the Reform Plan. On 31 October 2012, my colleague, the Minister for Public Expenditure and Reform, announced an update in relation to the programme of rationalisation of State bodies.

With regard to State bodies under the aegis of my own Department, the bodies which are to be rationalised, amalgamated or abolished in 2012 are as follows:

Equality Tribunal (Rationalise the industrial relations/employee rights institutions - Labour Court, Labour Relations Commission, Employee Appeals Tribunal, National Employment Rights Authority and Equality Tribunal into single agency). This overall rationalisation of industrial relations institutions is being led by my colleague, the Minister for Jobs, Enterprise and Innovation. The General Scheme of a Bill to provide for this measure has been approved by Government. Administrative responsibility for the Equality Tribunal transferred to the Department of Jobs, Enterprise and Innovation from 1 January 2013.

Equality Authority, Human Rights Commission (Merge to form new Irish Human Rights and Equality Commission). I published the General Scheme of a Bill to replace the Equality Authority and the Human Rights Commission with a new Irish Human Rights and Equality Commission on 5 June 2012. The Bill is currently being drafted. In parallel, a selection process is currently in relation to the membership of the new Commission is underway. It is intended to appoint the successful applicants to the two existing bodies as an interim step, pending enactment of the legislation.

### **Irish Sentencing Information System Funding**

578. **Deputy Anne Ferris** asked the Minister for Justice and Equality if further funds will

be provided to develop the Irish Sentencing Information System; and if he will make a statement on the matter. [4298/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Irish Sentencing Information System, or ISIS, results from the work of a steering committee established by the judiciary itself to oversee the development of an electronic system to gather information about the range of sentences and other penalties that have been imposed for particular types of offences across court jurisdictions. The resulting website became operational as a pilot in August 2010 with information published on over 1000 cases. I consider the website has the potential in time to be a valuable tool not only to members of the judiciary but also for lawyers, researchers and those of us concerned with the needs of victims and their families and I welcome the recent announcement by the steering committee that two interns are shortly to be appointed under the JobBridge National Internship Scheme in order to recommence the detailed work of gathering and providing information via the website.

### **Missing Persons**

579. **Deputy Noel Harrington** asked the Minister for Justice and Equality further to Parliamentary Question No. 151 of 12 December 2012 (details supplied), if he will state the number of human remains that are in possession of the Forensic Science Laboratory that remain unidentified; and if he will make a statement on the matter. [4347/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As I stated in my reply of 12 December 2012, I am informed by the Garda authorities that, despite numerous attempts by the Forensic Science Laboratory (FSL) to extract DNA from the remains in question in an effort to generate DNA profiles, all attempts to date have proved unsuccessful. I am further informed that the remains in question comprise four single or partial bones.

In my previous reply I also mentioned that new profiling technology will be introduced at the FSL, in early 2013, and it is expected that further tests will be carried out on the remains which have been recovered using this technology. I also referred to the advice that the extraction of DNA profiles from bones that have been in water for a long period of time is extremely difficult as the sea has been found to cause extensive degrading of Nuclear DNA over time. In this regard it would be appropriate to caution against raising expectations in relation to any further testing that may be carried out.

I am very much aware of the concerns which have been expressed in relation to these remains and my Department has conveyed these concerns to the Garda authorities. I am confident that in cases of missing persons, whether at sea or on land, An Garda Síochána does all in its power to assist families of those who have been lost and, in particular, would contact families when they have any information of substance to impart.

### **Sentencing Policy**

580. **Deputy Róisín Shortall** asked the Minister for Justice and Equality his views on whether there needs to be further statutory sentencing guidelines for the judiciary in relation to serious sexual assaults; his plans to require the judiciary to develop consistent sentencing policy in relation to sexual assaults or the development of an independent sentencing committee; and his plans to amend the policy of sentencing for certain offences to address clear inadequacies and inconsistencies in the system. [4374/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I know the Deputy will appreciate that judges are independent in the matter of sentencing, as in other matters concerning the exercise of judicial functions, subject only to the Constitution and the law. In accordance with this principle, the role of the Oireachtas has been to specify in law a maximum penalty and a court, having considered all the circumstances of the case, to impose an appropriate penalty up to that maximum. The court is required to impose a sentence which is proportionate not only to the crime but to the individual offender, in that process identifying where on the sentencing range the particular case should lie and then applying any mitigating factors which may be present.

There are, of course, a small number of situations where statute has created exceptions to this approach most notably by providing for mandatory sentences for murder and presumptive minimum sentences in the case of certain firearms and drug trafficking offences. Except for exceptional circumstances, I am of the view that the Oireachtas should be cautious in prescribing mandatory sentences. An important safeguard rests in the power of the Director of Public Prosecutions to apply to the Court of Criminal Appeal to review a sentence she regards as unduly lenient.

The Deputy may be aware that the Law Reform Commission, after detailed study some years ago, recommended against the introduction of statutory sentencing guidelines but favoured non-statutory sentencing principles. The Superior Courts have developed a substantial body of case law setting out general principles of sentencing. Sentencing practice is also being developed by a steering committee of the judiciary which developed the Irish Sentencing Information System (ISIS) website, a pilot initiative designed to gather information about the range of sentences and other penalties that have been imposed for particular types of offences across court jurisdictions. Information on over 1,000 cases is detailed on the website and I welcome the committee's recent announcement that two JobBridge interns are to be appointed shortly in order to recommence populating the online database with information on sentencing in the criminal courts.

The Deputy may be aware that the ISIS committee also announced they are planning to recommence providing information on sentencing in relation to specific issues in which context an analysis has been published on rape sentencing prepared by the Judicial Researchers Office under the guidance of Mr. Justice Peter Charleton. I understand that seminars are also planned, including one focusing on the work of the Sentencing Council in the UK. Finally, as the Deputy may be aware, in September 2012, I announced a strategic review of penal policy. I have established a working group to carry out this review which will examine all aspects of penal policy and I expect the Group to report later this year.

### **Garda Síochána Ombudsman Commission Issues**

581. **Deputy Róisín Shortall** asked the Minister for Justice and Equality the action that is being taken by an Garda Síochána to curb illegal distance sales of alcohol and the outcome in terms of Garda activity statistics, prosecutions, convictions secured and so on. [4375/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy again when the report is to hand.

### **Citizenship Applications**

582. **Deputy James Bannon** asked the Minister for Justice and Equality the position regarding an application for Irish citizenship in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [4388/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question. My response to Parliamentary Question No. 179 of 21st November 2012, set out the position in respect of an application by the person concerned for residence in the State on the basis of civil partnership to an Irish national (extract below). Since that reply, documentation was requested by the Spouse of Irish National Section of INIS on 23rd November in order to allow for the application to be finalised. The documentation requested was not supplied in full. A further request for documentation issued on 13th December, 2012 resulting with the receipt of some of the documentation requested. A further request clarifying the list of documentation to be submitted, issued to the legal representative of the person concerned on 18th January, 2013. A response to this request is awaited.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Extract from reply to PQ 179 - 21st November, 2012

I am informed by the Irish Naturalisation and Immigration Service (INIS) that an application from the person concerned for residence in the State on the sole basis of civil partnership to an Irish national is currently under consideration.

Applications are dealt with in chronological order and I understand that INIS expect a decision to issue in this case before the end of November, 2012. It should be noted that civil partnership with an Irish national nor marriage to an Irish national does not confer an automatic right of residence in the State.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Equality Tribunal Cases**

583. **Deputy Clare Daly** asked the Minister for Justice and Equality the 2012 figures for the number of complaints lodged with the Equality Tribunal under the Equal Status Acts 2000-2011; the number of complaints withdrawn; the number of complaints referred to mediation; the number of complaints settled at mediation; the number of complaints referred to investigation, hearing and decision; the number of decisions reached. [4401/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The information sought by the Deputy in regard to complaints referred to the Equality Tribunal in 2012 under the Equal Status Acts 2000-2012 is as follows:

New complaints were referred in respect of 133 lead/grouped cases.

6 of these complaints were subsequently withdrawn, 4 during mediation with the mediator involved and 2 while awaiting investigation.

Invitation to mediation issued in respect of 93 of these cases, accepted by parties in 69 cases.

Of these 69 cases, 24 complaints were settled at mediation - by mediation agreement in 20 cases and by withdrawal of the complaint in 4 cases as outlined above. Mediation is still ongoing in 27 cases.

In total, 80 of the 133 new cases referred in 2012 have been referred to investigation, hearing and decision. This includes cases in which mediation was not accepted and cases not resolved at mediation which then proceeded to investigation. Investigation is still ongoing in 53 cases.

In 2012, decisions were issued in 46 cases on conclusion of investigation and hearing, 3 of which related to complaints referred in 2012.

### National Lottery Funding Disbursement

584. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality if he will provide details, year on year, of the compensation funding stream from the National Lottery, to those charities who had their own scratch card fund raising in situ and whose returns were negatively impacted by the introduction of the coterie of National Lottery products; if he will provide the above requested detail by individual charity; if he will project forward the anticipated or scheduled supports that each charity will receive; and if he will make a statement on the matter. [4431/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Charitable Lotteries Fund was established in 1997 to provide assistance to the promoters of certain private charitable lotteries that have products similar to products sold by the National Lottery. The Fund was originally drawn from the National Lottery surplus but, as with other National Lottery funded subheads, it is now drawn also from exchequer funds. From its establishment until 2011, the Charitable Lotteries Fund was administered by the Department of Finance. In mid-2011 responsibility for its administration was transferred to my Department and details of funding for 2012 and 2011 are as follows:

#### Charitable Lotteries Fund Allocation 2012

Charity	2012 Distribution (€)
REHAB Lotteries	3,923,659.43
Gael Linn	454,274.93
Asthma Society of Ireland	371,277.42
Irish Cancer Society	189,774.86
Polio Fellowship of Ireland	189,774.86
The Hanly Centre	176,194.59
Irish Lung Foundation Limited	101,458.34
West of Ireland Alzheimer Foundation	95,624.29
Ataxia Ireland	94,449.01
Drogheda Community Services Trust	78,107.81
St Kierans Community Centre	66,759.33
ISPCC	64,560.25
Irish M.E. Trust	63,795.57
Longford Cathedral Circle	39,943.77
Associated Charities Trust	27,067.76

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Charity	2012 Distribution (€)
Mulranny Day Centre Housing Co. Ltd.	19,578.59
Lyreacrompane Community Development Ltd	18,295.34
Sliabh-Ardagh Rural Development	13,378.73
Cappoquin Community Development Co. Ltd	12,025.13
Total	6,000,000.01

**Charitable Lotteries Fund Allocation 2011**

Charity	2011 Distribution (€)
REHAB Lotteries	3,905,661.42
Gael Linn	436,262.33
Asthma Society of Ireland	364,236.16
Irish Cancer Society	209,728.93
Polio Fellowship	209,728.93
The Hanly Centre	169,393.23
FÁSI	109,212.02
Irish Lung Foundation Limited	104,135.45
ISPCC	69,427.13
West of Ireland Alzheimer Foundation	94,298.22
Drogheda Community Services Trust	76,512.53
Irish M.E. Trust	64,633.59
St Kierans Community Centre	61,900.03
Longford Cathedral Circle	39,552.21
Associated Charities Trust	25,905.21
Lyreacrompane Community Development Ltd	18,885.88
Mulranny Day Centre Housing Co. Ltd.	18,182.60
Slieve-Ardagh Rural Development	12,401.26
Cappoquin Community Development Co. Ltd	9,942.85
Total	5,999,999.98

This Scheme cannot be sustained in the current circumstances and beneficiaries have been advised that it will be phased out on a gradual basis according to the following schedule, subject in the usual way to availability of funding on an annual basis, receipt of satisfactory applications from eligible organisations, and compliance with the terms and conditions of the Scheme: 2013 - Total available fund:€4 million; 2014 - Total available fund: €2 million; 2015 - Total available fund: €1 million; 2016 and subsequent years - Total available fund: Nil. The phasing out of the Scheme is currently the subject of a Judicial Review and, as such, I am not in a position to comment further.

**Defence Forces Reserve Issues**

585. **Deputy Michael McGrath** asked the Minister for Defence in respect of Reserve Defence Forces officers who command units and sub units in the first southern brigade, if he will

confirm the date on which they were collectively briefed on impending changes and interim arrangements; by whom were they briefed; if this process was identical to that followed in the Eastern Brigade; and if not, if he will highlight the procedure followed in both. [3769/13]

**Minister for Defence (Deputy Alan Shatter):** I have made inquiries with the military authorities in relation to the matter raised by the Deputy and I will write to him as soon as possible.

### **Defence Forces Reserve Training**

586. **Deputy Michael McGrath** asked the Minister for Defence in what manner, by whom and when will Reservists be given detailed briefing on the following: the Training Plan for immediate months ahead; the criteria for being classed Effective; the options and opportunities and locations available to them to continue in service; the date, location and format of ceremonies to mark the disestablishment of the current organisation; and the formal recognition that will be afforded to honour the voluntary service of those who may find it impractical to continue. [3770/13]

587. **Deputy Michael McGrath** asked the Minister for Defence the training hours conducted by Reserve Defence Forces by brigade since 1 November 2012; if he will identify the brigades that have not conducted any training; the way the key criteria identified in VFM report of effective strength may be maintained in view of the fact that reservists have not been individually made aware of any resumption of training; his views that this is appropriate in view of the voluntary military service to the State provided by those reservists [3771/13]

**Minister for Defence (Deputy Alan Shatter):** I propose to take Questions Nos. 586 and 587 together.

A major re-organisation of the Reserve Defence Force (RDF) is currently being implemented and the RDF is currently transitioning to a new “single force” organisational structure. This is necessary in order to ensure the continued viability of the RDF as outlined in the recommendations of the Value for Money Review of the Reserve Defence Force, which was published in November 2012.

The High Level Implementation Group with responsibility for the re-organisation of the Permanent Defence Force is now implementing the re-organisation of the RDF. The military authorities have set out an implementation framework which sets out a two phased approach. Phase 1 is ongoing and will provide for the introduction of new organisational structures by the end of March 2013. Members of the Reserve will be invited to apply for positions within the new Units and every effort will be made to facilitate existing members of the Reserve within the new organisation. During this transition to the new structures, Reserve training is being restricted to unarmed training. I have requested details of training hours by Brigade from the military authorities and I will forward these to the Deputy when they are available.

In addition, Phase 1 also provides for the preparation of detailed administrative, training and operational plans. This includes planning for ceremonial events to mark the disestablishment of existing RDF Units and training plans for new Units. These will be in place when the new Units are established at the end of March 2013. Members of the Reserve will be fully briefed when relevant plans are finalised.

Phase 2 of the implementation process (the duration of which is from the 1st April to the 30th September 2013) will concentrate on capability development. Armed training for members of the Reserve will resume, co-ordinated PDF and RDF training will commence and annual

training camps will be conducted over the period June to August 2013. RDF recruitment will also be initiated in line with vacancies within the new establishment.

In line with the recommendations of the Value for Money Review, the criteria that govern the classification of Reservists as effective or non-effective are currently being reviewed by the military authorities. This is necessary to ensure that only Reservists that are meeting required training targets are classed as effective. This will provide a more accurate indicator of Reserve capacity. Any proposed changes to these criteria will require Ministerial approval in the form of an amendment to Defence Force Regulation R5. There will continue to be full consultation with the Representative Associations on all matters that fall within the scope of representation and regular bilateral meetings will continue over the coming months.

### **Defence Forces Reserve Training**

588. **Deputy Michael McGrath** asked the Minister for Defence if the Reserve Defence Forces will be allowed participate in St Patrick's Day parades as they have done historically; and the plans the military authorities have in place to facilitate the preparatory training required. [3772/13]

**Minister for Defence (Deputy Alan Shatter):** All requests for Reserve Defence Force (RDF) participation in St. Patrick's Day parades are considered by my Department. As in previous years, the RDF will participate in a number of parades throughout the country. There is no requirement for specialised training to be carried out in advance of the parades, the basic foot and arm drill which is part of the induction training for members of the RDF is sufficient. As is the practice, rehearsals will take place in advance of participation in the parades. A major re-organisation of the RDF is currently being implemented and the RDF is currently transitioning to a new "single force" organisational structure. RDF training is continuing, however, this transitional phase will provide for limited unarmed training only, except where RDF Military Ceremonial requires weapons for training and ceremonial events.

### **Defence Forces Personnel**

589. **Deputy Seán Kenny** asked the Minister for Defence the number of doctors, nurses, dentists that have been recruited to the Defence Forces Medical Corps in each of the past three years; if a recruitment drive is likely this year in the Medical Corps; and if he will make a statement on the matter. [4026/13]

**Minister for Defence (Deputy Alan Shatter):** In the period since 1 January 2010 one doctor was appointed to the Defence Forces Medical Corps. There have been no nurses or dentists appointed in this timeframe. A competition for the appointment of doctors to the Defence Forces Medical Corps remains open with applications being accepted on an ongoing basis. As suitably qualified applicants are identified they will be interviewed with regard to their suitability for service in the Defence Forces. There is currently one application being processed.

The terms and conditions governing the appointment of dentists to the Defence Forces Medical Corps are being revised with a view to initiating a recruitment campaign for dentists. As it will take some time before we have achieved the current target of 32 doctors in the Defence Forces, alternative arrangements to address the ongoing shortfall are being developed by the Central Medical Unit of the Medical Corps. Against this background, it has been necessary to identify alternative options for the provision of medical services to the Defence Forces, including the consideration of the outsourcing of some or all Defence Forces domestic medical

services. In this regard an integrated model for the provision of the required medical services, involving both the Medical Corps and outsourced service provision, is being progressed.

### **Public Service Reform Plan Update**

590. **Deputy Patrick O'Donovan** asked the Minister for Defence with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4284/13]

**Minister for Defence (Deputy Alan Shatter):** Following the enactment of the Civil Defence Act 2012 a Ministerial Order was brought into being which gave effect to the dissolution of the Civil Defence Board with effect from 31st December 2012. Arising from the dissolution of the Board the management and development of Civil Defence at national level will now be a matter for the Civil Defence Branch of my Department.

### **Defence Forces Properties**

591. **Deputy Niall Collins** asked the Minister for Defence if he will consider a proposal (details supplied) in respect of the former premises of the Reserve Forces Headquarters in Fermoy, County Cork; and if he will make a statement on the matter. [4552/13]

**Minister for Defence (Deputy Alan Shatter):** Fermoy RDF post is one of the properties identified for closure under the re-organisation programme for the Reserve. It is anticipated that all RDF properties identified for closure under the programme, including Fermoy, will be vacated by the end of March next. At that stage, in accordance with normal procedure in relation to the disposal of State property, my Department will be inviting Government Departments and other Public Bodies to identify any interest in the properties in question including Fermoy. If no interest is expressed by any other Government Department or State Agency the property will be disposed of by public tender/auction. In the circumstances my Department is not in a position to consider the question of the premises being transferred to the UN Veterans Association.

### **EU Funding**

592. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine the way the money outlined under the following EU Fund was allocated and spent, €308.72 million of the EAFRD contribution for Natura 2000 payments under the Rural Development Programme [4141/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The funding set out in the Rural Development Programme, 2007-2013 (RDP), was based on the assumption that REPS 4 would continue to be open to new applicants until the end of the Programme. Due to budgetary constraints, REPS 4 closed to new applicants on 9th July 2009 at which stage it had more than 30,000 participants. In 2009 the payment rates were reduced by about 17% and in 2012 they were reduced by a further 10%. The level of expenditure as set out in the RDP will not be reached during the lifetime of the present Programme. However, expenditure under the REPS and AEOS Schemes will ensure that all available EU funding for Natura and Agri-

Environment Measures combined under the RDP will be drawn down.

Both REPS and AEOS are voluntary schemes which allowed eligible applicants with Natura land to apply and participate. To date, €80.8 million has been paid to Natura 2000 participants in REPS 4, corresponding to a contribution of €44.4 million from the EAFRD. In addition, a further €3.7 million has been paid to date to Natura 2000 participants in the Agri-Environment Options Scheme, with €2.7 million being the EAFRD contribution.

### **Rural Environment Protection Scheme Payments**

593. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their REP scheme 4 payment; and if he will make a statement on the matter. [3737/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in February 2008 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process has been completed in respect of the person named and the 75% Year 5 payment issued on 28th January 2013 for the amount of €2411.50. The year 5 balancing payment will also issue shortly.

### **Rural Environment Protection Scheme Payments**

594. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of REP scheme will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [3741/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in June 2008 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks are being finalised and once successfully completed I expect 2012 payment to issue to the person named.

### **Forestry Grants**

595. **Deputy Michael McNamara** asked the Minister for Agriculture, Food and the Marine when payment of a forestry grant will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [3788/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The applicant has two forestry contracts with the Forest Service. In respect of the first contract, a Form 3 (an application form for payment of the second instalment of the establishment grant) was sent to the applicant for completion in June 2010 and a reminder issued in March 2012. The Department has no record of receiving the completed form from the applicant. No further premiums will issue to the applicant until a completed Form 3 is returned and processed indicating that the forest is established and maintained to the required standard. In the case of the second contract, the person named was informed by the Department that payment of annual premiums would be withheld pending completion of remedial works outlined to him in August 2012. The person

named appealed against that decision and a decision on that appeal will issue shortly.

### **Single Payment Scheme Payments**

596. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine when a single farm payment will issue to a person (details supplied) in County Offaly; and if he will make a statement on the matter. [3789/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Single Farm Payment in the amounts of €5,533.69 and €4,938.49 issued directly to the bank account of the person named on 18 October and 3 December 2012, respectively.

### **Agri-Environment Options Scheme Payments**

597. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine when a payment under agri environment option scheme will issue to a person (details supplied) in County Offaly; and if he will make a statement on the matter. [3790/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the Agri-Environment Options Scheme with effect from the 1st September 2010 and full payments totalling €1,627.56 and €4,999.95 issued in respect of 2010 and 2011 respectively. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks for 2012 issues were identified in relation to the claimed areas on the Species Rich Grassland and Traditional Hay Meadow actions. Officials in my Department are finalising the application of the person named with the intention of issuing payment as soon as possible.

### **Agri-Environment Options Scheme Payments**

598. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when an agri environment option scheme payment for 2012 will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [3791/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from the 1st September 2011 and full payment totalling €1,333.31 issued in respect of 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. Payments in respect of the 2012 Scheme year are subject to a similar administrative checking process which includes the requirement to return a valid Soil Sample Declaration. My Department has yet to receive a Soil Sample Declaration from the person named. A reminder letter regarding this issued to the person named in November 2012. Payment for 2012 will issue at the earliest opportunity once this issue has been resolved and all validations have been successfully completed.

### **Agri-Environment Options Scheme Payments**

599. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when agri environment option scheme payments for 2011 and 2012 will be finalised in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [3798/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from the 1st September 2011. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. During these checks issues were identified in relation to the claimed areas on the Natura Owned action which will result in a penalty being applied. Officials in my Department are finalising the application of the person named on this basis and arrangements are being made to issue payment as soon as possible.

### **Departmental Staff Recruitment**

600. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the reason there is a delay in replacing the only surveyor of the Lands Branch, Legal Services Division of his Department which is currently prohibiting the implementation of a re-arrangement scheme (details supplied) in County Mayo negotiated and facilitated by the Irish Land Commission a number of years ago in view of the fact that there is no surveyor to prepare the necessary map to accompany the vesting order; and if he will make a statement on the matter. [3809/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The re-arrangement survey in question was carried out recently by a private contractor. A number of issues still have to be resolved but the case is being worked on actively with a view to lodgement of a vesting order with the Property Registration Authority at the earliest possible date.

### **Harbour Fees**

601. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine if he will withdraw pay for parking at Howth Harbour as it will seriously damage local businesses and the tourism industry in Howth, County Dublin. [3852/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Howth is one of 6 Fishery Harbour Centres operated by the State each of whose primary purpose is to provide facilities and services for the fishing industry and fisheries-related activities. There has been significant capital investment in all of the Fishery Harbour Centres in recent years. In parallel with fishing-related enhancements, there have been a number of developments at the Fishery Harbours that underpin their expanding use for leisure and marine tourism, as well as other maritime enterprises. I am well aware that Howth in particular has a long tradition in these areas as well as in commercial fishing.

As a consequence of the additional investment, the State is necessarily fully committed to maximising the return on its investment. Furthermore, my Department is required to ensure that the Fishery Harbour Centres are run on a financially sound basis. It is in those contexts that it is proposed to make a charge for the use of parking facilities provided within Howth Fishery Harbour Centre, in the same way that a charge is made for using any other of its facilities.

All income generated by the Fishery Harbour Centres goes back into a ring-fenced Fishery Harbour Centres Fund that is used exclusively for the operating, management and development costs of the Fishery Harbours. All of the day-to-day running costs, for example, Harbour Master and staff salaries, electricity and fuel costs, harbour cleaning and maintenance etc of each Fishery Harbour Centres are financed from the Fund. It is the only source of income available to fund this expenditure, without which the Fishery Harbour Centres could not provide a service to their customers, the harbour users and the visiting public. Income lodged to the Fishery Harbour Centres Fund is invested directly back into the Fishery Harbour Centres and can be used for no other purpose.

The Rates & Charges Order is the legal instrument that enables charges to be levied that provide the income necessary for the provision of the various services at the Fishery Harbours. The rates and charges are set at a level sufficient to provide adequately for the costs involved while balancing the need to finance the management of the harbours with the needs of the various harbour customers.

The introduction of parking charges at Howth Fishery Harbour Centre was originally examined some years ago in the context of a proposed Howth Traffic and Parking Management Plan, in conjunction with Fingal Council. That project did not subsequently proceed. There was widespread public consultation at that time and I am well aware of the views and concerns expressed at the time by local businesses and other interests, that are still being expressed today in relation to the new scheme. However, in the current economic climate, it is essential that all of the State's enterprises pay their way, and the State must necessarily be fully committed to maximising the return on its investment.

Howth Fishery Harbour Centre is first and foremost a working fishery harbour. As such, full access is required for commercial traffic servicing the fishing side and the various ancillary enterprises, with appropriate parking arrangements. Other harbour users such as the yacht club and other social users also require reasonable access to parking facilities. A significant number of parking spaces in the Fishery Harbour are currently being taken up by commuters using the DART service during the working week, when the DART station car park is full. It is essential that the needs of all users are accommodated in a safe and secure facility. However, it is generally acknowledged that traffic and parking management within the Fishery Harbour Centre itself has needs to be addressed, particularly in the light of concerns raised about safety and emergency access by the Coastguard, the Lifeboat service, and an Garda Síochána. The introduction of pay parking is one of a number of measures being introduced to address those concerns.

The current Rates and Charges Order SI 214/2012 provides for a charge for parking but no set charge has yet been fixed for Howth. Given that there are approx 500 parking spaces within the Fishery Harbour Centre boundaries at present, it is clear that a significant source of revenue exists. It is illogical that some harbour users would expect to continue to use such a facility free of charge given that the State is required to maintain that facility, and when other users, i.e. those users of the harbour who are already paying into the Fund for using the harbour facilities, are effectively paying for its upkeep. The new parking arrangements will include pay and display parking for visitors, and a permit management system for the harbour's business users. Regular Harbour users will have noticed that all currently available parking spaces have been identified and marked recently.

My Department has asked the Planning Department of Fingal Council for guidance on their requirements in relation to minimising the potential environmental and visual impacts of the pay and display machines and of any associated directional signage, and will be pleased to take account of any requirements and recommendations they may have.

The additional revenues to be generated from pay parking at Howth Fishery Harbour Centre, which I expect will be significant when fully operational, will be re-invested in facilities and enhancements that would not otherwise have been possible given the current financial constraints. I believe these improvements can only be of benefit to the marine and leisure tourism sectors and local economies in general. In the longer term, I believe that both the Howth Fishery Harbour Centre users and Howth people in general will recognise the benefits that will accrue from this previously untapped resource. I can assure the Deputy that the scheme for the new parking regime will seek to be fair to all of the users of the harbour while at the same time ensuring that everyone pays their fair share.

### **Rural Environment Protection Scheme Payments**

602. **Deputy Tom Hayes** asked the Minister for Agriculture, Food and the Marine the reason final payment under the REP scheme 4 has not been paid in respect of a person (details supplied) in County Tipperary; when payment will issue; and if he will make a statement on the matter. [3869/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in October 2007 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks are being finalised and once successfully completed I expect 2012 payment to issue to the person named.

### **EU-IMF Programme of Support Negotiations**

603. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine if he will detail the policies being implemented by his Department on which he wrote to the EU / ECB / IMF troika; and if he will make a statement on the matter. [3875/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** All correspondence to and from the ECB/EU/IMF troika is sent directly to the Departments of Finance and Public Expenditure and Reform and as such my Department has not had any direct contact with the ECB/EU/IMF troika. I understand that the Minister for Finance is answering a question concerning the Programmes and that all of the details and conditions of the programme are published after each mission.

### **Disadvantaged Areas Scheme Payments**

604. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be issued payment under the 2012 disadvantaged area scheme; the reasons for the delay in payment; and if he will make a statement on the matter. [3898/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment under the Disadvantaged Areas Scheme issued to the person named on 23 January 2013.

Payment had not issued previously as the holding concerned was only recently confirmed as having satisfied the scheme minimum stocking density requirements. An exercise to take account of December 2012 data, which was recently completed, established the definitive posi-

tion of the holding.

### **Disadvantaged Areas Scheme Payments**

605. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be issued payment under the 2012 disadvantaged area scheme; the reasons for the delay in payment; and if he will make a statement on the matter. [3899/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the holding of the person named did not meet the minimum stocking density requirements of the 2012 Disadvantaged Areas Scheme and as there is no current agri-environmental plan for the holding, a review of the stocking capacity of the holding was necessary. The review is currently ongoing; the person named will be notified, in writing, upon completion.

### **Disadvantaged Areas Scheme Payments**

606. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be issued payment under the 2012 disadvantaged area scheme, the reasons for the delay in payment; and if he will make a statement on the matter. [3900/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the holding of the person named did not meet the minimum stocking density requirements of the 2012 Disadvantaged Areas Scheme and as there is no current agri-environmental plan for the holding, a review of the stocking capacity of the holding was necessary. The review is currently ongoing; the person named will be notified, in writing, upon completion.

### **Disadvantaged Areas Scheme Payments**

607. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area payment will be finalised in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [3952/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment under the Disadvantaged Areas Scheme issued to the person named on 17 January 2013. Payment had not issued previously as the holding concerned was only recently confirmed as having satisfied the scheme minimum stocking density requirements. An exercise to take account of December 2012 data, which was recently completed, established the definitive position of the holding of the person named.

### **Animal Welfare Issues**

608. **Deputy Regina Doherty** asked the Minister for Agriculture, Food and the Marine if he will consider the issue of appointing ISPCA Inspectors as authorised officers in relation to non-farm cases; and if he will make a statement on the matter. [3986/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Animal

Health and Welfare Bill as currently drafted would allow ISPCA inspectors to be appointed as authorised officers for certain purposes under the Bill. This would grant them the type of powers referred to by the Deputy. The appointment of such inspectors would be on an individual basis and will be dealt with once the Animal Health and Welfare Bill has been enacted.

### **Animal Welfare Issues**

609. **Deputy Luke 'Ming' Flanagan** asked the Minister for Agriculture, Food and the Marine his plans to introduce legislation to update the use and applications of animal micro chipping; if he will, in view of safety concerns, consider making the animal owner's contact details available directly from the microchip readout; if he will consider legislating for the duties of animal pound operators and local authorities with regards to the actions they should take upon taking control of an animal with regard to contacting the owner; if he will consider a single piece of legislation to be more effective, in the area of animal control, to be more effective than the multitude of bye-laws administered by individual local authorities; if he will consider the benefits of such a system of direct access to the animal owner's contact details to overcome the current situation whereby animals are often pounded, and later destroyed, simply because of an inability to determine or contact the owner of the animal; and if he will make a statement on the matter. [3999/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I assume that the question relates, in the main, to horses. My Department has responsibility for the identification, health and welfare of animals kept for farming purposes and in this regard there are strict procedures in place relating to the identification of all farmed animal species, including equines. With regard to identification of equines, my Department has introduced enhanced rules governing equine identification through SI No 357 of 2011 and SI No 371 of 2012 which give effect to European Commission Regulation (EC) No 504/2008. The legislation requires horse owners to ensure that all horses have a passport and that foals be identified before 31 December of the year of birth or within six months of birth, whatever date is the later. Passports are issued by an approved Passport Issuing Organisation.

All equines issued with a passport after 1 July 2009 must have a corresponding microchip implanted by a veterinarian. The microchip number is recorded on the passport and creates a link between the passport and the equine. The microchips are supplied by the Passport Issuing Organisation to the veterinarians and contain markers that are specific to the issuing body. During the processing of the passports, the number on the microchip is recorded on the database of the Passport Issuing Organisation and the microchip implanted in the equine may be scanned and the number verified with the issuing organisation. When there is a change of ownership of an equine, there is a mechanism in place whereby this change is recorded on the passport and on the database of the Passport Issuing body.

My Department also introduced new regulations on the registration of horse premises in January 2012 such that, from May 2012, anyone who is the owner/person in charge of any premises on which horses are kept is required to register the premises with the Department. The introduction of these regulations will play an important role in bringing greater accountability to horse issues and should be of assistance to the local authorities, the Gardai Síochána and Department personnel in the years ahead. My Department is also developing a central database of horses which will involve migration of selected data from Passport Issuing Organisations to the Department. The intention is that this database will be used to verify the authenticity of the passport for the equine presented at various events and locations.

The operation of Local Authority Pounds is a matter for the respective Local Authorities.

My Department makes a financial contribution to the activities carried out by Local Authorities under the Control of Horses Act, 1996, which provides extensive powers to Local Authorities, including the making of bye-laws for the control and welfare of stray or abandoned horses in a Local Authorities' functional area. Officials of my Department have ongoing contact with Local Authorities to underline how enforcement of the Act can assist with controlling horses and reducing the emergence of horse welfare problems. This includes a requirement that Local Authorities ensure that horses reclaimed or re-homed under the Act are identified pursuant to the European Commission Regulation (EC) No 504/2008 and have microchip, passport (and horse licence if appropriate) prior to being reclaimed or re-homed. My Department has advised the Local Authorities, when re-homing horses, to heed the advice of the Farm Animal Welfare Advisory Council (which comprises representatives from a wide range of stakeholder organisations including farming, equine and welfare bodies) which advocates that where an owner can no longer provide for a horse, he or she should seek to dispose of the animal before its welfare is compromised - including consideration of the option of humane disposal where the horse cannot be sold/transferred to another responsible owner as such action will help prevent the emergence of long-term welfare problems.

Other initiatives I have taken in the equine area include the progression of the Animal Health and Welfare Bill which, when adopted, will apply in a wide range of situations affecting the welfare of all animals, including horses.

### **Disadvantaged Areas Scheme Payments**

610. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when a disadvantaged area payment will be finalised in respect of a person (details supplied) in County Tipperary following the submission of further information by this person to his Department on 18 January 2013; when payment will issue; and if he will make a statement on the matter. [4009/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Arising from a number of contacts between my Department and the applicant in this case, it is understood that further documentation will be submitted in relation to eligibility of an equine breeding establishment. Immediately on receipt of this material, the application will be progressed.

### **Food Safety Standards Regulation**

611. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine if he will confirm if it is illegal to trade in minced equine meat; if he will indicate the specific legislation and regulations that apply; if criminal investigations will take place following recent developments; if he will confirm that mechanically recovered meat is included in the definition of minced meat; and if he will make a statement on the matter. [4013/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Production of and trade in food of animal origin is subject to a series of EU food safety regulations generally referred to as the 'Hygiene Package'. The principal regulations which apply to meat are Regulations (EC) No. 853/2004 and 854/2004 of the European Parliament and of the Council. These are implemented in Ireland under the European Communities (Food and Feed Hygiene) Regulations 2009, S.I No 432 of 2009.

It is not illegal to trade in minced equine meat, provided this is done in compliance with the relevant legislative requirements. There is no definition of 'mechanically recovered meat' in the

EU food safety regulations but ‘mechanically separated meat’ (MSM) is defined as ‘the product obtained by removing meat from flesh-bearing bones after boning or from poultry carcasses, using mechanical means resulting in the loss or modification of the muscle fibre structure.’ Under TSE Regulations the production of MSM using bones from cattle, sheep or goats is prohibited. On 26th January I confirmed that test results had been received which were positive for equine DNA in meat imported from another Member State for use in the production of burgers at the Silvercrest Foods plant. This represented a major breakthrough in the joint investigation by my Department and the FSAI into the source of equine DNA in beef burgers, in that it established a direct correlation between burgers in which a high level of equine DNA was detected and imported raw material product.

Tests on samples taken from Irish food ingredients were negative for equine DNA and I am pleased that the integrity of Irish food has been maintained. The current findings of the official investigation do not show any evidence that the company concerned deliberately used horse-meat in their production process. The authorities in the Member State concerned have been informed of the findings of the investigation.

### **Disadvantaged Areas Scheme Payments**

612. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding headage payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4014/13]

**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. Payment had not issued previously as the holding concerned was only recently confirmed as having satisfied the scheme minimum stocking density requirements. An exercise to take account of December 2012 data, which was recently completed, established the definitive position of the holding of the person named.

### **Disadvantaged Areas Scheme Payments**

613. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding farm payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4016/13]

**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 when that Committee has adjudicated on this appeal, the person concerned will be notified of their decision, in writing.

### **Rural Environment Protection Scheme Payments**

614. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a REP scheme payment in respect of persons (details supplied) in County Kerry; and if he will make a statement on the matter. [4019/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in December 2007 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development

Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed in respect of the person named and the 75% Year 5 payment amounting to €6195.28 issued on 21st January 2013. The balancing 25% Year 5 payment will also issue shortly.

### **Disadvantaged Areas Scheme Payments**

615. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when payment will issue for 2012 disadvantaged area scheme in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4110/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Following receipt of additional material from the applicant, it has been possible to finalise processing of the 2012 Disadvantage Areas Scheme application. Payment will shortly issue to the nominated bank account.

### **Disadvantaged Areas Scheme Payments**

616. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be issued payment under the 2012 disadvantaged area scheme; the reasons for the delay in payment; and if he will make a statement on the matter. [4115/13]

**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. Payment had not issued previously as the holding concerned was only recently confirmed as having satisfied the scheme minimum stocking density requirements. An exercise to take account of December 2012 data, which was recently completed, established the definitive position of the holding of the person named.

### **Disadvantaged Areas Scheme Payments**

617. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway will be issued payment under the 2012 disadvantaged area scheme; the reasons for the delay in payment; and if he will make a statement on the matter. [4116/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the holding of the person named has not yet been confirmed as having satisfied the scheme minimum stocking density requirements, my Department has been in direct contact with the person named. Arising from this, the applicant is due to submit further documentation, immediately on receipt of which the application will then be progressed.

### **Rural Environment Protection Scheme Payments**

618. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the position regarding an outstanding REP scheme 4 payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4118/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in June 2009 and received payments for the first three years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed in respect of the person named and the 75% Year 4 payment amounting to €7786.57 issued on 24th January 2013. The 25% balancing payment will also issue shortly.

### **Rural Environment Protection Scheme Payments**

619. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when payment of REP scheme 4 will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4235/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in December 2007 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process is nearing completion in respect of the person named and I expect payments to issue shortly.

### **Single Payment Scheme Payments**

620. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine when a single farm payment for 2012 will issue to a person (details supplied) in County Limerick. [4252/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** It was necessary to adjust the payment on 1 December 2012 to the person named under the 2012 Single Payment Scheme to take account of a Cross Compliance penalty and also arising from a reduction applied in respect of the Rural Environment Protection Scheme. In relation to the former, the applicant was advised of the reasons in my Department's letter of 13th September 2012. However, in relation to the latter, a review was undertaken and it has been decided, on the basis of the receipt by my Department of a revised Rural Environment Protection Scheme plan, to refund the monies deducted under this heading. The refund will be made shortly.

### **Disadvantaged Areas Scheme Payments**

621. **Deputy Joe Carey** asked the Minister for Agriculture, Food and the Marine if he will report on the disadvantaged area scheme payment (details supplied); and if he will make a statement on the matter. [4278/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named, an applicant under the 2012 Disadvantaged Areas Scheme, is one of a number whose cases are impacted by a requirement of a minimum stocking density of 0.3 livestock units per forage hectare. The person named applied for derogation and submitted additional documentation in support of the appeal. Following consideration, the appeal has been accepted and the application confirmed as having satisfied the Scheme Terms and Conditions. Payment will accordingly shortly issue to the nominated bank account.

## Disadvantaged Areas Scheme Payments

622. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if he will clarify the delay with the issuing of a single farm payment and disadvantaged area payment in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [4279/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** In order to receive payment under the Single Payment/Disadvantaged Area schemes it is a requirement for applicants to submit an application prior to the closing date, which, for the 2012 scheme year, was 16 May 2012. While a pre-printed application form was sent to the person named on 11 April 2012, my Department has no record of receiving a 2012 Single Payment/Disadvantaged Area application in this case. All Single Payment applications sent out by my Department contain a pre-addressed return envelope with a Swiftpost label attached. If the person named can provide proof of postage or proof of sending the application by registered post, or provide satisfactory explanation as to why the application form does not appear to have been returned, my Department will review the case.

## Public Service Reform Plan Update

623. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4280/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Forty six bodies were listed as candidates for critical review by end June 2012 in the Government's Public Service Reform Plan, published in November 2011 by the Department for Public Expenditure and Reform (DPER). Three of the bodies fall under the aegis of my Department and were reviewed for possible abolition or merger. They were:

1. **National Milk Agency (NMA)** – to consider abolishing or merging with Bord Bia
2. **Irish Marine Development Office** – functions to be subsumed into the Marine Institute
3. **Bord Iascaigh Mhara (BIM)** – to consider subsuming certain functions into this Department. The marketing functions of BIM had been transferred to Bord Bia prior to the period in question.

A review group considered abolishing or merging the National Milk Agency with An Bord Bia. As the NMA does not receive any financial support from the State and its functions are quite distinct and separate from those of An Bord Bia. It has been decided not to proceed with this proposal. As regards BIM, the review group concluded that BIM should continue as a separate entity under the governance of the Department and this recommendation has been accepted. As the Irish Marine Development Office is already integrated with the Marine Institute from an administrative perspective no further action is required.

## Disadvantaged Areas Scheme Appeals

624. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will review a disadvantage area scheme appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4303/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While the person named successfully applied for derogation in regard to the 2011 stocking density, payment has not issued as the holding does not satisfy the 2012 Scheme minimum stocking density requirements. My Department has been in direct contact with the person named to clarify the matter.

### **Rural Environment Protection Scheme Payments**

625. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of REP scheme will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [4315/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in December 2007 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process is nearing completion in respect of the person named and I expect payments to issue shortly.

### **Forestry Grants**

626. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine the position regarding the forestry farm premium payment in respect of a person (details supplied) in County Wicklow. [4316/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Because the person named has retired from farming under the Scheme of Early Retirement from Farming, he will not be eligible for the higher rate of premium payable to farmers under the Afforestation Scheme.

### **Rural Environment Protection Scheme Payments**

627. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork who has previously received payment for maintenance of an NHA in their REP scheme 1 no longer receives payment in this regard; and if he will consider providing financial assistance to them on this matter; and if he will make a statement on the matter. [4325/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named received payments for maintenance of a National Heritage Area during their participation in REPS 3. However, the regulations regarding NHA's changed for REPS 4 participants and 'proposed lands' were not eligible for payment under REPS 4. The person mentioned commenced REPS 4 in January 2008 and received payments for the first four years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be

completed before any payments can issue. Following the administrative check an area discrepancy was discovered between the Single Payment Scheme application for 2012 and the REPS agri-environmental Plan which has resulted in the necessity for further clarification. This issue is currently being investigated with the intention of an early resolution and payment in respect of 2012.

### **Fish Quotas**

628. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if he will undertake to set a quota for the catching of bass by Irish fishermen in Irish waters. [4436/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Irish vessels are currently precluded from landing Sea Bass under the Bass (Conservation of Stocks) Regulations 2006 (S.I. No. 230 of 2006) and the Bass (Restriction on Sale) Regulations 2007 (S.I. No. 367 of 2007). The complete ban for the commercial fishing of sea bass applies to Irish fishing vessels in all areas. These regulations were introduced as a co-ordinated set of measures with the Sea Bass Fishing Conservation bylaws. The by-laws impose a bag limit on anglers of two bass in any one period of 24 hours and a ban on angling for bass during the spawning season, from 15th May to 15th June in any given year. These measures have been in place since 1990 and were introduced arising from the dramatic decline of sea bass stocks in the 1970's. Bass in Irish waters are a slow growing fish and, at a recruitment age of roughly 5 years, are late maturing fish. The distribution of bass around Europe is found mainly in southern waters, including the inshore waters of the south west of England and the English Channel. It is farmed extensively in Mediterranean waters.

The Marine Institute carried out an annual bass survey between the years 1996 and 2007. This survey validates previous research on the species and indicates that the stock of bass in Ireland's inshore waters remains greatly depleted since the 1960s and 1970s. No reliable assessment is currently available for European sea bass in the north east Atlantic. ICES considers that a precautionary reduction of catches should be implemented. ICES gave advice for European sea bass stocks in September 2012. This advice states that commercial catches should be subject to a 20% reduction on landings in relation to the 2008-2010 average catch. ICES have also stated that management of sea bass fisheries need to take into account the distinctive characteristics and economic value of the different fisheries. Sea bass is of high social and economic value to large inshore fleets and to sea angling and recreational angling that contribute substantially to local communities.

There is a need to conduct scientific research on the biology and dynamics of sea bass in Irish waters. The Marine Institute have secured funding to start a PhD project on sea bass that will focus on the stock structure of Irish sea bass (what is their relationship to English Channel and Bay of Biscay stocks) and on the movements of sea bass off the south coast and into the Celtic Sea. This work will address clear knowledge gaps in the sea bass, but results will not be available until at least 2015.

The EU Commission indicated last year that it was considering introducing Total Allowable Catches (TACs) and quotas for seabass in specified fisheries management areas stretching from the North Sea down to waters off the coasts of Spain and Portugal for 2013. The Commission did not proceed with that proposal. The EU Commission had indicated that it proposed to use track record of landings of seabass by Member States fleets to establish each Member States shares of the TACs. As Ireland has implemented a complete closure of the commercial seabass fishery since 1990, under this methodology it would not receive any quota. I consider that it is unacceptable that the Irish fleet would not benefit from a share out of these fisheries because

of the responsible approach taken to protect and rebuild the stock around Ireland. I made the case at the Fisheries Council and to the Commission that an alternative method of establishing access to the fisheries should be developed that allows Irish fishermen fishing opportunities for sustainable stocks of seabass in areas where the Irish fleet would operate. The EU Commission has not yet advised if it intends to pursue a TAC and quota regime for seabass for 2014. In that context, I will continue to press Ireland's case at EU Fisheries Council meetings where the topic is discussed. I will consider management arrangements for seabass when and if Council decides on TACs and quotas for the relevant stocks.

### **Disadvantaged Areas Scheme Appeals**

629. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 524 of 18 December 2012, the position regarding an appeal in respect of a person (details supplied); and if he will make a statement on the matter. [4530/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I can confirm that an appeal has been received from the person named and it is being examined. The applicant will be informed of the outcome in writing when the process has been completed.

### **Agriculture Schemes Payments**

630. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the position regarding a REP scheme and single farm payment in respect of a person (details supplied) in County Mayo. [4551/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person mentioned commenced REPS 4 in December 2007 and received payments for the first four years of their contract. REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. These checks have now been completed in respect of the person mentioned and the 75% Year 5 payment amounting to €5797.89 issued for payment on 28th January 2013. The balancing 25% Year 5 payment will also issue shortly.

An application under the Single Payment Scheme was received from the person named on 12 April 2012; however there is no entitlement to payment under the scheme. The person named is also claiming payment under the Disadvantaged Areas Scheme and has not received payment due to insufficient stocking density. The person named had less than the required 0.15 average stocking density for the year.

### **Single Payment Scheme Payments**

631. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine when the single farm payment will issue in respect of a person (details supplied) in County Leitrim. [4559/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** In relation to the Single Payment Scheme, my Department received two applications for the transfer of entitlements to the person named. One application was received in March 2012 and the other in

May 2012. One application was to transfer 0.6 entitlements by way of gift to the person named and the other was to transfer 0.5 entitlements by way of sale to the person named. Both of these applications were processed and an advance payment issued to the person named on 16th October 2012 with a balancing payment on 3rd December 2012.

The person named also submitted an application for an allocation of entitlements from the 2012 National Reserve. The 2012 National Reserve caters for farmers who commenced farming after 17th May, 2010. Applicants are required to meet certain criteria with regard to income limits and educational qualifications. Off-farm income cannot exceed €30,000 and total income, including farm income, cannot exceed €40,000. Applicants must also have obtained a FETAC Level 6 Advanced Certificate in Agriculture or its equivalent. The green certificate in farming is regarded as equivalent for this purpose. The person named was deemed ineligible as she does not hold the necessary farming qualification. However, payment under the Disadvantaged Areas Scheme issued directly to the bank account of the person named on 17 December 2012.

### **School Completion Programme**

632. **Deputy Sean Fleming** asked the Minister for Children and Youth Affairs if the reduction in the Budget for the School Completion Programme for 2012 and 2013 which is designed to retain young people in education and to improve children's participation and attendance in school; and if she will make a statement on the matter. [4165/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The School Completion Programme (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 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 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. The allocation is in line with the proposals in the Comprehensive Review of Expenditure for savings in the SCP for the years 2012-2014. In September 2012, the Local Management Committee responsible for each SCP 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, to remain in education and to finalise a programme of supports to effectively target available resources to meet local needs. Projects were advised to examine 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 assisted each local project in the process of reviewing its planned programme. The NEWB continues to work closely with management committees, schools and local SCP co-ordinators 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 SCP projects and related initiatives. A core objective of the review will be to ensure that available funds are appropriately targeted to support those pupils most at risk of educational disadvantage and early school leaving.

### **Child Care Services Provision**

633. **Deputy Michael Creed** asked the Minister for Children and Youth Affairs if she will outline the support available for the establishment of childcare including community childcare and in particular the costs for operators towards renting facilities for this purpose; and if she will make a statement on the matter. [3766/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Capital funding grants were available to both community and commercial child care providers in the years between 2000 and 2008 for the development and refurbishment of child care facilities, with approximately €425 million being invested during this period. However, because of the economic situation, a review of capital expenditure was undertaken in 2009 and a decision was taken not to approve any further capital grant applications for new developments under the capital programmes.

In Budget 2012 the Government provided €6 million for remedial, maintenance, and renovation work in established child care facilities and to assist these facilities to purchase equipment for early education and child care services. This funding has been allocated. A capital allocation of €3.25m for child care facilities is available to my Department in 2013, and I am currently considering how this allocation can best be utilised for the benefit of the child care sector. Established child care services can apply to participate in three child care support programmes which are currently implemented by my Department. These include two targeted child care support programmes - the Community Childcare Subvention (CCS) programme and the Childcare Education and Training Support (CETS) programme - and the universal Early Childhood Care and Education (ECCE) programme.

The CCS programme provides funding to community-based child care services to enable them to provide child care at reduced rates to low-income and disadvantaged parents. This programme is currently closed to new applicants, unless the service applying is a position to replace an existing service which has opted out of the programme. Both community and commercial child care providers can apply to participate in the CETS programme, which provides €145 towards the weekly cost of full time child care places for approved FÁS and VEC trainees and students, and the ECCE programme, which provides one free pre-school year to all eligible children in the year before commencing primary school. It is expected that the new after-school programme, which was announced in Budget 2013, will be open to both community and commercial child care providers.

### **Youth Services Provision**

634. **Deputy Dan Neville** asked the Minister for Children and Youth Affairs the assistance and supports available from her Department to a group of young persons (details supplied) in County Limerick who wish to set up a youth club. [3858/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €51.423m is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from

disadvantaged communities. Funding of over €1m is provided by my Department, through Vocational Education Committees (VEC's), to approximately 1,600 youth clubs under the Local Youth Club Grant Scheme. Details of the scheme are available from the Youth Officer in Co. Limerick VEC and the Youth Club referred to by the Deputy should contact the Youth Officer directly for advice and support at the following address:- Youth Officer, Co Limerick VEC, Marshal House, Dooradoyle, Co. Limerick, Tel: 061-442100.

### **Inter-Country Adoptions**

635. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the position regarding Irish citizens adopting children from Florida, USA; and if she will make a statement on the matter. [3935/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** A delegation from the Adoption Authority of Ireland (AAI) made an official visit to the US State Department in Washington in 2012. Following this visit administrative arrangements in relation to inter-country adoption between the United States of America and Ireland were drafted by the AAI and the Authority informs me that it expects to finalise these arrangements in the near future.

### **Child and Family Support Agency Establishment**

636. **Deputy Dominic Hannigan** asked the Minister for Children and Youth Affairs when the new legislation to move the Family Support Agency into the Child and Family Support Agency will come before the Oireachtas; and if she will make a statement on the matter. [4119/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Task Force on the establishment of the Child and Family Support Agency reported in July 2012. The work of the Task Force informed the development of detailed legislative proposals to Government, covering a range of areas including the function and services to be overseen by the Agency, governance structures and implementation arrangements. Arising out of these proposals, the Government approved the Heads of the Child and Family Support Agency Bill and has also agreed to the priority drafting of this Bill. The Agency will encompass services which are currently the responsibility of three separate agencies; namely the HSE, the Family Support Agency and the National Educational Welfare Board. Drafting of the Child and Family Support Agency Bill is under way, in line with the policy decisions of Government. This legislation will be published, presented to the Oireachtas and debated at the earliest opportunity.

### **Adoption Legislation**

637. **Deputy Dara Murphy** asked the Minister for Children and Youth Affairs the position regarding a case in respect of a person (details supplied) in County Clare; the reason, due to an anomaly within the adoption system, a mother is required to adopt their own natural daughter; and if she will make a statement on the matter. [4222/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Under adoption legislation, when a child is registered on the Register of Adoption the child is deemed to be the fully legal child of the adoptive parent/couple, having exactly the same legal status as any biological child of the couple born to them within their marriage. In effect, once an adoption takes place, all previous links to the birth family are severed and the adopted person is considered part

of the adopted family. In the case of step-parent adoptions, it is therefore necessary for the birth mother to adopt her child as part of the adoption process. I am currently examining this issue to see what options are available to address this issue.

### **Public Service Reform Plan Update**

638. **Deputy Patrick O'Donovan** asked the Minister for Children and Youth Affairs with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if she will make a statement on the matter. [4282/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I would like to inform the Deputy there are four agencies which are funded by the Exchequer through my Department's Vote. These are the Adoption Authority of Ireland (AAI); the Family Support Agency (FSA); the National Educational Welfare Board (NEWB) and the Ombudsman for Children's Office (OCO).

In July 2011, the Government decided that the Family Mediation Service should transfer from the Family Support Agency to the Legal Aid Board. This is in line with the Government's commitment to facilitate the use of mediation in family disputes in order to speed up the legal process, reduce costs and ameliorate the stress of contested court proceedings. On foot of the Government decision, the Family Support Agency established a transition project team to transfer 45 individuals, or 24.29 WTEs, in some 16 locations throughout the country and an annual allocation of almost €3m to the Legal Aid Board. On 26th October 2011, the Minister for Justice and Equality signed the commencement order for Part 16 of the Civil Law (Miscellaneous Provisions) Act 2011 which gave effect to the transfer from 1st November 2011. This transfer was noted in the DPER public service document referred to by the Deputy.

I can inform the Deputy that the FSA is due to be merged with the new Child and Family Support Agency (CFSA) which will be established this year. The National Educational Welfare Board is also due to be merged with the CFSA. Legislation for the establishment of the CFSA is being prepared by my Department as a matter of priority. It is anticipated that the Bill will be published and enacted in the course of this session and it is my intention that the CFSA will assume statutory responsibility for services for children and families in 2013.

The potential benefits of merging the back office functions of the Ombudsman for Children's Office into the Ombudsman/Information Commissioner's Office also mentioned in the DPER public service reform document are currently being examined. It should be noted that following enactment of the Child Care Amendment Act 2011 the Children's Act Advisory Board was subsequently dissolved by means of the commencement by the Minister of Health of Part 6 of the Child Amendment Act 2011.

### **Inter-Country Adoptions**

639. **Deputy Maureen O'Sullivan** asked the Minister for Children and Youth Affairs if she will instruct the Health Service Executive to immediately start quick re-assessments of couples in possession of a pre-Hague declaration, Article 63 declarations, in view of the fact that it takes more than eight months in some cases to move from assessment to declaration and some applicants only have 10 months left to the expiration of 370 declaration; if she will instruct the

Adoption Authority of Ireland not to stop issuing the Article 17 for adoptions from Thailand in view of the fact that there are still 10 families left on the waiting list for Thailand adoptions; and if she will make a statement on the matter. [4324/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In order to effect an intercountry adoption, prospective adoptive parents must hold a valid declaration of eligibility and suitability on the day of the Court judgement in the country of origin where the adoption is taking place. All declarations of eligibility and suitability issued under Section 63 of the Adoption Act, 2010, expire on 31 October 2013. However, following discussions between the Adoption Authority and the Health Service Executive, the latter have agreed that prospective adopters can apply for a new assessment 6 months prior to the lapsing of their original declaration. Therefore, from the 1st of April 2013 applicants holding a Section 63 declaration can apply to the HSE under Section 37 of the Adoption Act, 2010, for an assessment of eligibility and suitability to adopt.

Following assessment by the HSE, the Adoption Authority may issue a Declaration of Eligibility and Suitability under Section 40 of the Adoption Act, 2010. This Declaration will be valid for two years from the date of issue. The AAI and HSE will ensure that any prospective adoptive parent with a referral pending will be prioritised for assessment and issuance of a declaration of eligibility of and suitability.

The Adoption Authority informs me there has been no disruption in the receipt of intercountry adoption child referrals from Thailand. The Thai authorities allocated Ireland a quota of four referrals for 2012. Prospective adoptive parents proposing to adopt from Thailand should hold a valid Declaration of Eligibility and Suitability at all times, including the period after which they have received custody of a child and prior to effecting an adoption at the Thai Embassy in London. The Adoption Authority and the HSE are examining a range of issues in relation to assessments and the issuance of declarations. The relevant information on these matters will be published on the AAI website ([www.aai.gov.ie](http://www.aai.gov.ie)).

### **Inter-Country Adoptions**

640. **Deputy Martin Heydon** asked the Minister for Children and Youth Affairs if her attention has been drawn to the difficulties being experienced by prospective adoptive parents in the process of adopting from Bulgaria; the measures she and the Adoption Authority of Ireland are taking to remedy these difficulties; and if she will make a statement on the matter. [4421/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am aware that a number of prospective adoptive parents have been asked to pay substantial fees to ARC within a short time frame. I recently met with a representative group of parents hoping to adopt from Bulgaria. Issues relating to the level of fees charged by an accredited body (ARC) are a matter for the Adoption Authority of Ireland (AAI) and are covered in some detail by the Adoption Act, 2010 (Accredited Bodies) Regulation 2010. The fee structure employed by ARC has been examined and approved by the AAI.

At this meeting the Adoption Authority advised that, with the assistance of their auditors, the Authority is examining a number of issues in relation to accredited bodies, including an examination of levels of fees being charged by Irish agencies in relation to international norms. The auditors will also report to the AAI in relation to proposed payment schedules by accredited bodies. I have asked the AAI for a full report on this matter. Following this examination, the AAI will discuss the findings with ARC. The AAI have also agreed to make contact with the Bulgarian authorities to establish the position regarding intercountry adoptions. I have agreed

to meet with the prospective parents group again when the AAI have had an opportunity to complete their examination of the issues.

### **Inter-Country Adoptions**

641. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if he will provide an update on inter-country adoption arrangements between Ireland and Vietnam; the way this programme will be administered into the future; if funding is guaranteed for the mediation agency Helping Hands; and if she will make a statement on the matter. [4438/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In September 2012 the AAI and the Vietnamese Central Authority for Adoption signed an Administrative Agreement for intercountry adoption. The Administrative Arrangement is the first international administrative agreement for intercountry adoption entered into by the AAI and the Socialist Republic of Vietnam since both countries ratified the Hague Convention. The Socialist Republic of Vietnam is an independent sovereign state As such it will decide the manner in which it implements the Hague Convention, including the numbers of children deemed suitable for intercountry adoption having regard to the principles of the Convention. It is assumed that the numbers of adoptions by Irish parents may not reach previous levels. The Adoption Authority of Ireland (AAI) has accredited two agencies for activities in relation to facilitating adoptions from Vietnam. While currently a number of issues in relation to accredited agencies are being examined no decisions regarding the funding of accredited agencies has been made.

### **HSE Staffing**

642. **Deputy Noel Grealish** asked the Minister for Health if the 2013 public sector redundancy scheme will be open to front-line health care workers in the Health Service Executive including nursing staff, nursing management, matrons; if they may apply for redundancy under this scheme; and if he will make a statement on the matter. [4169/13]

**Minister for Health (Deputy James Reilly):** The Government has decided that the numbers employed across the public service must be reduced in order to meet its fiscal and budgetary targets. The health sector must make its contribution to that reduction. This policy requires that by the end of 2013, the health service achieves a workforce of 98,955 whole time equivalents (WTEs). While normal retirement and redeployment will achieve part of the required reduction, a targeted programme of voluntary redundancy in certain parts of the health service will also be introduced as a means of achieving the full reductions required. The HSE has been asked to consider the most appropriate way of targeting this scheme in order to ensure that any impact on frontline service delivery is minimised. It is not possible at this stage to say if any frontline health care workers will be eligible to apply.

### **Primary Care Centres Provision**

643. **Deputy Pearse Doherty** asked the Minister for Health further to the statement in the Dáil on 20 December 2012 that an internal audit of primary care centres was conducted and a report was produced on 9 October 2012, if he will lay before the Oireachtas a copy of that report. [4212/13]

**Minister for Health (Deputy James Reilly):** As the Deputy is aware, at the request of the

Secretary General of my Department made on the 4th October 2012, a review was undertaken by the Department's Internal Audit Unit to determine whether or not any documentation generated from 2011 (memos, notes, representations, e-mails etc), was available within the Department, that would connect the Minister for Health and or/his advisers, or anybody acting on behalf of the Minister, to the selection of sites for the proposed primary care centres in Balbriggan and Swords. Following the examination of documents by the Internal Audit Unit, a reply issued to the Secretary General on the 9th October 2012, advising him that no documentation relevant to the request was found. A copy of this reply is included for the Deputy's information.

Secretary General,

You requested the Internal Audit Unit (IAU) to ascertain whether or not any documentation generated from 2011 to date (memos, notes, representations, e-mails etc), was available within the Department that would connect Minister Reilly and or/his advisers or anybody acting on behalf of the Minister to the selection of sites for the proposed primary care centres in Balbriggan and Swords. I understand the scope of the request did not relate to any policy decision to locate a centre in either town.

The Internal Audit Unit asked Primary Care Unit, Capital, EU/International and Research Policy Unit, the offices of Minister Reilly and the former Minister of State, in addition to Minister Reilly's 3 advisers, to undertake a search with a view to locating any relevant documentation **All parties advised the IAU that no records relevant to the request could be located.**

In order to provide assurance, we also requested all relevant files to be submitted to IAU for further examination. A total of sixteen files, twelve from Capital, EU/International and Research Policy Unit and 4 from Primary Care were made available for this purpose. In addition, Minister Reilly's Reps database was examined by your Private Secretary and separately checked by IAU. The former Minister of State's Reps database was also searched, as was the Department's PQ database for 2011 and 2012.

**The checks carried out by the IAU confirmed that no documentation relevant to your request was found.**

As advised previously, Minister Reilly's constituency office was not contacted as the activities of that office are outside the remit of this Department's internal audit function.

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Niall Staunton

Internal Audit Unit

9 October 2012.

### **EU Presidency Priorities**

644. **Deputy Ray Butler** asked the Minister for Health if he will ensure that there is an adequate focus by the Irish EU Presidency on the clinical trials and medical devices directives which have direct implications for the 250 medical technology companies here, which export €7.2billion worth of product annually and employ 25,000 people; and if he will make a statement on the matter. [4350/13]

645. **Deputy Ray Butler** asked the Minister for Health if he will confirm that the EU Medical Device Directive which is crucial to the 25,000 or so persons employed in this industry here

is a key priority to advance during the course of the Irish running of the EU Presidency and remains the centrepiece of Presidency health agenda; and if he will make a statement on the matter. [4529/13]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 644 and 645 together.

The Clinical Trials Proposal and the two Medical Devices Proposals (one on medical devices and one on *in vitro* diagnostic medical devices), are high priority proposals for the Irish Presidency and have been identified as two of the four priority areas for the Health Presidency programme. The objective of the Clinical Trials proposal is to address the decline in the numbers of clinical trials carried out in the EU. Clinical trials are essential for the development of new medicines and to improve and refine treatments with existing medicines. Clinical trials are also a key contributor to growth and jobs. A regulatory environment which supports and nurtures clinical research will benefit patients and also is essential for the growth of the pharmaceutical industry both in Ireland and in the EU in general.

The medical devices proposals are also designed to strengthen the EU regulatory system in the area of medical devices. The proposals are designed to ensure that all medical devices placed on the European market are safe for patients and to improve patient access to new innovative treatments. Following significant patient safety issues across Europe relating to hip and breast implants, patient safety is a key concern. There is, as the Deputy points out, a substantial and well established medical devices industry in Ireland and a strong and effective regulatory system is crucial for the continued success and development of this industry.

My Department hopes to make significant progress in the negotiations of both of these proposals during the Irish Presidency of the EU Council. My colleague, the Minister for Health, Dr James Reilly met with the rapporteurs for the proposals in the European Parliament earlier this month to personally assure them of Ireland's commitment to making progress during the Irish Presidency.

### Medical Card Applications

646. **Deputy Charlie McConalogue** asked the Minister for Health when a decision will be made on a medical card application in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [3729/13]

**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

647. **Deputy Charlie McConalogue** asked the Minister for Health when a decision will be made on a medical card application in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [3730/13]

**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.

### Tobacco Control Measures

648. **Deputy Finian McGrath** asked the Minister for Health if he will re-visit his anti-smoking policies and actions in view of the fact that 29% of the population smoke [3739/13]

**Minister of State at the Department of Health (Deputy Alex White):** Smoking is the greatest single cause of preventable illness and premature death in Ireland, killing over 5,200 people a year. Ireland's public health policy objective in relation to tobacco remains to promote and subsequently move towards a tobacco free society. I am committed to moving us closer towards that objective.

The Tobacco Policy Review Group will be reporting to me shortly. The report of this group will build on our existing policies and legislation. This group is examining a number of areas which need to be developed or enhanced in order to reduce smoking prevalence in Ireland. The report will also examine how to develop our cessation services in order to support those people who want to stop smoking. Of major concern to me is the number of young people who are still taking up the addiction. Research has shown that 78% of Irish smokers started smoking before they reached the age of 18, evidence that smoking initiation is largely a childhood and teenage phenomenon. The "denormalisation" of smoking within our society is key tool in stopping our children and young people from doing so. To achieve this we must make smoking less attractive to children and increase its social unacceptability.

I understand that in order for such initiatives to be successful they must be supported by the public. It is also important, however, that everyone in society recognises their role in effecting change in our lifestyle behaviours such as smoking for the benefit of everyone.

### **Symphysiotomy Report**

649. **Deputy Colm Keaveney** asked the Minister for Health in view of the urgency of the issue, with many victims of symphysiotomy now elderly and frail, and in view of the importance of the issue in creating a redress scheme, if he will provide some measure of justice to the persons concerned; when he will publish the final version of the Walsh Report on symphysiotomy; and if he will make a statement on the matter. [3747/13]

**Minister for Health (Deputy James Reilly):** My first priority is to ensure that the women who have had a symphysiotomy have their health needs comprehensively and professionally met. In this regard, the HSE provides a range of services to women who continue to suffer the effects of having had this procedure. These services include the provision of medical cards, the availability of independent clinical advice and the organisation of individual pathways of care and the arrangement of appropriate follow-up.

As the Deputy is aware, my Department has commissioned an independent research report in relation to the practice of symphysiotomy in Ireland. The research included a consultation process involving patient groups, health professionals and in particular the women who have experienced symphysiotomy. The researcher is currently finalising the report based on the consultation and it is also planned to have a peer review process. It is hoped that the report will be published early in 2013. The research report will inform the Department's overall consideration of this matter, including the consideration of any actions that may be required and possible legal implications. It would be premature for me to make any other comments at this stage on what actions might be taken, prior to giving full consideration to the recommendations of the report.

### **Medicinal Products Supply**

650. **Deputy Billy Timmins** asked the Minister for Health the position regarding Kalydeco (details supplied); and if he will make a statement on the matter. [3748/13]

696. **Deputy Ciara Conway** asked the Minister for Health if he will provide an update on the Health Service Executive's decision to purchase Kalydeco for use in the treatment of Cystic Fibrosis; and if he will make a statement on the matter. [4223/13]

703. **Deputy Tom Fleming** asked the Minister for Health when he will expedite the current negotiations between the Health Service Executive and the manufactures of the drug kalydeco for treatment of cystic fibrosis patients; and if he will make a statement on the matter. [4245/13]

713. **Deputy Tom Fleming** asked the Minister for Health if he will make the Kalydeco available free of charge to Cystic Fibrosis patients here; and if he will make a statement on the matter. [4338/13]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 650, 696, 703 and 713 together.

The HSE has received an application for the inclusion of Kalydeco (generic name: Ivacaftor) in the GMS and community drugs schemes which is being considered in line with the procedures agreed with the Irish Pharmaceutical Healthcare Association (IPHA). These include clearly documented processes and timelines for the assessment of new medicines in as timely a fashion as possible. In accordance with these procedures, the National Centre for Pharmacoeconomics (NCPE) conducts a Health Technology Assessment (HTA) which provides detailed information on the potential budget impact of the medicine. It also assesses whether the medicine is cost effective at the price quoted by the company in question.

The NCPE published its report on the cost-effectiveness of Kalydeco on the 21st January. The report concluded that "In view of the very high drug acquisition cost, the significant budget impact, the absence of long term clinical data and the fact that the company has failed to demonstrate the cost-effectiveness of ivacaftor we cannot recommend reimbursement of ivacaftor at the submitted price of €234,804 per patient per annum. A mechanism such as a performance based risk sharing scheme and/or a significant reduction in price could facilitate access to ivacaftor treatment for cystic fibrosis patients with the G551D CFTR mutation".

The NCPE report is an important input to assist decision making and will help inform the next stage of the process which involves further discussions with the manufacturer of the drug, in accordance with the aforementioned procedures agreed with the pharmaceutical industry. The HSE assessment process is intended to arrive at a decision on the funding of Kalydeco that is clinically appropriate, fair, consistent and sustainable. e HSE understands that patients, the Cystic Fibrosis Association of Ireland and clinicians are very anxious that a decision be made as soon as possible. No further comment is possible at this time as the decision making process is ongoing.

## **Health Reports**

651. **Deputy Robert Troy** asked the Minister for Health if he will ensure that the final report from the review team in the Cavan/Monaghan Health Service Executive area concerning a person (details supplied) and Wheatfield prison is published without further delay. [3757/13]

**Minister of State at the Department of Health (Deputy Alex White):** I have had enquiries made of the HSE regarding this matter. The HSE has advised that its Local Health Manager in Cavan/Monaghan commissioned a review into the case. The review is at an advanced stage

but certain issues of consent are still to be addressed. In the circumstances, the HSE has been asked to respond further to the Deputy in this matter.

### **Speech and Language Therapy**

652. **Deputy Simon Harris** asked the Minister for Health if his attention has been drawn to the fact that there is no speech and language support available in an area (details supplied) in County Wicklow due to maternity leave and sick leave; and if he will make a statement on the matter. [3760/13]

653. **Deputy Simon Harris** asked the Minister for Health the current waiting time for initial referral to speech and language therapy in an area (details supplied) in County Wicklow for each of the years 2007 to 2012 inclusive; the number of children availing of this service; the number of adults availing of this service; the measures already taken and being taken currently to address this; and if he will make a statement on the matter. [3761/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 652 and 653 together.

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.

### **Graduate Nursing Scheme Issues**

654. **Deputy Robert Troy** asked the Minister for Health if he will adjust the proposal to cut graduate nurses wages by 20% in view of the fact that nurses are already one of the lower paid medical professions and graduate nurses will be carrying out the same duty as those on a higher scale; the reason the Health Service Executive has now advised all local managers, by circular of the 14 December 2012, to immediately discontinue all existing contracts already in place for 2012 graduates;; and if he will make a statement on the matter. [3773/13]

662. **Deputy Seán Ó Fearghaíl** asked the Minister for Health if he will address the concerns raised in correspondence (details supplied) regarding the graduate initiative; and if he will make a statement on the matter. [3832/13]

695. **Deputy Stephen S. Donnelly** asked the Minister for Health the bench marking analysis undertaken in relation to the Health Service Executive's current graduate nurse/midwife recruitment scheme to arrive at the new starting salary of €22,000 per annum; and if he will make a statement on the matter. [4217/13]

723. **Deputy Michael Healy-Rae** asked the Minister for Health his views on whether the proposal to take on one thousand nurses at a reduced pay rate has been a failure and has been exposed as being completely unfair, unworkable, and that the places offered will not be taken up; and if he will make a statement on the matter. [4377/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 654, 662, 695 and 723 together.

Under the Initiative, graduate nurses and midwives will be recruited on two-year contracts and will be paid 80% of the first point of the Staff Nurse Scale. They will also qualify for premium payments and allowances on a pro rata basis, bringing expected average pay to approximately €25,000 per year, excluding overtime. The initiative will enable them to gain valuable

work experience and development opportunities post-graduation.

The employment of graduates in a specific graduate scheme is a widespread practice in other sectors of the economy. The salary level was set having regard to the norms for such programmes and the need to achieve significant savings on nurse agency and overtime expenditure. The Minister for Public Expenditure and Reform has also agreed that participants in this initiative will not be counted for the purposes of the Health Sector Employment Ceiling. The initiative therefore provides a valuable opportunity for a substantial number of recently-qualified nurses and midwives to work in Ireland at a time when job opportunities in the public service are, regrettably, very limited.

A proportion of graduate nurses and midwives were employed on temporary, time-limited contracts in autumn 2012 to cover the period between the end of their Fourth-Year 36-week clinical placement and the commencement in January 2013 of the clinical placements of the next cohort of Fourth-Year students. Such contracts are not intended to be of long duration. In line with existing practice and the need strictly to control staffing costs and headcount, hospital management have been advised by the HSE that these contracts should not be continued beyond January 2013.

### Health Insurance Levy Issues

655. **Deputy Billy Kelleher** asked the Minister for Health if he will publish the report from the Health Insurance Authority which recommended the health insurance levy rates to apply in 2013; and if he will make a statement on the matter. [3777/13]

656. **Deputy Billy Kelleher** asked the Minister for Health if his decision on setting the health insurance levy rates for 2013 was based on a Health Insurance Authority report which assumed that 16% of policy holders would hold non-advanced policies; and if he will make a statement on the matter. [3778/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 655 and 656 together.

Each year the Health Insurance Authority, (HIA) prepares the *Report of The Health Insurance Authority to the Minister for Health, in accordance with Section 7E (1)(b) of the Health Insurance Acts, 1994 – 2012*, with the most recent report produced in November 2012. These Reports set out the HIA's evaluation and analysis of information returns supplied by insurers, together with its recommendations for Risk Equalisation credits and associated Stamp Duty to apply for the following year.

In setting the rates for Risk Equalisation Credits, following consultation with the Minister for Finance, I must have regard to the principal objective of the Health Insurance Act (as amended), which is to ensure that access to health insurance cover is available to consumers with no differentiation between them, in particular as regards the cost of health services, based on health risk status, age or sex. I must also have regard to the aims of: avoiding overcompensation of registered undertakings or former undertakings, maintaining the sustainability of the market, having fair and open competition in the health insurance market and avoiding the Risk Equalisation Fund having a surplus or deficit from year to year.

The HIA Reports are very detailed and include substantial market sensitive data. The 2011 Report was published in redacted form on the Department's website. My Department, in conjunction with the HIA, is currently finalising a redacted version of the 2012 Report for publication shortly. In relation to the 16% of the insured population who currently have a lower level

of cover, I am confident that when the new rates applicable under the Risk Equalisation Scheme come into effect on 31 March, there will continue to be a significant number of such policies available to consumers.

### **Medical Card Applications**

657. **Deputy Charlie McConalogue** asked the Minister for Health when a decision will be made on an application in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [3787/13]

**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.

### **General Practitioner Services**

658. **Deputy Billy Kelleher** asked the Minister for Health if he will investigate complaints about the quality of the South Doc service being provided to Youghal, County Cork, following claims of refusal to travel to Youghal or instances of failure to show up; and if he will make a statement on the matter. [3796/13]

**Minister of State at the Department of Health (Deputy Alex White):** 90% of the population have access to GP out-of-hours services in 14 centres nationally, in all HSE regions, in at least part of every county. Over 2,000 GPs provide services in the co-ops. Attendance at a treatment centre would usually follow initial telephone triage and the HSE reports that this is a good proxy measure for hospital avoidance via Emergency Department attendance. In relation to the specific issue raised by the Deputy, as this is a service matter I have asked the HSE to respond to the Deputy directly on the matter.

### **Services for People with Disabilities**

659. **Deputy Clare Daly** asked the Minister for Health if he will reverse the cutbacks in relation to St. Michael's House with particular reference to access to swimming pool facilities at weekends [3803/13]

**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.

### **Thalidomide Victims Compensation**

660. **Deputy Clare Daly** asked the Minister for Health the steps he intends to take to implement a statutory agreement to assist the survivors of thalidomide. [3811/13]

**Minister for Health (Deputy James Reilly):** The Government's main aim is to address the health and personal social care needs of thalidomide survivors living in Ireland. I have also stated that I am willing to enter into a discussion about a health care package; an ex-gratia payment having regard to current financial circumstances; and a statement to the Dáil recognising the challenges faced by survivors. It is not proposed to address these issues on a statutory basis.

## **Hospital Services**

661. **Deputy Barry Cowen** asked the Minister for Health if a bi lateral cohlea implant operation will be carried out on a person (details supplied) in County Offaly; if he will outline his policy on such operations; and if he will make a statement on the matter. [3812/13]

689. **Deputy Barry Cowen** asked the Minister for Health if a bilateral cochlear implant will be carried out on persons (details supplied); the reason Ireland does not carry out bilateral cochlear implants in line with the rest of the developed world; and if funding will be made available for the implants. [4181/13]

705. **Deputy Michael Lowry** asked the Minister for Health if he will ensure that funding is provided for the provision of bilateral cochlear impacts for children in the State; the reason this treatment has not been provided to date; if his attention has been drawn to the long term negative effects for children arising from an inability to access this treatment; and if he will make a statement on the matter. [4249/13]

732. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the reason bilateral cochlear implants are not funded in this State; if he will acknowledge the significant benefits of this procedure in comparison to unilateral implants; if he will address this issue; and if he will make a statement on the matter. [4439/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 661, 689, 705 and 732 together.

I am advised that Beaumont Hospital carried out over ninety cochlear implants in 2012 and that over seven hundred patients are currently under the care of the hospital programme which provides rehabilitation and programming on a recurring basis. In relation to the specific queries raised by the Deputy's, including the individual cases, as these are service issues they have been referred to the HSE for direct reply.

*Question No. 662 answered with Question No. 654.*

## **National Children's Hospital Status**

663. **Deputy Aengus Ó Snodaigh** asked the Minister for Health when the new members for the National Children's Hospital Development Board will be appointed. [3841/13]

**Minister for Health (Deputy James Reilly):** The decision to locate the new children's hospital on the St James's campus was announced on 6 November last. In identifying the new site, the Government carefully considered the report of the Dolphin Group along with detailed supplementary information on cost, time and planning which was subsequently sought from those members of the Group with the relevant technical expertise. The decision on location was made in the best interests of children, with clinical considerations being of paramount importance. Co-location, and ultimately tri-location with a maternity hospital, on the St James's campus will support the provision of excellence in clinical care that our children deserve.

Following the announcement of the Government's decision, detailed consideration has been given to the project management structures and governance arrangements required to enable delivery of the project as quickly as possible and to the highest quality and I intend to bring proposals to Government very shortly on this issue. The terms of office of the majority of Board members having expired on 5 December, I have appointed senior representatives from my Department and the HSE as an interim measure aimed at ensuring effective governance and

decision-making for the project at this important initial stage to ensure the project continues without delay during this transitional phase.

### **National Children's Hospital Location**

664. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the progress made in relation to the National Paediatric Hospital being located at St James's Hospital, Dublin; when a planning application will be lodged; and if he will make a statement on the matter. [3842/13]

**Minister for Health (Deputy James Reilly):** On 6 November last, the Government decided that the new children's hospital would be co-located with St James's Hospital on its campus. This followed the refusal of planning permission in February 2012 for the hospital on the Mater campus, and subsequently the establishment of an independent Review Group to consider next steps (the "Dolphin Group"). Following the Government decision on the location, the first priority has been to consider governance issues for this complex and hugely important project, given the need to ensure that this project proceeds securely to completion. I intend to bring a Memorandum to Government on these issues shortly. Pending this, preliminary work is underway in relation to the project in its new location, while a review of urgent care centre(s) configuration is underway and a time-limited review of Dublin maternity services configuration is to commence as soon as possible. While a significant proportion of the work that was done for the project on the Mater site, including the internal configuration and adjacencies, will be transferable, a new design for the new site will be required before a planning application can be made.

### **Health Services Staff Issues**

665. **Deputy Peter Mathews** asked the Minister for Health his plans to improve the working conditions under which non consultant hospital doctors are currently working; and if he will make a statement on the matter. [3851/13]

669. **Deputy Billy Kelleher** asked the Minister for Health if he and the Health Service Executive will act to limit the hours worked by non-consultant hospital doctors to 24 in a consecutive sitting and 60 in a week; and if he will make a statement on the matter. [3893/13]

670. **Deputy Billy Kelleher** asked the Minister for Health if he has any plans to change the shift hours of non-consultant hospital doctors; and if he will make a statement on the matter. [3894/13]

671. **Deputy Dominic Hannigan** asked the Minister for Health if his attention has been drawn to an article (details supplied); his views of the contents of the article; and if he will make a statement on the matter. [3895/13]

672. **Deputy Michael Lowry** asked the Minister for Health the steps he will take to tackle the treatment of non consultant hospital doctors; if he will put an end to the illegal long working hours being forced on such doctors; if his attention has been drawn to the detrimental impact of these long working hours have on these persons; and if he will make a statement on the matter. [3902/13]

674. **Deputy Róisín Shortall** asked the Minister for Health if he will outline the current legislation in respect of the maximum length of a shift and meal break provisions for junior hospital doctors; if his attention has been drawn to the wide spread concern among such staff about

their working conditions; and if he will outline the steps he will take to ensure all hospitals are in compliance with current legislation in this regard. [3938/13]

678. **Deputy Nicky McFadden** asked the Minister for Health if the concerns of non-consultant hospital doctors in relation to working hours will be addressed; if the European Working Time Directive will be implemented; and if he will make a statement on the matter. [3985/13]

685. **Deputy Maureen O'Sullivan** asked the Minister for Health if his attention has been drawn to the ongoing situation regarding non consultant hospital doctors and junior doctors who are working shifts of 36 hours or more and where some doctors are working more than 70 hours a week in total and are suffering from mental and physical health problems as a result which is also jeopardising the quality of care of hospital patients; the action he will take in response to the Health Service Executive's non-compliance with the EU Working Time Directive transposed into the Statutory Instrument No. 494 of 2004 which states the maximum number of hours of work per week should not exceed 48 hours from 1 August 2009 onwards and 11 hours of rest is mandatory every 24 hours; and if he will make a statement on the matter. [4113/13]

692. **Deputy Billy Timmins** asked the Minister for Health the position regarding the working hours of non consultant hospital doctors (details supplied) [4195/13]

694. **Deputy Róisín Shortall** asked the Minister for Health the current law in respect of the maximum length of a shift and meal break provisions for non consultant hospital doctors; if his attention has been drawn to the wide spread concern among such staff regarding the working conditions; and the steps he will take to ensure that all hospitals are in compliance with the law [4199/13]

697. **Deputy Ciara Conway** asked the Minister for Health if he will provide an update on the EU working time directive in respect of junior doctors; if he will confirm that this will be applied in full; the measures being put in place to monitor the application of same; and if he will make a statement on the matter. [4224/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 665, 669 to 672, inclusive, 674, 678, 685, 692, 694 and 697 together.

The Government is committed to achieving compliance with the European Working Time Directive in respect of non-consultant hospital doctors (NCHDs) by 2014. I have emphasised to the HSE the high priority the Government and I attach to this issue. In January 2012, a detailed plan for the achievement of compliance by NCHDs with the Working Time Directive was submitted to the EU Commission. The plan affirmed Ireland's commitment to achieving compliance with the Directive over a three-year time period. It committed to implementing the measures necessary, including: the implementation of new work patterns for medical staff, transfer of work undertaken by NCHDs to other grades, and the organisation of hospital services to support compliance.

The Health Service Executive's Service Plan for 2013 specifically recognises the need to address the issue as a priority, stating that there will be a particular focus in the acute hospital service on the achievement of compliance with the European Working Time Directive amongst the non-consultant hospital doctor workforce, in line with the Implementation Plan submitted to the Commission in 2012. The HSE is currently finalising its National Operational Plan to support the implementation of the National Service Plan 2013. This will specify in greater detail the actions to be taken during the year in relation to EWTD compliance. A key priority for the HSE in 2013 will be a further reduction of average weekly hours worked and also a reduction in the duration of shifts undertaken.

S.I. No. 494 of 2004 European Communities (Organisation of Working Time) (Activities of Doctors in Training) Regulations 2004, which transposed the EU Working Time Directive for doctors in training, provides for: A maximum 48 hour average working week; A 30 minute rest break every 6 hours during period on-site on-call; 11 hours rest every 24 hours or equivalent compensatory rest before return to work; and 35 hours continuous rest per week or twice a fortnight or 59 hours continuous rest per fortnight. The 2010 Contract of Employment for NCHDs, which these staff sign on appointment, reflects the above provisions. The contract also provides that NCHDs shall not be required to work more than 24 consecutive hours on-site. A related agreement between the HSE and the Irish Medical Organisation provides that the contract is subject to the requirements of the Directive.

### **Hospital Services**

666. **Deputy Billy Kelleher** asked the Minister for Health the number of operations, medical and surgical procedures, in public hospitals that were cancelled in 2012 and to date in 2013; and if he will make a statement on the matter. [3855/13]

**Minister for Health (Deputy James Reilly):** In relation to the particular query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

### **Health Services Staff Issues**

667. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the total number of non-consultant hospital doctors in tabular form by grade, gender and by Health Service Executive Region; and if he will make a statement on the matter. [3860/13]

**Minister for Health (Deputy James Reilly):** Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. I have asked the Executive to compile the information requested by the Deputy and to reply to him directly.

### **HSE Staff Responsibilities**

668. **Deputy Billy Kelleher** asked the Minister for Health if he will confirm that no policy/guideline document exists to cover the administration of medicines by domiciliary care service employees; and if he will make a statement on the matter. [3870/13]

676. **Deputy Billy Kelleher** asked the Minister for Health if he intends to introduce guidelines similar to the Guidelines for the Control and Administration of Medicines - Domiciliary Care Agencies as published by the Regulation and Quality Improvement Authority of Northern Ireland; and if he will make a statement on the matter. [3974/13]

677. **Deputy Billy Kelleher** asked the Minister for Health if he will provide a copy of the Health Service Executive policy covering the role of care workers regarding medication; and if he will make a statement on the matter. [3979/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 668, 676 and 677 together.

Government for National Recovery 2011 - 2016 commits to developing and implementing national standards for home support services, which will be subject to inspection by the Health and Information Quality Authority (HIQA).

1. Older People:

Primary legislation and resources will be required for the introduction of a statutory regulation system for home care services. The question of possible changes to legislation, including regulation and inspection for Home Care services for older people is under consideration. The Department is examining this matter at present, in the overall context of the licensing of Health Care providers. Legislation is currently being prepared in this regard, taking into account the recommendations of Commission on Patient Safety and the Law Reform Commission. Various options are being considered at present, including the complex legal issues involved.

Currently the focus is for the Health Service Executive (HSE) to implement national guidelines on Home Care Packages while also developing additional guidelines in relation to the Home Help service and Quality Guidelines for Home Care Support Services. The latter two sets of guidelines are the subject of negotiations between the HSE and SIPTU, under the auspices of the Labour Court.

In addition, the HSE introduced in mid-2012, a Public Procurement Framework for Home Care services. These measures have been designed to enhance service provision overall, including quality and safety, for HSE home care recipients. Awarding of contracts is conditional upon vetting and other governance and quality assurance mechanisms.

2. Disability Services

The policies, guidelines, best practice standards, including legislation, are outlined in Part 2 of the Service Arrangements between the HSE and service providers. Currently, no national policy pertaining to the safe administration of medication within the disability sector, as applied to domestic settings, is included within Part 2 of the Service Arrangement.

Personal Assistants do not have responsibility or authority to administer medication directly to the service users. However, as PAs are directed by the service user, it is possible that under the service user's direction and in line with the service's "Safe Administration of Medication" policy, they may assist the service user in self-medication, i.e. opening a container / blister pack due to physical and sensory restrictions.

The remit of Care Workers that provide home support/home help type services is limited to supporting clients and the families in daily activities and is a "domestic" role. In these cases, the home support workers work alongside the family of the service user and do not have a role in the management of medication, which remains the responsibility of the family/primary carer.

The HSE has a clear expectation that all service providers have a "Safe Administration of Medication" policy in place. Some service providers have identified to the HSE that they are looking at developing broader medication management policies and "upskilling" their staff to allow for the safe administration of medication, as the service users currently need to be attended by a Nurse when direct administration of medication is required i.e. insulin injection or PRN medication.

Currently most service providers have policies in place when medication is self-administered with the support/observation of the staff i.e. opening a container/blister pack due to physical and sensory restrictions. With the de-congregation of services and the development of community based services that offer semi-independent living for clients with physical and sensory and/or intellectual disabilities, service providers are developing a range of staff supports

that necessitate the development of “Safe Administration of Medication” policies for these staff grades. In this context, service providers will need to ensure that training is put in place for all staff grades alongside appropriate supervision and audit process.

There is significant learning to be gained from the safe administration of medication practice within community residential settings, alongside the best practice in place by service providers in domestic settings. These practices will be reviewed by the HSE, as the specification for Home Support and PA Services is developed for the disability sector in the coming months.

Insofar as regulation of residential services for people with disabilities are concerned, I can confirm that the Health and Information and Quality Authority will shortly be submitting standards for this sector to my Department for approval and it is anticipated that these will be launched in February. These standards will confirm that residential centres should have appropriate policies and procedures for medication management. However, these standards will only apply to residential services which are provided by the HSE or other service providers. They would not be applicable to people living in their own homes. Work is underway on the regulations required to bring the standards into law and discussions are taking place at the moment on the resources and staffing required by HIQA from 2013 onwards.

It is expected that the new regulatory system should be up and running by mid 2013.

*Questions Nos. 669 to 672, inclusive, answered with Question No. 665.*

### **Primary Care Centres Provision**

673. **Deputy Billy Kelleher** asked the Minister for Health the reason Raphoe, County Donegal, did not make it to the top of the primary care centre list; and if he will make a statement on the matter. [3931/13]

**Minister for Health (Deputy James Reilly):** Delivery of health care infrastructure is a service issue. Therefore your question has been referred to the Health Service Executive for direct reply.

*Question No. 674 with Question No. 665.*

### **Health Services Provision**

675. **Deputy Nicky McFadden** asked the Minister for Health if the services of a personal assistant will be provided for persons over the age of 65 years and who are generally most in need of this valuable service; and if he will make a statement on the matter. [3973/13]

**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.

*Questions Nos. 676 and 677 answered with Question No. 668.*

*Question No. 678 answered with Question No. 665.*

### **Medicinal Products Supply**

679. **Deputy Róisín Shortall** asked the Minister for Health if his attention has been drawn to the increasing use of anabolic steroids and the health dangers associated with this; if he will clarify the medical guidelines and the legal provisions regarding the regulation of the supply of these substances; and his views on the steps he is taking to address this matter. [4000/13]

699. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Question No. 700 of 27 November 2012 and in view of the ongoing problem of over-use of Benzodiazepines, if all public consultation has now been completed; if he has communicated the intended alterations to regulations under the Misuse of Drugs Act that are relevant to the EU; and his target date for the commencement of the new regulations. [4238/13]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 679 and 699 together.

The Department is reviewing the Misuse of Drugs Regulations with a view to, amongst other issues, introducing additional controls on certain prescription drugs being traded illicitly, including benzodiazepine medicines. A consultation process has taken place with key stakeholders in relation to the proposed amendments, which include introducing import and export controls on benzodiazepines as well as an offence of possession, thereby assisting the law enforcement roles of Customs and of the Garda Síochána.

Anabolic steroids are currently subject to prescription control under the Medicinal Products (Prescription and Control of Supply) Regulations 2003 (S.I. 540 of 2003), which means they cannot be supplied except in accordance with a prescription. In view of their potential for abuse, it is proposed to place them under the control of the Misuse of Drugs Regulations by making it an offence to import anabolic steroids other than for medical purposes. Draft Misuse of Drugs (Amendment) Regulations are currently being prepared and will be submitted for the Government's approval. Following this, it will be necessary to notify the proposed legislation to the EU Commission and Member States to complete the 3 month EU notification period under the Technical Standards Directive.

### **Hospital Services**

680. **Deputy Róisín Shortall** asked the Minister for Health if he will seek an immediate explanation from Temple Street Children's Hospital, Dublin, as to the reason the referral list for circumcisions that are required for medical reasons has been closed; if the hospital is authorised to cease accepting such referrals; the strategy in place to deal with young children who require such procedures as in the case of a child (details supplied) in Dublin 11; and as a matter of urgency, in view of the fact that the child is in pain, if he will investigate if there is another health facility in the State at which this procedure can be carried out. [4001/13]

**Minister for Health (Deputy James Reilly):** I wish to confirm that Temple Street Children's Hospital does accept referrals for circumcisions which are based on clinical need.

I am advised that the GP referral letter in this case was addressed to the urology department and did not indicate that there was any urgency in the matter. If the GP wishes to refer this case to the General Surgery Department and indicates the level of urgency, it will be dealt with accordingly.

### **Home Help Service Provision**

681. **Deputy Michael McGrath** asked the Minister for Health if he will review the decision to have the home help assistance reduced for an elderly person (details supplied) in County Cork; and, if he does not intend to do so, if he will ask for an assessment of the person's needs to be carried out to determine the assistance she may need. [4011/13]

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

### **EU Funding**

682. **Deputy Seán Kenny** asked the Minister for Health the major health construction projects that received EU funding in 2007, 2008, 2009, 2010, 2011 and 2012; the percentage of the costs that was covered by EU funding; and if he will make a statement on the matter. [4022/13]

**Minister for Health (Deputy James Reilly):** Delivery of healthcare infrastructure is a service issue. Therefore your question has been referred to the Health Service Executive for direct reply.

### **Hospital Accommodation Provision**

683. **Deputy Seán Kenny** asked the Minister for Health the construction works that were carried out at Beaumont Hospital, Dublin 9, in 2007, 2008, 2009, 2010, 2011 and 2012; and if he will make a statement on the matter. [4023/13]

**Minister for Health (Deputy James Reilly):** Delivery of healthcare infrastructure is a service issue. Therefore your question has been referred to the Health Service Executive for direct reply.

### **Health Services Issues**

684. **Deputy Finian McGrath** asked the Minister for Health if he will assist a family (details supplied) in County Louth [4112/13]

**Minister for Health (Deputy James Reilly):** As the Deputy's question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

*Question No. 685 answered with Question No. 665.*

### **Services for People with Disabilities**

686. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) in County Cavan will receive an appointment with the child development team of the Health Service Executive; the plans in place to ensure that timely diagnoses are made for children with Asperger's Syndrome; if priority will be given to this case in view of the circumstances involved; and if he will make a statement on the matter. [4131/13]

**Minister for Health (Deputy James Reilly):** The Government is committed to the provision and development of services for children with a disability including those with autism hav-

ing regard to the resources available. A range of community and other services are provided for children with a disability including those with autism by or on behalf of the HSE. Significantly the HSE is currently engaged in a reconfiguration of existing therapy resources to geographic based teams for children and young people with disabilities including those with autism under its Progressing Disabilities Programme for Children and Young People (0-18 years). This aims to increase the level of consistency and standardisation in the way both early intervention services and services for school-aged children with disabilities are delivered.

A detailed action plan is being implemented with the following objectives:

- One clear pathway to services for all children with disabilities according to need
- Resources used to the greatest benefit for all children and families
- Health and education working together to support children to achieve their potential.

In practical terms this means that health professionals and parents will know exactly where a child should be referred and how to refer them. Services may be provided at primary care level or by early intervention and school age disability teams, with access to specialist services, according to the child's needs. The reconfiguration of existing therapy resources aims to ensure that the resources available are used to best effect. The particular issue raised by the Deputy is an operational service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Tobacco Control Measures**

687. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if he will provide, in tabular format, the amount spent on smoking cessation programmes each year since and including 2005; and if he will make a statement on the matter. [4148/13]

**Minister for Health (Deputy James Reilly):** Smoking Cessation Services within the Health Service Executive offer a wide variety of services in different areas. Specialist Smoking Cessation Counsellors are trained to deliver these services on full time, part time and sessional basis nationally. Health Promotion Departments within the HSE also offer an extensive programme of training that includes developing skills for health care practitioners to support people wishing to stop smoking. The HSE funds the National Smokers Quitline which, in conjunction with the Irish Cancer Society, provides a smoking cessation advice and support service. This provides the public with access to a telephone support service from a trained smoking cessation counsellor. In 2011, a new health education campaign, QUIT, aimed at encouraging smokers to quit was initiated by the HSE. It uses real-life stories about smoking related illness to help smokers to quit. As this is a service matter, I have referred this question to the Health Service Executive for attention and direct reply to the Deputy.

### **Dental Services Provision**

688. **Deputy Noel Greally** asked the Minister for Health the reason a person with a full medical card is not covered for essential dental work under this medical card; and if he will make a statement on the matter. [4170/13]

**Minister of State at the Department of Health (Deputy Alex White):** The Dental Treatment Service Scheme (DTSS) provides access to dental treatment for adult medical card holders. The HSE prioritises for treatment patients with special needs, high risk patients and those

who have greater clinical needs. A free oral examination every calendar year and free emergency dental treatment with a focus on relief of pain and sepsis are available to all eligible patients. Eligible patients can also receive two fillings, all extractions and a number of complex treatments. Prior approval from the HSE Service Area Principal Dental Surgeon is required for complex treatments. When a patient requires secondary and/or tertiary level services a treatment plan including an estimate of costs should be submitted to the Service Area Principal Dental Surgeon for prior approval. The HSE would require specific details of the individual case referred to by the Deputy in order to respond to the issue raised. If the Deputy wishes to provide me with such details I will ask the HSE to examine the matter.

*Question No. 689 answered with Question No. 661.*

### **Vaccination Programme**

690. **Deputy Ciara Conway** asked the Minister for Health his plans to extend the HPV vaccine to schoolboys here; and if he will make a statement on the matter. [4182/13]

728. **Deputy Maureen O'Sullivan** asked the Minister for Health his plans to extend the HPV vaccine to Irish schoolboys in the same way as they are being offered this vaccine free in other countries to help prevent passing on the HPV virus; and if he will make a statement on the matter. [4397/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 690 and 728 together.

International studies and scientific assessments suggest that the best way to prevent most disease due to HPV is to vaccinate as many girls and women as possible. Routine vaccination is not recommended for boys. According to research carried out by the European Centre for Disease Prevention and Control, the burden of disease associated with HPV 16/18 in males is small, as it is related to some anogenital and head and neck cancers and the efficacy of vaccines for the prevention of these relatively rare cancers is not yet known. Following an evaluation of the HPV vaccine in the Irish context, the National Immunisation Advisory Committee recommended that all girls of 12 years of age should be offered HPV vaccination.

### **Home Care Packages**

691. **Deputy Sean Fleming** asked the Minister for Health when a home care package will be recommended for a person (details supplied) in County Carlow; and if he will make a statement on the matter. [4187/13]

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

*Question No. 692 answered with Question No. 665.*

### **Child Care Services Provision**

693. **Deputy Maureen O'Sullivan** asked the Minister for Health the plans in place for the care of a severely disturbed violent youth (details supplied) in Dublin 7 [4196/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter this question has been referred to the HSE for direct reply.

*Question No. 694 answered with Question No. 665.*

*Question No. 695 answered with Question No. 654.*

*Question No. 696 answered with Question No. 650.*

*Question No. 697 answered with Question No. 665.*

### **Mental Health Services Provision**

698. **Deputy Ciara Conway** asked the Minister for Health the mental health support available to medical staff, in particular junior doctors; and if he will make a statement on the matter. [4225/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Mental health support services are available to all, including medical staff, through referral from their GP or through Hospital Emergency Departments. As an employer the Health Service Executive (HSE) is committed to ensuring that appropriate systems, processes and resources are in place to ensure the safety, health and welfare of staff particularly those staff affected by their activities at work. Employees may seek support on occupational safety, health and welfare from staff in human resources, health and safety, health promotion, occupational health services, employee assistance and staff counselling services. The role of the staff in these areas is to provide relevant and timely advice, guidance and support to managers and employees on how to comply with their legislative duties and create a positive working environment that takes account of employee well-being and, where appropriate, they can also provide counselling to employees. They also help to promote effective safety, health and welfare practices and to develop relevant training programmes.

As part of a framework for understanding and addressing employee well-being and welfare priorities, additional support is provided to staff through the implementation of a range of HSE Policies and Procedures including *Prevention and Management of Stress in the Workplace; Preventing and Managing Critical Incident Stress in the Workplace; Rehabilitation of Employees back to work following illness or injury* and *Employee Welfare and Well-being Strategy*.

*Question No. 699 answered with Question No. 679.*

### **Medical Card Eligibility**

700. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Question No. 1105 of 16 January 2013, if he will set out if it is intended to withdraw; and if so, when and through what means, medical card eligibility from those over-seventies who currently hold a medical card with a validity period of some years hence but who will exceed the income criteria when new legislation is introduced this year [4240/13]

**Minister of State at the Department of Health (Deputy Alex White):** The Legislation Programme for the Spring 2013 Parliamentary session includes Bills that are required to underpin decisions made in Budget 2013, including proposed changes to the full eligibility for persons aged 70 years or more. The provisions will be set out in detail when the legislation, which is in preparation, is published.

Notwithstanding this, the Deputy will be aware, that under the existing provisions of the Health Act 1970 (as amended), a person is obliged to advise the HSE if there is a change of circumstance which disentitles him or her to the service currently being provided.

### **Medical Card Applications**

701. **Deputy Tom Fleming** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4243/13]

**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.

### **Health Information and Quality Authority Inspections**

702. **Deputy Tom Fleming** asked the Minister for Health his views on a submission (details supplied) regarding inspections of residential care facilities; and if he will make a statement on the matter. [4244/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I have recently received the submission referred to by the Deputy and have responded directly to the issues raised. While the generous offer referred to in the proposal is appreciated, would like to assure the Deputy that this Government is committed to ensuring that vulnerable people with disabilities in residential services are safeguarded and protected, and that their quality of life is enhanced. With this in mind, the current Programme for Government includes a specific commitment to put the draft standards developed by the Health Information and Quality Authority (HIQA) on a statutory footing and ensure that the services are inspected by HIQA. These draft standards outline what is expected of a provider of services and what a person with a disability, his or her family, and the public can expect to receive from residential care services.

A public consultation process has recently been completed by HIQA on the draft standards document and it is now in the process of being finalised and submitted to the Board of the Authority. The final agreed standards will then be forwarded to my Department for approval with an anticipated publication date in February 2013. It is expected that the new regulatory system which will allow for a robust registration and inspection of Residential Centres should be up and running by mid 2013. Work is also continuing in my Department on both the 'Registration and Inspection' regulations and the 'Care and Welfare' regulations required to bring the standards into law. These are being developed taking into account the lessons learned from similar regulations for nursing homes.

My Department has also been in active engagement with HIQA on the level of resources and staffing needed. 10 posts which will enable the Authority commence preparatory work for the registration and inspection regime have already been approved. My Department is continuing discussions with HIQA to determine the longer term staffing and resource requirements and it is expected that agreement on this element will be finalised shortly. While the HIQA standards have yet to be put on a statutory footing, it is worth noting that compliance with the HIQA standards is already included in the Service Level Arrangements between the HSE and service providers in the disability sector.

*Question No. 703 answered with Question No. 650.*

### **Dispensing Fees**

704. **Deputy Kevin Humphreys** asked the Minister for Health further to Parliamentary Question Nos. 64 and 69 of 19 December 2012, when a reply will issue from the Health Service Executive; and if he will make a statement on the matter. [4246/13]

**Minister of State at the Department of Health (Deputy Alex White):** A reply has issued to the Deputy.

*Question No. 705 answered with Question No. 661.*

### **Public Service Reform Plan Update**

706. **Deputy Patrick O'Donovan** asked the Minister for Health with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4289/13]

**Minister for Health (Deputy James Reilly):** The Public Service Reform document on 17th November 2011 identified three agencies under the aegis of this Department to be rationalised, amalgamated or abolished in 2012. The National Council for the Professional Development of Nursing and Midwifery was dissolved on the 31st December, 2011. In relation to the Opticians Board, a Working Group was established in 2010 to provide legislatively for the subsumation of the Opticians Board into the Health and Social Care Professionals Council. It is expected that the draft heads will be available during 2013 for Ministerial approval as part of the Health and Social Care Professionals (Amendment) Bill 2013 and rationalisation of the Opticians Board is expected during 2014. With regard to the National Cancer Registry Board, with the ongoing changes to the structures of the HSE, in order to safeguard the functions of the Registry I consider that it would not at this stage be appropriate to subsume the Registry into the National Cancer Control Programme.

### **Hospital Services**

707. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health if his attention has been drawn to the fact that a person (details supplied) travelled from North Donegal to Mayo General Hospital for an operation and that upon arrival to the hospital that evening, they were advised that their operation had been cancelled and if he will make enquiries into this matter [4296/13]

**Minister for Health (Deputy James Reilly):** With regard to specific complaints in relation to experiences of individuals in our hospitals, there is a formal complaints policy, details of which are on the HSE website, at [www.hse.ie/eng/services/ysys/Complaint](http://www.hse.ie/eng/services/ysys/Complaint). In addition, advice and instructions for making complaints about a service or an individual may be found at [www.healthcomplaints.ie](http://www.healthcomplaints.ie). In accordance with this procedure, a complaint must be made in the first instance, to the hospital in which the incident causing the complaint occurred. If an individual is not satisfied with the response from the hospital, a review can be sought from the HSE Director of Advocacy and the Ombudsman, whose details are set out as follows: HSE Director of Advocacy, Oak House, Millennium Park, Naas, Co Kildare, Tel 1890 424 555; Office of the Ombudsman, 18, Lower Leeson Street, Dublin 2, Tel 1890 223 030; Email: [ombudsman@](mailto:ombudsman@)

ombudsman.gov.ie. I have asked the HSE to answer the specific queries you have raised and to reply to you directly.

### **Medical Card Eligibility**

708. **Deputy Michael McGrath** asked the Minister for Health when the new income thresholds will apply to persons 70 years of age or over applying for a medical card; if the thresholds will apply to all gross income; and if any exceptions will be made for persons marginally in excess of the income limits when exceptional circumstances apply. [4297/13]

**Minister of State at the Department of Health (Deputy Alex White):** The new eligibility rules for medical cards for persons aged over 70 years, which were announced in the Budget 2013, will not take effect until later in 2013, after primary legislation has been enacted. The implementation date will be announced and publicised in advance by the Department and HSE. As is the current situation, the revised thresholds will apply to gross income. There is provision for discretion by the HSE to grant a medical card in cases of “undue hardship” where income guidelines are exceeded and this provision will not be effected.

### **Speech and Language Therapy**

709. **Deputy Patrick Nulty** asked the Minister for Health when a child (details supplied) in Dublin 15 will receive speech and language therapy and occupational therapy; the reason for the delay; and if he will make a statement on the matter. [4318/13]

**Minister for Health (Deputy James Reilly):** The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **National Children’s Hospital Issues**

710. **Deputy Joe McHugh** asked the Minister for Health if he will engage with the Northern Ireland Minister for Health in respect of the maximising the utility of the planned National Children’s Hospital; if he will use the Altnagelvin Radiotherapy Unit model as a basis for such engagement; and if he will make a statement on the matter. [4327/13]

717. **Deputy Joe McHugh** asked the Minister for Health if he will consider providing an opportunity for paediatrics specialists to meet with their Northern Ireland counterparts, to discuss potential mutual arrangements for shared services at the planned new Children’s Hospital [4358/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 710 and 717 together.

There is ongoing cooperation between my Department and the Department of Health, Social Services and Public Safety in Northern Ireland. In this regard, one service that is actively being progressed at present is paediatric congenital cardiac surgery. There have been a number of meetings and teleconferences between the Department of Health and the Department of Health and Social Services and Public Safety, the Health Service Executive (HSE) and Northern Ireland Commissioning Services and Our Lady’s Hospital Crumlin, and contacts are continuing with a view to determining as soon as possible how best an all-island service might be

established and how soon this could be realised if it is determined, through consultation, to be the optimum solution. A project team has also been established, comprising of the HSE, Our Lady's Hospital Crumlin and the Department of Health, to address potential service issues and requirements. Our Lady's Hospital Crumlin, Dublin 12 has since 2009 been assisting the Belfast Health and Social Care Trust in providing Paediatric Congenital Cardiac Surgery Services to patients from Northern Ireland. Our Lady's Hospital Crumlin cared for 9 such patients in 2011 and 28 in 2012.

I am considering how the new children's hospital might best contribute to an all-island health service for children. I have discussed this possibility with my colleague Minister Poots and further discussions have been held between our respective Departments in this regard. I am seeking to ensure the involvement of Northern Ireland members in the governance arrangements for both the building of the new hospital and the board which needs to be set up to help govern the existing Dublin children's hospitals and the new hospital in the longer term. I will consider what the model used in the Altnagelvin development can contribute in this regard.

I am very much committed to working together with my Northern colleagues on issues of common concern and benefit. This is of particular relevance in the current time when both jurisdictions are implementing change and pushing forward health reform. Terms of Reference for engagement between the Republic of Ireland and Northern Ireland on acute hospital issues are expected to be agreed shortly.

### **Vaccination Programme**

711. **Deputy Terence Flanagan** asked the Minister for Health the feasibility of including a chicken pox vaccine in the national immunisation programme; and if he will make a statement on the matter. [4328/13]

**Minister for Health (Deputy James Reilly):** The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice, international best practice and by the National Centre for Pharmacoeconomics (NCPE). Varicella vaccination is currently recommended by the NIAC for at-risk groups including:

- Healthcare workers without a definite history of chickenpox, or proof of immunity, particularly those working with haematology, oncology, obstetrical, general paediatric or neonatal patients
- Laboratory staff who may be exposed to varicella virus in the course of their work
- Healthy susceptible close household contacts of immunocompromised patients.

### **Hospital Services**

712. **Deputy Joe McHugh** asked the Minister for Health if he will provide an update on the planned new radiotherapy unit at Altnagelvin Hospital, which will serve patients from both Northern Ireland and the Republic of Ireland. [4336/13]

**Minister for Health (Deputy James Reilly):** The Government is committed to ensuring a high-quality radiotherapy service for the entire population of Ireland, including close collabora-

tion with Northern Ireland, for services in the North West. I have committed once-off capital funding of around one third of the cost (up to a ceiling of €19 million) for the development of new radiotherapy facilities (3 linear accelerators) at Altnagelvin. The Service will be managed by the Western Health and Social Care Trust and commissioned by the Department of Health Social Services and Public Safety in Northern Ireland and the Department of Health in the Republic of Ireland. It will provide more locally accessible and timely services and improve patient travelling times for patients in the North Western area. The project is at Outline Business Case 2 stage and services are expected to commence at the centre in 2016.

*Question No. 713 answered with Question No. 650.*

### **Hospital Accommodation Provision**

714. **Deputy Seamus Healy** asked the Minister for Health in view of commitments to re-open closed beds at the Community Hospital of the Assumption, Thurles, County Tipperary, if he will ensure that the re-opening of the beds will form part of the Health Service Executive West Service Plan 2013; and if he will make a statement on the matter. [4339/13]

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

### **Dispensing Fees**

715. **Deputy Simon Harris** asked the Minister for Health the criteria that is required for a person with a long term illness to avail of a reduced prescription charge; and when additional illnesses are present the level to which that reduction is applied; and if he will make a statement on the matter. [4354/13]

**Minister of State at the Department of Health (Deputy Alex White):** Medical card holders are required to pay a €1.50 charge (per item) for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €19.50 per month for each person or family. Charges are not payable in respect of items supplied under the Long Term Illness Scheme. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme.

### **National Children's Hospital Issues**

716. **Deputy Joe McHugh** asked the Minister for Health if he will consider establishing a singular paediatric muscular unit as part of the planned national Children's Hospital; and if he will make a statement on the matter. [4357/13]

**Minister for Health (Deputy James Reilly):** The Government decided on 6 November 2012 that the new children's hospital should be co-located with St James's Hospital on its campus. The new hospital, when ready, will bring together the three existing Dublin paediatric hospitals (Our Lady's Hospital Crumlin, Children's University Hospital Temple Street and the National Children's Hospital, part of Tallaght Hospital) into one entity, providing secondary paediatric services for the Greater Dublin Area and tertiary paediatric services throughout Ireland. It will play a central role in an integrated network of paediatric services across Ireland. Decisions about the services and infrastructure to be provided at the hospital will be made in conjunction with the three existing paediatric hospitals and the Health Service Executive or its

successor, and will be informed by best practice, with the aim of achieving the best possible outcomes for children.

*Question No. 717 answered with Question No. 710.*

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

718. **Deputy Joe McHugh** asked the Minister for Health his plans for cross border synergies in health following recent meetings with Minister Edwin Poots; and if he will make a statement on the matter. [4359/13]

**Minister for Health (Deputy James Reilly):** Priorities for cross-Border co-operation in the field of health include those being progressed through the structures of the North South Ministerial Council and also through ongoing engagement at official level. Collaboration is taking place on a wide range of health and social care issues including, for example, radiotherapy services, paediatric congenital cardiac services, health promotion, cancer research, food safety, suicide prevention and e-health. Health Ministers in both jurisdictions meet under the auspices of the North South Ministerial Council and continually review the existing arrangements for co-operation and explore other areas for collaboration where mutual benefit for both populations is demonstrated. I am very much committed to working with Minister Poots on issues of common concern and benefit, particularly as both jurisdictions are currently implementing ambitious reform programmes in the health sector.

### **Generic Drugs Substitution**

719. **Deputy Billy Kelleher** asked the Minister for Health if the European Commission has recommended to him a strict new system mandating doctors to prescribe generic drugs when available; if he intends to proceed with such a recommendation; if such changes could be introduced by regulation or if legislation will be necessary; and if he will make a statement on the matter. [4370/13]

**Minister of State at the Department of Health (Deputy Alex White):** The European Commission has completed its eighth review of the EU-IMF financial assistance programme for Ireland and has published the technical report by the Directorate General for Economic and Financial Affairs (ECFIN) which assesses programme implementation by the Irish authorities. The report published on 28 January 2013 identifies areas where the joint EC-ECB-IMF mission considers that further efficiencies could be achieved in the health system. This includes compulsory prescription by active ingredient rather than by brand name with exceptions only for “non-substitutability” cases. The implications of this recommendation are being examined by my Department at present.

### **National Treatment Purchase Fund**

720. **Deputy Billy Kelleher** asked the Minister for Health the current status of the National Treatment Purchase Fund; and if he will make a statement on the matter. [4371/13]

**Minister for Health (Deputy James Reilly):** In July 2011 I announced changes to the remit of the NTPF, namely its role would be changed to support the mission of the Special Delivery Unit (SDU). The NTPF is now fully aligned with the SDU and is targeting waiting lists strategically and incentivising hospitals to manage their waiting times proactively. The

NTPF capability is a core part of the SDU's performance-improvement role in holding public hospitals to account.

Statutory responsibility for the collection, collation and validation of data on waiting times and numbers of persons waiting for hospital treatment rests with the NTPF. The NTPF collects information on hospital in-patients and day case waiting times and has now taken over the reporting of outpatient waiting time data. The collation and analysis of outpatient waiting time data in a standardised format will reveal the distribution of long waiters across all hospitals. In the first instance, this will allow the SDU to target resources towards those patients who are waiting longest and ensure that they are seen and assessed. A maximum waiting time target has now been set of 12 months for a first-time outpatient appointment by 30 November 2013. In parallel with reducing the numbers of longest waiters, the SDU will also work with the HSE clinical programmes to reform the structure, organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time.

### **Irish Medical Organisation**

721. **Deputy Billy Kelleher** asked the Minister for Health if his Department was informed in 2004 that the Irish Medical Organisation was setting up a company called Irish Medical Educational Services Limited; and if he will make a statement on the matter. [4372/13]

**Minister for Health (Deputy James Reilly):** The Irish Medical Organisation (IMO) is an independent body and is not under any obligation to inform the Department of Health of the setting up of a company such as the one referred to. My Department has no record of any correspondence received from the IMO on this matter.

### **Medicinal Products Supply**

722. **Deputy Róisín Shortall** asked the Minister for Health further to Parliamentary Question No. 701 of 27 November 2012, if he will provide an update on the prescribing trend in respect of Benzodiazepines and the outcome of the Primary Care Reimbursement Service project to monitor the prescribing patterns of Benzodiazepines; and if the prescribing patterns of psychiatric services and other institutions are now included in this project. [4376/13]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE has developed and made available on-line to GPs for some time, an individualized prescribing report whereby the individual GP can access their personal prescribing of Benzodiazepines on a monthly basis and also benchmark their own prescribing against their peers. This is standardised for gender and age of the GP's panel. One hundred percent of GPs have access to the website and the majority are active users.

To further assist GPs, a snapshot of Benzodiazepine/'Z' claims presented in community pharmacies for the month of November 2011 was generated in January 2012 and provided to each GMS doctor at the end of January 2012. Three pieces of information were provided in the letter to all GMS GPs:

1. the prescribing frequency standardised for gender/panel profile of benzodiazepines and 'Z' medicines;
2. the number of patients who were presenting prescriptions for periods more than three,

six and 12 months; and

3. a pictorial representation of their individual prescribing against the national profile.

This exercise was repeated during the year. It is important that sufficient time is given between such reports to enable the GP to reflect and consider adjustment of practice where appropriate. Individual GPs have generally been very supportive of the initiative to date. In line with the policy to standardise the arrangements under the State drug schemes and ensure that GPs have a full involvement in their patients' medications as a whole, including their psychiatric drugs, clients who hold a medical card, in the former Eastern Regional Health Authority area, now attend their GP to get their outpatient prescription from psychiatric services written on a GMS prescription form. This enables a more complete overview to be conducted prospectively but has complicated the trend analysis for 2011/2012. Hospital in-patient prescribing is not captured by the information available through the Primary Care Reimbursement Service.

*Question No. 723 answered with Question No. 654.*

### **Medical Card Applications**

724. **Deputy James Bannon** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [4387/13]

**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**

725. **Deputy James Bannon** asked the Minister for Health if he will facilitate persons (details supplied) in County Westmeath with full medical cards; and if he will make a statement on the matter. [4389/13]

**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**

726. **Deputy James Bannon** asked the Minister for Health the position regarding an operation in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [4390/13]

**Minister for Health (Deputy James Reilly):** The management of in-patient and day-case waiting lists for patients awaiting public health care is based on the principle that after urgent and cancer patients are treated, then clinically assessed routine patients should be seen in chronological order (i.e. longest waiter first). Regarding the specific query raised by the Deputy, as this is a service matter, it has been referred to the HSE for direct reply.

### **Hospital Waiting Lists**

727. **Deputy John McGuinness** asked the Minister for Health if a scan for disc assessment will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [4396/13]

**Minister for Health (Deputy James Reilly):** On the specific query raised by the Deputy, as this is a service matter, it has been referred to the HSE for direct reply. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she would be in the best position to take the matter up with the consultant and hospital involved.

*Question No. 728 answered with Question No. 690.*

### **HSE Agency Staff Expenditure**

729. **Deputy Kevin Humphreys** asked the Minister for Health the cost of engaging agency nurse staff to the State in 2011 and 2012; if he will provide a breakdown of the costs by hospital or other health facility; the total number of positions filled by agency nurses in each of those years and the whole time equivalent number both nationally and by hospital; if he will provide a list of the companies through which agency staff are sourced in each of those years and the amount paid to each in that time; and if he will make a statement on the matter. [4399/13]

**Minister for Health (Deputy James Reilly):** As the use of agency staff is a matter for the HSE in the first instance, the Deputy's enquiry has been referred to the Health Service Executive for direct reply.

### **Health Services Staff Issues**

730. **Deputy Kevin Humphreys** asked the Minister for Health the cost of the hiring a nurse full time on the first point of the salary scale; the number of nurses employed full time here; if he will provide a breakdown of those numbers by hospital or other health facility; the number of nurses that may be employed under the employment control framework; the number that retired in 2011 and 2012; the number hired permanently in those years and the number that may be hired permanently in 2013; and if he will make a statement on the matter. [4400/13]

**Minister for Health (Deputy James Reilly):** The first point of the general staff nurse scale for nurses employed after 1 January 2011 is €27,211. However, the cost of hiring a nurse full time would be greater than this when employers' PRSI and premium payments are factored in. At 31 December 2012 there were 34,637 WTEs employed in the nursing staff category in the health service. This figure includes categories such as public health nurses as well as nursing management staff.

The Government has decided that the numbers employed across the public service must be reduced in order to meet its fiscal and budgetary targets. The health sector must make its contribution to that reduction. This policy requires that by the end of 2013, the health service achieves a work force of 98,955 whole-time equivalents (WTEs). This figure is not broken down by staff category. The HSE may continue to recruit nurses and midwives in exceptional circumstances where it has been established that there is an urgent service requirement and this can be accommodated within the budgetary and staff number limits in place. Such recruitment is separate to and independent of the Graduate Employment Initiative recently launched. Nursing staff appointed under that scheme will not be counted for the purposes of the health Employment Control Framework. I have asked the HSE to respond directly to the Deputy in relation to the more detailed aspects of the question.

## **Hospital Waiting Lists**

731. **Deputy John Browne** asked the Minister for Health if he will arrange to have a person (details supplied) in County Wexford treated as urgent by the Health Service Executive in respect of an appointment sought to deal with mobility requirements. [4414/13]

**Minister for Health (Deputy James Reilly):** Improving access to outpatient services is a key priority for the Government. Building on work already undertaken by the HSE, the NTPF has now taken over the reporting of outpatient waiting time data. The collation and analysis of outpatient waiting time data in a standardised format will reveal the distribution of long waiters across all hospitals. In the first instance, this will allow the SDU and NTPF to target their resources towards those patients who are waiting longest and ensure that they are seen and assessed. A maximum waiting time target has now been set of 12 months for a first time outpatient appointment by 30 November 2013.

In parallel with reducing the numbers of longest waiters, the SDU will also work with the HSE clinical programmes to reform the structure, organisation and delivery of outpatient services to ensure that the right patient is seen and assessed by the right health professional at the right time. 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. On the specific query raised by the Deputy, as this is a service matter, it has been referred to the HSE for direct reply.

*Question No. 732 answered with Question No. 661.*

## **Mental Health Services Provision**

733. **Deputy John McGuinness** asked the Minister for Health if he will expedite an appointment with the autism liaison nurse in respect of a person (details supplied) in County Kilkenny [4444/13]

**Minister for Health (Deputy James Reilly):** The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

## **Medical Card Applications**

734. **Deputy John McGuinness** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kilkenny [4447/13]

**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.

## **Cancer Screening Programmes**

735. **Deputy Finian McGrath** asked the Minister for Health if his attention has been drawn to the fact that 50% of medical card holders are likely to have abnormal smear test results especially in poorer area and the action he will take on this matter. [4550/13]

**Minister for Health (Deputy James Reilly):** CervicalCheck, the national cervical screening programme is available to over 1.1 million eligible women aged 25 to 60 years. CervicalCheck aims to reduce the incidence of and mortality from cervical cancer by detecting changes in the cells of the cervix before they become cancerous. It is a priority for the National Cancer Screening Service (NCSS) to ensure that its programmes are accessible to all eligible women in the population. Some women experience challenges and barriers that hinder their access to screening services for different reasons including fear, anxiety, intellectual and physical disabilities, language barriers and literacy difficulties.

The NCSS has a comprehensive communications and screening promotion approach that aims to inform, educate and encourage women to participate in the CervicalCheck programme. Communication includes public relations, advertising and screening promotion. The NCSS has a team of screening promotion officers based in Cork, Dublin, Galway and Limerick who work on a national basis. The overarching aim of screening promotion is to increase awareness. The team has implemented specific initiatives to help overcome barriers and to encourage eligible women, particularly harder-to-reach women, to participate in CervicalCheck.

### **Disability Support Services Provision**

736. **Deputy Finian McGrath** asked the Minister for Health if his attention has been drawn to the fact that the 5% cut to disability service at St. Michael's House had led to the Saturday closure of their swimming pool (details supplied); and if he will make a statement on the matter. [4553/13]

**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.

### **Vaccination Programme**

737. **Deputy Anne Ferris** asked the Minister for Health when he intends to introduce the new Meningitis B vaccine into the childhood immunisation schedule; and if he will make a statement on the matter. [4557/13]

**Minister for Health (Deputy James Reilly):** The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice, international best practice and by the National Centre for Pharmacoeconomics (NCPE). A Health Technology Assessment which includes a cost benefit analysis is carried out prior to any new vaccine being considered. This has a vital role in ensuring that care technologies, including vaccines, are used in a manner appropriate to their ability to maximise health gain and achieve value for money. Should NIAC advice recommend the inclusion of a new vaccine into the primary childhood immunisation programme in Ireland, my Department, in association with the Health Service Executive's National Immunisation Office will examine the issue.

### **Road Traffic Legislation**

738. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will introduce legislation to allow Gardaí to issue permits to persons living in rural isolated areas to allow them to drive home from their nearest pub after having two or three drinks on little used roads driving at very low speeds to be issued at the discretion of the local Garda; this would greatly benefit people living alone looking at four walls and restore some bit of social activity in local pubs and may also help prevent depression and suicide; and if he will consider introducing the proposed legislation. [4135/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Given the unprecedented progress in road safety in recent years, I find it difficult to respond to a proposal that would undermine so much of that achievement. For the seventh year in a row, the number of people killed on Irish roads has dropped. In 2012, the loss of life was the lowest ever recorded. The on-going effort to reduce the tragedy of road deaths is working but such change has come about by the contributions of every single road user. It has been a long journey but most of our citizens now recognise that it is irresponsible to drink drive.

The current drink driving limits were introduced in October 2011. They were not introduced on a whim or without any consideration of the issues involved. A balance had to be struck between the rights of the person and the rights of citizens to be kept safe. The advice that I received was overwhelmingly in favour of reducing the drink driving limit to a lower, more moderate level for most drivers and an effective zero tolerance level for professional and novice drivers. Even with these lower limits and changing attitudes, drink driving is still a primary cause of road collisions and the behaviour leads to many deaths and injuries as there is irrefutable evidence that any alcohol in the system can impair driving.

However, I do understand and appreciate that isolation can certainly exacerbate existing mental health problems but for the State to encourage the consumption of alcohol as a remedy for complex health issues, would be irresponsible in the extreme. Indeed, alcohol is a factor in a large number of suicides. Issues relating to the health of rural communities and the need to support enrichment in rural life require a multifaceted approach by Government. I am willing to work closely with my colleagues to address such issues from within my portfolio as Minister of Transport, Tourism and Sport but I cannot support, in the best interests and safety of all our citizens, a backward and regressive step in attitudes towards, and laws relating to, drink driving.

### **Local Authority Funding**

739. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if an application for funding has been received from Laois County Council (details supplied); and if he will approve such a request; and if he will make a statement on the matter. [4343/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The improvement and maintenance of regional and local roads in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter, for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority. In July last year, the National Roads Authority (NRA) on behalf of the Department issued a circular to all local authorities inviting applications for consideration for funding in 2013 under the Specific Improvement Grants Scheme. Laois County Council submitted 11 projects for consideration for funding in 2013; however the road at Shanahoe Village was not included in the Councils submission. It is open to Laois County Council to fund these works from its Discretionary Grant or alternatively from its own resources.

## Road Safety Issues

740. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he has conducted an audit of speed limits in urban/residential areas across the country; the approximate cumulative total of roads with a 30km, 40km, 50km, 80km, 100km speed limit; and if he will make a statement on the matter. [4527/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** An audit of speed limits within its functional area is a matter for each local authority which I am informed is carried out at periodic intervals. Under the Road Traffic Acts, varying default speed limits have been set for general classes of roads. However, the power to decide the speed limit applying to individual roads within an area rests with the relevant road authority, i.e. City Council, County Council or County Borough Corporation, in consultation with the Garda Commissioner, and with the consent of the National Roads Authority in the case of national roads. Under Section 9 of the Road Traffic Act, 1994, the relevant road authority may make bye-laws in respect of the application of certain speed limits to specified public roads in their administrative areas. Road safety is a major consideration in the application of speed limits and enforcement is a matter for the Garda Síochána.

My Department issued Guidelines for the Application of Special Speed Limits in January 2011 to all local authorities and the onus is on them to take those Guidelines into account in relation to special speed limits to be set for all roads in their area of responsibility. The purpose of these guidelines is to provide advice and guidance in relation to the making of speed limit bye-laws by county and city councils for the purpose of applying special speed limits. After taking the guidelines into account it is considered best practice for local authority officials to advise the elected members of their respective councils on what a suitable speed limit regime should be for different roads in their areas of responsibility. For new roads the local authority will have the relevant information on the speed for which the road was designed. Thus, the detailed information which the Deputy has requested is maintained by each local authority and is not collated by my Department.

## Appointments to State Boards

741. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport if he will confirm the current composition of the board of the Port of Cork; if he will provide the date of appointment of each board member as well as the expiration date of their membership; and if he will confirm the board vacancies, if any, which remain to be filled. [3736/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The only existing vacancy on the board of Port of Cork Company is that of Chairperson. With the consent of the Minister for Public Expenditure and Reform, I intend to nominate a Chairperson designate to this position in the near future. The Chairperson designate will be required to appear before the Joint Oireachtas Committee on Transport and Communications to outline their suitability for the post and subsequent to their appearance, I will appoint them to the position. The table below provides the additional information requested by the Deputy.

### Port of Cork Company

Name	Category of Director	Date of Appointment	Expiration Date
Vacant	Ministerial (Chair)		30.09.2012
Noel Cregan	Ministerial	24.07.2012	23.07.2015

Name	Category of Director	Date of Appointment	Expiration Date
Brian Cantwell	Ministerial	05.12.2012	04.12.2016
Paul Mulvihill	Ministerial	05.12.2012	04.12.2016
Helen Boyle	Ministerial	05.12.2012	04.12.2017
Dominic McEvoy	Ministerial	05.12.2012	04.12.2017
David Doolan	Employee (Elected)	02.10.2012	01.10.2017
Brendan Keating	CEO Ex-Officio		

In appointing members to this board I was keen to ensure that there was an appropriate mix of skills and experience and I believe that this has been achieved. In particular, I placed importance on having board members with legal, accountancy and maritime skills. I was concerned that the terms of Ministerially nominated members of the outgoing board all expired during the course of 2012. As the Deputy will agree, this is unsatisfactory from a corporate governance perspective. Therefore I have sought to stagger the terms of the current board to ensure that, if necessary, there can be a regular turnover of board members.

### Taxi Regulations

742. **Deputy Brian Walsh** asked the Minister for Transport, Tourism and Sport the position regarding an application for taxi suitability in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [3792/13]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The regulation of the small public service vehicle (SPSV) industry, including issues relating to suitability tests, is a matter for the National Transport Authority (NTA) under the Taxi Regulation Act, 2003. I have referred your question to the NTA for direct reply. Please advise my private office if you do not receive a response within 10 working days.

### Swimming Pool Projects

743. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport if he will provide an update on plans to extend and or refurbish Dunmanway swimming pool, County Cork; the stage the project is currently at; and if he will make a statement on the matter. [3848/13]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** Under the Local Authority Swimming Pool Programme there are four principal stages in a swimming pool project following the submission of a feasibility study. These, in order of progress, are: Preliminary Report; Contract Documents; Tender and Construction. The local authority is currently at contract document stage of their project and the Department is expecting receipt of this documentation shortly.

### Sports Capital Programme Applications

744. **Deputy Eric Byrne** asked the Minister for Transport, Tourism and Sport if he will outline the grants available for community boxing clubs; the way a person may apply for them; and if he will make a statement on the matter. [3859/13]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The allocations under the 2012 Sports Capital Programme were announced last December. The 2012 Sports Capital Programme is now closed and there are no more grants available at this time. It may be possible for the club to raise funds via the ‘Tax Relief for Donations to Certain Sports Bodies’ scheme (section 847A of the Taxes Consolidation Act, 1997). This is a Revenue operated scheme which offers tax benefits to individuals or companies who make donations to the club. Further details on this scheme and how it operates can be found on the Revenue Commissioners website.

### **Driving Licence Issues**

745. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport if he will explain the rationale behind his decision to centralise the taking of driving licence photographs from September 2013; if his attention has been drawn to the fact that pharmacies and other retailers are already supplying photographs to the biometric standard for many years; if he will explain the tendering process used by the Road Safety Authority before awarding the contract; if he will reconsider this decision in view of the many jobs that it places at risk existing businesses that supply these photographs; and if he will make a statement on the matter. [3903/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** There is a very sound rationale for centralising driver licensing, on grounds of efficiency and effectiveness of service as well as improved security. Legislation passed last year provided for the Road Safety Authority (RSA) to be the national driver licensing authority. I have received some correspondence on the issues referred to by the Deputy. Contrary to the premise of the question, there was no decision taken by my Department regarding the capture of photographs for licence purposes under the new system. The RSA is in charge of the new system, and was responsible both for designing the new system and for running the tender process for outsourced elements of that system.

The new system involves three outsourced elements, a card production facility, a front office for engaging with the customer, and a back office to process applications. All three are to be overseen by a ‘centre of excellence’ based in the RSA itself. The card licence is standardised across the European Union and therefore there must be consistency in the quality and standard of information used. The photograph will be digital and will not be stuck on to the card in the way it is to the current paper licence. The capture of the photograph is included in the fee for the licence. As the system develops, the SAFE2 ID standard will be implemented, at which point the only option will be the digital photo taken at the Front Office Network. In addition the new system will be convenient for customers as they will only have to pay one fee and make one trip to get their licence and photograph.

### **Library Projects**

746. **Deputy Michelle Mulherin** asked the Minister for Transport, Tourism and Sport the total amount of Exchequer funding approved for the development of a library (details supplied) in County Mayo by his Department or agencies of his Department; the date on which the various tranches of payments will be made; when he expects the final payment to be made; and if he will make a statement on the matter. [3956/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Fáilte Ireland. Accordingly, I have referred the Deputy’s question to

Fáilte Ireland for direct reply. Please contact my private office if a reply is not received within ten working days.

### **Rail Services**

747. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport when the last performance review of Iarnród Éireann was undertaken; and if he will make a statement on the matter. [4024/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The National Transport Authority has entered into a Public Service Obligation Contract with Iarnród Éireann for the provision of rail passenger services in Ireland. The NTA reviews Iarnród Éireann's performance in this regard and publishes quarterly performance reports, which are available on the NTA's website. I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Bus Éireann Services**

748. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the reason that Dublin Airport Authority charge Bus Éireann for picking up fares at Dublin Airport; if the DAA charge Dublin Bus for picking up fares at the airport; and if he will make a statement on the matter. [4025/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised by the Deputy falls within the operational responsibilities of Dublin Airport Authority and I have referred the question to the company for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten working days.

### **Taxi Regulations**

749. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport when he expects to launch the new rural taxi low fee, €100, licence; his views that such a licence is needed in rural areas; and if he will make a statement on the matter. [4183/13]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The NTA is the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report 2011, including implementation of Action 46 of the Report, which proposes a local area hackney licence. The aim of the proposed local area hackney licence is to facilitate the low cost entry to the hackney market for transport provision in rural areas that, otherwise, would be unlikely to have such services. This proposal was identified in the Review Report as a medium-term measure, whereby due to the the nature, complexity or other requirements of the proposal, implementation would not be possible in 2012. I understand that the NTA is considering the best approach to this issue

### **Sporting Events**

750. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if he or his Department or bodies under his auspices have held any discussions with Giro d'Italia organis-

ers, RCS Sports, about the possibility of the Giro d'Italia starting here in 2014; if he has held any discussions or contacts with his northern counterpart in relation to this matter; and if he will make a statement on the matter. [4242/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In line with the Programme for Government, I am generally supportive of the efforts of the State Tourism Agencies and the National Governing Bodies of Sport to attract international sporting events to Ireland where there is a clear tourism benefit. The financial support of such events is an operational matter for Fáilte Ireland and is subject to available resources and a proper assessment of the costs/benefits involved. I can confirm that I and officials of my Department as well as Fáilte Ireland have had contacts with promoters of the Giro D'Italia 2014 event. While I have not had discussions or contacts with Arlene Foster, MLA, Minister of Enterprise, Trade and Investment in the Northern Ireland Executive on the matter, officials of my Department have had contact with officials from the Department of Enterprise, Trade and Investment. As I outlined above, it is for Fáilte Ireland to assess the value of the event in tourism terms and to determine the level of State financial support, if any, for the staging of the event here.

### **Tourist Accommodation**

751. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport his views on correspondence (details supplied) regarding accommodation websites; and if he will make a statement on the matter. [4254/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I have noted again the concerns expressed regarding the use of booking engines. I understand that over 62% of all international travel reservations are made using the internet and that is why Fáilte Ireland has a suite of supports available to accommodation providers to assist them in using the internet. The purpose of these supports, which are very popular with accommodation providers, is to allow them to take maximum advantage of the market exposure afforded by the internet to drive business, including through their own websites and through social media.

The decision to use any particular booking engine or online travel agent is a commercial choice for the accommodation provider. In this regard, accommodation providers need to take into account the commission rates on rooms sold and the market exposure and flow of business that a particular booking engine/online travel agent may deliver as against the cost of promoting their business directly. Fáilte Ireland does not promote any particular engine and merely provides the tools for businesses to make their own informed marketing and booking choice. The provision of business supports to individual businesses is an operational matter for Fáilte Ireland and I have asked the agency to reply directly to the Deputy in regard to the specific circumstances outlined. If you do not receive a reply within ten working days please contact my private office.

### **Public Service Reform Plan Update**

752. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport with reference to the public service reform document published by the Department of Public Expenditure and Reform on 17 November 2011, Appendix IIa, Bodies to be rationalised, Amalgamated or Abolished in 2012, the progress that has been made on those bodies; the changes that require legislation; the expected timeframe for conclusion; and if he will make a statement on the matter. [4294/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I refer the Deputy to the answer to Dáil question number 1133 of the 16th January 2013 which sets out the position in relation to the rationalisation of State Agencies under the aegis of my Department.

### **Road Safety Issues**

753. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he is reviewing the current level of speed limits on Irish primary and non-national roads; his views on whether there should be a review of the speed limits in residential estates; and if he will make a statement on the matter. [4528/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In 2012, I announced that a review of speed limits would be undertaken and to that end, my Department established a stakeholder group to progress this work. The Automobile Association, An Garda Síochána, the Road Safety Authority, the National Roads Authority, representatives of local authorities and the National Transport Authority accepted my invitation to participate in the Working Group, which has met on a number of occasions since its formation.

As the Deputy will appreciate, this is a very complex issue which requires detailed consideration as it involves a broad review of general speed limits, along with the specific limits in place on certain roads. I anticipate that the Group will report to me shortly, and I will give careful consideration to any recommendations contained in their Report. Section 9 of the Road Traffic Act, 2004, allows road authorities to make bye-laws which allow the application of special speed limits on public roads within in their administrative areas. To assist in setting special speed limits, my Department issued Guidelines for the Application of Special Speed Limits to all local authorities in January 2011 and the onus is on local authorities to take them into account in relation to any special speed limits which they set.

### **Public Transport Issues**

754. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will intervene to satisfactorily resolve the situation in respect of a person (details supplied); the reason Irish Rail is fining persons who use the Leap Card for not having a valid fare on the Dart when the station they are meant to tag on at does not have an operational tag on system nor a member of staff present to assist; the efforts being made to resolve this issue; the reason Irish Rail are declining to engage with customers on the facts of an appeal; and if this is now the policy of a company that has recently required a public bailout; and if he will make a statement on the matter. [4531/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Iarnród Éireann. I have referred the Deputy's question to the company for direct reply. Please inform my private office if you have not received a reply within ten working days.

### **Rail Network**

755. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport if funding has been allocated in 2013 to automatic the railway gates at a location (details supplied) in County Tipperary; and if so, when will the upgrade take place; and if he will make a statement

on the matter. [4547/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Matters relating to upgrading works at individual level crossings on the rail network are operational day to day matters for Iarnród Éireann. Therefore, I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply.

### Fuel Rebate Scheme

756. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 90 of 16 January 2013, if his attention has been drawn to the fact that coach and bus operators were in receipt of a rebate on diesel which was stopped with the promise of being re-introduced in a different format; his plans to reintroduce it in a different format; and if he will make a statement on the matter. [4555/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Ultimately this is a matter for the Minister for Finance. The 2003 EU Energy Tax Directive incorporated special derogations which allowed specific excise duty reliefs to be applied in a number of Member States below the EU minimum duty rate. In the case of public transport services, these derogations included reduced rates to apply to fuel used for scheduled bus services. While these derogations expired on 31 December 2006, Ireland, along with other Member States, sought retention of its derogations beyond that date. However the European Commission refused all such requests. The Finance Act 2008 provided the basis for the removal of these excise duty reliefs with effect from 1 November 2008.

At that time, I understand some consideration was given to alternative support mechanisms that could be appropriate and could be done in a manner compatible with EU State Aid and other legal requirements. However, introducing an alternative suitable mechanism was not considered possible in the economic circumstances at that time. I understand the Minister for Finance has received a number of submissions from, and on behalf of, private coach operators seeking to have the auto-diesel excise duty relief for licensed road hauliers that was announced in the Budget extended to them. He has indicated that he will consider these proposals and the level of the rebate in the context of the Finance Bill.