

Written Answers.

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

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

Ash Dieback Threat

9. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine if he will report on his consultation process on an all-Ireland control strategy for Ash dieback; when new measures will be introduced to address the problem of Ash dieback disease; and if he will make a statement on the matter. [21402/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The purpose of the all-Ireland Control Strategy for Chalara is to provide an all island framework for the policy of identification, control and eradication of the causal agents of Chalara (ash dieback) a major threat to our ash trees.

The draft control strategy has been developed jointly with the Department of Agriculture and Rural Development Northern Ireland (DARD) to ensure that there is a comprehensive and effective response to the threat of ash dieback caused by *Chalara fraxinea* establishing on the island. The document itself has been subject to a public consultation process, the deadline for submissions was the 30th April 2013. Submissions received are now being studied by my Department and DARD and therefore it is somewhat premature to make a statement on what new measures might arise from this process.

After comprehensive discussions and a number of meetings, the All-Ireland Chalara Control Strategy was drafted by officials in both Department of Rural Development Northern Ireland and my Department. The document deals with many areas and outlines strategies on four key objectives.

Objective 1 is in relation to reducing the risk of the disease becoming established in the wider environment. This is obviously the key objective and centres around the maintenance of legal measures to restrict the entry of ash plants and wood, surveillance for the disease, destruction of the disease where it occurs and destruction of the associated batches.

Objective 2 is to support research efforts. The strategy document outlines the concrete steps Ireland has already taken in relation to collaborating with our partners in the UK in relation to breeding ash trees for resistance to the disease.

Objective 3 outlines the benefits that can be drawn by involving industry, landowners, voluntary organisations and the general public as partners in the strategy to assist the surveillance and destruction effort.

Objective 4 aims to build resilience in woodland and to support industries associated with ash. Within this objective it is recognised that there is a risk that ash dieback will become established here in the long term. In response to this risk and the long timeframe associated with managing woodland, action to consider how to adapt to the disease's possible impact and minimise its effect on our trees and woodlands, whether for timber production, for their biodiversity benefits, or for access and recreation, needs to be taken now.

My Department's officials continue to meet representative groups and individuals in relation to the disease on a regular basis. Both my Department and DARD have each received many submissions on the draft All Ireland Chalara Control Strategy document. The Pest Risk Analysis for *Chalara fraxinea* is also being completed in the coming weeks and it is important that this document will also feed into the Strategy document. My Department expects further dialogue with our counterparts in Northern Ireland within the coming weeks after which the finalised Strategy will be published in a month's time.

Coillte Teoranta Harvesting Rights Sale

10. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the amount of money he estimates can be raised from the sale of the Coillte forest crop, net of expenses including funding the Coillte pension fund; and if he will make a statement on the matter. [21493/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As I have previously advised, the financial and other implications of a potential sale of the harvesting rights to Coillte's forests have been examined by NewERA, Coillte, the Department of Public Expenditure and Reform and my Department. As part of the process, a number of detailed financial, technical and other specialist reports were prepared for Coillte, by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management.

This work encompassed the identification of forests for inclusion in a possible sale. I understand this identification process was based on a number of criteria including usage, ownership status, yield class and accessibility. An estimate was then made of the possible returns from the sale of the forests so identified. The calculation of an estimate is complex given the potential length of time of any contract and the associated forecasting involved. As Coillte is a commercial company trading in a competitive environment, such forecasting of yields, timber prices and future revenue is commercially sensitive, and it is therefore not appropriate, to make public the analysis conducted to date.

Aside from the valuation of the forestry assets, a number of issues are being considered in relation to the possible harvesting rights concession. These include, *inter alia*, the consequential implications for the company, its existing liabilities and its human resources. These issues each require detailed consideration. As I previously advised, as some of the issues identified and the possible ways in which they may be addressed, have the potential of impacting on investor interest, my preference is to await the outcome of that analysis.

In their meeting with the Oireachtas Joint Committee on Agriculture last October, the then CEO of Coillte outlined the company's involvement in the valuation process and informed the Committee that employee issues including the pension fund liabilities were being discussed as part of the consideration process. At that meeting, he added that the Coillte pension fund deficit is detailed in the company's Annual Report and that this was one of the work streams the company was looking at in partnership with NewERA. Therefore, I want to reassure the Deputy, that all concerned are aware of the pension fund deficit and that it does form part of the overall

analysis.

I want to reiterate that substantial work has been undertaken on the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed sale of the harvesting rights. This process is a very complex one and it is not possible at this stage to pre-empt the outcome of the analysis or to give an estimate of the possible net proceeds. As I have said previously, the Government will proceed with caution in relation to this matter and no final decision has been taken, as yet.

Common Agricultural Policy Negotiations

11. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if his proposal on internal convergence is still on the table for the Common Agricultural Policy negotiations; if this proposal has been modified; if so, the way it has been modified; and if he will make a statement on the matter. [21465/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that the proposal on internal convergence I made to the EU Council of Agriculture Ministers at the March meeting of the Council was accepted by Ministers as one of the options that should be available for the distribution of direct payments. As such it forms part of the General Approach of the Council agreed at that meeting.

This issue is now the subject of further negotiations between the three EU institutions in the trilogues process. In this regard both the EU Commission and the European Parliament have their own views and the reality is that the final outcome will be somewhere between the original Commission proposal and the Irish proposal. However, the important point is that the Irish model is at the centre of the negotiations, and I will be working to ensure that the final outcome is as close as possible to this model.

Fodder Crisis

12. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine his views on the ongoing fodder crisis; and if he will make a statement on the matter. [21509/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am acutely aware of the difficulties being experienced by some farmers across the country at the moment. I recently announced that the transport fodder scheme will now run until Friday 10th May and clarified that maize silage is eligible under this scheme. The weather has improved which in turn has led to improved grass growing conditions. However, there are farmers in parts of the country who are still finding it difficult to locate enough forage for their animals.

This will ensure farmers have access to fodder for the foreseeable future and will reassure farmers that fodder supply will not be an issue until grass growth improves. While access to fodder is a priority, grass growth in the months ahead will be the key to ensuring that this problem is overcome. The latest initiatives agreed by the dairy co-ops build on the measures I have already introduced which were designed to deal with immediate challenges.

Since the scheme was announced over 900 loads of fodder have been received or ordered. I am satisfied that this volume of imports is making a real difference on farms and assisting farmers through the shortage. The extension of the scheme of a further week will build on this and ensure that further supplies are imported with the benefit of the transport subsidy. The amounts

8 May 2013

of such supplies will require notification to my Department prior to 10th May and approval for coverage under the scheme.

My Department has been working with the industry on this. I want to commend the Dairy co-ops and farm organisations for their work over the past two weeks. I am delighted that the co-ops have introduced a number of extremely helpful initiatives such as interest free credit for fertiliser purchased during the month of May and reduced prices in respect of feed supplies of meal. The Irish Dairy Board, IFA and Agri – business launched more than €3 million of extra fodder aid for farmers last week.

In parallel with the introduction of the scheme the other issues taken include requesting the banks to take a flexible approach towards extending credit to farmer customers at this difficult time. The co-ops responded already with the introduction of interest free credit to farmers for the purchase of fertiliser in the month of May, which will be a key component in addressing this year's fodder problem.

I have asked the advisory service to prioritise advice to farmers in the period ahead and to focus on the optimum use of fertiliser in generating feed for the national herd. To assist cash flow issues, outstanding farm scheme payments are being processed with urgency. Approximately 1,500 payments under the Agriculture Environmental Options Scheme issued during the last 10 days and close to a further 600 AEOS payments will issue within the next week. Together these payments are valued at approximately €3m.

My Department's emergency animal welfare helpline is still receiving calls from herdowners. Over 550 calls have been received to date through the system. The vast majority of calls are being adequately supported through fodder being made available under the transport subsidy scheme but a small portion of farmers, in need of more substantial support have been assisted directly by the Department. The Department's Veterinary Inspectors continue to be actively engaged in providing emergency assistance under the Department's early warning system to farmers whose animals are currently experiencing serious welfare issues and where the farmer him/herself is unable to cope with the situation.

I want to remind farmers that the animal welfare emergency assistance continues to operate where animal welfare is seriously at risk at the emergency helpline number - 1850 21 19 90 (Low-call). I want to reiterate that no animal should die of starvation in this country and help is available to those farmers who cannot cope. I believe this comprehensive set of measures outlined here will assist farmers. I will continue to work with all stakeholders in the sector to get through this difficult period caused by very unusual weather patterns.

Departmental Investigations

13. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the names of the meat slaughtering and processing plants that have had their licences to operate suspended; if this is temporary or permanent; if there are further plants that will be refused permission to operate arising from the horsemeat scandal; and if he will make a statement on the matter. [21496/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The report on the 'Equine DNA and Mislabeling of Processed Beef Investigation', which I published on 14th March, includes details of the companies that came to my Department's attention during this investigation and the actions taken by the Department.

As a result of the investigation activities were temporarily suspended by my Department

at two plants. The plants in question were B&F Meats in Carrick-on-Suir, Co. Tipperary, and Ossory Meats, Banagher, Co. Offaly. Both plants have since been allowed to resume activities, subject to an increased level of official controls. B&F Meats, a small scale plant approved to debone beef and horsemeat, was found to be involved in mislabelling of a limited quantity of horsemeat for export to the Czech Republic. The Department suspended all operations at the plant on 22nd February, served a Legal Notice on the company and the plant was included in the wider Department and Garda investigation. While fraudulent intent was denied by the company the use of what was known to be a wrong label designation is not acceptable practice and the question of instituting legal proceedings in this respect remains under consideration. Details of the findings were provided to the UK and Czech authorities. Following the plant's compliance with the Legal Notice, it was in a position to resume deboning on 28th February.

As the equine mislabelling investigation progressed a separate but parallel investigation was conducted on horse slaughter plants and associated horse traceability. It was decided in that context to introduce more robust controls and it was agreed with the County Managers concerned that my Department would take direct control over the two local authority equine slaughter plants, including Ossory Meats. On Friday 8th March, the Department carried out identification checks on horses presented for slaughter at Ossory Meats. 25 of the horses presented had irregularities, related to passport and microchip identifiers. These animals were humanely slaughtered and destroyed. The company was suspended from operations on 13th March and allowed resume on 8th April following compliance with the terms of the Legal Notice which had been served. The ongoing investigation of this matter involves an examination to determine how and where the irregularities occurred and a focus on the respective roles played by the implicated Passport Issuing Agencies, the veterinarian(s) whose signatures appear on the irregular passports, the persons who registered the horses and to whom the passports were issued, the traders who supplied the horses for slaughter and of course the conduct and management oversight at Ossory Meats. Operations in two other plants were suspended on a voluntary basis during the course of the investigation and one of these plants remains closed.

Food Labelling

14. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will push for DNA testing of fish across the EU, similar to that undertaken in relation to the testing of beef products, in view of substantial evidence of fish mislabelling. [21408/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Responsibility for co-ordinating the enforcement of food legislation in Ireland rests with the Food Safety Authority of Ireland (FSAI). The FSAI is an independent body under the aegis of the Minister for Health.

The FSAI carries out its enforcement function through "service contracts" with official agencies. These official agencies include the Sea Fishery Protection Authority (SFPA) and the Health Service Executive (HSE).

The SFPA is an independent body under the aegis of my Department. It carries out, on an ongoing basis, a range of official controls on seafood in accordance with its contract with the FSAI and the relevant EU and national legislation, from harvesting stage up to, but excluding, retail level. Comprehensive labelling and traceability checks are carried out as part of routine inspections by authorised SFPA officers.

The HSE has responsibility for official controls, including labelling, at the retail stage, including catering.

In Ireland, genetic analysis of fishery products is not done as part of routine official controls but it is available as a tool if necessary to detect mislabelling of food products. Currently under the EU Food Hygiene Regulations there is not a requirement to carry out genetic testing of fishery products as part of official controls.

However, the Irish seafood industry comes under a range of food labelling and traceability legislation. A key principle in labelling is that consumers should not be misled.

Seafood is covered by general food labelling legislation, including Regulation (EC) No. 178/2002 (General Food Law) and Directive 2000/13/EC (labelling requirements for pre-packaged foods), which prohibit the misleading of consumers with food labels. These rules have been enhanced with the recent adoption of Regulation (EU) No. 1169/2011 on the provision of food information to consumers. The new Regulation extends explicit compulsory origin labelling requirements to meats other than beef and adopts rules on compulsory labelling where the origin or place of provenance of a food is given and where it is not the same as its primary ingredient.

There are additional labelling requirements for fishery and aquaculture products set down in Council Regulation (EC) No. 104/2000 (on the common organisation of the markets in fishery and aquaculture products) and Commission Regulation (EC) No. 2065/2001 (laying down detailed rules for the application of Council Regulation (EC) No. 104/2000 as regards informing consumers about fishery and aquaculture products). These regulations were transposed by the European Communities (Labelling of Fishery and Aquaculture Products) Regulations, 2003 (S.I. No. 320 of 2003). The Common organisation of the markets is being reviewed in the context of the reform of the Common Fisheries Policy.

There has been an extensive review of labelling legislation at EU level which has resulted in a number of additional labelling and traceability requirements coming into place during 2012. These include traceability and labelling requirements under Council Regulation (EC) No. 1224/2009, enhanced traceability record requirements for food business operators in respect of food of animal origin (Commission Implementing Regulation (EU) No. 931/2011), and additional labelling and traceability requirements for frozen food of animal origin (Commission Regulation (EU) No 16/2012).

Commonage Division

15. **Deputy Joe McHugh** asked the Minister for Agriculture, Food and the Marine the proposals he has to update regulation of commonage lands; and if he will make a statement on the matter. [19159/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Commonage lands form an important part of the farming enterprises of many farmers, particularly along the West Coast. They also form an important part of the local environment from the point of view of bio-diversity, wildlife, amenities and economic returns e.g. tourism. However, there is a substantial risk of land abandonment as under-grazing becomes more of a problem.

Under-grazing leads to an increase in ineligible land under Direct Aid and Agri-Environment Schemes and leads to risk of financial corrections being imposed by EU Commission. It is vital, therefore, to maintain the commonages in GAEC (Good Agricultural and Environmental Condition), or where there is under-grazing, to return the habitat to GAEC. It is my stated aim that this will be achieved by working with the farmers directly managing the lands, relevant State Agencies, the farming organisations and all other interested stakeholders.

I readily acknowledge that it will not be an easy task, but it is achievable if all stakeholders work in a co-operative basis. If action is not taken now, the areas will continue to deteriorate and will lead to more land abandonment. If this is allowed to happen, Ireland will lose a valuable resource from the point of view of farming, rural economy, bio-diversity and wildlife. While grazing is the only method of managing these lands, the task facing us is how to ensure that these grazing levels are appropriate to the individual commonages.

In order to ensure that the achievement of this objective, as already stated, we need the input of individual shareholders. Grazing plans, at the level of each commonage, will allow for greater flexibility for shareholders and will enable the active farmers to increase their stock to cater for dormant and inactive persons. It will be matter for agreement between the shareholders – as was always the case – to decide how best to reach the stocking levels. Professional assistance will be required, in particular where the commonage has been damaged by under-grazing.

The Grazing Plan will have to cater the traditional farming methods for the area, with provision made for sheep and other animals, such as cattle, providing that they are appropriate to the habitat. An appropriate time-scale will have to be put in place but the Plan should include the incremental steps to achieve GAEC. The whole concept will be output driven, in that the assessment of the Plans will be based on whether the commonage is in GAEC or not or whether the appropriate progress has been achieved.

Apart from ensuring that the Grazing Plan is valid, there are a number of other complications, including:

- Dormant shareholders – in the majority of cases, these persons are no longer farming;
- Current claimants on the commonages, who do not farm or manage the lands. The issue of whether the latter claimants will continue to be eligible for payment will have to be examined.

There are other issues that will need to be considered. These include the fact that many commonage habitats have been significantly damaged by under-grazing, with resulting problems that must be addressed including land abandonment, spread of scrub and invasive species.

While it is generally accepted that this is a very complex matter and requires a very detailed action plan to cover the various issues, I intend to set out proposals on how these matters will be progressed in the near future.

Disadvantaged Areas Scheme Payments

16. **Deputy Willie O’Dea** asked the Minister for Agriculture, Food and the Marine the number of farmers that were written to in relation to their 2012 disadvantaged payments under the stocking density rule; the number that have been refused a derogation, including after appeal, broken down by county; the number of cases still to be decided; and if he will make a statement on the matter. [21480/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on target, on 26 September 2012 and, to date, payments worth in excess of €207 million have issued to 94,671 of the total of 102,072 who applied. In any event, as demonstrated below, no undue delay currently exists in processing cases and payments continue to issue twice weekly, as individual cases are confirmed eligible.

A major factor impacting on processing of 2012 Scheme applications arose from the chang-

es made to better focus the Scheme in light of budgetary realities and, in particular, ensuring that affected applicants could have access to robust and fair derogation and appeal processes. In this context, my Department wrote to in excess of 10,000 beneficiaries under the 2011 Disadvantaged Areas Scheme whose holdings had not achieved the minimum stocking density of 0.3 livestock units per forage hectare, as required under the Terms and Conditions of the 2012 Scheme.

In response, my Department received a total of 9,829 derogation applications of which 7,414 were successful. Those, whose applications were unsuccessful, were informed of their right of appeal to the independently chaired DAS Appeals Committee, on foot of which 1,574 appeals were received. On the basis of additional information which had not previously been submitted, my Department was in a position to overturn the original decision on 614 cases, without the need to refer the cases to the DAS Appeals Committee,

Of the appeals submitted to the Committee, decisions have been taken in respect of 960 cases, of which 343 were allowed, 506 disallowed and 111 requested to submit additional information. Processing of the outstanding appeals remains ongoing.

On a more general note, the overall position is that those who have not received payment under the 2012 Disadvantaged Areas Scheme are not yet confirmed eligible for payment. Of the 7,401 cases in question, 3,435 have not, as yet, shown that their holdings satisfied the Scheme minimum stocking density requirements in 2012. The holdings of a further 2,790 did not achieve the minimum stocking density of 0.3 livestock units in 2011; 444 cases relate to applicants being deceased or change of ownership where my Department must await legal formalities to be completed. A further 47 cases relate to cases where it has not been demonstrated that equines are eligible. The remaining 685 cases in the main relate to outstanding area-related issues.

It will be recalled that, faced with budgetary realities, rather than simply apply an across the board cut to the rates payable or reduce the maximum payable area as a means to achieving these savings, I decided that real efforts should be made to focus the Scheme on those farmers who are most actively contributing to achieving the aims of the Scheme. These are ensuring continued agricultural land use, thereby contributing to the maintenance of viable rural communities, maintaining the countryside and promoting sustainable farming systems, which take account of environmental enhancement measures.

A table outlining the current county breakdown in relation to unsuccessful derogation applications will be provided directly to the Deputy.

Fodder Crisis

17. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied regarding the adequacy and availability of sufficient animal fodder to meet the needs of the agricultural community in the course of the ongoing fodder crisis; if any particular strategy is required to deal with the issue of the shorter growing season arising from the harsh spring weather conditions; if any plans are afoot to address the situation in the event of the continued spell of inclement weather conditions throughout the current year; and if he will make a statement on the matter. [21512/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am acutely aware of the difficulties being experienced by some farmers across the country at the moment. My Department has been working with the industry on this and in a collaborative effort, a

comprehensive range of measures has been put in place to assist the sector during this difficult period. The Deputy will be aware that my Department has put in place a €1m fund to contribute to the transport costs of importing fodder to the country, which has reduced the cost of purchasing fodder for farmers by approximately a third. More recently I announced an extension in the duration of the Imported Fodder Transport Scheme to Friday 10th May, and a broadening of its scope to include maize silage. All fodder ordered in advance of that date will be supported by this scheme. The amounts of such supplies will require notification to my Department prior to 10th May and approval for coverage under the scheme.

The co-ops have introduced a number of extremely helpful initiatives such as interest free credit for fertiliser purchased during the month of May and reduced prices in respect of feed supplies of meal. In addition, The Irish Dairy Board has announced the establishment of a €2 million emergency fund for its dairy farmers to be operated through the Board's supplier co-op members. I have also asked the banks to take a flexible approach towards extending credit to farmer customers at this difficult time.

For people in particularly acute situations, my Department's animal welfare emergency assistance continues to operate, and where animal welfare is seriously at risk at the emergency helpline number - 1850 21 19 90 (Low-call).

I should also pay tribute to farm organisations that have been pro-active in their efforts to provide assistance for the importation and distribution of fodder for hard pressed farmers.

These measures will ensure farmers have access to fodder for the foreseeable future and will reassure farmers that fodder supply will not be an issue until grass growth improves. At this point, over 900 loads of hay, haylage and maize silage has been received or ordered. I am satisfied that this volume of imports is making a real difference on farms and assisting farmers through the shortage. The recent extension of the scheme will build on this and ensure that further supplies are imported with the benefit of the transport subsidy.

While access to fodder is an immediate priority, grass growth in the months ahead will be the key to ensuring that this problem is overcome. In this regard I have asked Teagasc's advisory service to prioritise advice to farmers in the period ahead and to focus on the optimum use of fertiliser in generating feed for the national herd.

It is of course entirely appropriate that in circumstances such as these, the stakeholders in this critically important sector should pull together to overcome the difficulties being experienced by farmers. For my part, I will continue to work with all stakeholders in the sector to get through this difficult period caused by very unusual weather patterns.

Special Areas of Conservation Designation

18. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he has made contact with a person (details supplied) in relation to the assessment of Waterford Estuary and Bannow Bay as suitable sites for oyster farming; if he is willing to meet with them to discuss this important matter further; and if he will make a statement on the matter. [21510/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The bays referred to by the Deputy are designated as Special Areas of Conservation under the EU Habitats Directive and/or Special Protection Areas under the EU Birds Directive (Natura 2000 sites).

In 2007 the European Court of Justice (ECJ) declared in Case C418/04 that by failing to take all measures necessary to comply with Article 6.3 of the EU Habitats Directive in respect

8 May 2013

of the authorisation of aquaculture programmes, Ireland had failed to fulfil its obligations under that Directive. As most aquaculture activity takes place in 'Natura 2000' areas it is necessary to undertake an 'Appropriate Assessment' of the effects of aquaculture activity on these areas before any new licences can be issued or any existing licences can be renewed.

In the negotiations to address the ECJ judgement a process was agreed with the European Commission. This process includes the following steps:

- Data Collection in 91 Bays/Estuaries
- Detailed analysis of the raw data collected
- Setting of Conservation Objectives by the National Parks and Wildlife Service (NPWS) in respect of each site
- Carrying out Appropriate Assessments (AA) – by the Marine Institute - of aquaculture/fishery activities against the detailed Conservation Objectives set, and
- Determination of Licences/Fisheries on the basis of the Appropriate Assessment and other relevant factors

Conservation Objectives have now been set for a significant number of bays. The appropriate assessments are being carried out by the Marine Institute on behalf of the Department and to date four bays have been assessed - Castlemaine, Dundalk, Roaringwater and Lough Swilly.

As outlined my Department has been working closely with the Marine Institute, BIM and NPWS to achieve full compliance through a multi-annual work programme. A key factor of this Work Programme is the identification of prioritised bays, based on the number of aquaculture sites, the ready availability of scientific data and other factors. The prioritised list of bays is kept under continuous review by my Department so as to facilitate the use of scientific and other resources on a flexible basis across the full range of bays, if deemed necessary. This approach is consistent with the maintenance of a prioritised list which includes Bannow Bay and the Waterford Estuary.

It is important for all involved in the aquaculture industry to understand that the sustainable development of the industry and the creation of long term employment from aquaculture into the future can only take place if there is full compliance with all EU and national legislation on environmental protection. Ireland's reputation as a producer of top quality seafood is predicated on the implementation of a sound regulatory system which has the confidence of the public in general and also the EU Commission.

My Department continues to make every effort to expedite the determination of aquaculture licence applications including those in Bannow Bay and Waterford Estuary having regard to the need to comply with all relevant national and EU legislation.

The Above information has previously been conveyed to the individual referred to by the Deputy, both directly and indirectly. In addition officials from my Department would be available to meet with the individual in question to discuss the matter if this is considered helpful.

Neonicotinoid Insecticides

19. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will justify his stance in relation to the temporary ban on neonicotinoid insecticides. [21409/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The European Commission proposed a partial ban on the use of 3 neonicotinoids over concerns for bees.

The European Commission proposals to restrict the use of neonicotinoid insecticides was discussed at the EU Standing Committee on the Food Chain and Animal Health on 14/15 March 2013 and the resulting vote was inconclusive, with 14 Member States refusing to support the measures proposed by the Commission.

Accordingly, the matter was tabled at an Appeal Committee meeting held on 29 April where again the vote on the proposal did not receive a qualified voting majority. Under comitology procedures, it is now a matter for the European Commission to legislate on the matter. It is likely that a ban on the three substances under consideration will now come into effect later this year.

At the Appeals Committee meeting on 29 April, Ireland engaged with the Commission and the Member States in a constructive and helpful way and actively supported efforts to find a workable and meaningful compromise on the proposals to restrict the use of neonicotinoid insecticides. These efforts aimed to find solutions that allowed suitably controlled use of the compounds without presenting unacceptable risks to bee populations.

Ireland initially opposed the Commission proposal to allow time for further consideration of the scientific evidence (e.g. UK bee study) and to create the space for consideration of a compromise. Hungary and Germany drafted compromise texts which Ireland could support if they were broadly supported by Member States and by the Commission.

Ireland recognised the importance of the precautionary principle in relation to this matter, and fully bore this in mind in discussions aimed at achieving an approach that would enjoy broad support among EU Member States and be acceptable to the Commission.

However, the Hungarian and German proposals were not acceptable to the Commission and efforts to find a compromise failed and Ireland decided not to oppose the Commission proposal.

Question No. 20 answered with Question No. 7.

Rural Development Programme Funding

21. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the amount of money spent to date broken down between EU funding and national funding under each heading of the current 2007-13 rural development plan; the allocation for the programme under each heading; and if he will make a statement on the matter. [21472/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the current approved financial plan in the Rural Development Programme 2007 - 2013 [RDP] close on €4.8Bn is allocated at programme level. This amount includes an allocation of EAFRD funding of €2.49Bn. Since the launch of the RDP expenditure under the programme up to the end of March 2013 amounted to €3.8Bn. This represents close on 79% of the total value of the Programme and 85% of the EAFRD amount. Axes 1 and 2 of the Rural Development Programme are administered by my Department while Axes 3 and 4 are delivered by the Department of the Environment, Community and Local Government. Details of the allocation and expenditure per measure under the RDP up to the end of March 2013 are set out in the table. This table does not include funds already committed but not as yet claimed.

The programme, like all national spending, is subject to ongoing budgetary constraints but

is configured to maximise all available EU funding. Ireland's draw down rate under the Programme has been among the highest of EU Member States over the lifetime of the current Programme.

Spending under a number of measures may continue until the end of 2015 and this will provide considerable scope to allow all measures to spend up to their full allocation. The Road Safety Authority (RSA) has statutory responsibility for all aspects of driver testing. Adjustments have already been made to the RDP financial plan and will continue to be made to the end of the Programme in order to achieve the fullest possible draw down of available funds having regard to available national funding.

Axis / Measure	Total RDP Allocation €m	EAFRD and Exchequer Expenditure 2007 – March 2013 €m	Of which EAFRD spend	Of which Exchequer spend
AXIS 1 – Competitiveness				
Vocational training (REPS)	5,675,440	7,227,927	4,120,729	3,107,198
Installation Aid	12,261,081	12,892,430	6,504,938	6,387,492
Early Retirement	219,188,239	216,450,154	115,915,664	100,534,490
Farm Modernisation	154,570,446	80,054,052	47,251,733	32,802,319
TOTAL AXIS 1	391,695,206	316,624,563	173,793,064	142,831,499
Axis 2 – Environment and land management				
Less Favoured Areas	1,617,984,198	1,295,213,902	712,367,647	582,846,255
Natura 2000	528,582,998	89,717,139	50,226,637	39,490,502
Agri-environment	1,922,493,570	1,929,663,382	1,076,014,860	853,648,544
TOTAL AXIS 2	4,069,060,766	3,314,594,423	1,838,609,144	1,475,985,301
Axis 3				
Broadband	17,884,000	0	0	0
TOTAL AXIS 3	17,884,000	0	0	0
Axis 4				
Competitiveness – Food Projects.	5,000,000	89,554	76,120	13,434
Implementing Local Development Strategies – Quality of Life	265,470,511	118,145,071	78,894,141	39,250,930
Co-operation Projects	7,878,000	2,124,193	1,505,080	619,113
Running of LAGS	62,464,000	52,727,893	33,935,170	18,792,723
TOTAL AXIS 4	340,812,511	173,086,711	114,410,511	58,676,200
Axis 5 – Technical Assistance				
Technical Assistance	6,000,000	1,441,575	720,789	720,786
OVERALL RDP	4,825,452,483	3,805,747,272	2,127,533,508	1,687,213,786

Fodder Crisis

22. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine his views on the failure of co-ops to extend three months credit to farmers in order to address the fodder crisis; and if he will make a statement on the matter. [21508/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The credit arrangements referred to in the question are of course a matter between the supplier and the processor. However, I am delighted that the Dairy Co-ops have introduced a number of extremely helpful initiatives such as interest free credit for fertilizer purchased during the month of May and reduced prices in respect of feed supplies of meal.

I also pay tribute to the farmers and farm organisations that have gone to such great efforts to help their fellow farmers in need of fodder. Since the scheme was announced over 900 loads of fodder have been received and ordered. I am satisfied that this volume of imports is making a real difference on farms and assisting farmers through the shortage. The extension of the scheme will build on this and ensure that further supplies are imported with the benefit of the transport subsidy.

Apart from this initiative on the fodder transport scheme, I have also addressed the issue of credit facilities with the banks and the co-ops. The banks have been requested to take a flexible approach towards extending credit to farmer customers at this difficult time. The co-ops responded already with the introduction of interest free credit to farmers for the purchase of fertiliser in the month of May which I referred to above and which will be a key component in addressing this year's fodder problem.

Aquaculture Licences Applications

23. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine when it is expected that a decision will be made on the application by Bord Iascaigh Mhara for an aquaculture licence in respect of a fish farm in Galway Bay; and if he will make a statement on the matter. [21488/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application by Bord Iascaigh Mhara (BIM) for an aquaculture licence for the cultivation of finfish near Inis Oirr in Galway Bay was received by my Department last year. The application and its accompanying Environmental Impact Statement is being considered under the provisions of the 1997 Fisheries (Amendment) Act and the 1933 Foreshore Act.

A determination in respect of the application will be made as soon as possible following completion of the necessary assessment process. This assessment process will take full account of all national and EU legislative requirements and will reflect the full engineering, scientific, environmental, legal and public policy aspects of the application. The fullest consideration will also be given to all submissions received as part of the statutory and public consultation stages of the process. As the application is under active consideration as part of the statutory process it would not be appropriate for me to comment further at this time.

Agri-Environment Options Scheme Payments

24. **Deputy Micheál Martin** asked the Minister for Agriculture, Food and the Marine the number of farmers that have not yet been paid their 2011 and 2012 agri-environment options

scheme 1 and AEOS 2 payments; the percentage in each case, broken down on a county basis; and if he will make a statement on the matter. [21475/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the EU Regulations governing the scheme and other area-based payment schemes, a comprehensive administrative check of all applications, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue.

Successive EU audits have made it absolutely clear that compliance with the Regulations must be strictly adhered to and that all administrative checks must be passed and eligibility conditions met before payment issues. As a result, my Department is obliged to ensure that individual payments will not issue until all aspects of a farmer's application are in order, all outstanding documentation provided and all queries resolved.

Outstanding payments under both AEOS I and AEOS II are largely due to unresolved queries associated with applications and in most instances officials in my Department will have contacted the applicants concerned with the intention of issuing payment as soon as possible. There is a specific issue delaying payments under AEOS 2 related to non productive capital investments. In order to facilitate the 2012 payment applicants must have submitted a valid claim form, if they have selected a non-productive capital investment action. However a significant number of applicants have either not submitted a claim form or have outstanding queries associated with submitted forms. Officials in my Department have been in contact with all these farmers and are dealing with the responses received with the intention of clearing any backlog as soon as possible.

The payment information requested by the Deputy is provided as follows.

AEOS 1 - 2011

County	Total	%
Carlow	4	1.65
Cavan	9	3.70
Clare	9	3.70
Cork	33	13.58
Donegal	14	5.76
Dublin	1	0.41
Galway	29	11.93
Kerry	14	5.76
Kildare	6	2.47
Kilkenny	8	3.29
Laois	6	2.47
Leitrim	5	2.06
Limerick	17	7.00
Longford	2	0.82
Louth	1	0.41
Mayo	10	4.12
Meath	6	2.47
Monaghan	6	2.47
Offaly	8	3.29
Roscommon	7	2.88

Questions - Written Answers

County	Total	%
Sligo	6	2.47
Tipperary	15	6.17
Waterford	5	2.06
Westmeath	8	3.29
Wexford	7	2.88
Wicklow	7	2.88
Grand Total	243	

AEOS 1 - 2012

County	Total	%
Carlow	13	1.13
Cavan	40	3.49
Clare	42	3.66
Cork	103	8.99
Donegal	66	5.76
Dublin	4	0.35
Galway	157	13.70
Kerry	46	4.01
Kildare	14	1.22
Kilkenny	52	4.54
Laois	30	2.62
Leitrim	64	5.58
Limerick	44	3.84
Longford	16	1.40
Louth	4	0.35
Mayo	120	10.47
Meath	16	1.40
Monaghan	29	2.53
Offaly	22	1.92
Roscommon	46	4.01
Sligo	27	2.36
Tipperary	61	5.32
Waterford	24	2.09
Westmeath	37	3.23
Wexford	43	3.75
Wicklow	26	2.27
Grand Total	1146	

AEOS 2 - 2011

County	Total	%
Carlow	4	0.70

County	Total	%
Cavan	13	2.26
Clare	18	3.13
Cork	55	9.57
Donegal	56	9.74
Dublin	3	0.52
Galway	92	16.00
Kerry	28	4.87
Kildare	5	0.87
Kilkenny	14	2.43
Laois	7	1.22
Leitrim	19	3.30
Limerick	22	3.83
Longford	12	2.09
Louth	4	0.70
Mayo	76	13.22
Meath	12	2.09
Monaghan	10	1.74
Offaly	4	0.70
Roscommon	37	6.43
Sligo	24	4.17
Tipperary	24	4.17
Waterford	9	1.57
Westmeath	4	0.70
Wexford	13	2.26
Wicklow	10	1.74
Grand Total	575	

AEOS 2 - 2012

County	Total	%
Carlow	13	0.52
Cavan	72	2.90
Clare	105	4.23
Cork	170	6.84
Donegal	251	10.10
Dublin	4	0.16
Galway	359	14.45
Kerry	128	5.15
Kildare	21	0.85
Kilkenny	67	2.70
Laois	24	0.97
Leitrim	94	3.78
Limerick	100	4.03
Longford	50	2.01

County	Total	%
Louth	12	0.48
Mayo	300	12.08
Meath	51	2.05
Monaghan	59	2.38
Offaly	40	1.61
Roscommon	163	6.56
Sligo	92	3.70
Tipperary	152	6.12
Waterford	30	1.21
Westmeath	50	2.01
Wexford	51	2.05
Wicklow	26	1.05
Grand Total	2484	

Disadvantaged Areas Scheme Application Numbers

25. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine the number of farmers who applied under the disadvantaged areas payment scheme for 2012; the number who have received their payments; the number who have had their payments rejected; the number still under consideration broken down by county; and if he will make a statement on the matter. [21481/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on target, on 26 September 2012 and, to date, payments worth in excess of €207 million have issued to 94,671 of the total of 102,072 who applied. I must emphasise that at this stage all applicants that were eligible for payment under the 2012 Scheme have received their payment under the Scheme. Therefore, it is clear that no undue delay currently exists in processing cases and payments continue to issue twice weekly, as individual cases are confirmed eligible.

Many applicants, who declare land situated in a Disadvantaged Areas are not eligible for payment under the Scheme. Many of these applicants do not maintain any animals and those that do maintain animals do not keep sufficient livestock to meet the minimum stocking density of 0.15 livestock units per hectare. This is a normal feature of the Disadvantaged Area Scheme. For example, in excess of 2,100 applicants under the 2011 DAS Scheme were found to be non-compliant, as they had insufficient stocking density on their holdings. The figure for 2012 is over 5,000, which is accounted for by the more focused requirements for establishing the minimum stocking density introduced under the 2012 Scheme. In addition, there are in excess of 3,000 applicants who held no stock during 2012.

As is illustrated by these figures, the vast majority of applicants, who were eligible for payment under the 2012 DAS Scheme, have been paid. Bearing in mind the new provisions introduced in 2012 and the need to process almost 10,000 cases under the Derogation measure, I am satisfied with the efficiency of the payments. It should be borne in mind that payments commenced on 21 September 2012, which is much earlier than in the vast majority of Member States across the European Union.

Turning to the 2013 DAS Scheme, I would like to remind farmers that the deadline for receipt of applications is 15th May 2013. I would urge all farmers to submit their applications as

quickly as possible. I would also urge them to use the on-line filing facility. This reduces the number of errors that an applicant can make and, therefore, reduces the risk of payments being delayed in what has been a very difficult year to date for farmers in view of the weather conditions.

A Table outlining the county breakdown in relation to payments will be provided directly to the Deputy.

Single Payment Scheme Expenditure

26. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine if he intends as President of the Council of Ministers of the EU that each country would have the flexibility to put a national cap on the maximum single payment at a level appropriate to that country; and if he will make a statement on the matter. [21464/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In line with its budgetary proposal to limit the level of direct income support that large agricultural holdings could receive, the Commission's original CAP reform proposals contained a mandatory cap of €300,000 on the amount of direct payments that could be paid to an individual farmer, together with provision for further cuts in payments between €150,000 and €300,000.

Ultimately, as part of the European Council's agreement on the MFF, it was agreed that capping of payments would in fact be introduced by Member States on a voluntary basis. The Irish Presidency therefore proposed amendments to the Commission text which reflected the balance of opinion among Member States that they should be allowed to decide whether to apply reductions to payments exceeding €150,000. In addition, the scale of any reductions, together with the tranches of payments to which reductions might apply, would be a matter for Member States to decide. These provisions were included in the Council General Approach agreed on 19 March.

The European Parliament position is close to that of the EU Commission and this issue will now be the subject of further negotiations between the three EU institutions in the trilogues process.

Horse Passports

27. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the changes that he proposes to introduce regarding control of horse stud books; and if he will make a statement on the matter. [21404/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are currently eight organisations approved under EU and National Legislation by my Department to maintain equine studbooks. These studbooks are subject to regular inspections by my officials. The role of studbooks includes the registration of animals, the operation of breed improvement programmes and the pursuit of measures to preserve and promote the breed for which the approval is held.

In the context of registering animals, studbooks are authorised to issue horse passports and my Department is presently engaged with Passport Issuing Organisations (PIOs), including studbooks, with a view to the enhancement of security controls surrounding the issuing of passports and the security of the passport document.

My Department is also currently developing a central database which will involve the migration of selected data from Passport Issuing Organisations (PIOs) to the Department. The intention is that as it develops, this database will facilitate the recording of changes of ownership and other status changes. It will also be populated with information provided from records obtained from slaughter plants and knackereries.

These measures will facilitate better regulation and control of horses generally with particular reference to their slaughter for human consumption.

Food Labelling

28. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine the changes made by him following the recent horse meat crisis; the further changes proposed; and if he will make a statement on the matter. [21487/13]

49. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine the proposed regulatory or legislative changes arising from the recent horsemeat scandal; when it is proposed to make such changes; and if he will make a statement on the matter. [21495/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 28 and 49 together.

I refer the Deputies to the report I presented to the Dáil on 14th March last on the 'Equine DNA and Mislabelling of Processed Beef Investigation', which includes a section on the actions taken and proposed to be taken both at national and at EU level.

Key action points included the following:

- The introduction of a national DNA testing regime implemented by industry under FSAI protocol to continue to provide additional assurances to consumers;
- Additional phenylbutazone (bute) testing of horsemeat produced in Ireland;
- All traders/agents of meat operating in Ireland to be registered as Food Business Operators (FBOs);
- Controls relating to horse identification are being strengthened and my Department is taking responsibility for the supervision of all horse abattoirs;
- EU labelling regulations should be reviewed with a view to introducing provisions in relation to intermediate labelling. Furthermore a mandatory requirement should be introduced on FBO's to notify competent authorities about incidences of mislabelling;
- EU regulations relating to the accessibility of complex internal traceability need to be reviewed;
- EU regulation relating to the identification and traceability of horses should be reviewed.

In my role as President of the Agriculture Council, I arranged last February to have the issue of adulteration of beef products which was shown to be a pan European issue. The matter discussed at EU level. The Commission promptly proposed the EU DNA and 'bute' testing programmes, the results of which were published on 16th April.

The EU Commission is now pursuing an action plan over the remainder of 2013 and into 2014 which includes specific actions and measures on the following basic elements: fighting

food fraud, testing programmes, horse passports, official controls and origin labelling. It is important that controls in this area are strengthened on a pan European basis, not just at national level, and as stated in the report some of the measures envisaged will require legislative change at EU level.

Single Payment Scheme Payments

29. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the number of farmers that have not yet paid their single payment for 2012; the number paid; the percentage paid broken down on a county basis; and if he will make a statement on the matter. [21470/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The figures requested by the Deputy are set out in the following table.

COUNTY	No. Paid	No. Not Paid	% Paid
CARLOW	1625	8	99.51%
CAVAN	4713	12	99.75%
CLARE	6013	20	99.67%
CORK	12797	46	99.64%
DONEGAL	7994	25	99.69%
DUBLIN	623	3	99.52%
GALWAY	11763	93	99.22%
KERRY	7557	28	99.63%
KILDARE	2014	11	99.46%
KILKENNY	3413	6	99.82%
LAOIS	2907	11	99.62%
LEITRIM	3337	26	99.23%
LIMERICK	5048	21	99.59%
LONGFORD	2331	8	99.66%
LOUTH	1483	3	99.80%
MAYO	11247	83	99.27%
MEATH	3693	22	99.41%
MONAGHAN	3937	21	99.47%
OFFALY	2994	8	99.73%
ROSCOMMON	5602	29	99.48%
SLIGO	3880	20	99.49%
TIPPERARY	6858	32	99.54%
WATERFORD	2381	21	99.13%
WESTMEATH	2900	16	99.45%
WEXFORD	3981	9	99.77%
WICKLOW	2054	15	99.28%
	123,145	597	99.52%

As the data demonstrate, the vast majority of applicants have been paid. Those, who have not as yet been paid, have been informed by my Department of the case-specific reason(s), relating to compliance with the terms and conditions of the Scheme, as to why payment has not

issued. Regular payment runs are carried out by my Department to ensure that, as outstanding issues are resolved, payments are issued as quickly as possible.

Horse Slaughter Statistics

30. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine the number of horses slaughtered each month in the past two years; and if he will make a statement on the matter. [21485/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The numbers of horses slaughtered for human consumption since 2011 in plants approved under the EU Food Hygiene regulations are set out in a table on a monthly basis.

Month	2011	2012	2013
January	1124	2153	2432
February	1368	2099	1179
March	1459	2006	775
April	1260	1505	779
May	1450	1694	
June	1535	1606	
July	1121	1529	
August	1179	1864	
September	1833	1955	
October	1540	2917	
November	2320	3415	
December	1371	1619	
Total	17,560	24,362	

Coillte Teoranta Harvesting Rights Sale

31. **Deputy Michael P. Kitt** asked the Minister for Agriculture, Food and the Marine the number of meetings he has had with the Irish Timber Council in relation to the proposed sale of the forest crop of Coillte; the result of these discussions; and if he will make a statement on the matter. [21492/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have not been in a position to accede to a request from the Irish Timber Council to meet with them personally in relation to the proposed sale of the harvesting rights of Coillte, mainly due to commitments related to the Irish Presidency. I have received a copy of the report by EPS Consulting for the Irish Timber Council, on “*The impacts on the sawmill sector arising from the proposed sale of Coillte’s harvesting rights – February 2013*” which details the Council’s concerns about the proposed sale. I appreciate the significant role Coillte plays in the provision of timber to sawmills and the importance of the sawmilling sector, having visited a number of wood processing facilities in recent years.

The Coillte State Assets Steering Group, on which my Department is represented, met with representatives of the Irish Timber Council in March to hear and discuss their concerns regarding the proposed sale of Coillte harvesting rights. I am regularly briefed by my officials about their ongoing work in relation to the analysis of the proposed sale and the issues identified in

that context. NewERA, the Department of Public Expenditure and Reform and my Department as representatives of the Steering Group, are also considering the report for the Irish Timber Council, mentioned previously, as part of their analysis. The outcome of the overall analysis, which is ongoing, will be considered by the Government upon its conclusion.

Parking Charges

32. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine the status of his proposals to impose paid parking charges on Howth Harbour, County Dublin; if he will release any analysis of the impact of his proposals on the vital marine leisure tourism industry in Howth, County Dublin; and if he will make a statement on the matter. [21403/13]

36. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine if he will make it a priority to support jobs in Howth Harbour, County Dublin, by rejecting the proposed pay and parking initiative. [19016/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 32 and 36 together.

The House has been aware that I have been considering introducing a charge for parking facilities within Howth Fishery Harbour Centre for some time,

- to assist in operating Howth Fishery Harbour Centre on a financially-sound basis,
- to provide a source of revenue for further investment in Fishery Harbour Centre facilities,
- as part of an overall traffic management plan, and
- in order to maximise the return on this significant State asset.

Howth Fishery Harbour Centre is first and foremost a working fishery harbour, one of 6 operated by the State, each of whose primary purpose is to provide facilities and services for the fishing industry and fisheries-related activities. Funding for operating, management and development costs in the fishery harbours is ringfenced in the Fishery Harbour Centres Fund, which is the only source of revenue available for that purpose. Capital investment in the Fishery Harbour Centres in recent years has underpinned both fisheries activities and their expanding use for leisure and marine tourism and other maritime enterprises. The House will appreciate that, in the current economic climate, the State must be fully committed to maximising the return on that investment. Moreover, my Department is required to ensure that the Fishery Harbour Centres are run on a financially-sound basis. The 500+ parking spaces within the boundaries of the Harbour would assist in balancing the books, and in providing funding for re-investment that would not otherwise be available.

A wide range of groups use the parking facilities of Howth Fishery Harbour – harbour business customers, yacht club members, sport fishermen, Dart users, tourists, walkers and many others. This combination of uses and the range of users of the Harbour brings its own inherent dangers and safety must be a paramount consideration. There have been a number of occasions - indeed as recently as last Saturday week when the Dublin Bay Prawn Festival coincided with the seasonal re-launch of leisure craft - where the volume of cars in the Harbour and the resultant pressure on parking has led to a situation where emergency access has been seriously compromised. The Harbour authorities have in the past received specific complaints from elements of the emergency services in that regard - fortunately no serious incident has arisen yet.

There was widespread public consultation when pay parking at Howth Fishery Harbour Centre was originally examined in detail in 2007 in conjunction with Fingal County Council. All of the various views that were expressed and submissions that were made then are still available and I am well aware of and acknowledge their concerns. I have been getting new correspondence on this matter from a wide range of harbour users. More recently, my officials have consulted with officials of Fingal Council, and with An Garda Síochána about this and other related matters, and my Department's engineers have met some of the Harbour's business tenants individually about new traffic management and road markings etc. My officials also attended the Harbour Users Forum in February where pay parking was on the agenda and heard the views of the harbour users at first hand.

I am reviewing all aspects of the matter at present. I can assure the House that the views of the various harbour users, the potential earnings, the possible impact on the harbour businesses and recreational users, the impact on the local economy and local jobs, and the impact on overall traffic management within the Fishery Harbour, are all matters that I will take into account in coming to a decision. I can also assure the House and all of the Harbour users in Howth that I am committed to continuing investment in and development of Howth for the future.

Agri-Environment Options Scheme Applications

33. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine when the new agri-environment options scheme programme will commence; when farmers will be informed if their applications have been successful; the number of applications received; the number of these that were valid; the number to be admitted to AEOS; and if he will make a statement on the matter. [21469/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Despite the challenging budgetary constraints facing my Department, last year I allocated €20 million annually to fund the Agri-Environment Options Scheme (AEOS) and on foot of this I announced the re-opening of the scheme. I decided on a maximum payment of €4,000 per annum for individual applicants which, on the basis of previous experience in implementing the scheme, indicated that approximately 6,000 new participants could be accepted into the scheme.

The Agri-environment Options Scheme (AEOS III) will build on the success of the Rural Environment Protection Scheme (REPS) and both AEOS 1 and 2 in delivering an annual payment to farmers in return for farming to high environmental standards. The closing date for receipt of AEOS III applications was Friday December 7 and 9,689 applications have been received by my Department. The initial processing of the applications has been completed and acknowledgement letters have issued to all applicants. The detailed actions listed in each application are currently being recorded and the approval of applicants will be determined by the following priority selection criteria:

- applicants within a targeted area of the Boora region of Co. Offaly who select Wild Bird Cover Option B (Grey Partridge) will get first access,
- Applicants with eligible Natura land will get access next,
- Applicants with at least 0.5 hectares of Utilisable Agricultural Non-Natura Commonage land rank next,
- Farm Partnerships,
- Previous Participation in REPS,

- Farm Size (Favouring smaller holding) based on the utilisable agricultural area,
- Location of farms in Less Favoured Areas.

This process is well advanced and will be completed shortly. During this data entry process it has been noted that a number of applications either do not contain all the necessary information or the information submitted contains errors. Because the number of applications exceed the number that can be accepted into the scheme, it is absolutely essential that decisions are made on accurate data. For that reason, my Department has taken time to contact the applicants where queries arise to obtain the required information in order for the application to be appropriately assessed. My intention is to complete the selection process shortly and to notify all applicants of the outcome and of the commencement dates under the scheme in the case of successful applicants.

Based on the initial processing of applications approximately 4,500 applications have been submitted under the Commonage/Natura option. In the event that these applications fulfil all eligibility requirements of the scheme, these applicants will gain priority access to the scheme. I also now expect that a further 1,500 farmers without designated land will be admitted to the scheme. Applicants should note that they should not undertake any actions listed in their application until approved for participation in the scheme as actions undertaken or expense incurred prior to formal approval will not be eligible for reimbursement.

Sugar Quotas Abolition

34. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine if he will be supporting, as President of the Council of Ministers, the abolition of sugar quotas by 2015; the current position in relation to this proposal; the attitude of the Commission and the EU Parliament to same; and if he will make a statement on the matter. [21467/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The future of sugar quotas is one of the issues currently under consideration in the negotiations on reform of the CAP. The proposal of the EU Commission is that these quotas should be abolished with effect from 30 September 2015. In discussions at the EU Council of Ministers, differing views emerged on the Commission proposal with some Member States in favour of retention of quotas until 2020 and beyond and others supporting abolition. As President of the Council, I proposed a compromise at the March meeting of Agriculture Ministers for abolition of sugar quotas from 30 September 2017. This compromise was accepted as part of the General Approach of the Council on CAP reform. The position taken by the European Parliament is that the quota system should be extended to 30 September 2020, with provision made for reallocation of quota to those Member States who had relinquished their entire quotas in 2006. This issue will now be the subject of further negotiations between the three EU institutions in the trilogues process.

Coillte Teoranta Harvesting Rights Sale

35. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine the up-to-date position in relation to the proposed sale of the forest crop of Coillte Teoranta; the studies that have been carried out to date in relation to this proposal; and if he will make a statement on the matter. [21491/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Further to the Government's decision that a concession for the harvesting rights to Coillte's forests be

considered for sale, NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of a potential transaction. Substantial work has been undertaken on the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed sale of the harvesting rights. These include, *inter alia*, the possible impact on the timber industry, public access to recreational land, environmental and social impacts and consequential implications for the company.

As part of the process, a number of detailed financial, technical and other specialist reports were prepared for Coillte, by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management. Drafts of the reports from all of the bodies were received at the end of November 2012. The consideration of those reports is ongoing.

I am aware that studies have also been undertaken on behalf of other interested parties groups namely, one by Peter Bacon and Associates, for IMPACT, the outcome of which was the report “*Assessment of the Consequences of the proposed Sale of Coillte’s Timber Harvesting Rights – 10 January 2013*” and another by EPS Consulting, for the Irish Timber Council, on “*The impacts on the sawmill sector arising from the proposed sale of Coillte’s harvesting rights*”. Both of these reports provide useful background and insight into the concerns of the Coillte Unions and the Irish Timber Council respectively, and are being considered as part of the analysis. This whole process is a very complex one and, while the consideration process is at an advanced stage, no decision has been taken, as yet. The outcome of the overall analysis will be considered by the Government upon its completion.

Question No. 36 answered with Question No. 32.

Common Fisheries Policy Negotiations

37. **Deputy Seán Ó Fearghail** asked the Minister for Agriculture, Food and the Marine the progress made to date in the negotiations on the Common Fisheries Policy; and if he will make a statement on the matter. [21479/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Common Fisheries Policy (CFP) is the official collaborative management mechanism for fisheries policy in the European Union. First put in place in 1983, it has been subject to reviews every 10 years, and is currently undergoing a reform process the important elements of which are expected to be concluded during the Irish Presidency.

The CFP reform proposal essentially involves three separate pieces of legislation, a basic policy regulation, a regulation on the Common Organisation of the Market (CMO) both of which are supported and underpinned by a separate financial instrument, the European Maritime and Fisheries Fund (EMFF). Achieving agreement on a reformed CFP is a priority for the Irish Presidency and currently Council have a General Approach on the Basic Regulation & the CMO and a partial general approach on the EMFF. The European Parliament has a 1st reading position on the Basic Regulation and the CMO. At February’s EU Fisheries Council, I was successful in brokering a political agreement on the outstanding issues from June 2012 including for the introduction of an EU wide discards ban.

February’s decision in reaching a common Council approach on all aspects of a reformed basic policy regulation is important in that it allowed the Irish Presidency, on behalf of the Council, to engage directly with the European Parliament and Commission with a view to reaching overall political agreement on the reformed Common Fisheries Policy during the Irish

Presidency. However, it is worth noting that what was agreed in February is the Councils approach, the European Parliament has also published its' position which differs in many respects. Some of the differences are minor and progress has been made on the non-contentious aspects. However there are significant differences of emphasis and a more demanding approach expressed by the Parliament on some key issues such as the discards ban and achieving Maximum Sustainable Yield. Achieving a political agreement between the Council and Parliament on these issues is proving to be a major challenge.

Turning to the process from here, Ireland in its role of Presidency of the Council was given a clear negotiating mandate by Council for discussions with the European Parliament. A first round of informal trilogues with Parliament (and European Commission) has taken place on the Common organisation of the market and a draft negotiation mandate has been prepared for a second round. The Permanent Representative Committee (COREPER) adopted a mandate to open negotiations on 13 March 2013. Since then the three institutions have had 5 informal trilogue meetings and further meetings are planned as necessary.

The "Agriculture and Fisheries" Council of 22 April 2013 held an orientation debate on the four key political areas of divergence, namely Maximum Sustainable Yield (MSY), landing obligation, regionalisation and capacity management. This debate had been preceded by an informal meeting of the Directors-General for fisheries in Cork on 15 to 17 April, dedicated to the same topics where EU Member States committed themselves to working towards an agreement by end June. The Presidency has now prepared a revised version of the initial mandate, based on the emerging positions resulting from the complex trilogue process. This will now form the basis for further discussion within Council, with a view to obtaining a mandate to conclude the negotiations in the coming weeks and achieving an agreed reform package under the Irish Presidency.

COREPER met on the 2 May to discuss the current text and are due to meet again this week to consider a further revised text. It is then hoped to put the revised text to the Council of Fisheries Ministers on 13-14 May to seek political support and a new mandate for further discussions with the Parliament. We are now in a very sensitive stage of this reform process. The Presidency and Ministers have made it clear that they want an agreement to be concluded by the end of May. Assuming that the revised text receives their support, only weeks remain for a final agreement to be concluded with the European Parliament. I believe that the text for the reform which we are now proposing provides the basis to broker that final agreement with Parliament.

Nitrates Usage

38. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine if farmers who receive a derogation on an annual basis under the nitrates directive will be eligible for the greening payment under the Common Agricultural Policy reform proposals; and if he will make a statement on the matter. [21483/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The EU Commission's proposal on greening obliges farmers to comply with three greening criteria in order to attract the greening payment. These criteria are crop diversification, maintenance of permanent pasture and establishment of ecological focus areas. The criteria and conditions for receipt of the greening payment are still under active discussion between the EU Commission, Council of Agriculture Ministers and the European Parliament and there is no certainty as yet regarding the final outcome.

There is no reason to suppose that farmers in receipt of derogations under the nitrates direc-

tives would not be entitled to these payments, provided, of course, they met all of the conditions set. Ultimately, however, this cannot be confirmed until the negotiations are finalised.

Rural Environment Protection Scheme Payments

39. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the number of farmers who have not been paid their REP scheme 4 payments for 2012; the reason for the delay; and if he will make a statement on the matter. [21476/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are currently a total of 30,284 participants in REPS4. To date 28,937 of these have been paid 100% of their 2012 REPS4 entitlement. A further 216 have been paid 75% of their REPS4 entitlement for 2012 and the balancing payment of 25% will be made to them within the next week. A total of approximately 1,000 participants have yet to receive any payment under REPS4.

Outstanding 2012 payments under REPS are largely due to unresolved queries associated with applications and where necessary my Department has been in contact with the applicants concerned with the intention of resolving outstanding issues and issuing payment as soon as possible. I am conscious of the importance of these payments to farmers' incomes and my Department is making every effort to assist farmers in regularising their applications and claims for payment. Additional resources have been assigned to dealing with all outstanding queries and payments will continue to issue on an ongoing basis as outstanding issues are resolved.

Common Agricultural Policy Negotiations

40. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine if the redistributive payment proposal from the French Government and a similar proposal included in the Council of Ministers' proposals are still on the table; and if he will make a statement on the matter. [21466/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that the redistributive payment proposal is still on the table. This proposal, which gives Member States the option of using up to 30% of the national ceiling for a top-up payment to farmers on hectares up to the national average farm size or up to 30 hectares, forms part of the General Approach on CAP reform agreed by the Council of Ministers last March. This option is an add-on and not an alternative to flat rate or partial convergence.

The option did not form part of the original Commission proposal. However the European Parliament has proposed a similar option to that of the Council which would allow top-ups on up to the first 50 hectares of each farm, using up to 30% of national envelopes.

This issue will now be the subject of further negotiations between the three EU institutions in the trilogues process.

Common Agricultural Policy Negotiations

41. **Deputy Micheál Martin** asked the Minister for Agriculture, Food and the Marine if he discussed the Common Agricultural Policy negotiations with any European leaders recently; and if he will make a statement on the matter. [15989/13]

8 May 2013

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am in regular contact with my colleagues from other Member States and the EU institutions regarding the Common Agricultural Policy negotiations. I chaired a full discussion of the CAP reform proposals at the most recent meeting of the EU Council of Agriculture Ministers a little over two weeks ago and I had the opportunity for informal discussions with the Agriculture Commissioner and a number of Member States in the margins of that Council. Next week I will chair an orientation debate on CAP reform at the May Agriculture Council when we will explore the possibilities for reaching political agreement on this very complex dossier. I am also in regular contact with the chairman of the Agricultural Committee of the European Parliament and had a detailed discussion with him and the rapporteurs for the four main CAP reform regulations towards the end of last month.

My intention is to continue with these contacts and meetings with a view to obtaining agreement on CAP reform between the three EU institutions by the end of June.

Disadvantaged Areas Scheme Eligibility

42. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the number of farmers, broken down on a county basis, who were refused their 2012 disadvantaged area scheme payment to date because they did not reach the required 2012 or 2011 stocking density; if in view of the fodder crisis he intends to relax these rules in 2013; and if he will make a statement on the matter. [21498/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on target, on 26 September 2012 which is much earlier than in the vast majority of Member States across the European Union. To date, payments worth in excess of €207 million have issued to 94,671 of the total of 102,072 who applied.

Many applicants, who declare land situated in a Disadvantaged Area, are found not to be eligible for payment under the Scheme. Many of these applicants do not maintain any animals and those that do maintain animals do not keep sufficient livestock to meet the minimum stocking density of 0.15 livestock units per hectare. This is a normal feature of the Disadvantaged Area Scheme. For example, in excess of 2,100 applicants under the 2011 DAS Scheme were found to be non-compliant, as they had insufficient stocking density on their holdings. The figure for 2012 is over 5,000, which is accounted for by the more focused requirements for establishing the minimum stocking density introduced under the 2012 Scheme. In addition, there are in excess of 3,000 applicants who held no stock during 2012.

The revised stocking-density provisions introduced in 2012 necessitated processing almost 10,000 cases under the derogation measure in order to give applicants access to a robust and fair appeal process. The small number of outstanding cases relate in the main to those for which additional substantiating material is awaited.

It will be seen, therefore, that all applicants, whose eligibility for payment under the 2012 DAS Scheme has been established, have been paid and payments continue to be made twice weekly as individual cases are confirmed eligible.

A tabular breakdown of the position by county will be provided directly to the Deputy.

Turning to the 2013 DAS Scheme, which, as already announced, is focused on the protection of the smaller and most disadvantaged, I would like to remind farmers that the deadline for receipt of applications is 15th May 2013. I would urge all farmers to submit their applications

as quickly as possible. I would also urge them to use the on-line filing facility. This reduces the number of errors that an applicant can make and, therefore, reduces the risk of payments being delayed in what has been, despite the mitigating measures taken, a very difficult year to date for farmers in view particularly of the weather conditions. The terms and conditions of the 2013 DAS Scheme remain as previously announced. Farmers with fodder related stocking difficulties may avail of the force majeure provisions in the Scheme.

Horse Statistics

43. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine the number of horses in the State at present; the arrangement in place to keep a record of these horses; the proposals to upgrade this system; the number of these proposals that have been implemented; and if he will make a statement on the matter. [21486/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I understand that a study entitled “Economic Contribution of the Sport Horse Industry to the Irish Economy” carried out by UCD in 2012 and commissioned by Horse Sport Ireland estimated the current population of sport horses registered with Passport Issuing Organisations at 124,000.

I also understand from estimates provided by Weatherbys Ireland and Horse Racing Ireland that in 2012 the number of thoroughbred horses in the breeding sector and in training was 30,000.

Currently under EU and National Legislation each Passport Issuing Organisation (PIO) is required to maintain a database of all registrations. This information must be retained for at least 35 years or until at least 2 years from the notification of the date of death of a horse.

However, my Department is developing a central database which will involve migration of selected data from PIOs to the Department. It will also be populated with information provided from records obtained from slaughter plants and knackeries. The intention is that access to this system will enhance the controls and traceability in the equine industry. This database will also facilitate updated amendments to passports, for example, the recording of changes of ownership or equine status.

Milk Price Issues

44. **Deputy Willie O’Dea** asked the Minister for Agriculture, Food and the Marine the steps he has taken to ensure that liquid milk producers get an adequate price for their product to ensure long-term viability; and if he will make a statement on the matter. [21500/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The regulation of milk for liquid consumption is a matter for the National Milk Agency, which was established under the Milk (Regulation of Supply) Act, 1994. This legislation provides that pasteurised milk produced in the State cannot be sold for liquid consumption unless it has been produced under a contract registered with the National Milk Agency. It also provides, *inter alia*, that the contract must be for at least 12 months and, in the opinion of the Agency, provides adequate compensation to the producer taking into account, in particular, in relation to the winter months, the economic costs of production of raw milk all the year round.

Common Agricultural Policy Reform

45. **Deputy Seán Ó Fearghaíl** asked the Minister for Agriculture, Food and the Marine if he will outline in tabular form the adjusted figures for farmers following the revised CAP reform who had a single payment of €100/ha, €200/ha, €300/ha, €400/ha and €500/ha respectively in 2005, based on the best possible outcome under the proposals contained in the Council of EU Ministers agreement of the 19 of March, taking into account modulation cuts since 2005, EU budget cuts 2013/2014 and his proposed internal convergence and greening approximation proposal; and if he will make a statement on the matter. [21499/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The database created by my Department, based on payments made to farmers in 2010, was established for the specific purpose of modelling the impacts of alternative approaches to internal convergence, rather than to deal with all of the Commission proposals on direct payments or to capture the effect of CAP budget cuts, changes in modulation and so on. Thus, it does not capture the effects of reductions proposed to payments arising from reductions in the overall CAP budget or the cessation of modulation. Neither does it capture the effects of other changes proposed to the Direct Payments Scheme e.g. to fund the national reserve, the payment to young farmers, the crisis fund and coupled payments. These proposed reductions are still the subject of negotiations and there is no certainty as to the final outcome.

While the European Council reached agreement on the new Multiannual Financial Framework for the EU budget in February last, this agreement has yet to be endorsed by the European Parliament. The agreement envisages a reduction in the Direct Payments budget of just over 3% together with a redistribution of payments between Member States or external convergence as it is known. Ireland is largely protected from the latter with an overall cut in direct payments of some 3.3%.

The Commission proposals envisage a number of other changes to the basic payment scheme that need to be taken into account to conduct meaningful modelling. These include proposed reductions to all payments to fund the national reserve and to provide top-up payments for young farmers. The percentages currently proposed are for maximum deductions of 3% and 2% respectively. However, the final deductions may be less – depending on the funding needs for these schemes.

There is also provision for a crisis fund – to be financed from cuts to direct payments – and refunded to farmers if not used to address a crisis in the market. There is an additional complication in regard to this fund in that there is a disagreement between the Commission, Council and European Parliament as to whether annual payments below €5,000 should be exempt from deductions to finance this. The Commission has proposed a franchise of €5,000. The European Parliament has proposed no franchise and the Council has suggested a limit of €2,000. This will have to be resolved before any meaningful modelling can be carried out on the impact.

Equally, there is disagreement between the three institutions on the level of coupling that should be allowed with the Commission arguing for a 5% limit in the case of Member States such as Ireland who have fully decoupled payments, the Council advocating a maximum level of 7% for these Member States and the European Parliament seeking a maximum of 15%. And of course, coupled payments are proposed as an option for Member States. I do not intend to take a decision whether to proceed with a deduction for coupled payments until the deal is finalised and the full outcome known.

Given the extent of variables, it would be premature, in my view, to attempt an exercise that would superimpose the impact of internal convergence and variable greening on the other factors playing out in these negotiations.

Common Agricultural Policy Reform

46. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine the discussions to date with the EU Commission as part of Common Agricultural Policy reform to ensure price stability and a fair return to primary producers as a central part of CAP reform; the proposed mechanisms being discussed to ensure this; and if he will make a statement on the matter. [21468/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since I assumed office over two years ago, the EU agriculture agenda has been dominated by discussion of CAP reform. I have had innumerable discussions with the EU Commission on the content and impact of the proposals, both before they were formally adopted by the Commission and presented to Member States in October 2011 and since.

The Commission proposals envisage a strong future CAP based on two complementary pillars with three strategic aims of preserving food production potential in the EU, sustainable management of natural resources and maintaining viable rural areas. Ensuring price stability and a fair return to primary producers are central tenets of the reform in that the Commission proposals envisage maintaining direct payments to farmers and market support tools at safety-net level.

Since the beginning of the year, negotiations have made considerable progress across a number of fronts. Following the agreement by the European Council on the Multiannual Financial Framework in early February, the European Parliament agreed its position on the CAP reform package in March. This was followed, also in March, by the successful adoption by the Council of Agriculture Ministers - by a strong qualified majority - of its General Approach on CAP Reform. The latter, in particular, marked a considerable achievement, taking place as it did against a background of lengthy, intensive negotiations with my Member State colleagues across a range of complex and sensitive issues.

The negotiations have now moved to discussions between the EU institutions and an intensive schedule of trilogue discussions with the European Parliament and EU Commission commenced on 11th April 2013. The first trilogues have taken place in a very constructive and positive atmosphere, with working methods agreed, technical issues identified for further examination and initial discussions taking place on more difficult political points. These trilogues are continuing and we are still on course to achieve inter-institutional agreement by the end of June 2013.

Aquaculture Development

47. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine his views on the fact that delays since 2010 in the assessment of applications for oyster-farming licences at Bannow Bay and Waterford Estuary is delaying job creation in the region; and if he will make a statement on the matter. [21511/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The bays referred to by the Deputy are designated as Special Areas of Conservation under the EU Habitats Directive and/or Special Protection Areas under the EU Birds Directive (Natura 2000 sites).

All applications in 'Natura' areas are required to be appropriately assessed for the purpose of environmental compliance with the EU Birds and Habitats Directives. My Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service (NPWS) of

the Department of Arts, Heritage and the Gaeltacht is engaged in a comprehensive programme to gather the necessary baseline data appropriate to the conservation objectives of 'Natura' areas. This data collection programme is substantially complete. Analysis of the data, together with the setting of appropriate conservation objectives by the NPWS, will enable all new, renewal and review applications to be appropriately assessed for the purpose of ensuring compliance with the EU Birds and Habitats Directives. This work represents a significant financial, administrative and scientific investment by the State in resolving this issue. The Appropriate Assessment of aquaculture applications is being dealt with on a bay-by-bay basis.

Addressing the issue of aquaculture licensing in Natura 2000 areas is a key priority for my Department and the Deputy can be assured that every effort is being made to expedite the completion of the overall process having regard to all the complexities involved.

National Cattle Herd Data

48. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if his Department has records of the number of suckler cows in the national herd; the estimated annual cost to farmers of maintaining a suckler cow; the steps he proposes to take to ensure higher quality beef production; and if he will make a statement on the matter. [21405/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Data on the national cattle herd is published by the Central Statistics Office (CSO) and is sourced from my Department's Animal Identification and Movement system which electronically records data on animal movements on a central database in accordance with EU traceability requirements. The CSO figures categorise cows according to whether they are kept for beef or dairy production. The results of the December 2012 Livestock Survey show that beef cow numbers stood at 1,127,900 head, which was an increase of 4.1% relative to 2011 as high cattle prices in recent years have encouraged producers to restock and expand their herds.

My Department does not keep records of the annual cost of keeping a suckler cow. Teagasc data, however shows there is a considerable variation in this figure depending on the level of efficiency of production on individual farms. Teagasc has indicated that the variable cost of maintaining a suckler cow and calf to weanling stage is between €400 on the more efficient farms to €550 on the less efficient ones. A further €350 to €450 per cow need to be added for fixed costs.

Under the National Farm Survey series Teagasc gave, in 2011, the average direct cost of production per hectare for Single Suckling enterprises ranged from €350 per hectare on those farms with the lowest average gross margin to €463 per hectare on the most profitable farms. The most profitable third of Single Suckling farms earned an average gross output of €1,013 per hectare compared with an average gross output of €451 per hectare on the least profitable one third of Single Suckling enterprises. This variability in average gross output is in large part due to the higher average stocking on the more profitable farms. These farms had an average stocking rate of 1.57 livestock units (LU) per hectare compared with only 1.03 LU per hectare for those farms with the lowest profitability.

In this context the primary focus of measures introduced by my Department is on improving the efficiency on farms through direct support and with the assistance of other agencies. These include initiatives such as the Beef Technology Adoption Programme (BTAP), which is designed to equip beef farmers with the knowledge to improve efficiency at farm level. Some €4.5 million was paid in 2012 to 4,800 farmers under the programme.

Also this year my Department recently launched the Beef Data Programme for which €10

million has been allocated in 2013. This new programme will assist farmers in improving the genetic quality of Irish cattle and will maintain the data flow into ICBF in order to build further knowledge and more rapid progress in breeding and ultimately in profitability for farmers. In addition my Department continues to support the work of ICBF in improving genetic quality in the beef herd. On the advisory side Teagasc provides a best practice model for suckler farmers with the expanded BETTER Beef Farm Programme and Bord Bia assists with the marketing of quality beef through their Beef Quality Assurance Scheme.

My Department and its agencies will continue to make every effort to assist the development of the beef sector in line with the Food Harvest 2020 Strategy.

Question No. 49 answered with Question No. 28.

Commonage Framework Plans

50. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the updated situation on the revised commonage plans; and if he will make a statement on the matter. [21477/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Commonage lands form an important part of the farming enterprises of many farmers, particularly along the West Coast. They also form an important part of the local environment from the point of view of bio-diversity, wildlife, amenities and economic returns e.g. tourism. However, there is a substantial risk of land abandonment as under-grazing becomes more of a problem.

Under-grazing leads to an increase in ineligible land under Direct Aid and Agri-Environment Schemes and leads to risk of financial corrections being imposed by EU Commission. It is vital, therefore, to maintain the commonages in GAEC (Good Agricultural and Environmental Condition), or where there is under-grazing, to return the habitat to GAEC. It is my stated aim that this will be achieved by working with the farmers directly managing the lands, relevant State Agencies, the farming organisations and all other interested stakeholders.

I readily acknowledge that it will not be an easy task, but it is achievable if all stakeholders work in a co-operative basis. If action is not taken now, the areas will continue to deteriorate and will lead to more land abandonment. If this is allowed to happen, Ireland will lose a valuable resource from the point of view of farming, rural economy, bio-diversity and wildlife. While grazing is the only method of managing these lands, the task facing us is how to ensure that these grazing levels are appropriate to the individual commonages.

In order to ensure the achievement of this objective, as already stated, we need the input of individual shareholders. Grazing plans, at the level of each commonage, will allow for greater flexibility for shareholders and will enable the active farmers to increase their stock to cater for dormant and inactive persons. It will be a matter for agreement between the shareholders – as was always the case – to decide how best to reach the stocking levels. Professional assistance will be required, in particular where the commonage has been damaged by under-grazing.

The Grazing Plan will have to cater for the traditional farming methods for the area, with provision made for sheep and other animals, such as cattle, providing that they are appropriate to the habitat. An appropriate time-scale will have to be put in place but the Plan should include the incremental steps to achieve GAEC. The whole concept will be output driven, in that the assessment of the Plans will be based on whether the commonage is in GAEC or not or whether

the appropriate progress has been achieved.

Apart from ensuring that the Grazing Plan is valid, there are a number of other complications, including:

Dormant shareholders – in the majority of cases, these persons are no longer farming;

Current claimants on the commonages, who do not farm or manage the lands. The issue of whether the latter claimants will continue to be eligible for payment will have to be examined.

There are other issues that will need to be considered. These include the fact that many commonage habitats have been significantly damaged by under-grazing, with resulting problems that must be addressed including land abandonment, spread of scrub and invasive species.

While it is generally accepted that this is a very complex matter and requires a very detailed action plan to cover the various issues, I intend to set out proposals on how these matters will be progressed in the near future.

Agri-Environment Options Scheme Application Numbers

51. **Deputy Robert Troy** asked the Minister for Agriculture, Food and the Marine if he intends increasing the number of places on the agri-environment options scheme 3 to cover all eligible applicants; and if he will make a statement on the matter. [21482/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Despite the challenging budgetary constraints facing my Department, last year I allocated €20 million annually to fund a new agri-environment scheme and on foot of this I announced the re-opening of the Agri-Environment Options Scheme (AEOS 111). I decided on a maximum payment of €4,000 per annum for individual applicants and based on the average payment under the scheme in the past, this would allow for approximately 6,000 new participants to be accepted into the scheme.

My intention is to complete the AEOS III selection process shortly and to notify all applicants of the outcome and of the commencement dates under the scheme in the case of successful applicants. Because the number of applications exceed the number that can be accepted into the scheme, it is absolutely essential that decisions are made on accurate data. For that reason, my Department has taken time to contact the applicants where queries arise to obtain the required information in order for the application to be appropriately assessed.

Unfortunately, given budgetary constraints, it will not be possible to allocate additional funding to AEOS III in order to extend the number of available places in the Scheme.

Animal Welfare Issues

52. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he intends to introduce a scheme for the orderly destruction of unwanted surplus horse; when this scheme will be put in place; and if he will make a statement on the matter. [21484/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department is making available substantial resources to deal with equine related issues. In particular, funding is provided to Local Authorities under the Control of Horses Act, 1996, to enable these bodies to implement their extensive powers relating to the control and welfare of stray or aban-

doned horses. In keeping with advice on humane disposal of horses from the Farm Animal Welfare Advisory Council (which comprises representatives from a wide range of stakeholder organisations including farming, equine and welfare bodies), substantial numbers of horses are disposed of each year under the Control of Horses Act. There are no plans at this juncture to go outside this arrangement. The horse industry must play its role and respond to changes in the market place and educate and increase awareness among owners on responsible breeding, particularly in the current economic environment.

Aquaculture Licences Applications

53. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the amount of money expended by his Department and Bord Iascaigh Mhara to date on the development of applications for aquaculture licences for a series of large finfish farms around the coast; and if he will make a statement on the matter. [21490/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has not been involved in the development of applications for aquaculture licences for finfish farms.

At present, my Department is processing one application for a “deep sea” salmon farm that was submitted by Bord Iascaigh Mhara (BIM). BIM has submitted an application for an Aquaculture and a Foreshore Licence for the cultivation of Finfish near Inis Oirr in Galway Bay.

BIM is an independent statutory body. The matters raised by the Deputy in relation to BIM are operational issues and are therefore matters for BIM itself. BIM’s application and its accompanying Environmental Impact Statement (EIS) is currently being considered fully in accordance with the provisions of the 1997 Fisheries (Amendment) Act and the 1933 Foreshore Act as amended.

It would not be appropriate for me to comment further on an application which is under active consideration as part of a statutory process.

Foreign Conflicts

54. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has raised the subject regarding US drone attacks in Pakistan which have killed 4,000 men, women and children; if he will also raise this matter at the United Nations; and if he will make a statement on the matter. [21874/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government is deeply concerned by instances where innocent civilians, including children, have been killed by drone attacks. In line with the UN Global Strategy on Counter Terrorism, we believe that effective counter terrorism and the protection and promotion of human rights are mutually reinforcing and not competing goals. Ireland has consistently taken the view that combating terrorism must be conducted in full respect of international law, in particular the law of armed conflict and human rights law. The law of armed conflict sets specific requirements to the use of force, including the principles of necessity, proportionality and distinction.

Ireland, together with our EU partners, has regular discussions with the US about the legal aspects of combating international terrorism.

Overseas Development Aid Provision

55. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No.153 of 23 April 2013, if he will confirm the amount donated by Irish Aid to the Clinton Foundation in 2011 and 2012. [21599/13]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): Ireland has worked in partnership with the Clinton Health Access Initiative (CHAI) in Mozambique since 2003 and in Lesotho since 2006. CHAI is one of a series of separate initiatives established by the Clinton Foundation. It works in association with Governments and other partners to scale up prevention and treatment programmes for HIV/AIDS, malaria, and tuberculosis, and to develop integrated health systems in partner countries. Following an evaluation of its effectiveness, the partnership between Irish Aid and the Initiative was renewed in 2010, with an agreement to work together with partner Governments in Mozambique and in Lesotho for the period 2011-2015. Ireland's engagement is managed by our Embassies in the two countries, which are Key Partner Countries for our aid programme, where we have a commitment to long-term strategic assistance.

In Mozambique, Irish Aid provided €12 million in 2011 and €12 million in 2012 in support of the work with the Clinton Health Access Initiative. The funding was provided to the Mozambique Ministry of Health, using government systems which meet the necessary standards of transparency, accountability and reporting.

In addition, in 2011 a grant of €295,000 was made directly to CHAI in Mozambique to support the implementation of its Annual Work Plan. A grant of €200,000 was made in 2012. These grants support the provision by CHAI of technical support to the Ministry of Health, including on drug procurement and the roll-out of health technology. Our partnership in Mozambique has resulted in improved treatment and prevention of mother-to-child transmission of HIV, with over 66,000 women treated annually. Over 200,000 people are now receiving HIV treatment in Mozambique, compared to under 2,000 at the end of 2002.

In Lesotho, based on the agreement with the Clinton Health Access Initiative, Ireland provided €4.1 million in 2011 and € 3.86 million in 2012 for HIV/AIDS programmes through the Ministry of Health. An evaluation of the programme in Lesotho covering the period 2006 to 2011 was conducted by Irish Aid in 2012, in consultation with CHAI and the Ministry of Health. It concluded that the programme had delivered important results, including the provision of health services for 215,000 people in remote areas of Lesotho and HIV testing and counselling for 65,123 people.

Election Monitoring Missions

56. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will list in tabular form the persons sent abroad from 2007 to date in 2013 to monitor elections and referenda; the cost to his Department of each election and referenda observation; the process by which election observers are appointed; if he is satisfied with the recruitment and selection procedure used; if he is considering changes to the appointment procedure; and if he will make a statement on the matter. [21623/13]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): International election monitoring missions play an important role in the promotion of democracy and human rights. The Department of Foreign Affairs and Trade maintains a roster of observers for election monitoring missions. We aim to ensure that, when requested, Ireland is

represented at an appropriate level in international observation missions for both elections and constitutional referendums. Irish observers participate primarily in missions organised by the European Union and the Organisation for Security and Cooperation in Europe. However, they have also been involved in missions organised by the Council of Europe, the United Nations and the Carter Centre. When a request for electoral observation is received, the Department seeks expressions of interest from all observers on the election roster. A list of suitably qualified observers is drawn up, taking into account the specific criteria for the mission, including language proficiency. Gender balance and length of time since serving on a mission are also key factors in the selection process. Following completion of the internal selection process, a draft list of nominees is submitted for Ministerial approval.

In the case of European Union election observation missions, the final selection of observers from the list of approved nominees submitted by the Department rests with the European Commission. In the case of OSCE election observation missions, all the observers nominated by the Department are usually selected.

Last year, I asked that the Department carry out a review of the election observation roster. Following a call for applications and a subsequent appraisal process against published criteria, 200 individuals with a strong mix of skills and experience have now been selected to serve on a new roster, which will come into effect on 15 May 2013. I am satisfied that the recruitment and selection process has been carried out in a fair and transparent manner.

I am confident that the establishment of this new roster will ensure that Ireland can consistently nominate the best qualified people for election monitoring missions. At this point, I do not envisage changes to the procedure by which members of the new roster will be nominated for missions.

The costs to the Department of Foreign Affairs of each observation mission relate exclusively to the costs of sending the individuals selected for the mission. In the case of EU missions, all costs are covered by the European Commission with the exception of a pre-departure grant of €600, which observers who participate in missions are entitled to in every twelve month period. For OSCE missions, the costs of Irish observers, over and above the pre-departure grant are fully met by the Department of Foreign Affairs and Trade.

A list in tabular form of persons sent on election observation missions between 2007 and to date in 2013 is set out as follows. In the time available, it is not possible to provide a detailed breakdown of costs per mission for the years 2007, 2008 and 2009. For these years, the total annual cost of all election observation missions is provided. From 2010 onwards, the cost of each individual participating in missions is provided.

Election observation missions in 2007

(97 observers on 16 missions)

Total cost of missions in 2007: €237,544

Country	Organisation	Role	Forename	Surname
January				
Serbia	OSCE	STO	Michael	Lanigan
Serbia	OSCE	STO	David	Shanks
Serbia	OSCE	STO	Robin	Henry

Country	Organisation	Role	Forename	Surname
Serbia	OSCE	STO	Ronán	O'Laoire
April				
Nigeria	EU	STO	James	Lenehan
Nigeria	EU	LTO	John	Jefferies
Nigeria	EU	STO	Marylee	Wall
Nigeria	EU	STO	Denis	Ryan
Nigeria	EU	LTO	Peter	Ballagh
Nigeria	EU	STO	Eamon	Rafter
Nigeria	EU	LTO	Anne	Marlborough
Timor Leste	Carter Centre	STO	Dorcha	Lee
Timor Leste	EU	LTO	James	Hession
Timor Leste	EU	LTO	Maeve	Murphy
Timor Leste	UNV	Core Team	Simon	Roughneen
Timor Leste	UNV	Core Team	Clionadh	O'Keeffe
Timor Leste	UNV	Core Team	Phil	Meyler
Timor Leste	UNV	Core Team	Joan	O'Connor
Timor Leste	UNV	Core Team	Joanne	Doyle
Timor Leste	UNV	Core Team	Alexander	Grey
May				
Armenia	OSCE	STO	James	Somers
Armenia	OSCE	STO	Mary	Haugh
Armenia	OSCE	STO	Aisling	Lyon
Armenia	OSCE	STO	Paul	O'Shea
Armenia	OSCE	STO	Carole	Ward
Armenia	OSCE	STO	Fidelma	McHale
Armenia	OSCE	STO	Ruaidhri	Dowling
Armenia	OSCE	LTO	Tess	Hughes
June				
Moldova	OSCE	LTO	John	Desmond
Moldova	OSCE	STO	Terry	O'Brien
Moldova	OSCE	STO	Abdi	Ibrahim
Moldova	OSCE	STO	Ann	Choiseul
Moldova	OSCE	STO	Frank	Heslin
Moldova II	OSCE	STO	Terry	O'Brien
Moldova II	OSCE	STO	Ann	Choiseul
Nepal	UNV	Core Team	Des	Kieran
August				
Kazakhstan	OSCE	LTO	Kevin	Gaughran
Kazakhstan	OSCE	STO	Sinead	Harvey
Kazakhstan	OSCE	STO	Paul	McGrath
Kazakhstan	OSCE	STO	Karen	McCormack
Kazakhstan	OSCE	STO	Ruaidhri	Dowling
Kazakhstan	OSCE	STO	Richard	Humphreys
Kazakhstan	OSCE	STO	Gerard	Monks

Questions - Written Answers

Country	Organisation	Role	Forename	Surname
Kazakhstan	OSCE	STO	Edward	Naessens
Kazakhstan	OSCE	STO	Isabel	Perceval
Sierra Leone	EU	STO	Michael	Kavanagh
Sierra Leone	EU	STO	Terry	Duffy
Sierra Leone	EU	STO	Catherine	Brennan
September				
Ecuador	EU	LTO	Marion	Roche
Ecuador	EU	LTO	Michael	Coyne
Ecuador	EU	STO	Karen	Miller
Ecuador	EU	STO	Mary	Dunne
Ecuador	EU	STO	Patrick	Maher
Guatemala	EU	LTO	Donal	Blake
Guatemala	EU	LTO	Frank	Scott
Guatemala	EU	LTO	Des	Hearns
Guatemala	EU	STO	Diarmuid	Peavoy
Guatemala	EU	STO	Helen	Keogh
Ukraine	OSCE	LTO	Sheena W.	McMahon
Ukraine	OSCE	LTO	Sandra	Conway
Ukraine	OSCE	STO	Richard	McEvoy
Ukraine	OSCE	STO	Noel	Brennan
Ukraine	OSCE	STO	Maurice	Canavan
Ukraine	OSCE	STO	Tomas	Standun
Ukraine	OSCE	STO	Peter	Minnock
Ukraine	OSCE	STO	Michael	Lanigan
Ukraine	OSCE	STO	Maria	Kieran
Ukraine	OSCE	STO	Peter	Emerson
Ukraine	OSCE	STO	Ian	Devine
Russian Fed	OSCE	STO	Seamus	Martin
October				
Guatemala II	EU	STO	Diarmuid	Peavoy
Guatemala II	EU	LTO	Helen	Keogh
Guatemala II	EU	LTO	Donal	Blake
Guatemala II	EU	STO	Frank	Scott
November				
Georgia	OSCE	LTO	Brian	MacMahon
Georgia	OSCE	STO	Ruaidhri	Dowling
Georgia	OSCE	STO	Eddie	Brannigan
Georgia	OSCE	STO	John P.	Phelan
Georgia	OSCE	STO	Seamus	Martin
Georgia	OSCE	STO	Michael	Grange
Georgia	OSCE	STO	Caroline	Brennan
Georgia	OSCE	STO	Theresa	Reidy
Georgia	OSCE	STO	James	Mallon
Georgia	OSCE	STO	Eileen	McCabe

Country	Organisation	Role	Forename	Surname
Georgia	OSCE	STO	Mary	Boland
Kosovo	CoE	LTO	Paul	O'Shea
Kosovo	CoE	STO	Chris	Andrews
Kosovo	CoE	STO	Anne	Donnellan
Kosovo	CoE	STO	Edward	Rowland
Kosovo	CoE	STO	Ray	McLoughlin
Kosovo	CoE	STO	Niall	Sheerin
December				
Kyrgyzstan	OSCE	STO	Fergal	McCusker
Kyrgyzstan	OSCE	STO	Michael	Davitt
Kyrgyzstan	OSCE	STO	Robert	Laird
Kyrgyzstan	OSCE	STO	Audrey	Ryan
Kyrgyzstan	OSCE	STO	Eric	Byrne
Kyrgyzstan	OSCE	STO	Brian	Earls

Election observation missions in 2008

(92 observers on 14 missions)

Total cost of missions in 2008: €295,494

Country	Organisation	Role	Forename	Surname
February				
Armenia	OSCE	LTO	Edward	Horgan
Armenia	OSCE	STO	Anna	Eggert
Armenia	OSCE	STO	Geraldine	Power
Armenia	OSCE	STO	John	Purcell
Armenia	OSCE	STO	Blaise	Treacy
Armenia	OSCE	STO	Paul	Rowe
Armenia	OSCE	STO	Oonagh	Smyth
April				
Montenegro	OSCE	STO	Anne	Hennon
Montenegro	OSCE	STO	Deirdre	Grogran
Montenegro	OSCE	STO	Richard	O'Shea
Montenegro	OSCE	STO	Michael	Smith
Montenegro	OSCE	STO	Eithne	MacDermott
Montenegro	OSCE	STO	Barbara	Wilson
Nepal	EU	STO	Veronica	Murphy
Nepal	EU	LTO	Des	Kieran
May				
Georgia	OSCE	LTO	John	O'Connor
Georgia	OSCE	STO	Rory	Moss
Georgia	OSCE	STO	Gabrielle	Moffat

Questions - Written Answers

Country	Organisation	Role	Forename	Surname
Georgia	OSCE	STO	Marian	Cadogan
Georgia	OSCE	STO	Liam	Kilgallen
Georgia	OSCE	STO	Cathal	Kelly
Georgia	OSCE	STO	Gregory	Curry
Georgia	OSCE	STO	Lesley	Allamby
Georgia	OSCE	STO	Patrick J	Durcan
Georgia	OSCE	STO	Desmond	MacMahon
Georgia	OSCE	STO	Liguori	Cooney
Georgia	OSCE	STO	Eddie	Branigan
Serbia	OSCE	LTO	Orla	Cluff
Serbia	OSCE	LTO	Patrick	Davis
June				
FYROM	OSCE	LTO	Mary	Dowling
FYROM	OSCE	LTO	Michael	Verling
FYROM	OSCE	STO	Thomas	Kelly
FYROM	OSCE	STO	Anthony	Morgan
FYROM	OSCE	STO	Finola	McDowell
FYROM	OSCE	STO	Owen	Curley
FYROM	OSCE	STO	Henry	Anderson
FYROM	OSCE	STO	Keith	Martin
FYROM	OSCE	STO	Joy	Kanter
FYROM	OSCE	STO	Austin	Currie
FYROM	OSCE	STO	John Paul	Coakley
FYROM	OSCE	STO	Marian	Kelliher
FYROM	OSCE	STO	Abdi	Ibrahim
FYROM	OSCE	STO	Emma	Madigan
FYROM	OSCE	Core Team	Sheena W.	MacMahon
July				
Cambodia	EU	LTO	Donal	Blake
Cambodia	EU	STO	Richard	Barret
Cambodia	EU	STO	Barbara	O'Shea
FYROM II	OSCE	STO	Henry	Anderson
FYROM II	OSCE	STO	Owen	Curley
FYROM II	OSCE	STO	Finola	McDowell
FYROM II	OSCE	STO	Anthony	Morgan
FYROM II	OSCE	STO	Thomas	Kelly
FYROM II	OSCE	LTO	Mary	Dowling
September				
Belarus	OSCE	STO	Fiona	O'Malley
Belarus	OSCE	STO	Brian	Fagan
Belarus	OSCE	STO	Niall	McCann
Belarus	OSCE	STO	Maca	Hourihane
Belarus	OSCE	STO	Geraldine	Cusack
Belarus	OSCE	STO	Paul	Cosgrave

Country	Organisation	Role	Forename	Surname
Belarus	OSCE	STO	Patricia	Barker
Belarus	OSCE	STO	Tara	Finglas
Belarus	OSCE	STO	Ruaidhri	Dowling
Belarus	OSCE	STO	Aidan	Kirwan
Belarus	OSCE	STO	Mark	Long
Belarus	OSCE	STO	Finbar	O'Sullivan
Rwanda	EU	LTO	Anne	Marlborough
Rwanda	EU	STO	Emer	Fogarty
Rwanda	EU	STO	Grainne	Gilmore
October				
Azerbaijan	OSCE	LTO	Peter	Ballagh
Azerbaijan	OSCE	STO	Michael	Lanigan
Azerbaijan	OSCE	STO	John	Lynch
Azerbaijan	OSCE	STO	Edward	Dunphy
Azerbaijan	OSCE	STO	Camilla	Fanning
Azerbaijan	OSCE	STO	Traolach	Sweeney
Azerbaijan	OSCE	STO	Maurice	Gowan
Azerbaijan	OSCE	STO	Noreen	Kerins
Azerbaijan	OSCE	STO	Liam	Clancy
Azerbaijan	OSCE	STO	Paddy	Donnelly
Azerbaijan	OSCE	STO	James	McNamara
Azerbaijan	OSCE	STO	Pat	Finneran
Azerbaijan	OSCE	STO	Breifne	O'Reilly
December				
Bangladesh	EU	LTO	Marion	Roche
Bangladesh	EU	STO	Ciaran	Kinsella
Bangladesh	EU	STO	Patricia	Donnelly
Bangladesh	EU	STO	Patrick	Carroll
Bangladesh	EU	STO	Mary	O'Shea
Ghana	EU	LTO	Aidan	O'Shea
Ghana	EU	STO	James	Somers
Pakistan	EU	LTO	Michael	Boyle
Pakistan	EU	STO	Vincent	Dempsey
Pakistan	EU	Core Team	Michael	McNamara

Election observation missions in 2009

(92 observers on 16 missions)

Total cost of missions in 2009: €251,844

Country	Organisation	Role	Forename	Surname
January				

Questions - Written Answers

Country	Organisation	Role	Forename	Surname
Bolivia	EU	LTO	Helen	Keogh
Bolivia	EU	LTO	Carmen	Monclús
El Salvador	EU	STO	Mary	Dunne
El Salvador	EU	STO	Diarmuid	Peavoy
March				
Montenegro	OSCE	STO	Joan	Clinton
Montenegro	OSCE	STO	Peter	Cotter
Montenegro	OSCE	STO	James	Hennessy
Montenegro	OSCE	LTO	Marian	Kelliher
Montenegro	OSCE	STO	John	Lynch
Montenegro	OSCE	STO	Stefania	Minervino
Montenegro	OSCE	STO	Alison	Moore
Montenegro	OSCE	STO	Nora	Owen
Montenegro	OSCE	STO	Sean	Ryan
April				
Ecuador	EU	LTO	Donal	Blake
Ecuador	EU	STO	Barry	Cannon
Ecuador	EU	STO	Patrick	Maher
FYROM	OSCE	STO	Cecil	Barron
FYROM	OSCE	LTO	Adrienne	Boyle
FYROM	OSCE	STO	Catherine	Brophy
FYROM	OSCE	STO	William	Bulman
FYROM	OSCE	STO	Brendan	Butler
FYROM	OSCE	STO	Anne	Choiseul
FYROM	OSCE	STO	Eamonn	Daly
FYROM	OSCE	STO	Raymond	Dunne
FYROM	OSCE	STO	Tony	Egar
FYROM	OSCE	STO	Dervila	Keane
FYROM	OSCE	STO	Gerard	MacSweeney
FYROM	OSCE	LTO	Seamus	Martin
FYROM	OSCE	STO	Paul	McGrath
FYROM	OSCE	STO	Sean	O'Callaghan
FYROM	OSCE	STO	Breifne	O'Reilly
Moldova	OSCE	STO	Fionnuala	Brennan
Moldova	OSCE	STO	Tom	Daly
Moldova	OSCE	STO	Michael	Diffily
Moldova	OSCE	STO	Peter	Donovan
Moldova	OSCE	STO	Ruaidhri	Dowling
Moldova	OSCE	STO	Patrick	Durcan
Moldova	OSCE	STO	Edward	Fanning
Moldova	OSCE	STO	Frank	Kennefick
Moldova	OSCE	STO	Annette	O'Gorman
Moldova	OSCE	STO	Mary	Russell
Moldova	OSCE	LTO	Michael	Verling

Country	Organisation	Role	Forename	Surname
May				
Malawi	EU	LTO	Anne	Marlborough
Malawi	EU	LTO	Aidan	O'Shea
Malawi	EU	STO	Victoria	Somers
June				
Albania	OSCE	STO	John	Burke
Albania	OSCE	STO	Elaine	Byrne
Albania	OSCE	STO	James	Doody
Albania	OSCE	STO	Brian	Earls
Albania	OSCE	STO	Michael	Gannon
Albania	OSCE	STO	Abdi	Ibrahim
Albania	OSCE	STO	Patricia	Kelly
Albania	OSCE	STO	Michael	Lanigan
Albania	OSCE	STO	Robert	McDaid
Albania	OSCE	STO	John	Moriarty
Albania	OSCE	STO	Caroline	Mullen
Albania	OSCE	STO	James	Mulligan
Albania	OSCE	LTO	Frank	Scott
Lebanon	EU	LTO	Sandra	Conway
Lebanon	EU	STO	Bernard	Daly
FYROM II	OSCE	STO	Cecil	Barron
FYROM II	OSCE	STO	Catherine	Brophy
FYROM II	OSCE	STO	Brendan	Butler
FYROM II	OSCE	STO	Anne	Choiseul
FYROM II	OSCE	STO	Eamonn	Daly
FYROM II	OSCE	STO	Dervila	Keane
FYROM II	OSCE	LTO	Seamus	Martin
FYROM II	OSCE	STO	Paul	McGrath
FYROM II	OSCE	STO	Sean	O'Callaghan
July				
Kyrgyzstan	OSCE	STO	Chris	Andrews
Kyrgyzstan	OSCE	STO	Caroline	Brennan
Kyrgyzstan	OSCE	STO	Terry	Duffy
Kyrgyzstan	OSCE	STO	Fergal	McCusker
Kyrgyzstan	OSCE	STO	Paul	O'Shea
Kyrgyzstan	OSCE	STO	Theresa	Reidy
Moldova II	OSCE	STO	Peter	Donovan
Moldova II	OSCE	STO	Edward	Fanning
Moldova II	OSCE	STO	Frank	Kennefick
Moldova II	OSCE	STO	Fiona	O'Malley
Moldova II	OSCE	STO	Mary	Russell
Moldova II	OSCE	STO	Michael	Verling
August				
Afghanistan	EU	LTO	Donal	Blake

Questions - Written Answers

Country	Organisation	Role	Forename	Surname
Afghanistan	EU	LTO	Marion	Roche
October				
Mozambique	EU	LTO	Orla	Cluff
Mozambique	EU	STO	Philip	Meyler
Ukraine	OSCE	LTO	Michael	Verling
Ukraine	OSCE	LTO	Edward	Horgan
December				
Bolivia	EU	LTO	Donal	Blake
Bolivia	EU	STO	Patrick	Maher
Bolivia	EU	STO	Mary	Dunne
Bolivia	EU	STO	Barry	Cannon
Bolivia	EU	STO	Annette	O’Gorman

Election Observation Missions 2010

(93 Observers on 17 Missions)

Total cost of missions in 2010: €221,838

Country	Organisation	Role	Forename	Surname	Cost
January					
Ukraine	OSCE	STO	Kevin	Cronin	€3,285
Ukraine	OSCE	STO	David	Denny	€3,207
Ukraine	OSCE	STO	Raymond	Dunne	€3,059
Ukraine	OSCE	STO	Peter	Emerson	€3,077
Ukraine	OSCE	STO	Brian	Fagan	€3,207
Ukraine	OSCE	STO	Patricia	Farren	€3,057
Ukraine	OSCE	STO	Deirdre	Grogan	€3,353
Ukraine	OSCE	STO	Kevin	Grogan	€3,207
Ukraine	OSCE	LTO	Edward	Horgan	€4,360
Ukraine	OSCE	STO	Maria	Kiernan	€3,207
Ukraine	OSCE	STO	Seamus	Martin	€2,622
Ukraine	OSCE	STO	Sean	O’Callaghan	€2,763
Ukraine	OSCE	STO	Eoin	O’Leary	€3,478
Ukraine	OSCE	STO	John Paul	Phelan	€3,207
Ukraine	OSCE	STO	Geraldine	Power	€3,207
Ukraine	OSCE	STO	Theresa	Reidy	€2,753
Ukraine	OSCE	LTO	Michael	Verling	€4,130
February					
Tajikistan	OSCE	STO	Anne	Brady	€3,761
Tajikistan	OSCE	STO	Mary	Buchalter	€3,761
Tajikistan	OSCE	STO	Tony	Egar	€3,977
Tajikistan	OSCE	STO	Michael	Forbes	€3,252

Country	Organisation	Role	Forename	Surname	Cost
Tajikistan	OSCE	STO	Donal	MacDonald	€3,761
Tajikistan	OSCE	STO	Paul	O'Shea	€3,559
Togo	EU	STO	Mary	Boland	€600
Togo	EU	STO	Michael	Humphreys	€600
Togo	EU	LTO	Aidan	O'Shea	€600
Togo	EU	LTO	Mary	O'Shea	€600
Togo	EU	LTO	Marion	Roche	€600
Ukraine II	OSCE	STO	Eric	Byrne	€3,245
Ukraine II	OSCE	STO	Geraldine	Power	€2,640
Ukraine II	OSCE	STO	Kevin	Grogan	€2,640
Ukraine II	OSCE	STO	Maria	Kiernan	€2,640
Ukraine II	OSCE	STO	Patricia	Farren	€2,640
Ukraine II	OSCE	STO	Peter	Emerson	€2,640
Ukraine II	OSCE	STO	Seamus	Martin	€2,640
Ukraine II	OSCE	STO	Sean	O' Callaghan	€2,514
Ukraine II	OSCE	STO	Theresa	Reidy	€2,640
April					
Sudan	EU	STO	Michael	Kavanagh	€600
Sudan	EU	LTO	Carmen	Monclus	€600
Sudan	EU	LTO	Maeve	Murphy	€600
Sudan	EU	STO	Mary	O'Shea	€0
May					
Ethiopia	EU	LTO	Donal	Blake	€0
Ethiopia	EU	STO	Terry	Duffy	€0
Ethiopia	EU	LTO	Edward	Horgan	€0
Ethiopia	EU	STO	Michael	McNamara	€600
Ethiopia	EU	STO	Mary	O'Shea	€0
Ethiopia	EU	LTO	Marion	Roche	€0
Georgia	OSCE	STO	Colm	Burke	€3,342
Georgia	OSCE	STO	Marian	Cadogan	€3,342
Georgia	OSCE	STO	Geraldine	Cusack	€3,342
Georgia	OSCE	STO	Seamus	Duffy	€3,342
Georgia	OSCE	STO	Brian	Flynn	€2,742
Georgia	OSCE	STO	Eimear	Friel	€2,680
Georgia	OSCE	STO	Fergus	Gleeson	€3,342
Georgia	OSCE	STO	Michael	Lanigan	€3,342
Georgia	OSCE	LTO	Sean	O'Callaghan	€7,691
June					
Guinea	EU	STO	Michael	Humphreys	€0
Guinea	EU	STO	Aidan	O'Shea	€0
Guinea	EU	STO	Mary	Boland	€0
July					
Burundi	EU	STO	Peter	Ballagh	€600
October					

Questions - Written Answers

Country	Organisation	Role	Forename	Surname	Cost
Bosnia	OSCE	STO	Killian	Forde	€2,585
Bosnia	OSCE	STO	Niall	Gormley	€2,585
Bosnia	OSCE	STO	Patrick	Houlihan	€2,585
Bosnia	OSCE	STO	Paul	McGrath	€2,585
Bosnia	OSCE	STO	Caoimhe	Ni Chonchuir	€1,985
Bosnia	OSCE	STO	Chiara	Popplewell	€1,801
Bosnia	OSCE	STO	Audrey	Ryan	€2,585
Bosnia	OSCE	STO	Eamonn	Walsh	€2,585
Bosnia	OSCE	STO	Carole	Ward	€2,585
Cote D'Ivoire	EU	STO	Peter	Ballagh	€0
Cote D'Ivoire	EU	STO	Patricia	Kearns	€0
Cote D'Ivoire	EU	LTO	Traolach	Sweeney	€0
Kyrgyzstan	OSCE	STO	Gerard	Buckley	€4,182
Kyrgyzstan	OSCE	STO	Karen	McCormack	€4,182
Tanzania	EU	STO	Wendy	Dorman-Smith	€167
Tanzania	EU	STO	Terry	Duffy	€600
November					
Azerbaijan	OSCE	STO	John	Jefferies	€3,274
Azerbaijan	OSCE	STO	Padraig	MacCoscair	€2,312
Azerbaijan	OSCE	STO	Fidelma	MacHale	€3,053
Azerbaijan	OSCE	STO	Mary	O'Connor	€2,508
Moldova	OSCE	STO	Gabrielle	Brocklesby	€2,746
Moldova	OSCE	STO	Terence	O'Brien	€2,746
Moldova	OSCE	STO	Eric	Byrne	€2,746
Moldova	OSCE	STO	Robin	Henry	€2,746
December					
Belarus	OSCE	STO	Larry	O'Loughlin	€3,557
Belarus	OSCE	STO	Geraldine	Cusack	€2,972
Belarus	OSCE	STO	Michael	Lanigan	€2,957
Belarus	OSCE	STO	James	O'Shea	€2,949
Belarus	OSCE	STO	Caoimhe	Ni Chonchuir	€2,725
Belarus	OSCE	STO	Noel	Brennan	€3,557
Belarus	OSCE	LTO	Eithne	MacDermott	€7,951
Kosovo	OSCE	STO	Dermot	McGauran	€374
Kosovo	OSCE	STO	Brian	Flynn	€999

Election Observation Missions 2011

(60 Observers on 15 Missions)

Total cost of missions in 2011: €117,322

Country	Organisation	Role	Forename	Surname	Cost
January					
Niger	EU	LTO	Dorcha	Lee	€600
Niger	EU	STO	Grattan	Lynch	€0
Sudan	EU	LTO	Maeve	Murphy	€0
Sudan	EU	STO	Michael	Kavanagh	€0
February					
Uganda	EU	LTO	Frank	Scott	€0
Uganda	EU	STO	Helen	Keogh	€0
Uganda	EU	STO	Michael	Kennedy	€0
Chad	EU	LTO	Marion	Roche	€0
Chad	EU	LTO	Traoloch	Sweeney	€0
Chad	EU	STO	Michael	Humphreys	€0
April					
Nigeria	EU	LTO	Diarmuid	Peavoy	€600
Nigeria	EU	LTO	Sandra	Conway	€600
Nigeria	EU	STO	Adrienne	Boyle	€600
Nigeria	EU	STO	Jimmy	Somers	€600
Kazakhstan	OSCE	STO	Robin	Henry	€3,732
Kazakhstan	OSCE	STO	Joy	Kanter	€4,332
Kazakhstan	OSCE	STO	Philippe	Carr	€4,584
Kazakhstan	OSCE	STO	Raymond	Murphy	€4,517
Kazakhstan	OSCE	STO	Paul	O'Shea	€4,603
May					
Albania	OSCE	STO	Eric	Byrne	€3,443
Albania	OSCE	STO	Abdi Hassan	Ibrahim	€2,927
Albania	OSCE	STO	Maurice	O'Donnell	€2,770
Albania	OSCE	STO	Simon	Deignan	€952
June					
FYROM	OSCE	STO	Maurice	Canavan	€2,956
FYROM	OSCE	STO	Michael	Smith	€2,956
FYROM	OSCE	STO	Paul	Lindsay	€2,956
FYROM	OSCE	STO	Siobhan	Coyne	€2,251
Peru	EU	LTO	Marion	Roche	€0
Peru	EU	STO	Patrick	Maher	€0
September					
Zambia	EU	STO	James	Doody	€600
October					
Tunisia	EU	LTO	Sandra	Conway	€0
Tunisia	EU	LTO	Traoloch	Sweeney	€600
Tunisia	EU	LTO	Diarmuid	Peavoy	€0
Tunisia	EU	STO	Mary	O'Shea	€600
Tunisia	EU	STO	Philippe	Carr	€0
Tunisia	EU	STO	Mary	Boland	€600
Kyrgyzstan	OSCE	LTO	Eithne	MacDermott	€7,792

Questions - Written Answers

Country	Organisation	Role	Forename	Surname	Cost
Kyrgyzstan	OSCE	STO	Caroline	Brennan	€3,751
Kyrgyzstan	OSCE	STO	Peter	McMahon	€3,751
Kyrgyzstan	OSCE	STO	John	Lynch	€3,751
Kyrgyzstan	OSCE	STO	Mary	Dowling	€3,751
Kyrgyzstan	OSCE	STO	Tom	Kitt	€3,678
Kyrgyzstan	OSCE	STO	Michael	Coyne	€3,678
Kyrgyzstan	OSCE	STO	Patricia	Donnelly	€3,751
Kyrgyzstan	OSCE	STO	Eric	Byrne	€2,952
Kyrgyzstan	OSCE	STO	Mathew	Quinn	€3,115
Kyrgyzstan	OSCE	STO	Robin	Henry	€3,151
Kyrgyzstan	OSCE	STO	Fiona	Devlin	€3,151
November					
Nicaragua	EU	LTO	Donal	Blake	€600
Nicaragua	EU	STO	Patrick	Maher	€600
DRC	EU	LTO	Dorcha	Lee	€0
DRC	EU	LTO	Marion	Roche	€600
DRC	EU	STO	Aidan	O'Shea	€600
DRC	EU	STO	Colm	Fahy	€600
DRC	EU	STO	Patricia	Kearns	€600
DRC	EU	STO	Peter	Ballagh	€600
December					
Russia	OSCE	STO	Finbar	O'Sullivan	€3,687
Russia	OSCE	STO	Maria	Kiernan	€3,687
Russia	OSCE	STO	Sandra	Conway	€3,687
Russia	OSCE	STO	Michael	Grange	€3,687
Russia	OSCE	STO	Terry	Duffy	€3,723

Election Observation Missions 2012

(57 observers on 11 missions)

Total cost of missions in 2012: €210,976

Country	Organisation	Role	Forename	Surname	Cost
January					
Kazakhstan	OSCE	STO	Patricia	Barker	€3,643
Kazakhstan	OSCE	STO	Paddy	Buckenham	€3,193
Kazakhstan	OSCE	STO	Paul	Cosgrave	€3,643
Kazakhstan	OSCE	STO	Michael	Humphreys	€3,643
Kazakhstan	OSCE	STO	Cecilia	Keaveney	€3,643
February					
Senegal	EU	LTO	Diarmuid	Peavoy	€0

Country	Organisation	Role	Forename	Surname	Cost
Senegal	EU	STO	Aidan	O'Shea	€0
March					
Russia	OSCE	LTO	Michael	Verling	€17,029
Russia	OSCE	STO	Grattan	Lynch	€4,301
Russia	OSCE	STO	Julian	Clare	€3,756
Russia	OSCE	STO	Noreen	Kerins	€4,301
Russia	OSCE	STO	Chris	Andrews	€4,301
May					
Armenia	OSCE	LTO	Sean	O'Callaghan	€6,967
Armenia	OSCE	STO	Ann	Ormonde	€3,304
Armenia	OSCE	STO	Blaise	Treacy	€3,304
Armenia	OSCE	STO	Edward	Horgan	€3,304
Armenia	OSCE	STO	James	McNamara	€3,304
Armenia	OSCE	STO	Terence	Fleming	€3,304
Armenia	OSCE	STO	Brian	Fagan	€3,304
Armenia	OSCE	STO	Eimear	Friel	€2,717
Serbia I	OSCE	LTO	Orla	Cluff	€6,827
Serbia II	OSCE	LTO	Peter	McMahon	€3,685
Algeria	EU	LTO	Dorcha	Lee	€600
Algeria	EU	STO	Mary	Boland	€0
Algeria	EU	STO	Peter	Ballagh	€0
July					
Timor Leste	EU	LTO	Mary	O'Shea	€0
September					
Belarus	OSCE	LTO	Peter	Donovan	€8,086
Belarus	OSCE	STO	Noel	Brennan	€2,775
Belarus	OSCE	STO	Julian	Clare	€2,230
Belarus	OSCE	STO	Patrick	Finneran	€2,775
Belarus	OSCE	STO	Finbar	O'Sullivan	€2,541
Belarus	OSCE	STO	Deirdre	Grogan	€2,857
Belarus	OSCE	STO	Mark	Long	€2,857
Belarus	OSCE	STO	Rebecca	Moynihan	€2,775
Belarus	OSCE	STO	Anne	Choiseul	€2,775
October					
Georgia	OSCE	LTO	Eithne	MacDermott	€6,730
Georgia	OSCE	STO	Cecilia	Keaveney	€3,546
Georgia	OSCE	STO	Eileen	McCabe	€4,146
Georgia	OSCE	STO	John	O'Connor	€4,122
Georgia	OSCE	STO	Peter	Emerson	€4,146
Georgia	OSCE	STO	Conor	O'Clery	€4,122
Georgia	OSCE	STO	James	Mallon	€4,122
Georgia	OSCE	STO	Les	Allamby	€4,122
Georgia	OSCE	STO	Richard	McEvoy	€4,122
Ukraine	OSCE	LTO	Seamus	Martin	€11,473

Questions - Written Answers

Country	Organisation	Role	Forename	Surname	Cost
Ukraine	OSCE	LTO	Michael	Verling	€10,746
Ukraine	OSCE	STO	Eric	Byrne	€3,258
Ukraine	OSCE	STO	Geraldine	Power	€3,425
Ukraine	OSCE	STO	Raymond	Dunne	€3,425
Ukraine	OSCE	STO	Ciaran	Kinsella	€3,425
Ukraine	OSCE	STO	Fionnuala	Brennan	€3,425
Ukraine	OSCE	STO	Kevin	Grogan	€3,425
Ukraine	OSCE	STO	Julian	Clare	€2,825
Ukraine	OSCE	STO	Thomas	Bellew	€2,827
November					
Sierra Leone	EU	LTO	Colm	Fahy	€600
Sierra Leone	EU	STO	Michael	Coyne	€600
Sierra Leone	EU	STO	Michael	Boyle	€600

Election Observation Missions 2013 to date

(18 observers on 5 missions)

Total cost of missions to date in 2013: €26,682

Country	Organisation	Role	Forename	Surname	Cost
January					
Jordan	EU	LTO	Mary	O'Shea	€600
Jordan	EU	STO	Abdi H.	Ibrahim	€0
February					
Armenia	OSCE	STO	Dermot	Ahern	€3,447
Armenia	OSCE	STO	Maca	Hourihane	€3,447
Armenia	OSCE	STO	John	Purcell	€3,447
Armenia	OSCE	STO	Edward	Naessens	€3,447
Armenia	OSCE	STO	Elizabeth	Mullan	€3,447
Armenia	OSCE	STO	Simon	Deignan	€2,400
Armenia	OSCE	STO	Pat	Carroll	€3,447
March					
Kenya	Carter Center	STO	John	Lynam	€0
April					
Paraguay	EU	LTO	Grattan	Lynch	€600
Paraguay	EU	STO	Chiara	Popplewell	€0
Paraguay	EU	STO	Ciaran	Kinsella	€0
Pakistan	EU	LTO	Edward	Horgan	€0
Pakistan	EU	LTO	Donal	Blake	€600
Pakistan	EU	STO	Sheena	W McMahan	€600
Pakistan	EU	STO	Mary	Boland	€600
Pakistan	EU	STO	William	Bulman	€600

Ministerial Meetings

57. **Deputy Robert Dowds** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a report on his visit to Northern Ireland on 30 April 2013. [21702/13]

59. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will report on his recent meetings with the Northern Ireland Secretary of State and members of the Northern Ireland Executive; the issues discussed; and if he will make a statement on the matter. [21871/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I propose to take Questions Nos. 57 and 59 together.

I travelled to Belfast on the 29th April 2013 as part of my ongoing series of contacts with Secretary of State Villiers and the First Minister and Deputy First Minister. The Secretary of State and I co-hosted an event to mark the 15th Anniversary of the Good Friday Agreement in the Metropolitan Arts Centre in Belfast. The event featured some sixty 15 year olds and representatives of civil society and was interactive in nature with lively and interesting questions from the young audience. The event underlined the progress achieved in Northern Ireland since the Good Friday Agreement and the continuing challenges ahead to achieve a reconciled, prosperous and shared society in Northern Ireland.

In a separate meeting with Secretary of State Villiers we discussed the British Government's recent initiative involving economic support for Northern Ireland, the challenges ahead in delivering a reconciled, prosperous and shared society in Northern Ireland and the provisions of the Good Friday Agreement that have yet to be implemented. We discussed the EU PEACE IV programme and the continuing role of the International Fund for Ireland. We also discussed prisoner issues and the security situation in the light of the upcoming parading season.

The Secretary of State and I also met the First and Deputy Minister. We discussed community relations, economic matters including corporation tax issues, EU budget discussions, the opportunities for Ireland North and South of EU trade talks with the United States and Canada, the EU PEACE programme, the forthcoming parades season, and the Narrow Water Bridge project.

I also had a meeting on North South Institutional matters with the First Minister and deputy First Minister. We discussed issues concerning youth employment, the North West Gateway Initiative, economic and EU matters and the St. Andrew's Agreement Review.

As I noted previously, these meetings were part of an ongoing schedule of close contact with the Secretary of State, and with the First Minister and deputy First Minister, which I fully intend to continue.

Foreign Conflicts

58. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade if any new initiatives are being considered at the European Union Foreign Affairs Council in relation to the ongoing conflict in Syria and the catastrophic humanitarian situation in that region; if the European Union has had negotiations recently with the United Nations in relation to

the urgent need for the Security Council to achieve an agreed resolution which is long awaited; and if he will make a statement on the matter. [21861/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The situation in Syria has understandably dominated discussions at recent Foreign Affairs Council meetings, including at the last meeting in Luxembourg on 22 April which I attended. Against the background of escalating violence and a deepening crisis not just within Syria but the wider region, discussions focused on how the EU can best promote a peaceful resolution and alleviate the sufferings of the Syrian people, more than 70,000 of whom have been killed since March 2011. We will continue this discussion at the next Foreign Affairs Council meeting in Brussels on 27 May which I will attend and where Syria will again figure prominently on the agenda. Of paramount importance to the EU and Ireland is the achievement of a political solution to the conflict which is the only way to stop the relentless violence and promote a peaceful transition within Syria. UN/Arab League Joint Special Envoy Brahimi briefed the UN Security Council on 19 April and reiterated his view that a negotiated settlement alone can salvage what is left of Syria and offer the hope of an end to the conflict. Given the reciprocal deep mistrust between both sides to the conflict, he has long insisted that only concerted action by the Security Council will carry sufficient weight to bring both parties to the negotiation table. Special Envoy Brahimi's task is extremely challenging and, together with our European colleagues, we have pledged on numerous occasions our fullest support to his work. We hope he will keep his resolve in conducting this essential mission.

Similarly, our attention has been increasingly devoted to the worsening humanitarian situation in and around Syria. I was personally able to witness first-hand the ravages of the war on the civilian population when I visited the refugee camp of Nizip in Southern Turkey in early April. As UN High Commissioner for Refugees Guterres vividly explained to the UN Security Council on 18 April, the situation in Syria and in surrounding countries risks becoming simply unsustainable. This prompted the Council to issue a unanimous Statement on 18 April, calling all parties to ensure safe and unimpeded access to those in need in all areas of Syria and urging the Syrian authorities, in particular, to facilitate the provision of humanitarian assistance, including across borders. It also called upon all countries that pledged financial support at the UN pledging conference held in Kuwait last January to honour these pledges as a matter of urgency.

Ireland and its EU partners are making a major contribution to the UN-led humanitarian relief operations. The EU is collectively the largest donor to such efforts, having contributed some €600 million in aid to date. Ireland's humanitarian assistance to Syria over the past year now amounts to €8.15 million which include the additional €1 million pledge I announced when visiting the Nizip camp.

Considerable attention has also been devoted at EU level recently to reviewing the current EU sanctions which apply against Syria. We want to ensure through these measures that pressure remains on the Assad regime to stop its repression and to engage in a process of political dialogue with the opposition. At the 18 February Foreign Affairs Council, we agreed to renew the full range of existing sanctions for a further period of three months, until 1 June. We also agreed at the last FAC meeting in Luxembourg to ease some of restrictions currently in place, so as to allow a limited amount of trade to take place to the benefit of the moderate Syrian opposition and to improve the plight of civilians in newly-liberated areas.

We will continue our discussion at the next Foreign Affairs Council meeting in Brussels on 27 May with a view to reaching a common position ahead of the 1 June renewal date.

There is also a need to ensure full accountability in relation to the many gross human rights violations and war crimes which have been committed by all sides to this conflict, including the

latest reported massacre at Baida only last week. Ireland has been to the forefront within the EU in supporting calls for the situation in Syria to be referred by the UN Security Council to the International Criminal Court. Discussions are currently underway at the UN in New York about a possible adoption by the UN General Assembly of a Resolution on the situation in Syria. Together with our EU and Arab partners, we are working towards ensuring that the Resolution contains strong accountability messages. We are also encouraging the sponsors to seek as wide a measure of support for the Resolution as possible within the General Assembly so as to demonstrate the extent of international concern over the current situation.

The conflict in Syria has been a major priority for Ireland and the EU over the last two years and will remain at the top of our foreign policy agenda during the remainder of Ireland's EU Presidency. We will continue to use whatever influence we have in our Presidency role and at all levels of our international engagement to support and promote European and UN efforts towards a peaceful resolution of the conflict.

Question No. 59 answered with Question No. 57.

Air Services Provision

60. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade the discussions, if any, he has had in relation to the need to develop direct flight connections between Ireland and west coast USA in view of the potential to develop further trade opportunities; and if he will make a statement on the matter. [21881/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government is strongly supportive of efforts to re-establish a direct air link with the US West Coast which would further enhance our considerable existing economic relationship with the region and increase tourist traffic. I am optimistic that progress will be made in this regard. My Department through our Consulate General in San Francisco continues to closely monitor the issue and encourage the efforts to re-establish the direct air link. It is a matter that has arisen frequently in my discussions with US-based members of the Global Irish Network. In addition, the Minister for Transport, Tourism and Sport continues to highlight this opportunity in his discussions with airlines, Irish and foreign. It is, of course, open to any EU or US airline to operate services between Ireland and the US under the EU-US *Open Skies* Agreement. Ultimately, decisions on what routes to serve are a matter for the airlines based on their own commercial judgements.

Tax Code

61. **Deputy Michael McGrath** asked the Minister for Finance in relation to Part 18C Taxes Consolidation Act 1997, if he will confirm that the levy, in certain circumstances, applies to persons who are tax resident here; if he will state if this was the intention of the legislation; if he will confirm the number of Irish tax resident who paid the levy in 2010 and 2011; and if he will make a statement on the matter. [21608/13]

Minister for Finance (Deputy Michael Noonan): Part 18C of the Taxes Consolidation Act 1997, as inserted by Finance Act 2010 and amended by subsequent Finance Acts, which concerns the Domicile Levy, makes no reference to the tax residence of the individuals to which the legislation applies. The levy therefore applies to individuals both resident and non-resident who meet the criteria set out in the legislation. It is important to note that an Irish domiciled individual, resident in Ireland, who is otherwise liable to the Domicile Levy for a tax year, and

who pays Irish Income Tax for that year, is entitled to credit the Irish Income Tax paid against her/his liability to the Domicile Levy. This means that such a person who pays €200,000 or more in Irish Income Tax for a tax year will have no liability to Domicile Levy for that year. However, to the extent that such a liable person pays less than €200,000 in Irish income tax for a tax year he or she will be liable to the Domicile Levy whether a resident of Ireland or not, and will also be entitled to a credit for whatever Irish Income Tax s/he paid for that year.

This treatment was always intended as it ensures that such high wealth individuals with a substantial connection to Ireland, whether they are Irish tax resident or not, make a tax contribution to this country in a year of at least €200,000, either by way of Domicile Levy or Income Tax.

I am informed by the Revenue Commissioners that the number of persons who filed a Domicile Levy return for 2010, paid a Domicile Levy liability in relation to 2010 and who filed an Income Tax return showing that they were resident in Ireland in that year was four.

The number of persons who filed a domicile levy return for 2011, paid a Domicile Levy liability in relation to 2011 and who filed an Income Tax return showing that they were resident in Ireland in that year was two.

NAMA Court Cases

62. **Deputy Pearse Doherty** asked the Minister for Finance further to an affidavit filed in the High Court in Dublin in which the National Asset Management Agency was seeking a judgment against a person (details supplied), if he will confirm that NAMA has provided confidential details, both the par value of the loan and the NAMA acquisition value, to persons not directly connected to the borrowers; and if he will make a statement on the matter. [21635/13]

Minister for Finance (Deputy Michael Noonan): I am advised that this matter relates to a position taken by a NAMA debtor in attempting to defend judgment proceedings taken by NAMA against him. I do not propose to comment as this relates to a matter which is within the jurisdiction of the Courts.

NAMA Property Leases

63. **Deputy Pearse Doherty** asked the Minister for Finance if he will outline the arrangement between the National Asset Management Agency and the National Association of Building Co-Operatives; the number of properties to which the arrangement relates; the length of the lease terms; if NAMA is charging market rents; the location of the properties; and if he will make a statement on the matter. [21636/13]

Minister for Finance (Deputy Michael Noonan): NAMA, through its subsidiary National Asset Residential Property Services, has entered into an agreement to lease 13 houses in Cobh, County Cork to the National Association of Building Co-Operatives (NABCO). I am advised by NAMA that the particulars of the lease agreement, including term length and rental fee, have been negotiated in confidence with NABCO as a commercial counterparty and it would not be appropriate for the Agency to publish such details as it could prejudice the conduct or outcome of NAMA's negotiations with other commercial counterparties.

NAMA Property Sales

64. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm for each of 2010, 2011, 2012 and to date in 2013, the number of housing units sold by the National Assets Management Agency in the State for social housing; the number leased and the number presently being offered for sale or rent for social housing. [21637/13]

Minister for Finance (Deputy Michael Noonan): I am advised by NAMA that, since December 2011, it has identified over 4,000 residential properties as being available for social housing purposes to the Housing Agency. To date, demand has been confirmed by the relevant local authorities/Housing Agency for just over 1,500 of these properties; another 2,000 are no longer under consideration for a number of reasons including a lack of demand or because they have been deemed by the local authorities to be unsuitable. The rest of the identified properties are in the process of being assessed. Once demand for a property has been confirmed by a local authority/Housing Agency, NAMA facilitates contact and negotiation between its debtor or receiver and the local authority or Approved Housing Body (AHB) to acquire or lease the property. To help streamline delivery, NAMA established a special purpose vehicle, National Asset Residential Property Services Limited, to take ownership of properties for which demand has been established. After contracts are signed and the properties are deemed to be habitable, there is no impediment to the early delivery of the properties by NAMA debtors and receivers.

I am advised that a full breakdown of the 1,500 properties for which demand has been confirmed to date is provided on the Housing Agency website (www.housing.ie/NAMA), including an update of the position as at end-March 2013.

NAMA Accounts

65. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, the reason interest income increased in 2012 compared with 2011, despite loans decreasing by €3bn and the European Central Bank reducing its main interest rate from 1.0% to 0.75% in July 2012. [21638/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by NAMA that interest and fee income of €1.39 billion recognised in its 2012 unaudited accounts principally comprises interest recognised on its loans and receivables in accordance with the effective interest rate method of accounting which accrues interest at a specified interest rate each year. Such interest recognised on loans and receivables does not necessarily correlate with ECB interest rate movements. This is further explained in Note 2.8 (Interest Income and Expense) on page 22 and Note 3 (Interest Income) on page 26 of the unaudited Section 55 accounts of National Asset Management Limited.

NAMA Accounts

66. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, if he will provide an explanation for the line item portfolio management fees which in 2012 amounted to a cost of €4,670,000 compared to €15,902,000 in 2011. [21639/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by NAMA, that portfolio management fees principally comprise direct fees incurred in the on-going management of debtors. 2012 costs include, inter alia, property valuation, asset search and loan sale costs. The reduction in costs in 2012 to €4.67m from €15.9m reflects the fact that the majority of the 2011 costs related to fees for the independent review of debtor business plans. The inde-

pendent review of such debtor business plans was substantially concluded in 2011.

NAMA Accounts

67. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, the reason due diligence costs of €4,086,000 were recorded in 2012 in view of the fact that the last tranche of NAMA loans were acquired in March 2012; and if the due diligence costs are properly rechargeable to the banks from which the loans were acquired. [21640/13]

Minister for Finance (Deputy Michael Noonan): NAMA has advised that loan due diligence was substantially completed by the end of March 2012. The due diligence costs incurred in 2012 reflects the final settlement of fees to NAMA's appointed advisers. Since inception, NAMA has recovered from the participating institutions €64.1m, of its total due diligence costs of €78.2m, through a reduction in the acquisition value of the loans. The balance of due diligence costs of €14.1m, including costs of €4.1m in 2012, has been expensed in NAMA's accounts.

NAMA Accounts

68. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, the staff costs excluding employer pension contributions and pay related social insurance in 2012; the average number of full time equivalent employees at the Agency during the year; and if he will make a statement on the matter. [21641/13]

Minister for Finance (Deputy Michael Noonan): All NAMA staff are employees of the NTMA and under section 42 of the National Asset Management Agency Act 2009, the NTMA assigns staff to NAMA. NAMA reimburses the NTMA the costs incurred by the NTMA in assigning staff and providing business and support services to NAMA. NAMA staff costs, excluding employer pension contributions and PRSI, were €21.952m in 2012. NTMA staff members are subject to the Public Service Pension Deduction. The average number of NTMA employees assigned to NAMA during the year was 214.

NAMA also draws on the NTMA's shared services in a number of areas including Finance, HR, IT and market risk. Staff costs in the provision of these shared services are not included in the above figure.

NAMA Accounts

69. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, if he will confirm the split of the €2.8bn of asset disposals between loan sales and real estate property sales. [21642/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by NAMA that asset disposals in 2012 of €2.8 billion comprise €2.3 billion from the sale of property collateral secured against loans and €0.5 billion from loan sales.

NAMA Accounts

70. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, if he will confirm the percentage of non-performing loans by reference to nominal values and the original loan terms. [21643/13]

Minister for Finance (Deputy Michael Noonan): I would direct the Deputy to page 10 of the NAMA Section 55 Report for the fourth quarter of 2012 which states that, as at 31 December 2012, 82% of the loans acquired by NAMA were classified as non-performing. This classification was primarily by reference to the original legacy loan agreements that pre-dated NAMA loan acquisition. I would also direct the Deputy to page 9 of the NAMA Section 55 Report which shows that, when one also factors in income captured by NAMA in respect of partially and non-performing loans (including enforced loans), the weighted-average performance is measured at 33% for the same period.

Exchequer Returns

71. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a calendar of the future dates in 2013 when his Department's monthly Exchequer statements will be published [21644/13]

Minister for Finance (Deputy Michael Noonan): The information requested by the deputy is set out in the table below. End month Exchequer statements are published on the second working day of the following month. The most recent Exchequer statement for end April 2013 was published on Thursday 2nd of May.

Exchequer Returns end month	Publication date
May 2013	Wednesday 5th June
June 2013	Tuesday 2nd July
July 2013	Friday 2nd August
August 2013	Tuesday 3rd September
September 2013	Wednesday 2nd October
October 2013	Monday 4th November
November 2013	Tuesday 3rd December

NAMA Accounts

72. **Deputy Pearse Doherty** asked the Minister for Finance further to the publication of the 2012 unaudited accounts for the National Asset Management Agency, if he will provide his assessment of the performance of NAMA in 2012; and if he has concluded this assessment following consultation with the NAMA advisory board. [21645/13]

Minister for Finance (Deputy Michael Noonan): The unaudited accounts published by the NAMA highlight the progress that NAMA is making in delivering on its business plan. NAMA has maintained a strong cash position generating over €10 billion in cash. The agency has repaid €4.75 billion in NAMA bonds and I am advised it will meet its target to redeem €7.5 billion to end 2013. In addition, NAMA is playing a key role in supporting employment in the property and construction industry and is continuing to work with a wide range of public bodies including Government Departments, Local Authorities and State Agencies.

The publication of the 2012 unaudited accounts was not raised in my last discussions with

the NAMA advisory group.

NAMA Transactions

73. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a copy of the collateral posting agreement between the National Treasury Management Agency and the National Asset Management Agency which required NAMA to place €1.15bn as collateral with the NTMA at December 2012 in respect of derivative exposure. [21646/13]

Minister for Finance (Deputy Michael Noonan): I am advised that NTMA provides transactional Treasury services to NAMA, including derivative transactions. I am advised by NAMA that the collateral posting agreement between the NTMA and the NAMA, which relates to derivatives, contains commercially sensitive information and is therefore not suitable for publication.

Property Taxation Administration

74. **Deputy Sean Fleming** asked the Minister for Finance the number of letters returned by An Post to the Revenue Commissioners in respect of the local property tax and the follow up mechanism by the Revenue in respect of these; and if he will make a statement on the matter. [21728/13]

Minister for Finance (Deputy Michael Noonan): As I stated in reply to question number 21572/13 yesterday (7 May 2013) I am advised by Revenue that approximately 26,000 Local Property Tax (LPT) forms had been returned 'undelivered' by An Post, as at 2 May 2013. This represents about 1.6% of the total issue, and is lower than Revenue would have expected at the outset. A sizeable proportion of these seem to have occurred because the persons in question did not notify Revenue of a change of address, which resulted in an incorrect match between the person and his/her previous property. To date about 9,000 of the returned forms have been reissued to the relevant customers at alternative addresses, and the process of reissue is ongoing. While it is regretted that any correspondence was issued to incorrect addresses or returned 'undelivered' by An Post, it was inevitable that there would be some given the scale of the operation involved. I am very satisfied that as part of Revenue's communications on the general issue of LPT Returns, the Commissioners sought to forewarn taxpayers and they have provided clear guidance on the steps that should be taken in these cases.

The LPT is a self-assessed tax and individuals who are not in receipt of a return are still obliged to file returns and make payments using the on-line option. The online service is such that a Personal Public Service Number (PPSN) can be used to file and pay and therefore it is not actually necessary to receive a paper return in order to adhere to LPT obligations.

Revenue Documents Issuance

75. **Deputy Michael McGrath** asked the Minister for Finance if he will arrange for a document to be issued to a person (details supplied) in County Cork for each of the tax years 2010, 2011 and 2012 [21733/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that a P21 balancing statement for 2011 issued to this taxpayer on 18 April 2012. The information requested by the Deputy for 2010 and 2012 will be issued to the tax-

payer shortly.

IBRC Account Holders

76. **Deputy John McGuinness** asked the Minister for Finance if he intends to address the issues which have been raised relative to retirement funds such as ARFs and AMRFs and the fact that persons have lost considerable money which was set aside as their pension funds; and if he will make a statement on the matter. [21755/13]

Minister for Finance (Deputy Michael Noonan): I understand that the Deputy is referring to losses potentially incurred by certain ARF/AMRF pension funds as a result of the liquidation of IBRC. I am advised that there are a small number of pension funds that were placed on deposit with IBRC that may not be entitled to compensation under the deposit guarantee scheme, DGS, or the eligible liabilities guarantee scheme, ELG, due to the nature of the products or deposit options in which those account holders invested. It is important to note that at the time the products were offered to customers there was no additional guarantee provided by the State in respect of those products.

It was always the case that the ELG scheme covered only those liabilities which were entered into during the issuance window. In relation to the DGS Scheme, I am advised that the DGS Regulations explicitly specify which deposits are excluded from coverage under that Scheme. Deposits held by pension funds and retirement funds fall within the category of excluded deposits, though small self-administered pension schemes are included. The decision to include SSAPs and exclude ARFs, AMRFs and other pension funds/instruments was based on the fact that SSAPs are usually small schemes administered by the member(s) of the scheme whilst ARFs are managed by a qualified fund manager through a credit or investment institution.

Through the liquidation process, the proceeds from the disposal of IBRC's assets will be used to repay creditors in accordance with normal Companies Acts priorities and consequently, preferred creditors will be paid first and then debt purchased by NAMA from the Central Bank will be paid. If there are proceeds available after repayment in full of the NAMA debt, these proceeds will be applied to remaining unsecured creditors. This would include depositors to the extent that their deposits are unguaranteed.

There are standard rules which apply to the distribution of the assets of companies in liquidation and it would not be appropriate for me to interfere with these rules. Such interference could have the impact of diverting the assets of IBRC from one category of creditor to another outside the normal Companies Acts priorities and would be open to challenges in the Irish Courts by unsecured creditors.

Property Taxation Exemptions

77. **Deputy Helen McEntee** asked the Minister for Finance if a family (details supplied) in County Meath may be exempt from the local property tax on the grounds that the family home had extensive adaptations carried out in 1996 to accommodate a severely disabled dependent at which time the extension was more than 25% of the value of the house. [21803/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that Section 10 (as amended) of the Finance (Local Property Tax) Act 2012 provides that a permanently and totally incapacitated person is exempt from payment of LPT where the property is occupied as his/her sole or main residence and where he/she has received a personal

injury compensation or is a beneficiary under a qualifying trust.

I am further advised that Section 15A (as amended) of the Act provides for a reduction in the market value of a residential property that has been adapted for occupation by a disabled person, as defined within Section 2 of the Disability Act 2005, where the adaptation has been grant-aided or approved for grant aid by a local authority under either of the following:

(1) Housing (Adaptation Grants for older people and people with disabilities) Regulations 2007;

(2) Regulation 4 of the Housing (Disabled Persons and Essential Repairs Grants) Regulations 2001.

In regard to the case in question, because sufficient details were not provided to enable Revenue fully determine the persons right to exemption from LPT, an official contacted the people involved to clarify issues and offer any other assistance that might be required to help them meet their LPT filing and payment obligations. The discussions confirmed that the person in question is not entitled to an exemption, which was accepted by those involved. The Revenue official offered advice on how to apply for a reduction of market value based on the adaptation work that was completed to the property and those involved indicated that they would follow up on the advice offered.

Credit Union Issues

78. **Deputy Jack Wall** asked the Minister for Finance his views on a submission (details supplied) regarding a credit union special manager in County Kildare; the actions planned in relation to resolving this matter; and if he will make a statement on the matter. [21808/13]

Minister for Finance (Deputy Michael Noonan): The decision to apply to the High Court for the appointment of a Special Manager is a matter for the Governor of the Central Bank, following consultation with myself as Minister for Finance. On 13 January 2012, the Central Bank of Ireland secured a High Court Order for the appointment of a Special Manager to Newbridge Credit Union. Further High Court applications were made in June 2012 and January 2013 to extend the term of appointment of the Special Manager and High Court Orders were secured for a 6 month extension period on each occasion.

This action was taken to strengthen Newbridge Credit Union, protect members' savings and ensure that Newbridge Credit Union can continue to operate effectively, providing financial services to the local community. The Special Manager replaces the management and Board of Newbridge Credit Union and his primary role is to establish the financial position and bring forward a business plan.

Illicit Trade in Tobacco

79. **Deputy Seán Kyne** asked the Minister for Finance if his attention has been drawn to the recent Grant Thornton report on tobacco and the shadow economy which shows that up to €800 million is being lost per annum in State revenue; if he will consider reviewing and reforming the existing anti-smuggling and anti-counterfeit measures to prevent such a significant loss to the State. [21869/13]

Minister for Finance (Deputy Michael Noonan): I am aware of the report on "Illicit Trade in Ireland", prepared for Retail Ireland by Grant Thornton, that was published last week, focus-

ing in particular on the fuel, tobacco, digital piracy and pharmaceuticals sectors.

I understand that the report looks at the costs associated with illicit trade in these sectors. Estimating the extent of any illicit activity is, of course inherently problematic and must be approached with caution. It follows that unless a credible methodology is specified for estimates of illicit trade and the associated tax loss, they must be regarded as speculative. Reflecting these difficulties, the report acknowledges that there are a wide variety of estimates, ranging between €418 million and €937 million, for the loss of revenue to the Exchequer from illicit activity in the sectors concerned.

All interested parties are agreed, nevertheless, that illicit trade in the sectors addressed by the report, and shadow economy activities in general, pose a threat to legitimate and compliant businesses, as well as depriving the Government of tax revenues. Tackling the illegal activities in those sectors, and broader black economy activities, is therefore a key priority.

I am informed that the report estimates the tax losses in the tobacco sector due to illicit trade in 2012 at €569m. This appears to be a tobacco industry figure, with which the Revenue Commissioners and other commentators would not agree. A survey is carried out annually on behalf of the Revenue Commissioners and the National Tobacco Control office of the Health Services Executive on the extent of consumption of illicit cigarettes in the State. This survey is carried out annually across a representative group of the public in a consistent, comprehensive, reliable and robust manner and the survey results distinguish the non-Irish duty paid product between product legally purchased abroad and product that is illegal. The survey for 2012 indicates that 13 per cent of cigarettes consumed were illegal; this corresponds to an Exchequer loss, in excise duty and VAT, of €240m. I am assured that the annual survey of the Revenue Commissioners is a good indicator of the extent of the penetration of the Irish market by the illegal trade.

Extensive enforcement action by the Revenue Commissioners against the smuggling and sale of illicit cigarettes and other tobacco products resulted, during 2012, in the seizure of 95.6 million cigarettes and 5,276 kilograms of tobacco. There were 22 convictions on indictment and 110 summary convictions during the year for offences related to the smuggling or sale of illicit cigarettes and tobacco.

I am advised that the report says, in relation to illicit activity in the fuel sector, that little progress has been made to tackle this important issue. This is not true. Recognising the threat that this illegal activity poses to the exchequer and to legitimate business, the Revenue Commissioners adopted a comprehensive strategy to tackle the problem. This strategy encompasses the following elements:

- A strengthening of the licensing regime for auto fuel traders with effect from September 2011.

- A new licensing regime for marked fuel traders with effect from October 2012.

- The introduction by Regulation of new requirements in relation to fuel traders' records of stock movements and fuel deliveries to ensure data are available to assist in supply chain analysis.

- The introduction of new supply chain controls from January 2013 that require all licensed fuel traders to make monthly electronic returns to Revenue of their fuel transactions. The first returns were received by Revenue in February. I understand that the Revenue Commissioners have instituted a process of rigorous analysis of these returns. This will support the development of a comprehensive overview of supply patterns and the identification of suspicious or anomalous transactions, and facilitate robust follow-up enforcement action where necessary.

- An intensified targeting, in co-operation with other law enforcement agencies on both sides of the border, of fuel laundering.

- An intensified targeting, in co-operation with other law enforcement agencies on both sides of the border, of the illicit sale of laundered products. This involved a concentration on building intelligence, gaining an understanding of the supply chain, applying analytics to available data, embarking on a strategy of closing down stations that were in breach of legislation and/or regulations and working collaboratively with other law enforcement agencies on both sides of the border. One of the objectives is to cause maximum disruption to laundering plants and networks and to prevent the trading by stations that are operating outside the law.

- The Revenue Commissioners held discussions with HM Revenue & Customs in the UK on regulatory measures to tackle the laundering of fuel and the two administrations signed a Memorandum of Understanding in May 2012 on a joint approach to finding a more effective marker for use in both jurisdictions. An Invitation to Make Submissions was published in June 2012. The twelve submissions received by the deadline in November 2012, are currently being evaluated.

Revenue's enforcement strategy in the fuel sector has yielded significant results. In the period 2011 to 2012, over 2 million litres of fuel was seized, 20 fuel laundries were detected and product and ancillary equipment seized, and 89 filling stations which were found to be unlicensed, or in breach of licensing conditions, were closed.

In the case of counterfeit goods, the role of the Revenue Commissioners is to prevent the entry of such goods into the State from outside the EU, and this has resulted in significant seizures of counterfeit goods in recent years. In 2012, there were 5,580 seizures involving 142,100 items, with an estimated value of €5.45m. The range of items seized includes clothing, personal effects, electronic goods, cosmetics and medicines.

Enforcement action in relation to the national sale and distribution of such goods is a matter for An Garda Síochána. I understand that there is close cooperation between the Revenue Commissioners and An Garda Síochána in tackling the counterfeit trade, and that there is also ongoing international cooperation on the matter.

I am advised also that the Revenue Commissioners are conscious that the persons responsible for illegal activities in the sectors with which the report is primarily concerned are constantly looking for new ways to circumvent legal requirements and avoid detection and that Revenue's approach must, therefore, be flexible and adaptable. Accordingly, the Revenue Commissioners continuously review their enforcement methodologies. Revenue also advise me that the support of legitimate business in contributing to Revenue's information and intelligence is important.

As I stated, I understand that the Revenue Commissioners continuously review their methodologies and their legislative requirements and where necessary I will of course, give careful consideration to any proposals that might be put to me in that regard.

Property Taxation Administration

80. **Deputy Róisín Shortall** asked the Minister for Finance if he will seek an immediate explanation from the Revenue Commissioners regarding the issues that have arisen with the payment system for the local property tax; the way it is proposed to address these matters; and if he will make a statement on the matter. [21870/13]

8 May 2013

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that over 500,000 people have already successfully filed their LPT Returns to date, and either paid immediately or selected one of the other available payment options. The April tax receipts reported that some €22m has already been paid to the Exchequer in respect of LPT. The high volumes of filers and payments received suggest that most people are successfully interacting with the payments systems and meeting their obligations in a timely fashion.

To ensure continued high compliance rates Revenue is providing a dedicated LPT helpline at 1890 200 255 to assist any person that might be experiencing some difficulties in navigating the various payment or filing options and this service is proving to be very beneficial in supporting people in meeting their LPT obligations. Revenue has confirmed to me that the LPT helpline is currently experiencing heavy volumes of phone calls from the public ranging from 9,000 calls on 24 April to 15,000 calls on 1 May. I am assured that the vast majority of callers are very satisfied with the service being provided.

In regard to the specific case highlighted by the Deputy, it seems that the issue relates to confirmation of a payment of LPT, which was made via the Revenue on-line system. That being the case, the person in question can personally view his/her payment record. The person can view his/her LPT balance, via Revenue.ie, once the payment is fully processed and available to Revenue. Debit/Credit card payments for instance can take up to one week to be cleared by the card service providers. Revenue has no influence on the duration of the clearance period for card payments. A payment confirmation number is generated as a receipt of payment for the customer. Once the payment is cleared and updated to the person's LPT (Revenue) account then he/she will be able to view the balance online.

Revenue very carefully monitors the LPT Helpline to ensure the quality of service is of the highest order. The call centre operations are supervised at all times and are subject to ongoing scrutiny through call evaluation and 'mystery shopper' campaigns. Unfortunately it is not possible for Revenue to isolate the call to which the Deputy has referred to from the information supplied. However, all the calls to the helpline are recorded. Therefore if the Deputy could provide additional information such as the name and address of the person, the date and time of call, name of operator if available and phone number from which the call was made, Revenue will fully investigate the complaint.

Higher Education Schemes

81. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will provide the name of a contact person, number or email of an official in Springboard to advise and assist a group (details supplied) who wish to set up a hub to develop innovation and entrepreneurship. [21662/13]

Minister for Education and Skills (Deputy Ruairi Quinn): Springboard is a specific initiative that provides part time higher education places for unemployed people in areas where there are identified labour market skills shortages or employment opportunities. All courses approved for funding under Springboard are selected by an independent panel with industry and educational expertise, having regard to published selection criteria and following a competitive tendering process. Springboard is managed by the Higher Education Authority and relevant contact details are available on the HEA website www.heai.ie.

Over the last number of years a network of innovation centres and technology transfer offices has been established across the higher education sector with the support of Enterprise Ireland. These centres and offices provide expert advice, business supports, tailored facilities and

access to businesses and investors. Further details on these centres and the facilities available can be found on higher education institutions' websites.

Higher Education Institutions Expenditure

82. **Deputy Ciarán Lynch** asked the Minister for Education and Skills in regard to each separately of the seven universities and 14 institutes of technology, the percentage of staff that are academics and-or lecturers and the percentage that are administrators; the contracted working week for administrators in each institution; and if he will make a statement on the matter. [21603/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The attached table shows the data available in my Department for the percentage of Academic and Non-Academic staff employed in each of the seven universities and 14 institutes of technology at 31st March 2013 as reported by the institutions to the Higher Education Authority. The institutions are not required to provide a further breakdown of the data by grade or function. There is no generic contract for a working week for staff in the Higher Education Institutions. A variety of arrangements are in place across the sector. Details of contract hours for administrators in individual HEIs are not available in my Department.

Percentage of Academic to non-Academic Staff in the University and Institute of Technology Sectors - as at 31 March 2013

Institute	Academic Staff	Non-Academic Staff
-	% of Total	% of Total
Athlone IT	52.4	47.6
Blanchardstown IT	60.7	39.3
Cork IT	59.6	40.4
IT Carlow	59.6	40.4
Dublin IT	53.9	46.1
IADT Dun Laoghaire	61.5	38.5
Dundalk IT	58.1	41.9
Galway Mayo IT	56.6	43.4
Limerick IT	62.3	37.7
Tipperary Institute	57.2	42.8
Letterkenny IT	53.9	46.1
IT Sligo	64.1	35.9
IT Tallaght	61.0	39.0
IT Tralee	61.3	38.7
Waterford IT	56.0	44.0
Total for all Institutes	57.5	42.5

University	Academic Staff	Non-Academic Staff
-	% of Total	% of Total
University College Dublin	45.8	54.2
University College Cork	51.0	49.0
NUI Galway	59.3	40.7
NUI Maynooth	56.8	43.2
Trinity College Dublin	48.8	51.2

University	Academic Staff	Non-Academic Staff
-	% of Total	% of Total
University of Limerick	56.1	43.9
Dublin City University	61.2	38.8
Total of 7 Universities	52.4	47.6

Special Educational Needs Services Provision

83. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he intends to review the situation whereby children with Down's syndrome are unable to access the maximum allocation of resource hours; if he will review Spec Ed 02/05 to ensure that children with Down's syndrome are recognised in their own right; and if he will make a statement on the matter. [21607/13]

96. **Deputy Seán Kyne** asked the Minister for Education and Skills if he will confirm his Department's current classification of Down's syndrome; if he shares the view that stipulations contained in the Special Education circular 02/05 are unintentionally preventing access to resource teaching hours. [21864/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 83 and 96 together.

The Deputy will be aware of this Government's ongoing commitment to ensuring that all children with special educational needs, including children with Down syndrome, can have access to an education appropriate to their needs. The policy of my Department is to secure the maximum possible level of inclusion of students with special educational needs in mainstream primary and post-primary schools, or where a special school or special class placement may be required to ensure such placements are provided for.

Pupils with Down syndrome attending mainstream schools may receive additional teaching support in primary schools, either under the terms of the General Allocation Model (GAM) of teaching supports, if the pupil's educational psychological assessment places the pupil in the mild general learning disability/high incidence disability category, or through an allocation of individual additional resource teaching hours which are allocated by the National Council for Special Education (NCSE), if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05.

Pupils with Down syndrome may be allocated resources under the category of mild general learning disability, or under the categories of moderate general learning difficulty or Assessed Syndrome, in conjunction with another Low Incidence disability. There is not presently a distinct disability category of Down syndrome for resource allocation purposes.

I have asked the National Council for Special Education to provide me with policy advice on the issue of whether Down syndrome should be reclassified as a low incidence disability in all instances, regardless of assessed cognitive ability. This advice will be included in the NCSE's comprehensive policy advice on how the education system can best support children with special educational needs which is currently in preparation and which is expected in the coming weeks.

School Enrolments

84. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the mechanisms

in place to ensure that children who have been adopted or fostered are not disadvantaged from enrolling in local schools where there is a high demand due to their inability to enrol at an early age; and if he will make a statement on the matter. [21613/13]

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 all schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a Board of Management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. The criteria to be applied by schools in such circumstances are a matter for the schools themselves. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. Under section 15 (2) (d) of the Education Act 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the rights of parents to send their children to a school of the parents choice are respected.

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.

As the Deputy will be aware, I announced at the recent Teacher Union Conferences that I will shortly bring to Government draft heads of a bill – the Education (Admission to School) Bill 2013. I will seek to publish the Bill in draft form to allow a full public discussion, including inputs from the Oireachtas Joint Committee on Education and Social Protection and the education partners. I also intend to publish draft regulations that I plan to make when the Bill is enacted. In bringing forward these proposals, it is not my intention to unnecessarily intrude into how schools do their business. My policy objective is to ensure that every child is treated fairly and that the way in which schools decide on applications is structured, fair and transparent. As the Bill and the Regulations will be published in draft form, they will also be subject to a lot of detailed scrutiny before becoming law. I will be reflecting carefully on the views expressed in the consultation process to ensure they strike the right balance between school autonomy and fairness in our education system.

School Patronage

85. **Deputy Dan Neville** asked the Minister for Education and Skills if he will provide details of all the private primary schools in both County Limerick and in the City of Limerick; and if he will make a statement on the matter. [21621/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Department does not fund any private primary schools or maintain a list of such schools.

Institutes of Technology Issues

86. **Deputy Thomas Pringle** asked the Minister for Education and Skills if he will ensure that the Killybegs Campus of Letterkenny Institute of Technology will continue to be supported as part of Letterkenny IT to ensure that the campus can continue to contribute to the provision of third level education in South West Donegal and the economic development of the area delivering courses in the school of tourism and renewable energies; and if he will make a statement on the matter. [21660/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Tourism College Killybegs is a school of the Letterkenny Institute of Technology (LYIT) which is an autonomous statutory body. The management of the College is the responsibility of the Governing Body and the President of Letterkenny Institute of Technology. No specific proposals concerning the future of the Killybegs campus of the Institute have been received from Letterkenny Institute of Technology by either the Higher Education Authority or my Department.

Special Educational Needs Services Provision

87. **Deputy Thomas Pringle** asked the Minister for Education and Skills if he will add Down syndrome to the low incident list of intellectual disabilities to ensure that children can access the full suite of resources to help them to develop through the education system to their full ability; and if he will make a statement on the matter. [21661/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware of this Government's ongoing commitment to ensuring that all children with special educational needs, including children with Down syndrome, can have access to an education appropriate to their needs. The policy of my Department is to secure the maximum possible level of inclusion of students with special educational needs in mainstream primary and post-primary schools, or where a special school or special class placement may be required to ensure such placements are provided for. Pupils with Down syndrome attending mainstream schools may receive additional teaching support in primary schools, either under the terms of the General Allocation Model (GAM) of teaching supports, if the pupil's educational psychological assessment places the pupil in the mild general learning disability/high incidence disability category, or through an allocation of individual additional resource teaching hours which are allocated by the National Council for Special Education (NCSE), if the child is assessed as being within the low incidence category of special need, as defined by my Department's Circular Sp Ed 02/05. Pupils with Down syndrome may be allocated resources under the category of mild general learning disability, or under the categories of moderate general learning difficulty or Assessed Syndrome, in conjunction with another Low Incidence disability. There is not presently a distinct disability category of Down syndrome for resource allocation purposes.

I have asked the National Council for Special Education to provide me with policy advice on the issue of whether Down syndrome should be reclassified as a low incidence disability in all instances, regardless of assessed cognitive ability. This advice will be included in the NCSE's comprehensive policy advice on how the education system can best support children with special educational needs which is currently in preparation and which is expected in the coming weeks.

Student Grant Scheme Eligibility

88. **Deputy Ciarán Lynch** asked the Minister for Education and Skills the reason a person (details supplied) was refused a special rate grant; and if he will make a statement on the matter.

[21669/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department understand from Student Universal Support Ireland (SUSI) that the student in question does not meet the terms and conditions of the student grant scheme for the special rate of grant. 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 Student Grants Appeals Board.

Student Grant Scheme Eligibility

89. **Deputy John Perry** asked the Minister for Education and Skills if he will agree to accept the 2011 statements of income from the parents of an applicant for a Student Universal Support Ireland application lodged in September 2012 [21671/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland that further documentation was requested on 26th April, 2013 and is still outstanding. When the requested documentation is returned the student will be notified directly of the outcome. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application it would not be possible for me to say whether or not a student should qualify for a grant. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to the appeals officer in 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.

Schools Building Projects Status

90. **Deputy Peter Mathews** asked the Minister for Education and Skills when a new permanent building will be provided for a school (details supplied) in Dublin 16; and if he will make a statement on the matter. [21674/13]

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

As the Deputy will be aware, the school is currently in temporary accommodation on lands controlled by South Dublin County Council. At a recent meeting with the Council, my Department raised the issue of the land holding. The Council advised that they are endeavouring to rectify title issues in regard to a portion of the site on which the school resides. Once the Council is in a position to dispose of the land, it is my Department's intention to acquire same.

In light of the need to prioritise available funding for the provision of additional school accommodation, the delivery of major school projects required to meet future demographic demand will be the main focus for capital investment in the coming years. The 5 Year Construction Plan that I announced in March 2012 outlines the major school projects that will commence

construction over the duration of the Plan. It is not possible therefore at this point to indicate when a project for the school in question will be progressed.

Residential Institutions Issues

91. **Deputy Willie O’Dea** asked the Minister for Education and Skills if applicants for the student grant scheme who have been recipients of compensation relating to time spent in industrial schools, that was not awarded through the forum of the Redress Board, will have these compensation payments exempted from means testing; and if he will make a statement on the matter. [21705/13]

Minister for Education and Skills (Deputy Ruairí Quinn): For the purposes of the Student Grant Scheme, compensation for a personal injury is an “income disregard” and is not included in calculating reckonable income.

The list of payments, known for the purposes of the Student Grant Scheme 2012 as “income disregards” does not extend to compensation relating to time spent in industrial schools.

The Deputy will appreciate that any decision in relation to changes to the Student Grant Scheme including changes in payments to be included as “income disregards” will need to be considered in the context of availability of resources.

Teaching Qualifications

92. **Deputy Mary Mitchell O’Connor** asked the Minister for Education and Skills the reason a person (details supplied) is receiving the unqualified teachers rate of pay when they qualified in June 2012; when will they be receipt of the qualified rate; and if he will make a statement on the matter. [21725/13]

Minister for Education and Skills (Deputy Ruairí Quinn): An official from the Primary Teacher Payroll Section of my Department has been in contact with the person concerned regarding the issues raised by the Deputy and outlined the current position.

School Accommodation

93. **Deputy Michael McGrath** asked the Minister for Education and Skills if he will confirm the intended temporary location for a planned new primary school (details supplied) in County Cork; and if he will make a statement on the matter. [21731/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Subject to planning permission. the intended temporary location for the proposed new primary school referred to by the Deputy is Garryduff Sports Grounds, Rochestown, Cork.

Student Grant Scheme Delays

94. **Deputy Sean Fleming** asked the Minister for Education and Skills the number of grant applications to Student Universal Support Ireland that have not been finalised and the full payment made; the number of applications that are still being processed; and if he will make a statement on the matter. [21754/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand from Student Universal Support Ireland (SUSI) that, as at close of business on 5 May 2013, it has received 69,612 student grant applications. Of these 67,352 have been processed to completion. A total of 328 applications are currently with SUSI for processing. Some 1,932 students who have been requested to provide additional information have not done so. These students are being contacted by SUSI as part of their close out strategy for applications for the 2012/13 academic year to confirm that they are still seeking a grant.

Some 37,936 students have been paid their maintenance or have had their entitlement to fee confirmed (where awarded a “fees only” grant).

Schools Building Projects Applications

95. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he will immediately review his decision not to proceed with the extension of a college (details supplied) in Dublin 15; and if he will meet with the board of management and or parents association to discuss this urgent matter. [21804/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project for the school referred to by the Deputy is at an advanced stage of architectural planning. Due to competing demands on the Department’s capital budget imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements it was not possible to include this project in the 5 year construction programme announced in March 2012. School building projects, including the project referred to by the Deputy, which have not been included in the five year construction programme, but which were previously initiated will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to the Department in the future.

Question No. 96 answered with Question No. 83.

Schools Building Projects Status

97. **Deputy Emmet Stagg** asked the Minister for Education and Skills if the contract has been signed for the completion of a school (details supplied) in County Kildare; if so, the name of the contractor; the date on which the contractor is to go on site to commence the works; and the date on which the contractor is to complete the required works. [21894/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to inform the Deputy that the completion contractor, Townlink Construction Limited, commenced on site on the 7th May 2013 on the school building project to which the Deputy referred. Subject to no issues arising, the work is anticipated to be completed by the summer.

National Lottery Licence Sale

98. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform if he will provide assurances that, in the context of the National Lottery Bill, the 6% margin on lottery sales for retailers will be protected and that awarding of the lottery licence to a new operator will not result in a diminution of the existing trading terms and conditions for local retailers. [21819/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, I announced in April 2012 that there will be a competition for the next National Lottery licence. It is envisaged that the competition will commence shortly.

I have advised retailer representative bodies that it is my intention to safeguard the existing rates of commission paid to retailers under the terms of the next licence. Section 27(2)(c) of the National Lottery Bill 2012 provides that the provisions of the licence governing rates of commission payable to retailers may not be amended.

I acknowledge the concerns of retailers and the importance to them of income from National Lottery sales, particularly in the current economic climate. I am also aware of the central role which retailers have played in the great success of the National Lottery since its inception. It is envisaged that retailers will continue to be central to the operation of the National Lottery over the 20 year term of the next licence. I am confident that there will be strong growth in National Lottery sales under the next licence with an alignment of interests between the next licence holder, retailers and the State, reaping benefits for all concerned.

Flood Relief Schemes Expenditure

99. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform if payments or funding is available to landowners whose land and fields have been damaged by the River Slaney bursting its banks; and if he will make a statement on the matter. [21627/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Office of Public Works (OPW) is not aware of any incidences of flooding on the River Slaney apart from the incidence last month in the environs of Enniscorthy, Co. Wexford. A full report on this flood event is being prepared by RPS Consulting and it will be considered in the context of the detailed consideration of the South-East Catchment Flood Risk Assessment & Management Study being undertaken at present.

A flood relief scheme for Enniscorthy and its environs is currently in preparation. The Enniscorthy flood relief scheme will be carried out in two phases by Wexford County Council with funding from the OPW. The Council is currently in the process of procuring engineering consultants and it is expected that the detailed design of the scheme will be completed in the Summer of next year.

There is no provision within the Vote of the OPW for the compensation of landowners affected by flooding.

Assistance under humanitarian aid provisions may be accessed through the Community Welfare Offices of the Department of Social Protection.

In addition, the Department of Agriculture Food and the Marine operates an 'early warning system' whereby emergency assistance may be provided to farmers whose animals are experiencing serious animal welfare issues.

Garda Stations Refurbishment

100. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform his plans in relation to the up keep and maintenance of the former Garda barracks, Ballyragget, County Kilkenny; and if he will make a statement on the matter. [21756/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The former Ballyragget Garda Station is in the process of being formally handed over by the Garda authorities to the Commissioners of Public Works. Security and maintenance requirements (new locks, etc), pending a decision on the future of the property, are currently being assessed.

Proposed Legislation

101. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation his plans for legislation that allows persons who invested in projects via crowd sourcing websites to receive equity for their investment like the Jobs Act which was introduced in the United States of America in 2012; and if he will make a statement on the matter. [21634/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In its various forms, Crowdfunding allows entrepreneurs and SMEs to solicit capital from funders, using social networks and crowdfunding platforms to finance their businesses and projects. It appears to be affording real opportunities in the area of alternative finance for SMEs. Use of the mechanism appears to have seen substantial growth globally in the recent past and it is seen by many sponsors as a means of “democratising” access to funds and supply of capital and moving the model away from venture capitalists and angel investors.

However, as an industry, crowdfunding is in its infancy and financial returns on capital will dictate its overall success. Data is not yet readily available with which to analyse its impact.

I have no immediate plans to introduce legislation. The industry needs time to “find itself” and should not be over burdened by regulation before the required platforms have been given the time to grow and develop. I will keep the matter under review. It is certainly too early to provide a specific regulatory mechanism for the concept, but my officials, along with the Department of Finance will continue to monitor the issue.

I am also fully aware that crowdfunding is being discussed seriously within the European institutions and the OECD as an alternative for SME financing. We will continue to actively engage with the relevant Institutions in these deliberations and are fully committed to providing an appropriate policy response with regard to the emerging need to establish a European framework and ecosystem for best practices.

Microenterprise Loan Fund Application Numbers

102. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation the number of applications under the microenterprise loans fund scheme received in the period of 1 October 2012 to 31 March 2013 from counties Laois, Offaly, Kildare and Westmeath; the number of applications granted for each of these counties; and if he will make a statement on the matter. [21720/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The information sought by the Deputy in relation to the number of applications received and loans approved under the Microenterprise Loan Fund from 1 October 2012 to 31 March 2013 from counties Laois, Offaly, Kildare and Westmeath is set out in the table.

Microfinance Ireland 1 October 2012 - 31 March 2013

-	Applications Received	Loans Approved	Work in progress at 31 March 2013	Declined	Withdrawn
Laois	4	0	2 (as of 8 May 2013 one has been approved and one declined)	2	0
Offaly	2	1	0	0	1
Kildare	3	0	0	2	1
Westmeath	2	1	0	1	0

A full progress report on the operation of the scheme from 1 October 2012 to 31 May 2013 can be found on my Department's website (www.enterprise.gov.ie) and the Microfinance Ireland website (www.microfinanceireland.ie).

Review and Audit of Licences

103. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation his views on the progress at reforming the 50 licences identified by Forfás which constitute a significant burden for our retail sector; and if he is in a position to identify which licences will be streamlined in the short to medium term as such information will be of great benefit to retailers. [21818/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Forfás report on "The Review and Audit of Licences" recommended the introduction of an integrated licensing system. The Government considers this project to be of significant importance and has positioned it as one of the Disruptive Reforms in the Action Plan for Jobs 2013. Such an integrated licensing system, which will streamline the licensing application process, is a reformative step in reducing the administrative burdens for business. Delivering an integrated licensing system, in the first instance for the retail sector by the end of the year, will require the firm and on-going commitment and engagement of the relevant licensing authorities to work closely with my Department and with Forfás.

A list of some 30 core licences for the retail sector have been identified for the initial stages of this project involving up to 16 licensing authorities. My colleague, Minister John Perry, has invited all these authorities at the highest level to become members of the Steering Group for this project. The Steering Group has met twice, on 12th March and 29th April, with Minister Perry as chair, and detailed discussions have taken place between Forfás, the licensing authorities and relevant Departments.

Detailed analysis has been undertaken, examining a range of information submitted by the licensing authorities in relation to the processes and underpinning legislative requirements for the core set of retail licenses to be incorporated into the integrated licensing application system. The outputs of this audit process will inform the definition of the integrated licence management system.

It is expected that a request for tender for the service provision of an integrated licensing application system will be issued in the coming weeks.

104. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the fact that many retailers consider the interest rate and the term length of the finance services available under the microfinance scheme to be too onerous and are consequently preventing a significant update of what is a welcome and innovative programme. [21868/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am aware that there are concerns about the cost of finance across the economy, including from Microfinance Ireland (MFI).

MFI was established as a private limited company with a Board of Directors. The Directors set the interest rate to be charged on loans under the Scheme 8.8% taking into account a number of factors including: prevailing market interest rates, the economic environment, specific risk factors and administrative overheads.

The Deputy will know that lending to microenterprises is high risk due to the high failure rates with business start-ups, little or no track record and no security available. Therefore, pricing of loans tends to strike a balance between the support of new start-ups and the erosion of the taxpayers investment in the Scheme.

With regard to the term length of the loan, the standard term is 3 years but may be extended up to 6 years maximum. Applications are assessed on their individual merits and in tandem with the on-going commercial viability of the business. This maximum term is a condition of the European Investment Fund (EIF) which is providing a guarantee for Microfinance Ireland to assist with the risk tolerance levels. The support and involvement of the EIF guarantee was a critical factor in the establishment of this loan scheme which otherwise would not make this new avenue available to such businesses that have difficulty accessing credit.

In its first half year of operation, MFI have not received feedback and have not been made aware of issues with regards to applicants being deterred from applying for loans due to the interest rate or term length, as having been previously declined by a bank, access to credit is the priority in seeking support for their new or existing business.

I can assure the Deputy that I am keeping all aspects of the Scheme under on-going assessment and that I am obliged under section 22 of the Microenterprise Loan Fund Act 2012 to commence a review of the operation of the Act not later than 2 years after the date of its passing.

County and City Enterprise Boards Abolition

105. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if he will report on the planned reform of the city and county enterprise boards; and the steps being taken to ensure that the vital job creation and business support functions will be enhanced in respect of the new anticipated configurations. [21878/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The County and City Enterprise Boards (CEB) restructuring project is the first radical reform of the system for the delivery of State support to micro and small businesses since the establishment of the CEBs twenty years ago. In the meantime, there have been many changes to the social, economic and technological landscape of Ireland. It is incumbent on Government to ensure that State supports are delivered in the most integrated, focussed and seamless way possible. The proposed reform is a major commitment in the Programme for Government and a core part of the Action Plan for Jobs.

This reform will bring about a new level of engagement and interaction at both national and local level in relation to enterprise support and stimulation and economic recovery and growth. The proposed reforms offer a huge opportunity to leverage the skills, resources and experience of the CEBs, Local Authorities and local business community to create a national approach to the sector allowing for seamless progression, innovative performance, streamlined delivery and increased employment.

The creation of a First-Stop-Shop at local level for the support of small and micro business will bring local enterprise support into an integrated national network of Local Enterprise Offices (LEOs) delivering enterprise policy to the highest standards, offering seamless progression for small business with potential to the existing national programmes run by Enterprise Ireland (EI). The LEOs will deliver the combined functions of CEBs and the Local Authority business support functions as well as developing an enhanced service to business at local level. The new Centre of Excellence within EI will be responsible for developing an improved environment for small and micro business and bringing this sector into the heart of national enterprise policy. As Minister for Jobs, Enterprise and Innovation I will retain responsibility for policy, and a key feature of this new structure will be the consistent application of policy across all LEOs, from the evaluation of applications for funding support, to the spending of budgets allocated.

In relation to the formal dissolution of the CEBs, officials of my Department are continuing, in conjunction with the Office of the Parliamentary Counsel, to develop draft legislation with a view to enactment before summer recess. In addition, a Framework Service Level Agreement (SLA) between EI and the Local Authorities has been finalised and the LEO branding and associated logo has been designed. Within the next couple of weeks, I will publish the SLA and launch the branding and logo, both of which are tangible steps to the full roll out of the new infrastructure.

Money Advice and Budgeting Service Funding

106. **Deputy Seán Kyne** asked the Minister for Social Protection if additional resources will be made available to the Money Advice and Budgeting Service to enhance the support, advice and information available to persons in financial difficulties such as mortgage arrears. [21817/13]

Minister for Social Protection (Deputy Joan Burton): The Money Advice and Budgeting Service (MABS), under the aegis of the Citizens Information Board, assists people who are over-indebted and need help and advice in coping with debt problems, in particular those on low incomes and people living on social welfare payments.

In 2013, the Citizens Information Board has been allocated a budget of approximately €47.5 million of which some €19 million has been assigned to MABS. In 2012 the corresponding allocation was €46.8 million and €18.3 million respectively.

The Money Advice and Budgeting Service is made up of a network of 53 companies, which includes 51 local companies and 2 national companies MABS National Development Limited and National Traveller MABS. There are some 277 money advice staff employed across the MABS network.

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 (CIB), 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 as part of the new Insolvency Service. The CIB and MABS National Development Limited are working closely to ensure that the appropriate structures are in place within MABS to implement this new and important statutory role. They have also engaged proactively with the Insolvency Service to ensure that the Approved Intermediary Service is fully operational in time for the establishment of the Insolvency Service.

I am satisfied that MABS will play an important role in the new arrangements for dealing with debt and will continue to provide a high quality personal service to assist people in overcoming their indebtedness and managing their finances.

Invalidity Pension Appeals

107. **Deputy Charles Flanagan** asked the Minister for Social Protection when a decision will be reached on an invalidity pension appeal in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [21595/13]

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 18th 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 25th April 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.

Rent Supplement Scheme Eligibility

108. **Deputy Patrick Nulty** asked the Minister for Social Protection if she will outline the way maintenance payments are taken into account for the calculation of rent supplement payments; if she will reference the regulations and or circulars which set this out; and if she will make a statement on the matter. [21605/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 86,000 rent supplement recipients for which the Government has provided over €403 million for 2013.

A person who claims a one-parent family payment is required to seek maintenance from her/

his spouse or the other parent of the child. Maintenance payments are assessed as means for the purpose of determining entitlement to one-parent family payment. However, vouched housing costs of up to €95.23 per week in respect of rent or mortgage are disregarded in establishing the rate of one-parent family payment payable.

For rent supplement, maintenance payments of up to €95.23 per week are assessed in determining the appropriate rate payable. Where a person has weekly maintenance payments of more than €95.23, the first €75 a week together with 25% of any additional maintenance above €75 can be disregarded for means assessment purposes. This ensures that the family benefits from any maintenance payments received in excess of €95.23.

The treatment of maintenance payments when assessing an entitlement to rent supplement is contained in the Third Schedule, Part 4 of the Social Welfare Consolidation Act 2005.

Social Welfare Appeals Status

109. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress to date in respect of determination of an appeal in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [21615/13]

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 26 April 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.

Employment Support Services

110. **Deputy Eoghan Murphy** asked the Minister for Social Protection the steps being taken to develop the pathways to work option to include private sector firms to assist, support and complement the current employment and advisory services. [21630/13]

111. **Deputy Eoghan Murphy** asked the Minister for Social Protection when she will publish the CESI report on activation services which was commissioned in November 2012. [21631/13]

112. **Deputy Eoghan Murphy** asked the Minister for Social Protection when tenders will be issued for activation and support services under pathways to work. [21632/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 110 to 112, inclusive, together.

The Pathways to Work policy provides for more regular and on-going engagement with jobseekers to enable them to return to employment through the provision of the most appropriate support interventions. In order to increase activation capacity the Department is considering the contracting of employment services to complement the existing capacity of the department. In that regard, the Department engaged the Centre for Economic and Social Inclusion (CESI) in November 2012 to provide expert advice and assistance with the design and delivery of a contracted employment service model. The consultants recently produced a report and this is

currently being evaluated. I expect the evaluation to be completed in the near future. The question of tendering for the provision of additional activation services will be then considered by Government and will be subject to the normal procurement requirements.

As part of its current employment service provision, the Department already contracts with external providers for the delivery of both the Local Employment Service (LES) and Job Clubs. Employment services, including career planning, engagement with employers and job search assistance, are provided under contract by these organisations to clients who are activated by the Department. The Department funds this contracted provision to the value of approximately €25m per annum and these organisations employ approximately 390 staff, who are engaged in the provision of these services.

National Internship Scheme Placements

113. **Deputy Seán Ó Fearghaíl** asked the Minister for Social Protection if she will consider correspondence from a person (details supplied) who is seeking a suitable internship placement; and if she will make a statement on the matter. [21649/13]

Minister for Social Protection (Deputy Joan Burton): The Department has been in direct contact with the individual referred to by the Deputy since February 2013. The individual has completed one internship and is currently undertaking a second. The intern is seeking to finish a second internship and be permitted to undertake a third.

In the first instance, the intern was dissatisfied with the activities assigned to him but withdrew his complaint the following day. A monitoring visit has been conducted and the Department is satisfied that the host organisation is abiding by the scheme criteria. In the second instance, the intern wishes to finish the internship because he deems it not to be related to his academic qualifications.

Under current guidelines, JobBridge interns may avail of no more than two internships to maximum cumulative period of nine months. The Department is not in a position to make exceptions in this regard. The individual was advised by the Department to consider participating in other schemes such as the Work Placement Programme and referred to the National Contact Centre for further assistance in this respect.

Property Taxation Collection

114. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding the deduction of local property tax from the back to education allowance in respect of a person (details supplied); and if she will make a statement on the matter. [21650/13]

Minister for Social Protection (Deputy Joan Burton): In the context of its role in processing and making income support and related payments, the Department makes 87 million payments per annum to over 2 million recipients in any year. Payments are based on a range of entitlement conditions and are aimed at serving various social welfare policy requirements. These payments are of various types: universal payments, means assessed payments, payments based on social insurance contributory history and grants. Payments can be once-off, based on short term need or of long term duration..

Because of the sheer scale, variety and nature of payments made by the Department, 'deduction at source' arrangements require substantial development of IT systems and business

processes and impose a significant additional administrative burden on the Department and on the requesting agency. The Department has undertaken, as a service to a significant amount of its clients, to invest the resources needed to provide the facility on the schemes agreed with the Revenue Commissioners. Any other arrangements required to pay the tax are a matter for the Revenue Commissioners.

The Department is currently engaged in major transformation programmes to meet Government objectives, for example in relation to activation and supporting the provision of integrated income support and activation services through Intreo to clients of working age. The Department has embarked on a major programme of business and system change to support these objectives and is focussing its development efforts in this regard.

The back to education allowance payment is not included in the schemes specified for deduction at source of local property tax and there is currently no plan to extend the list of scheme from which local property tax can be paid. However, it is intended to review this position based on the experience of operating the facility over a period of time.

Social Welfare Appeals Status

115. **Deputy Peter Mathews** asked the Minister for Social Protection when a person (details supplied) in Dublin 24 will be informed of the outcome of their appeal to the social welfare appeals office in respect of their carer's allowance; and if she will make a statement on the matter. [21675/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an appeal was registered on 11 April 2013 and in accordance with the statutory requirements the Appeals Office has contacted the person concerned and asked him to set out the complete grounds of his appeal. On receipt of his response, the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal will be sought.

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

Jobseeker's Allowance Appeals

116. **Deputy Michelle Mulherin** asked the Minister for Social Protection the position regarding an appeal against refusal of jobseeker's allowance in respect of a person (details supplied) in County Mayo; if she will expedite same; and if she will make a statement on the matter. [21677/13]

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 27th February 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. These papers were received in the Social Welfare Appeals Office on 10th April 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 Pro-

tection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Disability Allowance Appeals

117. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding an appeal for disability allowance in respect of a person (details supplied) [21680/13]

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 9 April 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.

Invalidity Pension Appeals

118. **Deputy Martin Ferris** asked the Minister for Social Protection when a person (details supplied) in County Kerry will have their appeal heard regarding invalidity pension. [21690/13]

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 25th April 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.

Social Welfare Code Issues

119. **Deputy Willie O’Dea** asked the Minister for Social Protection if applicants for social welfare who have been recipients of compensation relating to time spent in industrial schools, that was not awarded through the forum of the redress board, will have these compensation payments exempted from means testing; and if she will make a statement on the matter. [21691/13]

Minister for Social Protection (Deputy Joan Burton): Social welfare legislation provides for the disregard of certain compensation awards when assessing the means of a person for social assistance purpose. The compensation awards disregarded include awards made by the Residential Institutions Redress Board. Awards made otherwise than through the Residential Institutions Redress Board in respect of periods spent in residential institutions are assessed in the normal way.

Services for People with Disabilities

120. **Deputy Michael Creed** asked the Minister for Social Protection if her attention has been drawn to the concern amongst persons with a disability in Cork who have been depen-

dent on Cork Accessible Transport Limited for transport services which were co-funded by her Department and Pobal and if she will ensure that an appropriate service is retained for these persons; and if she will make a statement on the matter. [21694/13]

Minister for Social Protection (Deputy Joan Burton): Access to transport services for persons with mobility impairments is primarily as matter for the Minister for Transport, Tourism and Sports and the Health Services Executive. In a number of instances nationally, my Department, through the community services programme has been able to support the provision of services by community companies. Cork Accessible Transport Limited has provided services to people with mobility impairment for a number of years and has been supported under the community services programme, now funded and operated under the aegis of my Department. My Department has recently been informed that the company plans to terminate the provision of services in Cork City from the middle of 2013 due to its board's concerns around the continued viability of the service and other operational challenges. The Department is prepared to consider proposals from an alternative community based provider to deliver this service. As with all such proposals, questions of capacity to deliver, eligibility, financial viability, and a range of other factors, including compliance with the evolving regulatory requirements, will need to be determined before any new service provider could receive funding support from the community services programme.

Domiciliary Care Allowance Review

121. **Deputy Robert Dowds** asked the Minister for Social Protection if she will provide an update on the review of domiciliary care allowance and disability allowance in the 16 to 18 age group. [21698/13]

Minister for Social Protection (Deputy Joan Burton): The Government fully recognises that the domiciliary care allowance (DCA) scheme represents a very important support to parents and guardians who live with, and care for, children with a disability. Likewise, the disability allowance (DA) represents an important income support to people who are unfit for work.

DCA is now in payment in respect of 26,000 children, an increase of over 3,000 since the Department took over responsibility for the scheme from the HSE in April 2009. Spending on the scheme and the respite care grant, which is automatically paid to all recipients, has increased from €138 million to €145 million between 2010 and 2012. In 2012, DA was in payment in respect of 120,000 customers at a cost of €1.09 billion.

The Advisory Group on Tax and Social Welfare was established in line with commitments contained in the Programme for Government, with the aim of harnessing expert opinion and experience to examine a number of specific issues relating to the tax and social welfare systems. Following Budget 2012, I requested the Advisory Group to examine and report on the policy objectives underpinning the budgetary proposals relating to disability allowance (DA) and domiciliary care allowance (DCA), which included a measure to increase the minimum age for new DA claimants from 16 to 18 years of age with a corresponding extension in the age of entitlement for DCA from 16 to 18 years of age. The Group's report on this issue was published on 10 April 2013.

At the same time, the report of the Review Group on the operation of the DCA scheme was published. Both of these reports make a number of policy recommendations, which make a valuable contribution to the policy debate in relation to young people with disabilities. My colleagues in Government and I will consider these findings, taking into account future developments in terms of the budgetary and fiscal situation as well as other work underway.

The administrative recommendations made in the report of the Review Group on the operation of the DCA scheme will result in an improvement in the level of service provided to our customers and will assist in ensuring that those people who meet the qualifying conditions for the payment receive it in a timely manner. It is my intention that the administrative improvements will be implemented quickly.

Jobseeker's Allowance Applications

122. **Deputy Finian McGrath** asked the Minister for Social Protection when a decision will be made on an application for jobseeker's allowance in respect of a person (details supplied) in County Donegal. [21711/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned was refused jobseeker's allowance on the basis that he was not residing at the stated address when the social welfare investigator called. He has since addressed this issue and provided the Department with an explanation for his absence. A decision in relation to his entitlements will be made in the coming days and the person in question will be notified of the outcome.

Question No. 123 withdrawn.

EU Regulations

124. **Deputy Paul J. Connaughton** asked the Minister for Social Protection if a determination has been made in relation to the way the receipt of UK winter fuel payment would affect recipients of fuel allowance here; and if she will make a statement on the matter. [21718/13]

Minister for Social Protection (Deputy Joan Burton): The United Kingdom winter fuel payment is an annual tax-free payment made to eligible people to help towards their winter heating costs. It is a lump sum and in most cases is paid automatically, but some people need to claim. The total amount of winter fuel payment can vary from £100 - £300 sterling having regard to age and household composition. Most payments are made between mid- November and December in a given year. The European Court of Justice (ECJ) has ruled that people living outside the UK may be paid the winter fuel payment where they can demonstrate a "genuine and sufficient link" to the UK's social security system.

My Department pays a fuel allowance of €20 per week to qualified households who are in receipt of long-term social welfare or HSE payments and who are unable to provide for their own heating needs. The allowance represents a contribution towards a person's normal heating expenses. It is not intended to meet those costs in full. The fuel allowance season runs for 26 weeks from October to April each year.

The implications of this ECJ judgment are currently being examined, in particular the implications for eligibility for the fuel allowance in Ireland, which is paid on the basis that an applicant is unable to provide for his or her own heating needs.

Family Income Supplement Appeals

125. **Deputy Brendan Griffin** asked the Minister for Social Protection if a decision has

been made on an appeal of the rate of family income supplement awarded to a person (details supplied) in County Kerry; and if she will make a statement on the matter. [21726/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that in appeals for family income supplement, where it appears that the reason for the decision may not have been fully understood, the letter of appeal is referred to Family Income Supplement Section requesting that the decision be clarified to the appellant. The person is advised that if s/he is still not satisfied following receipt of this clarification that the appeal will be formally registered and processed. The person concerned was advised by letter of 8th April 2013 that his letter of appeal was being forwarded to Family Income Supplement Section for clarification.

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

Community Employment Scheme Numbers

126. **Deputy Sean Fleming** asked the Minister for Social Protection the number of persons in community employment under the part time integration option which is a one year version of community employment; the number of persons on the part-time job option which is a three year version of community employment; the number that are expected to be on each of these options in 2013; and if she will make a statement on the matter. [21727/13]

Minister for Social Protection (Deputy Joan Burton): The following table show the numbers under the two Community Employment (CE) Options as at 29 April 2013. It is exclusive of CE Supervisors (1,381) and other non-PTI/PTJ categories (654) to make up the current overall total of 22,569.

Community Employment	No. of persons employed
Part-time Integration Option (PTI)	14,958
Part-time Job Option (PTJ)	5,576
Grand Total	20,534

Two thousand additional places for the Community Employment (CE) programme were announced in Budget 2013 and will be an ongoing commitment to the programme. It will increase the overall number of CE places to 25,300 inclusive of Supervisor posts. These places are being approved on a phased basis from the end of January to the end of the year, in line with the overall CE budget allocation. Exclusive of the Supervisors and other categories the numbers under each option would be *approximately* 5,700 PTJ and 17,100 PTI by year-end 2013.

Question No. 127 withdrawn.

Disability Allowance Appeals

128. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding a review appeal in respect of a person (details supplied) in County Carlow and if she will expedite a response. [21752/13]

Minister for Social Protection (Deputy Joan Burton): The claim for disability allow-

ance, by the person concerned, was disallowed by a Deciding Officer of the Department on the grounds that his means exceeded the statutory limit for entitlement to the allowance.

I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the evidence, including that adduced at oral hearing, disallowed the appeal. The person concerned was notified of the Appeals Officers decision on 15 April 2013.

Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Correspondence submitted, by the person concerned, dated 20 April 2013 did not contain any new evidence or new facts that would warranted a review of the Appeals Officers decision.

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

Rent Supplement Scheme Appeals

129. **Deputy John McGuinness** asked the Minister for Social Protection if she will review the appeal relative to the amount of rent allowance being paid in respect of a person (details supplied) in County Kilkenny. [21757/13]

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 30th April 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 case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Jobseeker's Allowance Payments

130. **Deputy Sandra McLellan** asked the Minister for Social Protection if she will include bank holidays in payment of jobseeker's allowance for casual workers who do not receive bank holiday pay from their employer; and if she will make a statement on the matter. [21787/13]

Minister for Social Protection (Deputy Joan Burton): If a part-time employee is claiming a jobseeker's payment for a period which includes a public holiday, sometimes referred to as a bank holiday, for which they are not entitled to a payment from their employer, then they will be entitled to jobseeker's benefit or allowance for that day. The determination of whether a person is entitled to payment from their employer in respect of a public holiday is governed by the Organisation of Working Time Act, 1997. Under this Act, for each of the nine public holidays in a year, an employee is entitled to either a paid day off on the holiday, a paid day off within a month of the holiday, an extra day's annual leave, or an extra day's pay. Part time employees qualify for public holidays entitlement provided they have worked at least 40 hours during the five weeks ending on the day before a public holiday.

Jobseeker's Allowance Applications

131. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding entitlements in respect of a person (details supplied) in Dublin 3. [21809/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned applied for Jobseekers Allowance on 3 January 2013 and a decision on their application was made on 4 January 2013 to the effect that they did not qualify for payment of Jobseekers Allowance on the basis that his weekly means from his parents' income exceeded the weekly rate of Jobseekers Allowance payable. With regard to the employment record of the person concerned, when completing their Jobseeker's Allowance application form they indicated that they were never employed. There is no trace of any PRSI contributions made on their behalf either from self-employment or from insurable employment. On the basis of information supplied in the context of this Parliamentary Question, namely engagement as builder, an inspector from my Department will re-examine the matter and if necessary seek additional information and clarification from the person concerned. When this is complete the person concerned will be updated in respect of any changes.

Proposed Legislation

132. **Deputy Seán Kyne** asked the Minister for Social Protection if she will provide an indicative timeframe for the introduction of the legislation which will permit transgender persons to obtain a birth certificate recognising their gender, particularly in consideration of the amount of time that has elapsed since the European court finding against Ireland on this matter. [21862/13]

Minister for Social Protection (Deputy Joan Burton): In March 2008 the High Court declared that certain sections of the Civil Registration Act 2004 are incompatible with the obligations of the State under the European Convention on Human Rights to respect the private life of individuals as the legislation does not provide for a process to recognise the acquired gender of transgender persons. The Gender Recognition Advisory Group (GRAG) was established in 2010 to advise the Government on the legislation required to give legal recognition to the acquired gender of transgender persons. The Group engaged in a public consultation exercise which provided organisations and individuals with the opportunity to contribute their comments and proposals. The Report of the Group, which recommended a scheme for the legal recognition of transgender persons, was approved by the Government on 12 July 2011, and was subsequently published on 14 July 2011. Since the publication of the Report, the Department has been working on developing draft Heads of a Gender Recognition Bill. In this context, it has engaged in discussions with the relevant medical health professionals and with representatives from interested NGOs.

Given the legal complexities involved in relation to some of the GRAG recommendations relating to the marital and civil partnership status of individuals, in March 2012 the Department sought advice from the Office of the Attorney General, which in turn sought the legal opinion of external counsel on these issues. The formal opinion of the Attorney General was received in December 2012 and is currently under consideration by officials in this Department with a view to progressing the draft Heads of the Bill. There are a range of complex and sensitive issues involved in this proposed legislation to give legal recognition to the acquired gender of transgender persons. I have requested the Oireachtas Committee on Education and Social Protection to consider the provisional draft Heads of Bill once they are completed. I feel that the Committee can make a very positive contribution to the preparation of the legislation and I hope that the appearance before the Committee can be scheduled before the summer. I believe this approach should greatly assist the drafting of the legislation and its progress through the

Oireachtas. When the Oireachtas Committee has discussed the provisional draft Heads of Bill, I will be in a better position to give a timeframe for the introduction of the legislation.

Departmental Funding

133. **Deputy Andrew Doyle** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown in the funding, by year, for various projects his Department has funded in an area (details supplied) from 2007 to date in 2013; and if he will make a statement on the matter. [21626/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy is aware, my Department, which was established in June 2011, administers and delivers a wide range of programmes and measures, descriptions of which are available on its website at <http://www.ahg.gov.ie/>. While expenditure under these programme areas takes place countrywide, it is not possible to give a county-by-county breakdown of that expenditure. For example, a number of my Department's programmes are delivered through agencies and other intermediary bodies that operate across county boundaries and in respect of which there is no detailed breakdown on a county basis held by my Department. In addition, groups and organisations that receive grants directly from my Department are not necessarily constituted on a single-county basis.

In view of the wide range of my Department's schemes and programmes, and the large volumes of payments and grants thereunder on an ongoing basis, it is not clear that it would be feasible to compile and collate the breakdown of expenditure sought by the Deputy. However, if the Deputy has specific queries relating to a particular programme or grant, I would be glad to seek to provide him with relevant information in that regard. Similarly, if the Deputy would like specific information in relation to a particular scheme, I would be glad to arrange to have any such request from him examined.

Air Strips

134. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the usage of the air strips at Cleggan and Inishboffin, County Galway, which will improve access to the island. [21811/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): The airstrips at Cleggan and Inishboffin to which the Deputy refers are not as yet licensed for use. Therefore, landing on these airstrips is strictly prohibited and they are marked accordingly.

Air Services Provision

135. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the efforts to secure the air services to the Aran Islands beyond the current public service obligation time period. [21879/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): My Department is currently seeking tenders for the provision of air services for the Aran Islands for the period 1 October 2013 to 30 September 2014, with an option of a further year's extension up until 30 September 2015. The closing date for receipt of tenders is

27 May 2013.

Inland Fisheries Issues

136. **Deputy Mattie McGrath** asked the Minister for Communications, Energy and Natural Resources the reason for the change in the by-laws which have been introduced recently to prohibit the use of worms, prawns and shrimp when fishing for salmon and sea trout on the River Suir; and if he will make a statement on the matter. [21620/13]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I can advise the Deputy that in advance of the 2013 angling season, the River Suir Angling Federation, representing the majority of angling clubs and fishery owners on the river, made representations to instigate a ban on the use of prawn and shrimp as angling bait on the River for the 2013 season. The use of worms as bait has already been banned for a number of years. On foot of these representations, I requested Inland Fisheries Ireland (IFI) to conduct a public consultation processes to canvass as wide a view as possible from stakeholders. The outcome was that the significant majority of anglers and fishery owners on the River Suir were in favour of banning these baits. Local Public representatives were advised of the consultation process and its outcomes. The banning of prawn/shrimp as bait simply supports the proposal put forward by a local angling federation which was widely supported by the majority of anglers on the Suir. Alternative fishing methods, such as the use of spinners are not affected by the bye law and remain available where waters are not suitable for fly fishing. I have asked IFI to review the impact of the bye law and advise further in advance of the 2014 season.

Better Energy Homes Scheme Expenditure

137. **Deputy Michael Lowry** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the ongoing issue with regards to the non-payment of a community based organisation (details supplied) which has been carrying out insulation works under the warmer homes scheme; if his attention has been drawn to the difficulties that this is causing for the organisation in question; if his attention has been drawn to the fact that jobs will be lost if this payment is not advanced as a matter of urgency; if his attention has been drawn to the fact that this action jeopardises the future of this scheme in the county and subsequently adversely impacts on older and vulnerable people; and if he will make a statement on the matter. [21606/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Warmer Homes scheme on behalf of the Department. The scheme delivers a range of energy efficiency measures free of charge to those that are vulnerable to energy poverty and who live in privately-owned dwellings. The scheme is delivered through a combination of Community Based Organisations (CBOs), augmented by a panel of private contractors in order to ensure national coverage. Measures available include draught proofing, attic insulation, lagging jackets for hot water tanks, low energy light bulbs and cavity wall insulation.

In 2012 the Warmer Homes Scheme delivered over 12,000 energy efficiency measures to energy poor homes under the scheme, including 624 homes in County Tipperary. Last year, CBOs delivered upgrades to almost 7,000 homes in local communities around the country. I am informed by SEAI that under this scheme, the CBO concerned submitted a request for fund-

ing to the SEAI in January 2012. The CBO proposed that they would retrofit 204 homes at an average cost of €1,224.15 per home, giving a total funding envelop of €249,725.85. This was agreed and a contract was signed on that basis. When the final request for payment was made in November 2012, it became apparent that the CBO had in fact completed 183 homes (rather than the 204 homes agreed) at an average cost of €1,364 (rather than the agreed average cost of €1,224.15 per home). Furthermore, the CBO has informed the SEAI that they completed 34 homes where the cost of delivery was significantly above their agreed contract price. As a formal contract was in place, the SEAI was required to pay the CBO in accordance with the rates agreed and so they were paid for 183 homes at a rate of €1,224.15 per home, giving a total payment of €224,019.45. Any shortfall is therefore a matter for the CBO to resolve as they operated outside of the terms of their contract.

The SEAI did not give the CBO approval to divert from the standard contract conditions, which were issued to all CBOs in 2012. There was no agreement that a 10% variation was available to this, or to any other, CBO. Moreover, I am informed that the SEAI did not instruct the CBO to complete larger homes and incur higher costs beyond the parameters of the contract. In fact, in order to assist CBOs and to avoid penalising eligible homeowners with large homes, CBOs were expressly requested to pass larger homes to the SEAI for delivery under the private contractor model under the Scheme. I understand the CBO is now proposing to charge vulnerable home owners in order to recoup their overspend, even though the SEAI contract stipulates that these services must be delivered free of charge. SEAI has emphasised to me that under no circumstances should the CBO charge or propose to charge vulnerable home owners for these services to make up a contract shortfall which the company incurred.

The SEAI is required to ensure that all CBOs operate within their contract conditions to ensure good governance and consistency of service delivery nationwide. The SEAI gave clear guidance on the contracts for 2012 and CBOs were advised on numerous occasions that they were required to work within the budget price agreed in their contract and to contact the SEAI at the earliest opportunity if they were having difficulty meeting these requirements. CBOs are responsible for managing their own budgets within the requirements of the contract, which is supported by the SEAI who have put in place a resource to assist CBOs with budget management. Within the confines of the rules of the scheme, the SEAI would very much welcome the continued participation of the CBO in question. I would also like to reassure Deputy that coverage of vulnerable homes in the county will continue to be provided through private contractors should the services of the CBO be withdrawn pending resolution of this issue.

Broadband Services Provision

138. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if he will consider partnership arrangements with Eircom and other telecommunications companies which are undertaking upgrade works to the fixed line fibre cable broadband network in that his Department would finance the extension of the network in areas which are in relatively close proximity to the locations of the planned upgrades. [21812/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I refer the Deputy to my reply to Question No. 360 of the 30th April last. I have nothing further to add to that response.

Animal Welfare Issues

139. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the policy that exists in relation to putting dogs down in the State's pounds; and if he has received any complaints regarding the dog pound in County Wicklow having a significantly higher than average rate of putting dogs down. [21758/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Control of Dogs Act, 1986 sets out the legislation regarding how dogs which are seized or detained by local authorities or surrendered to local authorities are dealt with. It is a matter for each local authority to establish and maintain shelters for their particular areas. The majority of local authorities, including Wicklow County Council, operate cooperatively with dog welfare organisations and together they work to reduce the number of dogs entering the local authority pound system being put to sleep.

Nationally, the total number of dogs being put to sleep has reduced significantly over the years, from a figure of 27,570 in 1998. In 2012 the total number of dogs put to sleep was 4,904, which itself was a 20% reduction on the 2011 figure. The Wicklow dog shelter does not have a significantly higher than average put to sleep rate compared to other dog shelters; the rate in Wicklow is about half the national average. Full details of dog control statistics, including the figures for dogs put to sleep in Wicklow, are available on my Department's website: <http://www.environ.ie/en/Publications/StatisticsandRegularPublications/DogControl/>.

Water and Sewerage Schemes Status

140. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his Department has approved the application from Fingal County Council for the second phase of the sewerage pipeline upgrade for Rush, County Dublin. [21594/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 176 of 28 February 2013. The position is unchanged.

Local Authority Housing Provision

141. **Deputy Michael P. Kitt** asked the Minister for the Environment, Community and Local Government if he will make funding available to the North Tipperary County Council for the provision of social housing (details supplied) in County Tipperary; and if he will make a statement on the matter. [21601/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): In June 2012, my Department invited each City and County Council to submit proposals for the purchase or construction of new social housing units over the period 2012 – 2014 based on priority and need. North Tipperary County Council submitted twenty nine proposals in relation to the purchase of houses at various locations within the county and listed twelve construction projects for consideration of funding. Based on the priority afforded to the proposals by the Council, approval issued in July 2012 for the purchase of two housing units at a cost of €390,000 and the construction of two units in Borrisoleigh at a cost of €326,517. A project at Coalbrook Developments, Ashbury, Roscrea, Co. Tipperary was not listed in the proposals submitted by North Tipperary County Council. It will be a matter for the Council to submit a proposal under any future call for proposals for the purchase or construction of properties.

Electoral Divisions Establishment

142. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the progress made to date on the establishment of an electoral commission; the main function of the proposed electoral commission; if he has considered the composition of the commissioners to reflect impartially; when he expects legislation to be published on same; and if he will make a statement on the matter. [21622/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government includes a range of political reform measures a number of which are in my area of responsibility as Minister for the Environment, Community and Local Government. Many of the measures have already been implemented through legislation enacted in the last two years. Legislation enacted in 2011 provides for a reduction in the number of TDs, reduced spending limits at Presidential elections and time limits for the holding of bye elections. Legislation enacted in 2012 strengthens the political funding regime in Ireland and provides for the payment of state funding to political parties being conditional on parties having at least 30% women and 30% men candidates at the next general election. The Electoral (Amendment) (Dáil Constituencies) Act 2013 was signed into law in March and provides for 158 TDs to be elected to represent 40 constituencies in the next Dáil.

The Government legislation programme includes the Electoral (Amendment) Bill 2013 which will provide for amendment of the European Parliament Elections Act 1997 to transpose directive 2013/1/EU which amends arrangements for EU citizens exercising their right to stand as a candidate in European Parliament elections in a Member State of which they are not nationals but in which they are residing; and for other amendments to the electoral acts relating to the date for additions to the postal voters register supplement list, the circulation of Referendum Bills to Post Offices, the register of electors in Limerick, Tipperary and Waterford and the review of European Parliament constituencies. Also in the legislation programme the Electoral (Amendment) (Referendum Spending and Miscellaneous Provisions) Bill, to be progressed later this year, will implement more commitments in the Programme for Government. Arising from the Action Programme for Effective Local Government I established a Local Electoral Area Boundary Committee in November 2012 to review and make recommendations on local electoral area boundaries in time for the 2014 local elections and my Department is providing administrative support to that committee.

Following these tasks, I will be addressing the Programme for Government commitment to establish an Electoral Commission to subsume functions of existing bodies and my Department. Establishment of an Electoral Commission will be a major body of work. Issues for consideration include international best practice, the Commission's structure and functions, who it reports to, its relationship with other bodies currently involved in electoral administration, and the approach to be followed in relation to the extensive legislation that will be required, as well as practical matters including staffing and funding arrangements.

Environmental Protection Agency Governance

143. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will lay before the Houses of the Oireachtas the latest report and accounts for the Environmental Protection Agency. [21647/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under section 50 of the Environmental Protection Agency Act, 1992, the Environmental

Protection Agency (EPA) must submit its accounts annually to the Comptroller and Auditor General for audit and the audited accounts must then be presented to the Minister to be laid before each House of the Oireachtas. Section 51 stipulates that a report on the performance of the EPA's functions during each financial year should be laid before each House of the Oireachtas as soon as may be after the end of that year, but not later than six months thereafter. The most recent Annual Report and Accounts for the EPA, relating to 2011, were laid before the Houses of the Oireachtas on 8 November 2012. The Annual Report & Accounts for 2012 will be laid before the Houses of the Oireachtas as soon as they become available, in accordance with Sections 50 and 51 of the Environmental Protection Agency Act, 1992.

Local Government Management Agency Issues

144. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will lay before the Houses of the Oireachtas the latest report and accounts of the Local Government Management Agency; if he will confirm his Department's funding of the LGMA in each of 2011 and 2012; and if he will confirm the fees paid to the board members and chief executive officer in each of 2011 and 2012. [21648/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): As part of my Department's agency rationalisation programme the Local Government Management Services Board (LGMSB) and the Local Government Computer Services Board (LGCSB) were merged into the Local Government Management Agency which was formally established in August 2012. In addition, An Chomhairle Leabharlanna was dissolved and key residual functions were also subsumed into the Agency.

The final audited financial accounts of the LGCSB, for the period 1 January 2011 to 31 August 2012 and the LGMSB for the periods 1 January 2011 to 31 December 2011 and 1 January 2012 to 31 August 2012 will be laid before the Houses of the Oireachtas shortly.

The LGMA is funded by way of a levy on county and city councils, as were the LGMSB and the LGCSB. My Department provide some funding to the LGMA to support specific initiatives in the local government sector. In this regard, my Department provided €660,000 in 2011 towards educational initiatives in the area of Business Administration for local authority staff. In 2012, my Department provided €157,982 to support partnership in the sector, €12,877 towards the Public Lending Remuneration Scheme for authors in Public Libraries and €72,768.28 as a contribution to the establishment of the Libraries Development Unit.

All Board members of the former Boards of the LGMSB and the LGCSB and the current Board of the LGMA are public servants and no fees are payable. An annual salary of €153,885 was paid to the Chief Executive for 2011 and 2012.

Waste Management Issues

145. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government the plans, if any, he has to tackle the problem of dioxins from waste which are seeping into our atmosphere, if on land, in the air or in the water. [21700/13]

146. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government the plans there are, at European Union level, to tackle the problem of dioxins from waste which are escaping into the atmosphere, if on land, in the air or in the water. [21701/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 145 and 146 together.

The Environmental Protection Agency's study 'Dioxin Levels in the Irish Environment: Ninth Assessment (Summer 2011)' is a follow-up survey to eight earlier studies carried out between 1995 and 2009. These studies, based on levels of dioxins found in cows' milk, have shown that concentrations of dioxins and other pollutants remain at a consistently low level in the Irish environment. The report is available to download from the EPA's website www.epa.ie.

The levels of dioxins found in the 2011 surveys are well below the EU limit for dioxins in milk and milk products and the results are also in line with earlier similar EPA surveys. In addition, all dioxin levels recorded in the 2011 survey compare favourably with those taken from a random selection of similar studies in EU and other countries. Furthermore, the dioxin levels were in line with a 2010 Food Safety Authority of Ireland breast milk study which confirmed low levels of exposure to the Irish population. The 2011 report indicated that the dominant sources of dioxin emissions in Ireland are from non-industrial activities, which in relation to waste would comprise the open burning of waste, also known as backyard burning. Considerable efforts have been made in recent times to address the issue.

In general terms, any burning of waste that gives rise to pollution is in breach of both Waste Management and Air Pollution legislation. Section 32 of the Waste Management Act 1996 sets out the general duty of a holder of waste not to hold, transport, recover or dispose of waste "in a manner that causes or is likely to cause environmental pollution."

The Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009 make it an offence to dispose of waste by uncontrolled burning and various actions are prohibited by the regulations, including burning within the curtilage of a dwelling. Local authorities are empowered to take legal action against offenders and fines of up to €3,000 are applicable for summary convictions of offences.

Departmental Funding

147. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if and when funding will be released for the Big House Festival, Castletown House, Celbridge, County Kildare, which is due to take place on 20 May 2013; if he will prioritise the release of funding with particular reference to the fact that the festival is due to take place in three weeks time; and if he will make a statement on the matter. [21712/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department is currently working with all Local Development Companies (LDC) contracted to deliver the LEADER elements of the Rural Development Programme (RDP) in order to facilitate the speedy consideration of festival projects in the context of their contribution to The Gathering this year.

My Department has spoken to the LDC in question, Cill Dara ar Aghaidh Teo, and was informed that this project has yet to be considered by the Board. The LDC is the principle decision maker in respect of project submissions and in this context it is the responsibility of the Board to consider the eligibility and suitability of this project for RDP funding. My Department will work with this LDC, and all other LDCs, to facilitate the consideration of festival projects that have tight deadlines, recognising that the responsibility for decision making rests solely with the LDC.

Leader Programmes Funding

148. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government if he will report on the progress of reforming the structures of Leader funding provision as contained in the Putting People First document; and if any agreement has been made on the bottom-up approach of delivery. [21877/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Report of the Local Government/Local Development Alignment Steering Group made a number of recommendations, which Government accepted, focused on improving the delivery of services for the citizen at a local level, achieving greater efficiency and effectiveness, and enhancing the role of local authorities in the delivery of local and community development programmes and functions. A working group comprising key stakeholders is currently overseeing the arrangements to implement the Steering Group's recommendations. New arrangements will consider the roles of central and local government, and the continued role of local development companies in programme implementation, including LEADER implementation.

The value of funding available under future LEADER supports and the detailed regulations for implementation purposes are yet to be agreed for the next programming round. These issues, along with the alignment implementation arrangements currently being examined by the working group, will be relevant and important in identifying the optimum programme arrangements for local development funding. LEADER supports will continue to be implemented via a bottom-up approach in line with EU requirements.

Homelessness Strategy

149. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government if work is underway on drawing up a new strategy to tackle the problem of homelessness in advance of the expiry of the current strategy this year. [21880/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I recently published a Homelessness Policy Statement in which I outlined the Government's aim to end long-term homelessness by the end of 2016. The statement emphasises a housing-led approach which is about accessing permanent housing as the primary response to all forms of homelessness. The availability and supply of secure, affordable and adequate housing is essential in ensuring sustainable tenancies and ending long-term homelessness.

When I published the statement, I announced a set of indicators which will be used to demonstrate the dynamics of homelessness as it is addressed. These indicators will give a clearer picture of homelessness in Ireland, and, in quantifying its ongoing extent, will support the bringing forward of realistic and practical solutions. I established a high-level three-person oversight group for the purpose of reviewing the progress of the approach being advocated in the statement, reviewing progress with indicators, identifying obstacles and proposing solutions. The group expects to provide me with their first report in the Autumn.

I will await the findings of the group before making a decision on a successor to the current homeless strategy, *The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008 - 2013* which expires at the end of this year.

Prisoner Transfers

150. **Deputy Sean Fleming** asked the Minister for Justice and Equality the arrangements in place between Ireland and Germany regarding Irish persons serving sentences in jail in Germany being transferred to complete their sentence here; the conditions and requirements that apply; and if he will make a statement on the matter. [21723/13]

151. **Deputy Sean Fleming** asked the Minister for Justice and Equality the arrangements in place between Ireland and Bavaria in Germany regarding Irish persons serving sentences in jail in Bavaria being transferred to complete their sentence here; the conditions and requirements that apply; and if he will make a statement on the matter. [21724/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 150 and 151 together.

I am to advise the Deputy that the Convention on the Transfer of Sentenced Persons was ratified in Germany on 31st October, 1991 and came into force there on 1st February, 1992. The Transfer of Sentenced Persons Acts, 1995 and 1997 provide a mechanism whereby non-nationals serving sentences in Ireland may apply to serve the remainder of their sentences in their own countries and, similarly, Irish persons who are imprisoned overseas may apply to serve the remainder of their sentences in Ireland. Transfer requests under the Convention are normally made by a prisoner through the governor of the prison in which he or she is detained.

To be considered eligible for a transfer to the prisoner's home country, the prisoner must meet the criteria as set out as follows:

i) the prisoner must be a national of the country to which they want to be transferred, (there are some circumstances where a period of permanent residency may be sufficient rather than being that nationality)

ii) the sentence imposed is final, therefore remand prisoners, or prisoners who have an appeal against the conviction are not considered for such transfers

iii) there is at least 6 months left to serve on the sentence imposed

iv) the offence that the prisoner has been convicted of is considered to be a crime in their home country too.

I decide on all such requests following the collation of a number of reports from various agencies setting out the consequences of such a transfer. For any such transfer to take place, the consent of all three parties in the process is required i.e. the sentencing state, the receiving state and the sentenced person.

Legal Aid Service Expenditure

152. **Deputy Seán Kyne** asked the Minister for Justice and Equality if additional resources will be made available to the Legal Aid Board to enhance the support, advice and information available to persons in financial difficulties such as mortgage arrears. [21817/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that 16,870 applications were made to the Legal Aid Board's general law centres during 2012. This compared with 18,727 applications in 2011 which was a decrease of approximately 10%. Overall however, there has been a significant increase in demand for civil legal aid services in recent years, as the number of applications in 2006 was 9,689 which the Deputy will note from last year's figure was almost 74% ahead of the demand six years earlier. On the asylum side the

trend has been consistently downwards for a number of years. Last year there were 725 new applications to the Board for asylum related matters. This compares to a figure of 979 in 2011 and 2,980 in 2006. Adjusting the numbers overall there were 17,595 new applications in 2012 compared to 19,706 in 2011 and 12,669 in 2006. The drop in demand in 2012 on 2011 was just under 11% while demand in 2012 was still 39% ahead of what it was six years previously. From this year we are recording a single figure for demand for services.

Having regard to the significantly increased demand for services from the Legal Aid Board in recent years, it was decided to maintain the Board's grant-in-aid for 2013 at the same level as last year. The Board, in common with all public service organisations, has to manage the delivery of their services in the most cost effective and efficient manner possible having regard to ongoing pressure on the public finances. Notwithstanding the pressures on resources, I have further supported the Board by approving exemptions from the moratorium to enable the organisation to recruit front-line staff for direct service delivery. The Public Appointments Service is currently running a solicitor recruitment competition for the Board from which appointments, both temporary and permanent, will be made in the coming months.

The Deputy should also note that prior to 2012 the Board received a grant-in-aid for its general civil legal aid services and a separate grant for its asylum services. The 2012 allocation was however, a single grant-in-aid which included funding in respect of the Family Mediation Service, for which the Board assumed responsibility in late 2011. This has facilitated the integration of the asylum area into the general service delivery area with consequent efficiencies in terms of use of resources. I am confident that this measure combined with the extra staffing resources will meet the demands that are placed on the civil legal aid system generally and will not be specific to any particular problem type.

Property Registration Authority

153. **Deputy Willie O'Dea** asked the Minister for Justice and Equality if his attention has been drawn to any concerns relating to the method of registering judgment mortgages by the Property Registration Authority of Ireland; if he will investigate a case where two judgment mortgages were registered against a folio (details supplied) in County Limerick, in 2003 and 2004, same orders were registered again against the same folio under a separate instrument number; and if he will make a statement on the matter. [21598/13]

Minister for Justice and Equality (Deputy Alan Shatter): The role of the Property Registration Authority in relation to the registration of judgment mortgages is purely administrative and provided that an application is made in the correct form, registration proceeds. The case referred to by the Deputy is currently the subject of an ongoing judicial review case. Two judgment mortgages were lodged with the Property Registration Authority by a firm of solicitors in 2003. Due to a perceived error on behalf of the lodging party, two fresh judgment mortgage affidavits were lodged for registration by the same firm of solicitors in March 2004.

On 6 May 2004, the title holder applied to the Land Registry to remove the judgment mortgages. As indicated, registration of judgment mortgages is purely an administrative process. In the absence of a release by the owner of the judgment, a decision was made by the Property Registration Authority to refuse the application and an order of refusal issued on 9 August 2007. The title holder subsequently applied for Judicial Review in the High Court against the refusal order issued by the Authority. I am advised by the Property Registration Authority that prior to the hearing, the original two judgment mortgages were cancelled from the folio on foot of legal advice and on notice to the solicitor for the judgment mortgagee, since the interest was still protected by the second two judgment mortgages. The High Court found in April 2009

that the Authority was obliged by law to register the judgments in question. It was also held that the Authority had ample power to cancel the duplicated judgment mortgages. The Court refused the reliefs sought in the judicial review proceedings. The matter is currently on appeal to the Supreme Court and on 3 May 2013 the appellant was granted further time to file a Book of Appeal.

It would not be appropriate for me to comment any further in relation to matters which are subject to ongoing legal proceedings.

Child Abduction

154. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality the number of times the Hague Convention on child abduction has been invoked in this State in each of the years 2010, 2011, 2012 and to date in 2013; and if he will make a statement on the matter. [21600/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Central Authority for Child Abduction operates in my Department for the purposes of, among other international instruments, the Hague Convention on the Civil Aspects of International Child Abduction. The Convention is designed to ensure the prompt return of children who have been removed from one contracting state to another - usually by a parent in defiance of the wishes of the other parent. The information requested by the Deputy is set out in the following table.

Year	Total number of cases processed	Total number of new cases	Applications where 1980 Hague Convention invoked only	Applications where 1980 Hague Convention and Brussels II bis* Regulation invoked
2010	233	140	117	46
2011	261	142	125	79
2012	276	147	116	82
2013 (to date)	90	61	19	17

* Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and matters of parental responsibility.

Please note some applications would have been processed under other international instruments. Further details are available on my Department's website at www.justice.ie/en/JELR/Pages/International_child_abduction.

Law Reform Commission Reports

155. **Deputy Andrew Doyle** asked the Minister for Justice and Equality the possible legislative changes to jury composition here in view of the Law Reform Commission's Report on jury service; and if he will make a statement on the matter. [21619/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy may be aware, I have welcomed the Law Reform Commission's recently published report on Jury Service which includes an examination of the law concerning how individuals are selected for jury ser-

vice and follows on from the Commission's 2010 Consultation Paper. The Report contains 56 recommendations covering a broad range of issues relating to jury service together with a draft bill which will be fully considered in my Department. A number of the recommendations have cost implications which will require careful evaluation in the current economic climate.

Court Staff

156. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if he will outline the role of the Master of the High Court; the way a person is appointed to the position; the salary of the position; the length of the term of office; and if he will make a statement on the matter. [21624/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Master of the High Court is appointed by Government under Section 3(3) of the Court Officers Act 1926 which also specifies that the Master holds office at the pleasure of the Government and can serve to age 70.

The powers and jurisdiction of this quasi judicial office are set out in the Courts Acts and Rules of Court and relate mainly to administrative and procedural matters which are required to be dealt with prior to a full hearing in the High Court. The salary is currently €156,241.

Citizenship Applications

157. **Deputy Derek Nolan** asked the Minister for Justice and Equality the position regarding an application for citizenship in respect of a person (details supplied); the time-frame for conclusion of the same; and if he will make a statement on the matter. [21664/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned made an application for residency in the State on the basis of being the spouse of an EU National who was exercising her EU Treaty Rights in this State on 31 March, 2010. This application was refused and the person concerned was notified to this effect by letter dated 29 September 2010. The refusal decision was subsequently reviewed and the initial refusal decision was upheld and the person concerned was informed by letter dated 21 March 2011.

On 18 November, 2011 the person concerned submitted an application for Zambrano. All representations submitted, including those relating to the possible relevance of the Zambrano Judgement to the case, will be considered before a final decision is made. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

The case of the person concerned is amongst many to be considered at present and it is not possible to provide a specific indication as to when this case will be finalised.

The Deputy should note that as the person concerned has no current right of residency in the State, he would not be in a position to meet the lawful residency criteria applicable to persons applying to my Department for a Certificate of Naturalisation.

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.

Garda Operations

158. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Justice and Equality if Gardaí are required to issue a receipt upon seizing assets which may be used in a court case at a later date; the minimum requirements for such a receipt; if any such receipt must include date, place of seizure, estimated value and so on; and if he will make a statement on the matter. [21665/13]

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 directly as soon as the report is to hand.

Illegal Moneylenders

159. **Deputy Tony McLoughlin** asked the Minister for Justice and Equality if proposals to deal with illegal money lending in Ireland and persons involved in such practices will be regulated in any forthcoming legislation sponsored by him coming before the Houses of the Oireachtas in the next number of months; and if he will make a statement on the matter. [21668/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that the regulation of money lending in this jurisdiction is provided for by way of a number of pieces of statutory legislation.

Legislative provisions relating to the regulation of money lending are provided for in the Consumer Credit Act 1995, which is the responsibility of the Minister for Jobs, Enterprise and Innovation.

Under the 1995 Act, unlicensed money lending is an offence. Persons who engage in money lending and who do not hold the necessary licence granted by the Central Bank are committing an offence under section 98 of the Act.

The regulation of licensed money lending is a matter primarily for my colleague the Minister for Finance. Under the provisions of the Central Bank and Financial Services Authority of Ireland Act 2003 the Central Bank of Ireland is designated the competent authority in this jurisdiction with regard to licensed money lending activity.

There are also a number of provisions in the criminal law which may be of relevance in particular circumstances, for example, sections 10 and 11 of the Non-fatal Offences against the Person Act 1997 and section 17 the Criminal Justice (Public Order) Act 1994 provide for offences relating to harassment, extortion and demanding money with menaces.

While consideration of any proposed legislative change in relation to the regulation of money lending would primarily be a matter for my colleague Minister Bruton, insofar as my Department has a role in this area and in the context of the investigation of illegal money lending, I have previously indicated to the House that I will consider any proposals which might be made in aid of the investigation of such offences.

My Department has also written to the Garda Commissioner to ascertain if there are any further improvements that could be made to the legislative framework in this area which might be of assistance to An Garda Síochána in the investigation of such offences.

Of course, I would also encourage those who may have information concerning the operation of unlicensed money lenders in particular circumstances to make that information available

to An Garda Síochána who will take all measures open to them to enforce the law in this area.

Civil Partnership Legislation

160. **Deputy Peter Mathews** asked the Minister for Justice and Equality if he intends to extend the civil partnership legislation to incorporate (details supplied); and if he will make a statement on the matter. [21676/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have no plans to extend the civil partnership legislation to couples other than same-sex couples who choose to register their partnership, nor to extend the cohabitant provisions to familial pairs or groupings. I do not consider civil partnership to be an appropriate means of addressing the possible needs of the very disparate range of “non-conjugal” cohabitants as it imposes a very high level of mutual responsibility and obligation on the parties to it. The redress scheme, for instance, separately provided for in part 15 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010, allows a qualified cohabitant, at the end of the relationship, to seek maintenance from the other, or a pension adjustment order or property adjustment order. Where the relationship ends on death, a qualified cohabitant may seek provision from the estate of the deceased cohabitant. Imposing such a default scheme on relationships based on family ties or friendship would be an unwarranted interference in those relationships and into the autonomy of each of the parties.

Internet Safety Issues

161. **Deputy Billy Kelleher** asked the Minister for Justice and Equality the action he will take against websites that promote harmful and unhealthy behaviour such as promoting anorexia and bulimia and other eating disorders; and if he will make a statement on the matter. [21695/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that the internet is global in reach and that, as a consequence, there is very limited scope for regulation by national authorities. National authorities may act only in very specific instances, most notably in relation to sites carrying child pornography.

The Office for Internet Safety in my Department addresses a range of internet safety issues. Its focus is on child pornography and cyberbullying. Its efforts are directed primarily towards information dissemination and awareness raising. It also has oversight of Hotline.ie, the confidential service that receives reports of suspected illegal content and, where appropriate, arranges to have such content removed. I regret that I am not in a position to comment on the specific matters mentioned by the Deputy as they are matters for my colleague, the Minister for Health.

Crime Statistics

162. **Deputy Robert Dowds** asked the Minister for Justice and Equality if the criteria for recording of burglary offences for purposes of national crime statistics has been altered in the past four years; and if so, in what way have they been altered and the rationale for the alteration. [21703/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that no instructions were issued in the past four years to alter the criteria for recording burglary offences. I am further informed that burglary offences are recorded in compli-

ance with the General Crime Counting Rules which are published by the CSO on www.cso.ie as Technical Notes in the Background Information section in each of its Quarterly Recorded Crime Reports. These notes explain when a crime is captured on PULSE.

Garda Operations

163. **Deputy Robert Dowds** asked the Minister for Justice and Equality the reason for the 22% reduction in the number of Garda summonses in the first three months of 2013 compared to the first three months of 2012. [21704/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that there are many factors affecting the number of summonses, which relate in the main to less serious summary offences, issued at any point in time. These factors include the underlying level of offending as well as the use being made of the various alternatives to prosecution which exist. Caution should also be exercised of course in seeking to interpret or draw any firm conclusions with respect to figures relating to such a short period of time. I have, however, asked the Garda authorities for a report on their assessment of these figures and will contact the Deputy again when this is to hand.

Insolvency Service of Ireland Issues

164. **Deputy Michael McGrath** asked the Minister for Justice and Equality the form the personal insolvency register will take; the information it will contain; if it will be published on the web and if persons remain on the register indefinitely. [21735/13]

Minister for Justice and Equality (Deputy Alan Shatter): Under Section 133 of the Personal Insolvency Act 2012, the Insolvency Service of Ireland (ISI) is required to maintain registers for Debt Relief Notices (DRNs), Debt Settlement Arrangements (DSAs), Personal Insolvency Arrangements (PIAs) and Protective Certificates. The Act states that the Registers must be made available for public inspection. I am advised by the ISI that the Registers will be in electronic format and will be available to view via the ISI website, www.isi.gov.ie. It is intended that only the necessary information will be recorded on the various Registers to fulfil their function. A debtor's name, address, year of birth and the date of the arrangement coming into effect will be recorded on the Register. The Registers will also contain contact details for Personal Insolvency Practitioners and the ISI.

I am aware of the need to add further relevant provisions in regard to the operation of the Registers and my Department, in consultation with the Office of the Attorney General, is preparing the necessary amendments for approval by Government and presentation to the Oireachtas in the very near future. It is intended that the relevant amendments will be incorporated in the Courts Bill 2013 which is presently being processed through the Houses of the Oireachtas. It is the intention that where a debtor has successfully completed an arrangement, his/her details will be removed from the public Registers.

Prison Accommodation

165. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question No. 416 of 26 March 2013, the reason for the delay in collating and issuing the information requested. [21739/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that, while the delay in providing the information is regretted, the collation of this information requires a significant amount of staff time and effort. However, I will write directly to the Deputy within the next week on the matter.

Child Abduction

166. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will give details of the way that the Irish Central Authority dealt with a case (details supplied) under the Hague Convention; and the action, if any, he now intends to take. [21760/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will appreciate, it would not be appropriate for me to comment on individual cases that may have been the subject of an application under the 1980 Hague Convention on the Civil Aspects of International Child Abduction. Such applications are facilitated by the Central Authority for International Child Abduction which is part of my Department. Decisions on the outcome of such applications rest with the Courts of the relevant jurisdiction and not with the Central Authority.

Owners Management Companies

167. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality if his attention has been drawn to a practice (details supplied) in County Meath; if he will outline the rights of these residents; and if he will make a statement on the matter. [21779/13]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that the Multi-Unit Developments Act 2011 contains provisions which are primarily intended to facilitate the fair, efficient and effective management of owners' management companies (OMCs). Section 18 of the 2011 Act requires OMCs to establish and maintain a scheme of annual service charges from which they may discharge expenditure incurred on the provision of common or shared services to the owners and occupiers of residential units in the development, including insurance, waste management and security services. The service charge must be calculated on a transparent basis and be equitably apportioned between the residential unit owners. In order to ensure transparency and accountability, both the annual service charge and the services to be provided must be approved by a general meeting of the members of the OMC. Section 18 also provides that the owner of each residential unit is under an obligation to pay all service charges levied under the Act. As regards the recovery of unpaid service charges, section 22 of the Act provides that they may be recovered by the OMC as a simple contract debt in a court of competent jurisdiction, i.e normally the District Court.

Owners Management Companies

168. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality the number of cases taken before the courts of residents vs management companies in the years 2010, 2011, 2012 and to date in 2013; and if he will make a statement on the matter. [21780/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Courts Service has advised me that the information sought by the Deputy is not available since court records are not maintained in a manner which identifies the parties according to the types of proceedings involved.

Garda Operations

169. **Deputy Clare Daly** asked the Minister for Justice and Equality if he will inquire of Garda authorities where the property of protestors involved in the occupy Dame Street movement was taken when the police removed the camp; and the action citizens can take to have their belongings returned, with particular reference to an expensive braille reader owned by one of the protestors who needs it to communicate with other blind persons. [21801/13]

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 directly as soon as the report is to hand.

Employment Rights Issues

170. **Deputy Seán Kyne** asked the Minister for Justice and Equality when it is envisaged that the newly constituted Irish Human Rights and Equality Commission will be in a position to examine and report on the effects of section 37 of the 1998 Employment Equality Act; and if he will indicate a timeframe for implementing the recommendations, if any, on legislative changes. [21876/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question No. 194 of 1 May 2013, below. The position is unchanged since then.

I refer the Deputy to my replies to Parliamentary Questions No. 54456 of 4 December 2012, No. 2999 of 22 January 2013, No. 4077 of 5 February 2013 and No. 10664 of 27 February 2013. As I explained in response to these previous questions, the Government has undertaken in its Programme for Government to ensure that people of non-faith or minority religious backgrounds and publically identified lesbian, gay, bisexual and transgender people should not be deterred from training or taking up employment as teachers in the State. I have previously expressed concern about the potential impact of section 37 of the Employment Equality Acts on lesbian, gay, bisexual and transgender persons. This section is designed to allow schools and other institutions to maintain their religious ethos. It was examined by the Supreme Court in 1996 when the Employment Equality Bill of 1996 was referred to it under Article 26 of the Constitution. The Supreme Court found that it is a reasonable balancing in legislation of the different rights involved, including chiefly the right to earn a living and the rights to freedom of religion and association. I am concerned however that, in practice, the balance is not a fair one and that in practice this provision can operate in a way that is unfair to LGBT persons. I consider that an extensive consultative process and formal assessment of the options should be undertaken. On 16 April, I announced the names of 14 new members designate of the Irish Human Rights and Equality Commission. In advance of legislation to establish the new Commission, the members designate will take up their positions on the two existing bodies that are being merged, the Equality Authority and the Human Rights Commission. I will be meeting the Commissioners shortly. As I have previously explained, I intend to ask them to examine this issue as a priority. I hope they will complete this consultation process quickly and report on their views and recommendations to the two Ministers centrally concerned, the Minister for Education and Skills, Deputy Quinn and myself as the Minister for Justice and Equality and to the House. I am committed, once this necessary consultation process is completed, to bringing forward Government proposals for any necessary anti-discrimination amendment to this provision. In this context, the Government has welcomed the Private Members' Employment Equality (Amendment) (No.2) Bill which has passed Second Stage in the Seanad.

During the Second Stage reading of the Bill, my colleague Minister of State Kathleen Lynch signalled to the House the Government's intention to take forward this Bill, with any amendments that might be needed, with Government support for enactment.

Fodder Crisis

171. **Deputy Seamus Healy** asked the Minister for Agriculture, Food and the Marine in view of the continuing bad weather, stretching back to Summer 2012, the resultant fodder shortage at present and the probable knock on fodder shortage this coming winter and spring 2014, if he will apply to the EU for emergency funding to address the situation; and if he will make a statement on the matter. [21778/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): With regard to the EU Solidarity Fund, this Fund is, in the main, confined to major disasters which have lasting repercussions on economic stability, living conditions and the natural environment. A natural disaster is considered as 'major' if it results in damage on the State's territory estimated either at over €3 billion (2002 prices), or at more than 0.6 % of its gross national income. I am keeping the funding and fodder situation under review and will react as appropriate to emerging situations.

Agri-Environment Options Scheme Payments

172. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when agri-environment options scheme 1 and AEOS 2 payments will issue to farmers who have penalty reviews attached to their cases; the reason for the delay in issuing these payments; and if he will make a statement on the matter. [21614/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the EU Regulations governing all area-based payment schemes, a comprehensive administrative check of all applications, including cross-checks with the Land Parcel Identification System, must be completed before any AEOS payment can issue. Successive EU audits have made it absolutely clear that compliance with the Regulations must be strictly adhered to and that all administrative checks must be passed and eligibility conditions met before payment issues. As a result, my Department is obliged to ensure that individual payments will not issue until all aspects of a farmer's application are in order, all outstanding documentation provided and all queries resolved. When a person is found to be in breach of the Terms and Conditions of the scheme a penalty will be applied to their AEOS application. Penalties can be applied to AEOS applications for a number of reasons including non compliances with the terms and conditions of the scheme following on farm inspections, area over declarations and SPS penalties which can cross over to AEOS applications. Payments on penalty cases under AEOS 1 and 2 are nearing completion and officials in my Department are currently finalising penalty cases with the intention of completing outstanding cases as soon as possible.

Coillte Teoranta Reports

173. **Deputy Andrew Doyle** asked the Minister for Agriculture, Food and the Marine if he has commissioned a report on State forestry and the future of Coillte; the date on which he commissioned the report; the person appointed to conduct the report; if he has received a copy of the completed report and the date on which he received same; the main points of the report; if he has had the opportunity to review its content in full and its implications; the date on which

he intends to publish the report; and if he will make a statement on the matter. [21670/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An in-depth review of national forest policy is currently being finalised. This review, arising from a Government commitment that such be undertaken, commenced in 2010 and was undertaken by a group consisting of representatives of the forestry sector. The review of forestry policy is currently in the process of a Strategic Environmental Assessment (SEA), which includes consultation with statutory bodies and the general public. It is anticipated that the process will be concluded by the end of July after which it is planned to issue the report, taking account of any further inputs received during the SEA process. A review of Coillte was also undertaken as part of the process. While significant work was undertaken by an interdepartmental group dealing exclusively with the role, functions and operations of Coillte, the deliberations were superseded by the Government Decisions in 2012 in relation to the sale of state assets which encompasses Coillte.

While I have not formally commissioned a report on State forestry and the future of Coillte, a number of detailed financial, technical and other specialist reports were prepared for Coillte, by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management, as part of the analysis undertaken on foot of the Government's decision, in June 2012, that a concession for the harvesting rights to Coillte's forests be considered for sale. NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of a potential transaction, with NewERA liaising with the bodies engaged to undertake specific aspects of that examination. Drafts of the reports from all of the bodies so engaged were received and consideration of those reports is ongoing. While the consideration process is at an advanced stage, no decision has been taken, as yet. The outcome of the overall analysis will be considered by the Government upon its completion.

Forestry Grants

174. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a forestry payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [21678/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Due to the applicant's plantation not being up to the required standard, a remedial works letter issued to him in March 2013. Once the works outlined have been completed and the plantation is up to the Forest Service standard, the applicant (or his forester on his behalf) should notify the Forest Service to arrange an inspection. No further payments can issue for this plantation until the site is passed by the Forest Service.

Agri-Environment Options Scheme Payments

175. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the position regarding an agri-environment option scheme payment in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [21682/13]

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 1 September 2011. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks

with the Land Parcel Identification System, must be completed before any payment can issue. The person named was selected for a ground inspection which took place on 1 May 2012. During this inspection, issues of non compliance with the terms and conditions of the scheme were noted in relation to the Tree Planting – Standard and Laying of Hedgerow actions, which resulted in a penalty being imposed. A letter issued to the person named informing him of this penalty and giving him the option to appeal the decision. No appeal has been received from the person named.

Officials in my Department are currently processing the application on this basis and payment in respect of the 2011 scheme year will issue shortly. Payments in respect of the 2012 Scheme year are subject to a similar administrative checking process which includes verification of capital investments through checks on receipts. These checks have now been completed and following the payment for 2011, the payment in respect of 2012 will be finalised.

Agri-Environment Options Scheme Applications

176. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the reasons for the delay in payment of an agri-environment option scheme application in respect of a person (details supplied) in County Mayo; if he will expedite this application; and if he will make a statement on the matter. [21683/13]

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 1st September 2011 and has received full payment totalling €689.94 in respect of 2011.

Under the EU Regulations governing the Scheme, a comprehensive administrative check of all applications, 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 verification of capital investments through checks on receipts. These checks have been successfully completed and payment will issue shortly.

Agri-Environment Options Scheme Payments

177. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payment of the agri-environment options scheme will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [21719/13]

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 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. Payments in respect of the 2012 scheme year are subject to a similar administrative checking process. These checks have been successfully completed and full payment totalling €3,318.28 has now issued to the person named – 75% payment issued on 21st December 2012 and the balancing 25% payment issued on 10th January 2013.

Fodder Crisis

178. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the progress he is making to source a ship to import large tonnage of hay from the UK; and if he will make a statement on the matter. [21740/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I have put in place a €1 million scheme to support the transport cost associated with the importation of hay, haylage and maize silage from the UK and other countries. The importation of forage under the scheme is being managed at my request by the Dairy co-operatives. The scheme has been very successful to date with over 900 loads of hay, haylage and maize silage received and ordered into the country as of Tuesday, 7th May.

It is a matter for the dairy co-operatives who are managing this importation to arrange the most efficient means of transporting this forage into the country.

Agriculture Schemes Payments

179. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the progress he is making to try to release area based compensation payments in advance of September 2013 to assist farmers currently under serious financial pressure; and if he will make a statement on the matter. [21741/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Mindful of ongoing difficulties, I have decided that a formal request should again be made to the EU Commission seeking agreement to pay an advance from 16 October of the 2013 Single Farm Payment which, being the first day of the new EU financial year is the earliest potential payment date and almost two months ahead of the standard timeline. It will be recalled that my successful approach to Commissioner Ciolos for agreement to making an advance payment of the 2012 Single Farm Payment was prompted by the very wet weather experienced throughout last summer.

My Department will continue to make every effort to ensure that payments under the 2013 Disadvantaged Areas Scheme commence as early as possible in September, while taking into account of the need to adhere to the requirement in the governing EU Regulation, which provides that all eligibility checks must be finalised before full payments can commence.

In light of the difficulties experienced by farmers in sourcing fodder supplies, I announced, on 24 April, the allocation of €1 million to fund the Imported Fodder Transport Scheme, which is designed to reduce the cost to farmers of imported forage (hay, silage, haylage) from outside the island of Ireland. In light of the continuing difficulties being experienced last week, I extended the duration of the scheme to Friday 10th May, and a broadening of its scope to include maize silage. All fodder ordered in advance of that date will be supported by this scheme. The amounts of such supplies will require notification to my Department prior to 10th May and approval for coverage under the scheme.

I am pleased to note that since the introduction of this Scheme that significant quantities of fodder have been imported and are reaching those in most need.

Single Payment Scheme Payments

8 May 2013

180. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Kerry has not received any payments for 2011; and if he will make a statement on the matter. [21753/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has no record of receiving a 2011 Single Payment/Disadvantaged Area application from the person named. All Single Payment Scheme applications sent out by my Department in 2011 contained a pre-addressed return envelope with a Swiftpost label attached for which the herd owner receives a receipt from the Post Office upon posting. If the person named can provide this proof of postage or provide a substantiated explanation, my Department will review the case based on the information and documentation submitted. My Department has also been in direct contact with the person named to assist with the process.

Fodder Crisis

181. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he has evaluated the impact of the fodder shortage on the farming sector in all regions throughout the country; the extent to which it has been possible to make available emergency supplies; the extent to which the provisions to date in this regard have been sufficient; and if he will make a statement on the matter. [21789/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The fodder issue is something that my Department has been monitoring and dealing with for months at this stage. To help alleviate the difficulties being encountered by farmers, I established the €1 million Transport Fodder Scheme. Since the scheme was announced over 900 loads of fodder have been received or ordered. I am satisfied that this volume of imports is making a real difference on farms and assisting farmers through the fodder shortage. More recently I announced an extension in the duration of the Imported Fodder Transport Scheme to Friday 10th May, and a broadening of its scope to include maize silage. All fodder ordered in advance of that date will be supported by this scheme. The amounts of such supplies will require notification to my Department prior to 10th May and approval for coverage under the scheme.

My Department is evaluating the current fodder situation on an ongoing basis. As changes can and do occur on an almost daily basis, adjustments are made as and when they are required.

Fodder Crisis

182. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which his Department has monitored animal mortality arising from the feed shortage caused by the long winter and inclement spring weather conditions; if any particular steps can be taken to make provision for the future in this regard in the event of continued poor weather conditions in the current year; and if he will make a statement on the matter. [21790/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department is monitoring animal mortality on an ongoing basis. There has been an increase of over 20% this Spring when compared to the same period in 2012. While access to fodder is an immediate priority, grass growth in the months ahead will be the key to ensuring that this problem is overcome. In this regards I have asked Teagasc's advisory service to prioritise advice to farmers in the period ahead and to focus on the optimum use of fertiliser in generating feed for the national herd.

An Early Warning System, which is overseen by the Farm Animal Welfare Advisory Council (FAWAC) and operated from my Department, has been in place for some time to respond to queries from farmers who are facing emergency animal welfare situations and are in need of support. Feed is being sourced and provided to any farmer who is dealing with an animal welfare crisis and is in need of assistance.

Over 500 calls have been received to date through the system. The vast majority of calls are being adequately supported through fodder being made available under the transport subsidy scheme but a small portion of farmers, in need of more substantial support have been assisted directly by the Department. In excess of 100 farmers have received emergency financial assistance to the value of €180 - €1,000 under this system.

My Department's Veterinary Inspectors continue to be actively engaged in providing emergency assistance under the Department's early warning system to farmers whose animals are currently experiencing serious welfare issues and where the farmer him/herself is unable to cope with the situation.

I want to remind farmers that the animal welfare emergency assistance helpline continues to operate where animal welfare is seriously at risk. The emergency helpline number - 1850 21 19 90 (Low-call). No animal should die of starvation in this country and help is available to those farmers who cannot cope. I will continue to work with all stakeholders in the sector to get through this difficult period caused by very unusual weather patterns.

Fodder Crisis

183. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if arising from the experience of the past two years where poor weather conditions have affected the production of adequate animal fodder, any particular initiatives are likely to focus on production methods most likely to succeed in the event of poor weather conditions in the coming season with particular reference to husbandry and animal feed production methods; and if he will make a statement on the matter. [21791/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As the situation stands Teagasc is dispensing substantial amounts of technical/nutritional information in terms of fodder needs on farms arising from the difficult weather situation prevailing from summer 2012. Teagasc advisors are working with farmers on the ground to provide advice as to how to stretch existing fodder supplies and are available to support farmers in need of assistance.

Farm organisations are also working at a local level with farmers, disseminating information through text messages, advising farmers with surplus fodder to make it available on a commercial basis to their neighbours who have fodder shortages and sourcing fodder abroad. The Irish Dairy Board, IFA and agri-businesses launched more than €3m of extra fodder aid for farmers this week. The co-ops have also agreed to consider the introduction of interest free credit, within limits, to farmers for the purchase of fertiliser, limited to the month of May. A number of co-ops have confirmed participation in this initiative. This is aimed at ensuring farmers are supported in driving grass production in the months ahead providing fodder for next winter. Grass is the cheapest fodder source on all farms. In this regard I have asked Teagasc's advisory service to prioritise advice to farmers in the period ahead.

While access to fodder is a priority, grass growth in the months ahead will be the key to ensuring that this problem is overcome. I have been in regular contact with the banks, co-ops

and feed merchants and I have urged the greatest degree of flexibility, co-operation and support for farmers at this challenging time given the difficult conditions being experienced by many farmers. Both banks and co-ops have asked farmers to contact them to discuss the terms that are available and have indicated that they will show flexibility on the basis that the longer term outlook for farming is positive and prices are strong across most areas.

Animal Welfare Issues

184. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which poultry and pig producers have been in a position to comply with animal welfare directives requiring extra housing accommodation for sow and poultry units; if the local authorities have been in a position to facilitate the expeditious process of applications; the extent to which he has received any communication from the various regions in this regard; and if he will make a statement on the matter. [21792/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am aware of the difficulties which have been faced by a small number of pig producers in obtaining planning permission for the investment works which are required to be carried out on their farms in order to meet the new EU animal welfare standards which came into effect for the sector on 1 January 2013. In order to assist such farmers, I extended the closing-date for receipt of applications under the TAMS Sow Welfare Scheme on three occasions, with a final date for receipt of applications of Friday, 3 May 2013. In the case of the TAMS Poultry Welfare Scheme, the closing-date for receipt of applications was 12 August 2011. My Department maintains regular contact with the relevant local authorities in regard to issues which arise in relation to planning permission for the construction of animal housing which is required in order to comply with the new EU animal welfare standards concerned.

Animal Welfare Issues

185. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the fact that his Department will not accept certification by an appropriate planning professional to the effect that some accommodation developments required for compliance with animal welfare legislation are largely in accord the respective planning applications as is normally the practice where a slight variation with plans submitted occurs; if a means can be found to resolve such issues; and if he will make a statement on the matter. [21793/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I assume the Deputy refers to the terms of both the TAMS Sow Welfare and Poultry Welfare Schemes. Under the terms of both Schemes, each grant application must be accompanied by either full planning permission or a declaration of exemption issued by the relevant local authority. Where a small variation occurs between the approved dimensions and the completed structure, the applicant is required to get confirmation from the relevant local authority that the completed structure is in compliance with the terms and conditions of the planning permission. As both Schemes are now closed for applications, I have no plans to amend with retroactive effect the provisions of either Scheme.

Beef Industry Irregularities

186. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied that all the issues that arose culminating in the inclusion of horsemeat in beef burgers have been resolved satisfactorily to the satisfaction of his Department and that of the European Union, in this country and throughout the EU; if he is satisfied that the various procedures in place are being strictly observed in the spirit of the letter; and if he will make a statement on the matter. [21794/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The report on ‘Equine DNA and Mislabeling of Processed Beef Investigation’ which I released on 14 March 2013 sets out a range of actions being taken in relation to this issue at both national and EU level. These include a programme of DNA testing of beef products and testing of horse meat for the presence of phenylbutazone. Meat traders/agents will be required to register as food business operators. Controls relating to horse identification are being strengthened and my Department is taking responsibility for the supervision of all horse abattoirs in Ireland.

The report clearly detailed the outcome of the comprehensive investigation which involved my Department’s special investigation unit and the Garda authorities. Information in relation to activities by traders and other intermediaries in the supply chain outside of the jurisdiction has been passed to Europol and other Member States to facilitate continuing investigations in other Member States. The Irish authorities remain fully open to assisting any other Member State or entity with regard to ongoing investigations in other jurisdictions and will continue to do so in a transparent manner, as has been the practice throughout the equine DNA investigation.

On 16 April results were published of the EU wide testing programme for equine DNA in beef products and phenylbutazone (bute) in horse carcasses. The results showed that, across the EU, there were 4,144 tests under the equine DNA programme of which 193 were positive. In Ireland, all of the results of the 50 DNA tests on Irish beef products under the EU programme were negative. In addition there were 7,951 tests reported for equine DNA carried out by food business operators across the EU, of which 110 were positive. Under the Irish national DNA testing regime the results of 2185 DNA tests published by the FSAI to date showed only a small number of positives (32 representing 9 products), all of which were published previously and related to products withdrawn from the market.

In relation to the EU programme for bute testing there were 16 positives from 3,115 tests. In Ireland of the 840 tests carried out on horse carcasses for bute, only one was positive. The carcass concerned was destroyed and the case is under investigation.

The EU Commission is also pursuing an action plan over the remainder of 2013 and into 2014 which includes specific actions and measures on the following basic elements: fighting food fraud, testing programmes, horse passports, official controls and origin labelling. It is important that controls in this area are strengthened on a pan European basis, not just at national level, and as stated in the report some of the measures envisaged will require legislative change at EU level. The fact that our control regime here uncovered this problem shows our commitment to maintaining the worldwide reputation of Irish food. Ireland will continue to show leadership on this issue, both nationally and in Europe.

Food Labelling

187. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied regarding the adequacy and accuracy of food and food-product labelling with particular reference to full traceability to country and location of origin; and if he will make a statement on the matter. [21795/13]

188. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied regarding the adequacy and frequency of checks and inspections in respect of food and food-product labelling here and throughout the European Union with particular reference to the need to preserve the integrity of the food industry and recognise its importance to this economy; and if he will make a statement on the matter. [21796/13]

190. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine if he is satisfied regarding the adequacy and veracity of food-labelling indicating country of origin, husbandry, hygiene and production in the food industry here and throughout the European Union. [21798/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 187, 188 and 190 together.

As the Deputy will be aware the Minister for Health has overall responsibility for the general food labelling legislation and the Food Safety Authority of Ireland (FSAI) has overall responsibility for enforcement of food labelling regulations. In this context the new EU food information regulations Food Information for the Consumer (FIC) Regulation (1169/2011EC) were adopted by the Council of Health Ministers in December 2011. The Principle of the Food Labelling Directive is that the consumer shall rightly expect not to be misled by inaccurate labelling and must have confidence in knowing what they are eating. The FIC extend explicit compulsory origin labelling requirements to meats other than beef, with the detailed rules to be adopted in implementing acts by 13 December 2013, following an impact assessment by the Commission.

The FIC regulation also adopts rules on compulsory labelling where the origin or place of provenance of a food is given and where it is not the same as its primary ingredient. Insofar as meat as an ingredient is concerned, these rules are subject to the adoption of implementing acts, which must take account of an impact assessment to be carried out by the Commission. As a result of the recent incidents of horsemeat being discovered in beef burgers and other beef products the Commission have now agreed to bring forward their work on this aspect of the regulation to September this year.

General Beef labelling Rules

Country of origin labelling was initially implemented in respect of beef and certain beef products. In general, all fresh, frozen or minced beef marketed in the EU (with the exception of offal) is subject to a mandatory system of origin traceability and origin labelling. The purpose of these rules is to ensure that beef on sale can be traced back to the animal or group of animals from which it came.

There are two elements to the beef labelling regime which apply to all parts of the supply chain: the compulsory system, which requires food business operators to label their beef products (unless cooked or processed) with certain prescribed information up to and including the point of sale to the consumer; and the voluntary system, which covers any other labelling claim that processors or retailers wish to make concerning the origin, characteristics or production methods of the beef they are supplying. The claims made on product labels, marketing material or point of sale notices must be clear and cannot be misleading.

Formed meat

Also in the FIC regulation (Annex VI) in the case of meat products, meat preparations which may give the impression that they are made of a whole piece of meat, but actually consist of different pieces combined together by other ingredients, including food additives and food

enzymes or by other means, shall bear the words “formed meat” on the label.

Food Safety Standards Regulation

189. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which regular monitoring of meat processing plants is carried out to ensure compliance with regulations; and if he will make a statement on the matter. [21797/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The onus of compliance with EU food safety regulations, including traceability requirements, rests in the first instance with food business operators. My Department maintains a permanent presence in approved slaughter plants. Regular visits are made to other Department approved meat plants. The frequency of these inspections in plants other than slaughter plants, which focus primarily on food safety requirements, is determined by a risk assessment, as required under EU legislation, which is conducted for each plant. My Department has been able to reduce the number of inspections at non-slaughter meat plants, where there is no permanent supervisory presence, by moving to a more robust and rigorous targeted system of official controls, based on the risk assessments mentioned above. Official controls and inspections levels are monitored independently by the EU Food and Veterinary Office and by the FSAI under service contract.

Food business operators in Ireland are responsible inter alia for carrying out checks to ensure that their ingredients come from approved plants. In meat plants that operate under the supervision of the Department, official controls are conducted on these checks to verify their effectiveness. An annual audit of imported products is carried out in each Department approved meat plant. Labelling and documentary checks also form part of the routine checks conducted by Department officials.

Under the Department’s National Residue Programme, and including tests on bovine samples carried out by processors, up to 30,000 samples taken at farm and factory level and covering a wide range of food stuffs are tested annually. These tests relate to microbiological and chemical standards, their primary focus being on food safety and are fully in accordance with EU testing requirements. In addition the Product Official Sampling and Testing (POST) programme is a microbiological testing programme on samples taken from Department approved ready-to-eat food, meat product, minced meat and meat preparation plants i.e. added value plants. This is part of the official verification of food safety controls in the plants concerned as provided for in Regulations (EC) 852/2004, 854/2004 and 2073/2005. A total of 1,600 samples are taken annually and the sampling and testing is risk based.

Compliance with existing food safety and food hygiene requirements was not an issue in relation to the mislabelling of meat products uncovered by the recent FSAI survey. It is clear however that the focus of checks henceforth will also need to include food authenticity. The ongoing national programme and recent EU wide programme of DNA testing provides further reassurance to Irish consumers and consumers of Irish food abroad about the authenticity of ingredients in our beef based products.

Question No. 190 answered with Question No. 187.

Fisheries Protection

191. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the extent to which he continues to monitor fish stocks with particular reference to the degree to which particular stock in Irish waters have suffered a downturn in recent year by reference to comparisons over the past twenty years; if measures taken to date which have impacted severely on the Irish fishing industry are being fully honoured by all fishing interests throughout the European Union and outside; and if he will make a statement on the matter. [21799/13]

192. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Food and the Marine the degree to which conservation measures already adopted in the context of the Common Fisheries Policy or otherwise continue to improve fish stocks in traditional Irish fishing waters; and if he will make a statement on the matter. [21800/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 191 and 192 together.

Details on fish stocks in Irish waters are monitored by the Marine Institute (MI) and published annually in their 'MI Stock Book' which is prepared by the Institute's Fisheries Ecosystems Advisory Services (FEAS) and presented to my Department in October each year. The publication also contains important up to date scientific advice on the state of fisheries resources which informs fishing opportunities for the following year. The Stock Book contains impartial scientific advice developed by the Marine Institute working with other international scientists and is developed using the latest available research, assessments and advice on the fisheries resource. The Stock Book is available to download electronically on the Marine Institute's web site at www.marine.ie. The information provided helps to form the policy and positions adopted when negotiating annual fishing opportunities each December.

Ireland manages and enforces its Fishing quotas in accordance with the specifications of the EU Common Fisheries Policy (CFP). Our existing quota management system involves regular consultation with fishing industry interests and is designed to ensure the rational management of the available quotas, having regard to fishing patterns and market conditions, the best possible spread both between fishermen and also in terms of take up of quota during the year.

The Sea Fisheries Protection Authority is the national body for the control and enforcement of sea fisheries law and works with the Irish Naval Service to control and enforce compliance with quota management arrangements and accurate reporting of landings. In common with procedures which operate here in Ireland individual EU Member States have similar responsibilities for the management of fisheries quotas. Inevitably the precise nature of these enforcement procedures may vary from one Member State to another. Any issues which may emerge in terms of management by individual member states are a matter for the EU Commission in terms of its responsibility to ensure the rules of the CFP are fully respected.

The seas around Ireland (ICES Sub Areas VII and VI) are among the most productive and biologically sensitive areas in EU waters. Most of the fisheries resource within the area comes under the remit of the EU's Common Fisheries Policy (CFP). In June 2012, the European Commission reported that fish stocks in European waters are improving (EC COM(2012) 278 final). The proportion of overfished stocks in the Atlantic declined from around 90% of all stocks between 2005-2009 to 47% in 2012. Several stocks in the west of Scotland, Irish Sea and Celtic sea have suffered from being over fished in the past and remain at relatively low levels (i.e. Cod in Divisions VIa and VIIa, Sole in Division VIIa, Whiting in Divisions VIa and VIIa).

Optimum levels of biological and economic productivity are in part management decisions, but though considerable progress has been made in recent years in terms of addressing sustainability issues it is clear that for many stocks there is still room for further improvement.

Proposals for a significant reform of the existing CFP are currently under consideration and have been prioritised for action under the Irish EU Presidency. In particular, a range of innovative proposals for the conservation of fish stocks are under consideration such as the eliminating the practice of discards, achieving appropriate maximum long term sustainable yields (MSYs) and the introduction of effective fair transparent regionalisation mechanisms. It is my belief that the introduction and implementation of these necessary and timely reforms (which must be adopted under co-decision jointly by the EU Fisheries Council and the EU Parliament) will support the ongoing development of a sustainable and thriving Irish and European fishing industry for the future.

If as I hope, the Council of Ministers and the European Parliament reach final agreement on these measures in the coming weeks, the reform process should help support the ongoing development of a sustainable and thriving Irish and European fishing industry into the future.

Ash Dieback Threat

193. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine if he will provide an update on the progress of measures introduced to combat the effects of the ash dieback disease. [21866/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since the first confirmed finding of Chalara Ash Dieback disease in October 2012 at a forest site planted in 2009 with saplings from a consignment of imported plants, my Department has been carrying out a nationwide survey of ash forests which are known to have been planted in recent years with imported saplings. This survey since been extended to cover ash plantations established since 1992 as well as trees planted under AEOS and REPS.

In order to mitigate the risk of further infected ash stock entering the country and causing further outbreaks of the disease, the Department introduced legislation on 26th October 2012 to prohibit the importation of plant material from areas known to be infected with the disease. On 6th November 2012, further legislation was introduced to limit the movement of ash wood into the country.

Similar legislation has been introduced in Northern Ireland in order to implement an all-island approach to tackling the disease.

My Department is liaising closely with their counterparts in Northern Ireland and Great Britain to update the Pest Risk Analysis (PRA) for *Chalara fraxinea*. This document will address the issue of wood as a possible pathway for the disease and examine the appropriateness of the current legislation. The PRA is currently undergoing external peer review. In addition, the two Departments are working to finalise an all-island Chalara Control Strategy.

To date, 36 forestry plantations have tested positive for the disease at various locations across the country. The disease has also been confirmed at 15 horticultural nurseries, 8 roadside landscaping projects, 3 garden centres, 2 private gardens and 10 farms. All findings to date have been associated with imported plants.

Arrangements have been put in place to remove all ash trees from sites where the disease has been confirmed and from associated sites where trees from the same infected batch has also been planted. Approximately 535 hectares of ash woodlands have been identified for removal so far.

A grant scheme has been introduced to support forest owners in the removal and destruction

of infected, and potentially infected, trees and to replant with alternative species.

In the coming weeks our efforts from an awareness point of view will be focussed on the relevant Divisions within my Department working closely with Teagasc to deliver a series of Chalara Information Meetings around the country. The Department will send a text alert out to 90,000 farmers about the events.

These 22 meetings will focus on the background to Ash Dieback, how to recognise the ash tree and ash leaves, how to recognise symptoms of ash dieback and to give farmers information on what steps they should take if they spot the disease as part of their young forestry plantation or AEOS planting. This is all in an effort to seek out and eradicate the disease.

Horse Passports

194. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine the progress made to date in reforming the horse registration and passport scheme in view of the recent shortcomings identified. [21875/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The identification and registration of equidae is governed by EU Council Directives 90/426/EEC and 90/427/EEC and Commission Regulation (EC) No 504/2008 of 6 June 2008. The EU legislation has been transposed into national legislation via S.I. No. 357 of 2011- European Communities (Equine) Regulations 2011 (as amended). Regulation 504/2008, which came into effect on 1 July 2009, provides that if an equine animal has not been identified within six months of the date of its birth, or by the 31st of December in the year of its birth, whichever date occurs later, it cannot be admitted to the food chain. It also provides that all equine animals registered after that date must be identified with a passport and a microchip.

With regard to the issuing of passports, Regulation 504/2008 provides that, in the case of equidae which qualify for registration with a breed society, the passport must be issued by the relevant breed society. At present, 9 Passport Issuing organisations are approved to issue passports in Ireland.

I made an announcement in March that I would like to see the establishment of a single Passport Issuing Organisation which would necessitate an amendment to EU legislation. Subsequently, the EU Commission published an Action Plan for dealing with the fall-out from the horsemeat issue, indicating that it intended to submit a proposal to the Agriculture Council of Ministers and the European Parliament to amend existing legislation to provide that competent authorities take over responsibility for issuing passports. A formal Commission proposal is expected in the second half of 2013. My Department is awaiting these proposals. I will move to the final stage in the establishment of a single Passport Issuing Agency once EU legislation provides me with the overarching legal base to put this into effect. In the meantime, my Department is engaged in discussions with the PIOs with a view to enhancing the controls on passports at all stages of the process, including veterinary certification, quality of the paper used, security features etc.

In line with a commitment I gave earlier in the year, my Department has taken significant steps to establish a central equine database on the Animal Identification and Movement [AIM] system. Data for over 70% of equine animals registered with the Passport Issuing Organisations since 1 January 1980 were downloaded onto the central database in recent days. The central database will include information from records obtained at slaughter plants, knackeries, sales and live exports. The information on the central equine database will be used by my De-

partment veterinary staff to supplement the current checks at slaughterhouses, in particular to check that any horses presented for slaughter have been correctly identified and are eligible for slaughter for the human food chain.

In conclusion, I am satisfied that I have acted swiftly, as I promised to do, to deal with the issues arising from the equine DNA issue.

Coillte Teoranta Harvesting Rights Sale

195. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine if he has studied the international experience of privatisation of public forests, particularly in New Zealand and the brief experiment in Sweden, in his consideration of the sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21882/13]

196. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine if he has studied the international experience of privatisation of public forests, particularly in New Zealand and the brief experiment in Sweden, in his consideration of the sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21883/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 195 and 196 together.

Further to the Government's decision that a concession for the harvesting rights to Coillte's forests be considered for sale, NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of a potential transaction. As part of that process, similar international transactions and precedents were considered in detail to identify issues that arose in those transactions and to learn from those precedents. In-depth comparative analysis is essential here as different ownership structures or marketing conditions may apply in those countries. The precedents examined included those in Australia and New Zealand.

As the Deputies may recall, the outcome of the debate on the proposed sale of Coillte harvesting rights was that the Dáil acknowledged from evidence gathered from similar transactions completed in other jurisdictions that a transaction can be structured in such a manner as to include provision for the maintenance of the Open Forest Policy reflecting public access to recreational land, the continuation of the existing replanting obligations, and the incorporation of biodiversity requirements, and the Dáil also noted that it is the Government's intention that similar appropriate provisions will be included in any sale of Coillte harvesting rights.

Coillte Teoranta Harvesting Rights Sale

197. **Deputy Richard Boyd Barrett** asked the Minister for Agriculture, Food and the Marine his views on whether the sale of the harvesting rights of Coillte is unlikely; and if he will make a statement on the matter. [21884/13]

198. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine his views on whether the sale of the harvesting rights of Coillte is unlikely; and if he will make a statement on the matter. [21885/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 197 and 198 together.

The current position in relation to the Government's decision that a concession for the harvesting rights to Coillte's forests be considered for sale is that substantial work has been undertaken on the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed sale of the harvesting rights. As part of the process, a number of detailed financial, technical and other specialist reports were prepared for Coillte, by external specialist consultancy bodies, in full consultation with the Board of Coillte and its executive management. The consideration of those reports is ongoing.

As part of the overall analysis, good practice would dictate the need to assess various scenarios and conditions for the sales process. This process is a very complex one and, while the consideration process is at an advanced stage, I wish to stress that no decision has been taken, as yet. As indicated by the Taoiseach, the analysis is ongoing with its outcome to be considered by the Government collectively upon its completion.

Coillte Teoranta Harvesting Rights Sale

199. **Deputy John Halligan** asked the Minister for Agriculture, Food and the Marine if he will provide an update and progress report of his Department's considerations in relation to the possible sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21886/13]

200. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine if he will provide an update and progress report of his Department's considerations in relation to the possible sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21887/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 199 and 200 together.

Further to the Government's decision that a concession for the harvesting rights to Coillte's forests be considered for sale, NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of a potential transaction. Substantial work has been undertaken on the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed sale of the harvesting rights.

As part of the consideration process outlined above, the Coillte State Assets Steering Group, on which my Department is represented, also met with representatives of the Coillte Unions and the Irish Timber Council, in January and March respectively, to discuss the concerns of those groups regarding the proposed sale of Coillte harvesting rights.

NewERA, the Department of Public Expenditure and Reform and my Department are currently considering the report by Peter Bacon and Associates, commissioned by IMPACT, containing an "*Assessment of the Consequences of the proposed Sale of Coillte's Timber Harvesting Rights – 10 January 2013*". The report by EPS Consulting for the Irish Timber Council, "*The impacts on the sawmill sector arising from the proposed sale of Coillte's harvesting rights*", is also being considered as part of the analysis. The Government is fully conscious of the concerns that have been raised in relation to the Coillte sale proposal. The outcome of the overall analysis, which is ongoing, will be considered by the Government upon its conclusion with no decision to be taken on Coillte until it is discussed at Cabinet.

Coillte Teoranta Harvesting Rights Sale

201. **Deputy John Halligan** asked the Minister for Agriculture, Food and the Marine the way he intends to maintain a sustainable forest strategy in the event that the sale of the harvesting rights of Coillte goes ahead; and if he will make a statement on the matter. [21888/13]

202. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine the way he intends to maintain a sustainable forest strategy in the event that the sale of the harvesting rights of Coillte goes ahead; and if he will make a statement on the matter. [21889/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 201 and 202 together.

I wish to stress that it is a concession for the harvesting rights which is being considered for sale. In order to preserve the forest estate, my Department's long-standing policy is that replanting should take place following harvesting apart from exceptional circumstances. The replanting obligation is one of the issues that have been identified in relation to the possible harvesting rights concession. While the consideration process is at an advanced stage, no decision has been taken, as yet.

In relation to maintaining a sustainable forest strategy, in addition to the replanting policy, the Forest Service of my Department promotes afforestation, on an ongoing basis, as a viable land use for landowners through the provision of planting grants and payment of annual premiums. A total of €112 million in funding for capital and current expenditure was allocated for the overall forestry programme in 2013, to facilitate the payment for close to 7,000 hectares of new planting this year.

Coillte Teoranta Harvesting Rights Sale

203. **Deputy Joan Collins** asked the Minister for Agriculture, Food and the Marine if he will outline in detail the groups he has consulted with, or intends to consult with in relation to the possible sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21890/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Further to the Government decision that a concession for the harvesting rights to Coillte's forests be put forward for sale, NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of a potential transaction. Substantial work has been undertaken to date on the identification of the forestry assets involved, the determination of their value and the consideration of a number of issues associated with the proposed sale of the harvesting rights.

As part of that process, the Coillte State Assets Steering Group, which comprises of representatives from NewERA, the Department of Public Expenditure and Reform and my Department met with the Coillte Unions on 25 January 2013 and with the Chairman and other representatives of the Irish Timber Council on 13 March 2013. The Group are currently considering the reports submitted by both of those representative groups, namely the report by Peter Bacon and Associates, commissioned by IMPACT, containing an "*Assessment of the Consequences of the proposed Sale of Coillte's Timber Harvesting Rights – 10 January 2013*", and "*The impacts on the sawmill sector arising from the proposed sale of Coillte's harvesting rights – February 2013*", a report by EPS Consulting for the Irish Timber Council. I understand that members of the Steering Group have also met with relevant stakeholders with the objective of receiving

their perspectives on the sale. I am regularly updated by the officials involved in the consideration process about the views expressed at such meetings.

In addition, I have received through my Department the views, including the concerns, of the general public, recreational groups, the timber processing sector, trade unions and members of the Oireachtas in relation to the Coillte sale proposal.

While the consideration process is at an advanced stage, no decision has been taken, as yet. The outcome of the overall analysis will be considered by the Government upon its completion.

Coillte Teoranta Harvesting Rights Sale

204. **Deputy Joan Collins** asked the Minister for Agriculture, Food and the Marine if there are any legal considerations, obstacles or obligations, particularly in relation to environmental impact assessments in his consideration of the possible sale of the harvesting rights of Coillte; and if he will make a statement on the matter. [21891/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Further to the Government decision that a concession for the harvesting rights to Coillte's forests be considered for sale, NewERA, Coillte, the Department of Public Expenditure and Reform and my Department have worked to examine the financial and other implications of developing the potential of Coillte's forest assets. This process includes the consideration of the legal position with regard any potential sale of harvesting rights.

The process is at an advanced stage and, aside from the valuation of the forestry assets, a number of issues are being considered in relation to the possible harvesting rights concession. These include, *inter alia*, the possible impact on the timber industry, public access to recreational land, environmental and social impacts and consequential implications for the company. This whole process is a very complex one and it is not possible at this stage to pre-empt the outcome of the analysis. As I have said previously, the Government will proceed with caution in relation to this matter and no final decision has been taken, as yet. The outcome of the overall analysis will be considered by the Government upon its completion.

Missing Persons Hotline

205. **Deputy Joan Collins** asked the Minister for Children and Youth Affairs if she will provide an update in the 116000 missing child number. [21628/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 116000 Missing Children Hotline is operated by the ISPCC in liaison with a cross-sectoral Project Team, chaired by my Department.

I am delighted to confirm that the phased implementation of the service, which commenced in December 2012, operating on a reduced hours pilot basis, has now become a full-time 24/7 service since Monday the 22nd of April 2013.

In addition I can confirm that:

- Memoranda of understanding between the ISPCC and the HSE, my Department and the Gardaí, respectively, were finalised in advance of the commencement of the pilot in December 2012.

- The funding received from both the EU Daphne fund and from my Department includes, in the establishment costs, the national promotion and advertisement of this Hotline service.

- The 116000 Missing Children Hotline service will be officially launched in Ireland on the 5th of June 2013.

Youth Services

206. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if her attention has been drawn to the impact of the cut in youth services in the Clondalkin, Palmerstown and Lucan areas; if her attention has been drawn to the fact that the frontline services that are dealing with youth pregnancy, serious crime, drug addiction and anti-social behaviour are a vital part of response to the developing problems in young persons' lifestyles at present; and if she will make a statement on the matter. [21685/13]

207. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs her policy in responding to youth pregnancy, youth crime, alcohol consumption and school absenteeism; if her attention has been drawn to the impact of the cuts for frontline workers in the youth services in Clondalkin, Palmerstown, Lucan and Newcastle; and if she will make a statement on the matter. [21686/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take Questions Nos. 206 and 207 together.

The Youth Affairs Unit of my Department provides a range of funding schemes, programmes and supports to the youth sector. Funding of some €53.498m is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country.

The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393m. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department has tried to ensure that, in the determination process for the allocations, the front line youth services, particularly those for the most vulnerable young people are protected as far as is possible from the impact of any necessary reductions in funding.

In 2013, youth funding amounting to almost €1.5 million has been allocated to services in the Clondalkin and Lucan area. This includes:

Youth Affairs Funding 2013

Youth Projects	Sum Allocated
Special Projects for Youth	€363,219
Young Peoples Facilities Services Fund 1	€479,965
Young Peoples Facilities Services Fund 2	€666,373
Youth Information Centre	€49,001
Traveller Development	€33,545

The funding allocated for the provision of youth services in Co. Dublin including the Lucan and Clondalkin areas is administered by Co. Dublin VEC on behalf of my Department. I understand that Co. Dublin VEC has consulted with the projects in the Clondalkin/Lucan area and assured them of their continued support for the projects in managing the resources available in the most effective and efficient way.

In addition, Co. Dublin VEC disperses small grant support, funded by my Department, to local voluntary youth clubs in the Lucan & Clondalkin areas. The Deputy should note that under the Comprehensive Review of expenditure, I have ensured that there has been no cut to the total national funding being provided by my Department to support the local voluntary youth club grant schemes as this funding plays an important role in supporting volunteer-led youth groups and in promoting and leveraging valuable voluntary activity in youth work.

My Department administers a range of measures to support vulnerable young people and it works closely with the youth sector, the Departments of Education and Skills, Health, Social Protection, Justice and Equality on shared policy objectives to promote healthy behaviours among young people, prevent early school leaving and to promote positive outcomes for them. These measures include the *National Youth Health Programme* which provides a broad-based, flexible health promotion/education support and training service to youth organisations and to all those working with young people in out-of-school settings. These youth services are often first point of contact for young people and can be important reference points for them in matters to do with care, health and welfare. My Department provides funding, under the Young People's Facilities and Services Fund, for the Late Night League Programme which supports soccer leagues at various locations across Dublin to encourage young people to become involved in local activities thus reducing anti-social behaviour involving young people in selected areas. The programme focuses on young people aged 13-21, promotes healthy lifestyles and takes place in disadvantaged areas during prime anti-social hours such as Friday nights. The initiative uses football as a tool for social inclusion and learning and has proved to be very successful in communities.

The National Educational Welfare Board, under my Department, provides a range of measures to promote attendance at school and to support families where children are experiencing difficulty in attending school. Over €26m has been provided nationally in 2013 for the School Completion Programme, which is administered by my Department and operates as a key support within the Department of Education and Skills DEIS action plan. Four local school completion projects are funded in the Clondalkin Lucan area with over €1m being invested in 2013 to support students attending the 22 schools participating in these programmes.

My colleague, Minister Shatter, has overall responsibility in the area of crime and anti-social behaviour and his Department funds a range of youth services, in particular Garda Youth Diversion Projects and Young Person Probation Projects, in areas of greatest need with a specific youth crime intervention approach, targeting those involved in or at risk of offending behaviour through early intervention work. These services are linking with other youth services provided by my Department to support effective crime prevention approaches.

The new youth policy framework which my Department is developing for completion later this year will aim to enhance the provision of youth services and it will, inter alia, promote co-ordination between government departments and the youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for young people in future years.

Child Care Reports

208. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the reason for the delay in publishing the results of the audit produced on foot of the recommendations in the report on the Roscommon Child Care Case; the reason the results of this audit, produced on foot of an inquiry are to be amalgamated with two further audits; and if she will make a statement on the matter. [21742/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE has informed my Department that the report of the child neglect audit, which is a composite report including the findings from the Roscommon area, is now expected to be published in June. I am conscious that an earlier date was provided by the HSE in the recent past and am concerned to ensure this report is finalised and available as quickly as possible. I have asked my officials to contact the HSE again to seek a final and definitive publication date for this important report. I will contact the Deputy directly when these details are confirmed. The report is a composite work covering three audits in Roscommon, Waterford and Dublin. A decision was taken within the HSE to produce this composite report as the best means of disseminating the learning from the three projects. The report will be based on a sample of 30 cases examined from each of the three areas subject to audit.

The decision to publish a composite report along with the time taken by the HSE to ensure that all of the recommendations are being actioned were factors in determining the publication date of the report.

Youth Services

209. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the steps being taken to protect frontline youth services in view of the projected 50% cut in the budget between 2009 and 2014; and if she will make a statement on the matter. [21743/13]

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 €53.498m is available in 2013 to support the provision of youth services and programmes to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects. These funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 paid staff and 40,000 volunteers working in youth work services and communities throughout the country.

The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393m which equated to almost a 10% reduction on 2012 funding available for the provision of youth services. Having regard to the savings requirements identified in the Comprehensive Review of Expenditure my Department has tried to ensure that, in the determination process for the allocations, the front line youth services, particularly those for the most vulnerable young people are protected as far as is possible from the impact of any necessary reductions in funding.

My Department has tried to be as equitable as possible in achieving these savings. In considering how best to manage within the reduced budgets available, organisations are being asked to consider the scope for reducing administration costs and overheads, if this is at all

possible, in order to maintain the front line youth services for young people. I have met, and continue to meet with, many youth organisations and groups to try and see how we can work together to minimise the impact of these necessary savings in order to ensure that the provision of quality youth services to young people is sustained in these challenging times.

A comprehensive Value for Money and Policy Review of youth funding has been commenced in my Department and it is anticipated that the findings of this report will inform the future development of youth programmes and services.

My Department is developing a new youth policy framework for publication later this year. The new youth policy framework will aim to enhance the provision of youth services and activities and it will, inter alia, promote co-ordination between government departments and youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for young people in future years.

Child Care Services Provision

210. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs if she will confirm that all childcare services provided by persons employed outside the child's own home will be subject to the provisions of the Children First Bill; and if she will make a statement on the matter. [21744/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Deputy will be aware that I published the Draft Heads and General Scheme for the Children First Bill 2012 on the 25th of April 2012 and immediately referred the Heads of Bill to the Oireachtas Committee on Health and Children for consideration and advice. The Joint Oireachtas Committee on Health and Children published its report in July 2012.

As part of the Joint Committees consultation process a number of submissions were received. Overall there was a welcome that the legislation would increase the focus on child protection. The contributions in the main came from organisations already implementing Children First.

Submissions were not all in agreement and many points emerging needed to be considered and reconciled. This involves consideration of policy and operational issues, including those pertaining to childminders, as well as the best legal approach to achieving Children First objectives. In this regard, officials within my Department have consulted with a number of organisations and individuals and I recently met with a number of key stakeholders to discuss the complex issues that have arisen. I have also taken the opportunity to consult with a number of experts in relation to the development of the policy in this area. These discussions will inform the preparation of enhanced policy proposals that is currently underway.

The framework is now focused on the safety and protection of children generally, the provision of safe services for children, co-operation amongst professionals and organisations where children are at risk of neglect and abuse and finally mandating key individuals to report child abuse known to them. The latter objective is aimed at removing ambivalence, reluctance or refusal by people and organisations in positions of trust and authority to report child abuse and co-operate with the relevant authorities. The Bill will create a range of responsibilities and duties on organisations and individuals and these will be detailed in the legislation. The precise requirements on varying sectors, organisations and individual professions, including inter alia child care providers, is currently under consideration and part of an ongoing process.

A further reason for reviewing the policy is to ensure that the related and relevant legisla-

tion will be compatible with and will complement the National Vetting Bureau (Children and Vulnerable Persons) Act and the Criminal Justice (Withholding Information on Crimes Against Children and Intellectually Disabled Persons) Act.

It is my intention to submit further proposals to Government as soon as possible with a view to the drafting of the Children First Bill as a priority.

Medicinal Products Supply

211. **Deputy Seán Kyne** asked the Minister for Health the measures in place to identify and prevent the importation of drugs, prescription or otherwise, purchased on the internet in view of the dangers of the consumption of same without medical direction or supervision. [21863/13]

Minister of State at the Department of Health (Deputy Alex White): The problem of the misuse of prescription drugs has been recognised at national, European and international levels. Through the framework of the National Drugs Strategy 2009-2016, the Department of Health is working in collaboration with the relevant statutory agencies to monitor the availability of controlled drugs, including prescription medicines, through illicit channels.

Under the Medicinal Products (Prescription and Control of Supply) Regulations, it is prohibited for a person to supply a prescription medicine except in accordance with a prescription, and the supply must be made from a registered pharmacy by or under the personal supervision of a registered pharmacist. A person who contravenes these Regulations is guilty of an offence.

The Revenue Commissioner's Customs Service and the Irish Medicines Board (IMB) have shared competency in relation to the prevention and detection at importation of illicit medicines. In addition the IMB and the Customs Service have a Memorandum of Understanding (MOU) under which both organisations work closely to detain and prohibit prescription medicines purchased on-line from being imported.

The IMB and the Customs Service deploy operational resources in a targeted and risk-based manner and as a result of specific intelligence. These approaches are reviewed and adjusted based on analysis and evaluation of national and international seizure trends, traffic frequency, routes and other risk indicators.

Revenue's Customs Service also has Memoranda of Understanding with a number of express mail courier service providers and work very closely with these companies, the IMB and the Gardaí to combat the importation of illicit medicines.

In September 2012 the IMB, Revenue Customs Services and An Garda Síochána took part in an international week long operation 'Pangea V' which led to the detention of capsules and tablets with an estimated value in excess of €375,000.

The IMB has published an on-line leaflet warning of the dangers from purchasing medicines online.

The enforcement of the law relating to the sale of drugs, including prescription drugs, continues to be a priority in the Government's commitment to tackling the issue of drug misuse in this jurisdiction.

My Department is reviewing the Misuse of Drugs Regulations with a view to introducing additional controls on certain prescription drugs being traded illicitly, for example benzodiazepine medicines. These additional controls include introducing import and export controls as

well as an offence of possession, thereby assisting the law enforcement roles of Customs and of the Garda Síochána.

Health Services Staff Issues

212. **Deputy Brendan Griffin** asked the Minister for Health if a person (details supplied) in County Meath will be permitted to embark on a one year career break to gain further experience in their field of practice; if a reasonable level of flexibility will be shown to them; and if he will make a statement on the matter. [21602/13]

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

Hospital Appointment Status

213. **Deputy Tom Fleming** asked the Minister for Health further to Parliamentary Question No. 1145 of 16 April 2013, when an admissions appointment will be issued for Our Lady's Children's Hospital, Crumlin in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [21609/13]

Minister for Health (Deputy James Reilly): I understand that the HSE will be in contact with the Deputy shortly regarding an appointment for this child which I am advised has been scheduled.

Medical Card Eligibility

214. **Deputy Anthony Lawlor** asked the Minister for Health if his attention has been drawn to the fact that a number of GMS patients, who have an in date medical card are being denied medical services under the GMS scheme because PCRS have invalidated their medical card; if he will agree that it is wrong to invalidate a medical card without informing both the patient and the contract holder; if he believes it is wrong that this fact is only coming to light when GPs contact PCRS to confirm medical cards details; if he will explain the reason this practice is occurring; and if he will make a statement on the matter. [21610/13]

Minister of State at the Department of Health (Deputy Alex White): I have asked the Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Hospital Appointment Delays

215. **Deputy Pearse Doherty** asked the Minister for Health if he will clarify the reason a referral in respect of a person (details supplied) in County Donegal who is experiencing great discomfort has been cancelled and rescheduled for 15 October 2014; his views on whether this is an appropriate time frame to wait for such an urgent appointment; and if he will make a statement on the matter. [21611/13]

Minister for Health (Deputy James Reilly): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case*

and planned procedures, January 2013, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has recently been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to this particular query raised by the Deputy, I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Water Fluoridation

216. **Deputy Clare Daly** asked the Minister for Health the number of water treatment plants that have fluoridation systems installed here; the number that are planned in future programmes of works; and the cost of installation, operation and maintenance since programme commenced [21612/13]

Minister of State at the Department of Health (Deputy Alex White): The Health (Fluoridation of Water Supplies Act) 1960 provides for the fluoridation of public water supplies. At present fluoridation facilities are installed in approximately 250 water treatment plants nationally. Water treatment plants developed in the future will also have such facilities. The total cost of fluoridation since it began in 1964 is not readily available. Annual expenditure in recent years which includes operational costs, capital costs and the supply of hydrofluorosilicic acid has been in the region of €3.5 million - €4 million.

Home Help Service Provision

217. **Deputy Sean Fleming** asked the Minister for Health if the home help hours will be improved due to a medical condition in respect of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [21616/13]

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.

National Treatment Purchase Fund

218. **Deputy Tom Fleming** asked the Minister for Health when will he make funding available to the national treatment purchase fund; the facilities has he put in place to address the waiting lists and the large number of patients awaiting urgent treatment or procedures; his future plans for the national treatment purchase fund in view of the fact that he withdrew funding when he came into office; and if he will make a statement on the matter. [21659/13]

Minister for Health (Deputy James Reilly): Immediately following my appointment, I established the Special Delivery Unit (SDU) as set out in the Programme for Government. The aim of the SDU is to unblock access to acute services by improving the flow of patients through the system. As set out in *Future Health*, a key goal is to deliver faster more equitable access to hospital services. The implementation of the SDU Performance Improvement Programme in Scheduled Care is a key driver of reducing waiting times for scheduled (elective) care in hospitals.

The SDU Scheduled Care Team focused initially on waiting times for in-patient and day-case elective surgery. For 2012, a target was set that no adult should wait longer than 9 months

for inpatient or daycase treatment. By the end of December 2012, the number of adults having to wait more than 9 months for inpatient and day case surgery nationally had fallen to 86. This was down from 3,706 in December 2011, representing a 98% decrease. I am determined that the progress made in 2012 be maintained and improved upon. For 2013, the target is that no adult should be waiting longer than 8 months for inpatient or daycase treatment. It is important to recognise that the progress made in 2012 does not mean the problem is solved, and 2013 will of course be extremely challenging. For example, winter pressures in Emergency Departments have impacted on scheduled care waiting times. However, in the coming months, as winter pressures ease, the SDU will work towards re-balancing scheduled care to maintain the improvements seen in 2012 and to achieve the new 2013 target. Also in 2013, the SDU will focus on improving access to outpatient services and a maximum waiting time target has now been set of 12 months for a first time outpatient appointment.

In July 2011 I announced changes to the remit of the NTPF, namely that its role would be changed to support the mission of the SDU. The NTPF is now fully aligned with the SDU and is targeting waiting lists strategically and assisting in the performance management of hospitals to reduce waiting times for patients. The NTPF capability is a core part of the SDU's performance improvement role in holding public hospitals to account. The NTPF future role is under consideration in the context of the structural reforms set out in *Future Health—A Strategic Framework for Reform of the Health Service 2012–2015*.

Generic Drugs Substitution

219. **Deputy Michael McGrath** asked the Minister for Health if he will respond to an issue of generic substitution raised in correspondence by a person (details supplied) in County Cork. [21666/13]

Minister of State at the Department of Health (Deputy Alex White): Under the Health (Pricing and Supply of Medical Goods) Bill, the Irish Medicines Board has statutory responsibility for establishing and publishing a List of Interchangeable Medicinal Products.

In deciding whether to add a group of medicinal products to the List of Interchangeable Medicinal Products, the Board must be satisfied that each medicinal product which falls within the group: (a) has the same qualitative and quantitative composition in each of its active substances as each of the other medicinal products which fall within the group; (b) is in the same pharmaceutical form as, or in a pharmaceutical form that is appropriate for substitution for, each of the other products in the group; and (c) has the same route of administration as each of the other medicinal products which fall within the group.

In addition, the Bill provides that the Board is not permitted to add a group of medicinal products to the List of Interchangeable Medicinal Products where there is a difference in bio-availability between the medicinal products and the interchangeable medicinal products which currently fall within the group of interchangeable medicinal products which may lead to a clinically significant difference in efficacy between them, and any of the medicinal products cannot be safely substituted for any one or more of the other medicinal products in the group.

I would like to emphasise that in making a decision to add a medicinal product to a group of interchangeable medicinal products or a group of medicinal products to the List of Interchangeable Medicinal Products the Board is obliged to have regard to the criteria as set out in the Bill and that these criteria fully reflect the recommendations set out in the Joint Department of Health/HSE report 'Proposed Model of Reference Pricing and Generic Substitution' (the Moran Report, 2010) regarding criteria for interchangeability.

To further enhance the patient safety aspect of generic substitution, Section 13 of the Bill allows a prescriber to indicate on a prescription that a branded interchangeable medicinal product should, for clinical reasons, not be substituted.

I am satisfied that these provisions address the concerns raised. I met with the Irish Epilepsy Association in January and explained this position.

It is also important to point out that generic medicines must meet exactly the same standards of quality and safety and have the same effect as the originator medicine. All of the generic medicines on the Irish market are required to be properly licensed and meet the requirements of the Irish Medicines Board.

Medical Card Applications

220. **Deputy Michelle Mulherin** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Mayo; if he will expedite same; and if he will make a statement on the matter. [21673/13]

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. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently reissued to Oireachtas members.

Hospital Facilities

221. **Deputy Gerry Adams** asked the Minister for Health if any decision has been made regarding the future of St Joseph's Hospital in Ardee, County Louth; the investment there will be in the facility; and if he will make a statement on the matter. [21684/13]

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.

Hospital Appointment Status

222. **Deputy Martin Ferris** asked the Minister for Health when a person (details supplied) will receive a hospital appointment for an operation. [21689/13]

Minister for Health (Deputy James Reilly): In relation to waiting list management in general, the National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, recently been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

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.

Care Services

223. **Deputy Joanna Tuffy** asked the Minister for Health his plans for Saint Joseph's House, Stillorgan, County Dublin, a residential facility that caters for 30 to 40 deaf and blind adults; and if he will make a statement on the matter. [21693/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): St Joseph's House Stillorgan is a residential facility operated by the Catholic institute for Deaf People under a service level arrangement with the Health Service Executive. Accordingly the Department has requested the Health Service Executive to reply directly to the Deputy.

Patient Transport Provision

224. **Deputy Denis Naughten** asked the Minister for Health the transport the Health Service Executive will provide to patients attending outpatient appointments; and if he will make a statement on the matter. [21706/13]

Minister for Health (Deputy James Reilly): Patient transport is the responsibility of the HSE. However, people attending outpatient and hospital appointments are, in general, expected to make their own travel arrangements, using private or scheduled public transport. The exceptions are for dialysis, cancer (radiotherapy and chemotherapy) and post-operative transplant patients, where transport may be provided. In these cases, the patient's appointment or treatment should be directly related to the treatment.

Transport may also be provided where, in the clinician's view, the patient would be unable to make the journey without clinical assistance or where the patient must be transported on a stretcher.

Following implementation of the HSE's non-ambulance patient transport policy, responsibility for the arrangement and provision of non-ambulance transport has moved from the HSE National Ambulance Service to local health offices in each region. If a patient or his or her clinician considers that transport is required, the local health office should be contacted.

Departmental Contracts

225. **Deputy Sean Fleming** asked the Minister for Health the value of contracts with a company (details supplied) whose address is located in the British Virgin Islands; the nature of the work carried out under this contract; and if he will make a statement on the matter. [21715/13]

Minister for Health (Deputy James Reilly): As this is a service matter I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy.

Pharmacy Regulations

226. **Deputy Robert Troy** asked the Minister for Health if pharmacists are covered under the remit of the Ombudsman; and if not, his plans to extend the Ombudsman's remit to cover such complaints [21721/13]

Minister of State at the Department of Health (Deputy Alex White): The Pharmaceutical Society of Ireland (PSI), an independent statutory body established by the Pharmacy Act

2007, is accountable for the effective regulation of pharmacists and pharmacy services in Ireland, including responsibility for supervising compliance with the Act and the accreditation of pharmacy education and training programmes.

As provided for under the Ombudsman (Amendment) Act 2012, the PSI is covered under the Ombudsman Acts 1980 to 2012 in so far as the complaint relates to action taken by the PSI, after the 1st of May 2013, in the performance of its administrative functions relating to the establishment and maintenance of registers of pharmacists, pharmaceutical assistants and retail pharmacy businesses under the Pharmacy Act 2007 and to its role as the competent authority for the purposes of the mutual recognition of relevant qualifications obtained in or recognised by a Member State.

Accordingly, an applicant for registration or continuing registration who is dissatisfied with the manner in which his/her application has been processed, after first trying and failing to resolve his/her complaint with the PSI, may then refer the matter to the Ombudsman. Details are available on the PSI website at the following link: http://www.thepsi.ie/gns/registration/Registration_Complaints_Procedure.aspx

The Ombudsman's remit with regard to the functions of the PSI is in line with the Ombudsman's remit in relation to the other health professional regulatory bodies.

Nursing Homes Support Scheme

227. **Deputy John Paul Phelan** asked the Minister for Health in relation to the suspension of funding for the national home support scheme, when same will be resumed in the Kilkenny/Carlow area where elderly persons currently being cared for in St. Luke's Hospital are awaiting funding in order to take up places in nursing homes; and if he will make a statement on the matter. [21729/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The HSE is responsible for the operation and administration of the Nursing Homes Support Scheme. The HSE temporarily suspended the chronological operation of the placement list in order to alleviate pressures in Emergency Departments in the hospitals most affected with the highest number of delayed discharges. The HSE will re-commence the operation of the chronological placement list with effect from 9th May, 2013.

Hospital Appointment Delays

228. **Deputy Pearse Doherty** asked the Minister for Health when an appointment for an MRI scan will become available for a person (details supplied) who requires extensive surgery; if he will provide details of the current MRI waiting times for public patients at this hospital; and if he will make a statement on the matter. [21734/13]

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 National Treatment Purchase Fund has now taken over the reporting of outpatient waiting time data. For the first time data is available on www.ntpf.ie. 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 resources to be targeted towards those patients who are waiting longest and ensure that they are seen and assessed. For 2013, a maximum waiting time target has now been set of 12 months for a first time outpatient appointment.

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.

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.

Hospital Appointment Status

229. **Deputy John O'Mahony** asked the Minister for Health the plans he has to deal with persons not turning up for out patients appointments; and if he will make a statement on the matter. [21745/13]

230. **Deputy John O'Mahony** asked the Minister for Health the number of persons who did not show up for outpatients' appointments at Galway University Hospital in 2009, 2010, 2011 and 2013; and if he will make a statement on the matter. [21746/13]

231. **Deputy John O'Mahony** asked the Minister for Health the number of persons who did not show up for outpatients' appointments at Mayo General Hospital in 2009, 2010, 2011 and to date in 2013; and if he will make a statement on the matter. [21748/13]

232. **Deputy John O'Mahony** asked the Minister for Health the number of persons who did not show up for outpatients' appointments at Mayo General Hospital in 2009, 2010, 2011 and 2012; and if he will make a statement on the matter. [21749/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 229 to 232, inclusive, together.

Tackling outpatient waiting lists is the next priority for the Special Delivery Unit set up by the Minister to unblock access to our acute hospitals. The target for 2013 is that no-one should be waiting longer than a year for an outpatient appointment. An Outpatient Reform Programme is underway with the SDU, the HSE Outpatient Reform Team and the HSE Clinical Programmes. This is the overarching programme that is looking at the structure and operation of clinics. Implementation of this programme will ensure a sustainable low wait environment for outpatient services and prevent the build-up of long waiters.

In relation to the particular queries raised by the Deputy, I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Mental Health Services Provision

233. **Deputy Denis Naughten** asked the Minister for Health if he will list the current publicly-funded maternity units or section 38 voluntary maternity units which do not have on-site mental health services provided by a consultant; and if he will make a statement on the matter. [21751/13]

Minister for Health (Deputy James Reilly): My Department is in the process of obtaining the requested information and I will respond to the Deputy when this is available.

234. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will outline the process for drafting the White Paper on universal health insurance including membership of teams and the timeframe for same; and if he will make a statement on the matter. [21783/13]

Minister for Health (Deputy James Reilly): The Government is embarking on a major reform programme for the health system, the aim of which is to deliver a single-tier health service, supported by universal health insurance (UHI), where access is based on need, not on income. Under UHI, everyone will be insured and will have equal access to a standard package of primary and acute hospital services, including acute mental health services. A new Insurance Fund will subsidise or pay insurance premiums for those who qualify for a subsidy.

The Department is currently preparing a *White Paper on Universal Health Insurance* which will provide further detail on the UHI model for Ireland in addition to the estimated costs and financing mechanisms associated with the introduction of universal health insurance. Broadly, this involves the development of detailed policy proposals covering issues such as the design of the UHI model, the scope and composition of the UHI basket of services and funding and financial support mechanisms for UHI. More detail in relation to the overall process for producing the White Paper, including the projects, studies and policy appraisals that need to be undertaken, is set out in the preliminary document on UHI, *The Path to Universal Healthcare*, published by the Department in February 2013 and available on its website, www.doh.gov.ie.

A special UHI Design Team has recently been set up to oversee and support the work involved in the design of the UHI model and the preparation of the *White Paper on Universal Health Insurance*. The membership of the UHI Design Team is as follows:

- Laura McGarrigle, Principal Officer, Universal Health Insurance Unit, Department of Health (Chair);

- Emer Brady, Assistant Principal Officer, Universal Health Insurance Unit, Department of Health;

- Aine Carroll, National Director for Clinical Strategy and Programmes, Health Service Executive;

- Matt Collins, Principal Officer, Eligibility Unit, Department of Health;

- Tom Heffernan, Principal Officer, Department of Public Expenditure and Reform;

- Jean Long, Head of Evidence Generation and Knowledge Brokering Unit, Health Research Board;

- Hugh Magee, Senior Statistician and Principal Officer, Information Unit, Department of Health;

- Mark Moran, Former CEO of the Mater Private Hospital and former Chairman of the DoH/ HSE Working Group on Reference Pricing and Generic Substitution;

- Deirdre Mulholland, Office of the Chief Medical Officer, Department of Health;

- Robert Murphy, Assistant Principal Officer, Universal Health Insurance Unit, Department of Health;

- Dermot Ryan, Principal Officer, Private Health Insurance Unit, Department of Health;

- David Smith, Principal Officer, Finance Unit, Department of Health, and

- Valerie Walshe, Economist, Health Service Executive.

The work involved in UHI design is both complex and technical and demands a wide-range of legal and financial expertise. Accordingly, it is envisaged that the Design Team will be supported by specialised expertise at appropriate junctures. To this end, the Department has recently engaged legal expertise to support deliberations in relation to the design of the UHI model.

Work on the development of detailed policy proposals is proceeding with a view to publishing the White Paper as early as possible.

Health Services Reform

235. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will detail the money follows the patient pilot project and plans to further extend this scheme; and if he will make a statement on the matter. [21784/13]

Minister for Health (Deputy James Reilly): The draft Money Follows the Patient Policy Paper, which I published for consultation on 15 February last, proposes the introduction of a new model of funding for public hospital care. This involves changing from the current inefficient system of block grant budgets to a new approach where hospitals are paid for the actual level of activity they undertake. The new approach will be facilitated through the introduction of a prospective case-based payment system using Diagnosis Related Groups (DRG) and effectively means that hospitals will be funded on the basis of the quantity and quality of the services they deliver to patients and not the size of last year's budget.

It is proposed that 'Money Follows the Patient' will begin in shadow form in 2013. Under shadow funding, hospitals will continue to receive their existing base budget under a vote cashing system. However, a process will be put in place to compare on a systematic basis, (i) actual hospital activity against pre-agreed baseline activity targets and (ii) hospital expenditure against pre-agreed DRG prices. In this way funding variances and potential impacts will be highlighted although no changes would be made to a hospital's budget on foot of the exercise. It is my intention to announce the composition of the Hospital Groups shortly, subject to Government approval, and it is proposed that shadow funding will be rolled out to the Hub hospital of each Group. This approach allows Hospital Groups time to develop while still facilitating shared learning across the entire Group. It also enables the health system to leverage maximum efficiencies and economies of scale when investing in necessary resources, thereby reinforcing the optimally efficient service delivery model envisaged in the creation of Hospital Groups.

It is proposed that the system will then move from shadow funding to full phased implementation of 'Money Follows the Patient' from 1 January 2014, subject to fully developed hospital groups and central financial management systems being in place.

General Practitioner Services

236. **Deputy Willie O'Dea** asked the Minister for Health if he will clarify whether general practitioners are permitted to charge an administrative fee for blood tests on each occasion a medical card patient attends for same or whether this charge is in breach of the guidelines issued by him; and if he will make a statement on the matter. [21810/13]

Minister of State at the Department of Health (Deputy Alex White): Under the General Medical Services (GMS) contract, a general practitioner (GP) is expected to provide his/her

patients who hold a medical card or GP visit card with all proper and necessary treatment of a kind generally undertaken by a GP. Where blood tests form part of the investigation and necessary treatment of patients' symptoms or conditions, these should be provided free of charge to medical card and GP visit card holders. The HSE also points out that, in many GP surgeries, it is the practice nurse who takes blood samples. The HSE significantly subsidises the cost of employing practice nurses. The GMS contract does not make provision for charging medical card or GP visit card patients an administrative fee for phlebotomy services. The HSE is continuing to advise eligible patients who believe they have been inappropriately charged by a GP for routine phlebotomy services to seek a refund from the GP in question. It is appreciated that because of the nature of the GP-patient relationship, it may be difficult for patients to make such complaints. Where public representatives are made aware of GPs charging GMS patients in error, they may wish to notify the HSE directly.

Care Services

237. **Deputy Finian McGrath** asked the Minister for Health the position regarding a long-term care plan in respect of a person (details supplied) in Dublin 5. [21867/13]

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.

Smaller Hospitals Framework

238. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when the small hospitals framework report will be published; and if he will make a statement on the matter. [21872/13]

239. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when the Higgins report will be published; and if he will make a statement on the matter. [21873/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 238 and 239 together.

Clear information about the role of our smaller hospitals and what they will do in the future is offered in *Securing the Future of Smaller Hospitals: A Framework for Development*, which focuses in particular on the role of nine smaller hospitals that have been the subject of particular attention from the Health Information and Quality Authority. The principles behind it will apply to all smaller hospitals, regardless of whether they are specifically referenced. In developing the framework, the Government is clear that there is an important future role for smaller hospitals, in which they will provide services for more patients, not fewer; that no acute hospital will close; and that safety issues in all acute hospitals, large or small, must be fully addressed by providing the right type of service for the right patient in the right setting. This framework demonstrates clearly that the future of smaller hospitals is secure. It outlines the need for smaller hospitals and larger hospitals to operate together. Therefore, it is intrinsically linked to the ongoing work regarding the development of hospital groups.

We know that the traditional practice of providing as many services as possible in every hospital is neither sustainable nor safe. The formation of Irish acute hospitals into a small number of groups, each with its own governance and management, will provide an optimum opportunity for hospital services to be configured to deliver high-quality, safe patient care in a cost-effective manner. It was with this in mind that I appointed Professor John Higgins in June of last year to chair a strategic board on the establishment of hospital groups. I have received

Professor Higgins's report, which is based on a comprehensive consultation process and contains almost 60 recommendations on the formation, management and governance of hospital groups, all of which are strongly endorsed by the strategic board.

I will shortly submit this report to the Government to consider and decide on the final formation of each hospital group. I appreciate that this report and the related Government decision are anxiously awaited. As this is the most radical and most fundamental modernisation of our health system infrastructure since the State's foundation, I take very seriously my obligation to consider the report closely and to assure myself and my Cabinet colleagues that it provides a robust basis to enable timely access to a high-quality and sustainable hospital service for those who need it. The Government will decide on the initial make-up of hospital groups which will be established on an administrative basis, pending the legislation required to set up hospital trusts by 2015. Before those trusts are established, the composition and functioning of the groups will be reviewed. If changes prove necessary, they will be made with Government approval when the hospital trusts are being formed. It is my intention to bring both of these reports to the Government in the near future for approval and to publish them shortly thereafter.

Abortion Legislation

240. **Deputy Billy Timmins** asked the Minister for Health the persons who framed the terms of reference for the expert group on the A, B and C report on abortion; if there were draft guidelines; the persons involved in drawing up the terms of reference and the brief they received from him on the matter; the groups or organisations that were requested to supply recommendations; and if they were selected, the person who selected and approved the nominations; how often and when the group met and if the discussion notes are available; the members, if any, that resigned; and if he will make a statement on the matter. [21892/13]

Minister for Health (Deputy James Reilly): I wish to inform the Deputy that the terms of reference for the Expert Group on the Judgment in A, B & C v Ireland were initially drawn up by the relevant officials in my Department, with reference to the judgement of the European Court of Human Rights. They were discussed by Government and approved on the 29th November 2011.

The membership of the Expert Group was chosen and appointed by the Minister, in consultation with the Taoiseach and the Tánaiste, and agreed by Government. In terms of its composition, it was agreed that, in order to fulfil its remit, the Group would require experts representing the fields of obstetrics, general practice, psychiatry, law, public policy and professional regulation. The Irish College of General Practitioners, the Institute of Obstetricians & Gynaecologists, the College of Psychiatrists of Ireland, An Bord Altranais, the Medical Council and the Office of the Attorney General were asked to put forward nominations to the Expert Group. The Group therefore consisted of members who have been selected on the basis of their medical, legal, and policy expertise. The Chair of the Group, the Honourable Justice Mr Sean Ryan, is a High Court Judge. One member of the Expert Group resigned.

The Expert Group met nine times during the period January to November 2012. Minutes of each meeting are held in the Department of Health.

Abortion Legislation

241. **Deputy Billy Timmins** asked the Minister for Health the way the new protection of life during pregnancy Bill (details supplied) would have affected the way Savita Halappanavar

was treated, in view of the fact the medical assessment of her on the Monday and Tuesday was that there was not a real and substantial threat to her life and in view of the independent expert (details supplied) it was too late to treat her after mid-morning on the Wednesday; and if he will make a statement on the matter. [21893/13]

Minister for Health (Deputy James Reilly): While it would not be appropriate for me to comment on the Savita Halappanavar case at this time, I wish to inform the Deputy that the intention of the Protection of Life During Pregnancy Bill is to bring legal clarity to cases where there is a real and substantial risk to the life, as distinct from the health, of a pregnant woman which may only be averted by termination of pregnancy. Head 2 of the Bill aims to set out the law on situations in which termination of pregnancy is permissible where there is a risk of loss of life from physical illness if it is established as a matter of probability that:

- there is a real and substantial risk to the life of the mother; and
- this risk can only be averted by the termination of her pregnancy.

It is my hope that the Bill will assist medical professionals by clarifying the circumstances in which doctors can intervene where a woman's life is at risk. It is my hope that the new proposed legislation will save women's lives and protect the unborn and give clarity to medical professionals taking care of their patients.

Road Projects Contracts

242. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport the details of the public private partnership deal that the National Roads Authority signed on his Department's behalf regarding the N11 upgrade in County Wicklow; when he expects construction work to commence; when he expects the road to be fully open; and if he will make a statement on the matter. [21618/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Road Projects Expenditure

243. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport the amount his Department has spent to date on the A5 dual carriageway; and if he will make a statement on the matter. [21713/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The State has contributed £22 million Sterling to date towards the A5 project.

Road Safety Issues

244. **Deputy David Stanton** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 613 of 30 April 2013, if he will, in the context of any future changes to EU legislation on roadworthiness testing, seek to have that legislation changed to allow vehicles to be tested by reference to the date of a vehicle's test date where the car has been pre-declared off the road as part of a legal process regulated by a member state; and if he will make a statement on the matter. [21785/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As I outlined in my reply to the Deputy on April 30th, roadworthiness testing throughout the EU is undertaken in conformity with EU Directive 2009/40, which stipulates the intervals between test dates, which are derived by reference to the date of a vehicles' initial registration. EU law requires that vehicles must be tested on the fourth anniversary of their initial registration, and every two years thereafter. In Ireland, as an additional element of national road safety policy, vehicles older than ten years must be tested annually.

In July 2012 the EU Commission published a set of proposals which sought to amend Directive 2009/40 and following which the Council of Ministers for Transport, in December 2012, reached a General Agreement on those proposals. The General Agreement does not provide for the amendments suggested and there are no such amendments proposed. However, the Deputy's proposal will be kept under consideration.

Traffic Calming Measures

245. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if any standard designs for traffic calming measures, such as ramps exist; and if directions will be given to local authorities on the construction of traffic calming features in order that the quality and durability of same will be assured across the country. [21813/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): While my Department is responsible for general legislation in regard to traffic matters, it does not have a direct role in relation to local traffic management, including traffic calming, which is a matter for the relevant local authorities. Section 38 of the Road Traffic Act 1994 empowers such authorities, in the interest of the safety and convenience of road users, to provide such traffic calming measures as they consider desirable in respect of public roads in their charge.

To support the provision of such traffic calming measures, a non-statutory Traffic Management Guidelines Manual was published in 2003 jointly by the then Department of Transport, the Department of the Environment, Heritage and Local Government and the Dublin Transportation Office and distributed to each road authority setting out guidance on best practice. Guidance is given in Chapter 6 on traffic calming, including the types of roads on which particular types of traffic calming measures are appropriate. Section 13 of that Chapter deals with the specific details of speed ramps and other such measures. The Guidelines can be accessed from the National Transport Authority website (www.nationaltransport.ie).

Driving Tests

246. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will provide details on the way the standard of driving test examination are assured across the country particularly in view of the extraordinary differences in pass rates from centre to centre. [21814/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Road Safety Authority (RSA) has statutory responsibility for all aspects of driver testing. I have passed the Deputy's question to the RSA for direct reply. If no response has been received within ten days, the Deputy should contact my office.