

## Written Answers.

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

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

### Ministerial Appointments

9. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs if she has proceeded to seek expressions of interest from interested persons or nominations of specific persons who would be prepared to serve as members of the board of the yet to be established Child and Family Agency; the number of board positions she plans for the new agency; if a person (details supplied) has taken up her position as chair of the board of the existing Family Support Agency; and if she will make a statement on the matter. [21764/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government has approved the Heads of the Child and Family Agency Bill and has also agreed to the priority drafting of this Bill. The necessary legislative and organisational preparations are being prioritised so that the Agency can be established as soon as possible. This piece of important legislation provides for the subsuming of functions from three separate agencies; namely the HSE, and also the Family Support Agency and the National Educational Welfare Board which both currently come under the remit of my Department. The preparations undertaken to date include identification of the first Chair of the Child and Family Agency.

In preparation for the formal establishment of the new Agency Ms. Norah Gibbons will be initially appointed as Chair of the existing Family Support Agency, one of the constituent bodies to be merged into the Child and Family Agency. In line with the practice established by this Government Ms. Gibbons will be available to appear before the Oireachtas Joint Committee on Health and Children in advance of her taking up her position.

A public advertisement has been undertaken through the Public Appointments Service seeking Expressions of Interest from those interested in being appointed to the Board of the Family Support Agency having regard to both its existing statutory functions and its planned role in facilitating the establishment of the Child and Family Agency. The closing date for applications is Thursday, 23rd May 2013.

The selection of board members will reflect the enhanced role being given to this board in overseeing, on an administrative basis, the governance and organisational preparations for the new Agency. The number of Board members appointed will be in line with Section 10 (1) of the Family Support Agency Act, 2001, which provides for a board of 12 members in total.

Those appointed to the FSA Board will have a term of office up to the date of the establishment of the new Child and Family Agency. In the interests of good governance I anticipate that

in general a good level of continuity will be maintained between the newly appointed Family Support Agency Board and the Board of the Child and Family Agency, although I will be proposing that the latter board be smaller in number.

Meanwhile legislative preparations are advanced with finalisation of the Child and Family Agency Bill nearing completion in conjunction with the Office of Parliamentary Counsel. I expect to introduce this Bill to the House in this session.

### **Children in Care**

10. **Deputy Seamus Kirk** asked the Minister for Children and Youth Affairs the number of children in residential general care who now have a written care plan; and if she will make a statement on the matter. [21850/13]

20. **Deputy Micheál Martin** asked the Minister for Children and Youth Affairs the number of children in foster care general who now have a written care plan; and if she will make a statement on the matter. [21855/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 10 and 20 together.

The HSE compiles monthly performance reports which include statistics in relation to children in care. These reports are published on the HSE website. The latest published report shows that there were 323 children in general residential care in February 2013, 291 (90%) of whom had a written care plan. All children in Special Care or in High Support placement had a written care plan. There were 4,031 children in general foster care in February 2013, of whom 3,581 (89%) children had a written care plan. A care plan should be developed in advance of a child going into care, except where the child enters care on an emergency basis.

The Child Care Regulations 1995 require that all children in care have a Care Plan and that the Care Plan is reviewed at regular intervals or when required. The HSE has advised me that day to day exigencies of service provision, such as staff absence due to annual, maternity and sick leave, can impact on services. The HSE further advised that there may be circumstances in which local decisions are made in regard to work planning within the context of service priorities, such as child protection workloads within an area or staff availability. In these circumstances, it may be determined that a 'child in care review' can be deferred for a short period. Such a decision will be made on the basis of risk assessment and would apply to particularly stable care placements.

The figures for children in general residential care of 90% and general foster care of 89% respectively at the end of February 2013 shows an improvement on the figures at February 2011 where the comparative figures were 87% and 88%.

I am pleased to inform the Deputy that in relation to the recruitment of social workers, the HSE has advised me that as of 15th April, there are currently 123 vacant posts being filled. These posts will improve resources available to support children in care across the country.

*Question No. 11 answered with Question No. 8.*

### **Child Protection Issues**

12. **Deputy Martin Ferris** asked the Minister for Children and Youth Affairs her reaction to and the steps that will be taken to address both the historic failures and the contemporary deficiencies highlighted in the recently published reviews of a number of Catholic Dioceses undertaken by the National Board for Safeguarding Children in the Catholic Church in Ireland; and if she will make a statement on the matter. [21775/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The recent publication of a further seven reviews, conducted by the National Board for Safeguarding Children in the Catholic Church into safeguarding practices at both diocesan and Religious Congregation level, is a further important step in presenting a national picture of how both are engaging with the issue of child protection, and the regimes in place to ensure that proper safeguarding arrangements are being applied and, more importantly, complied with.

The review process is an important element within an overall programme of work which needs to be completed in order to provide the necessary assurances to the public, and to the statutory authorities, that appropriate safeguarding and reporting measures are in place and operating well across the Catholic Church.

Sixteen diocesan reviews have now been published, together with four reviews of Religious Congregations. I look forward to the publication of all remaining reviews and expect that the Church authorities will engage with the Safeguarding Board in order to complete the national review process.

The recently-published reviews reveal evidence of good and improved practice in the development of better safeguarding structures and processes. This is to be welcomed. Positive developments are shown in terms of adherence to the standards set out by the Safeguarding Board. There is also evidence of a very constructive engagement with diocesan Safeguarding Committees. It is also encouraging that the Board reported that all the findings of the reviews have been fully accepted and that the recommendations are already being implemented. However, there is no room for complacency, and it is imperative that the standards are fully implemented across the Church and that this continues to be validated by the Safeguarding Board.

From the perspective of historic allegations, the diocese of Clogher came in for particular criticism on this occasion, having exhibited very poor practice when it came to responding to allegations of abuse. In response to publication of that diocesan review, the Church authorities acknowledged that much more could have been done to intervene to ensure the safety of children was held paramount.

The review reports were furnished by the Safeguarding Board to the HSE and An Garda Síochána. I will be consulting with Mr. Gordon Jeyes, CEO-designate of the new Child and Family Agency, who works closely with the Safeguarding Board and An Garda Síochána, on the findings of the reviews and on the ongoing collaborative work being done to promote improved safeguarding practices across the Catholic Church.

I would also like to highlight the enormous contribution which Mr. Ian Elliot, Chief Executive of the Safeguarding Board has made to the development of more effective and transparent child protection practices in the Catholic Church. Mr. Elliot has overseen an objective and consistent methodology for all reviews and I look forward to this work being continued to the same standard by his successor.

### **Sunbed Usage**

13. **Deputy Pádraig Mac Lochlainn** asked the Minister for Children and Youth Affairs

if she or her Department have engaged directly with the Department of Health to ensure that legislation currently being drafted on the issue of sunbed use and access adequately addresses the serious problem of under-18 use of these machines with all the potential adverse effects on children's health and their well-being in later life; and if she will make a statement on the matter. [21770/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The prime responsibility for policy in relation to the legislation referred to by the Deputy lies with the Department of Health. My Department has been assured by the Department of Health that, in view of the potential adverse health effects on children's health and well being in later life resulting from sunbed use, the forthcoming sunbeds legislation to be introduced by the Minister for Health proposes to prohibit the use of sunbeds by persons under the age of 18 in commercial sunbed premises. My Department will examine the draft legislation prior to submission to Government and I look forward to supporting my colleague, the Minister for Health, in its advancement.

### **Early Childhood Education**

14. **Deputy Willie O'Dea** asked the Minister for Children and Youth Affairs if she will introduce higher standards of qualification in early care and education services; and if she will make a statement on the matter. [21842/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Nearly all pre-school services in the State are now participating in the Early Childhood Care and Education (ECCE) programme which was introduced in January 2010 and which provides a free pre-school year to all eligible children before they commence primary school.

The minimum qualification requirements have, in fact, been increased for those delivering the ECCE programme. During the 2010-2012 period, there was an interim qualifying period whereby a person who did not hold a recognised qualification at the equivalent of Level 5 on the National Framework of Qualifications of Ireland (NFQ) but could demonstrate that he/she had a certified award relevant to early childhood care and education that included significant content covering the core knowledge areas of child development, early learning, health and welfare, and provided they had at least 2 years experience of working in a position of responsibility, was able to work as a pre-school leader. For the 2012-2014 period, every early years practitioner working as a pre-school leader entering into contract for the first time, must hold a major award at a minimum of Level 5. To assist unqualified practitioners in the current workforce to achieve the full Level 5 award, my Department provided part-subsidies for an on-line course which was developed by one of the voluntary childcare organisations.

A higher capitation rate is available to services participating in the ECCE programme in which all childcare workers have qualification levels above the minimum requirements for the programme i.e. where all the Pre-school Leaders hold a Bachelor degree in childhood/early education and all the Pre-school Assistants hold a relevant major award at level 5.

It is my objective to incrementally develop the ECCE programme over the term of this Government as resources permit. A key element of this is the implementation of the Workforce Development Plan by the Early Education Policy Unit of the Department of Education and Skills, which is co-located in my Department.

The Workforce Development Plan identified different distinct groups including new entrants to the workforce who wish to become appropriately qualified for specific occupational

roles and responsibilities, and unqualified practitioners in the current workforce who want to achieve the Level 5 award. For new entrants to the workforce the publication of Common Award Standards at Levels 4, 5 and 6 is a welcome development. Programmes of learning developed to meet these new award standards will incorporate national practice frameworks and will reflect national policy objectives, thereby ensuring that graduates are fully prepared to enter the workforce. Training providers have begun to meet the new award standards in respect of the FETAC Level 5 Major Award in Early Childhood Care and Education. The first programme has been developed and is being provided through the VECs.

Future developments relating to early years and education, including workforce development, are being considered in the context of the National Early Years Strategy for children aged from birth to six years, which is being developed by my Department and expected to be completed later this year.

### **Child Care Services Provision**

15. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if she will amend the Child Care Act of 1991 to ensure the regulation of all paid childminders; and if she will make a statement on the matter. [21846/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Work on the development of Ireland's first Early Years Strategy for children aged from birth to 6 years, is already underway in my Department. The approach I am taking in developing the Strategy has received Government approval. My intention is to create an innovative and dynamic blueprint for the future development of Ireland's early years sector and a coherent approach to seeking to improve the lives of children from birth to 6 years.

A broad range of issues relating to regulations, standards, quality assurance, and inspection are currently being considered by the Expert Advisory Group which is advising my Department on the Strategy. As Minister I am committed to ensuring high standards in early years service provision, both in terms of care and curriculum. The role of quality provision is critical in contributing to childhood development and I am determined that this key objective will be reflected fully in the Early Years Strategy.

One of the specific issues of policy which I have identified for consideration in the preparation of the new Strategy is the future role and regulation of the childminding sector, which is already an important component of early childhood care and education. At present pre-school services are subject to the Child Care (Pre-School Services) (No.2) Regulations 2006, as provided for under Part VII of the Child Care Act 1991.

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

The National Guidelines for Childminders, compiled by the National Childcare Co-ordinating Committee established under my Department, provide guidance to childminders in regard to the Regulations and good practice in the provision of childcare services. In that context, the City and County Childcare Committees, which assist my Department in implementing its early childhood care and education programmes, encourage childminders to voluntarily notify them-

selves to their local Committee.

As is the case with all regulatory requirements, the Child Care Regulations set the minimum standards which services are legally required to comply with. My Department will continue to adopt a pro-active approach to promoting the highest standards of care and education throughout the sector, including childminders, given their importance in this crucial phase of children's lives.

### **After-School Support Services**

16. **Deputy Barry Cowen** asked the Minister for Children and Youth Affairs if she will provide a progress on the new after-school childcare scheme; and if she will make a statement on the matter. [21837/13]

23. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the steps which she intends to take to address the lack of availability of after-school services for children; and if she will make a statement on the matter. [21737/13]

26. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs if it is her intention to press for expenditure that is currently allocated for child benefit to be partly diverted for child care services; and if she will make a statement on the matter. [21830/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 16, 23 and 26 together.

As part of Budget 2013 I, together with my colleague, the Minister for Social Protection, was pleased to announce a new After-school Childcare initiative which will be targeted at low-income parents availing of employment opportunities. Lack of access to affordable, quality childcare is a significant barrier to many low income and disadvantaged families seeking to avail of work opportunities. This initiative will provide an important support measure to enable parents to avail of job opportunities. This is in line with the Government's overall strategy to support parents of low income families to take up employment and demonstrates how Departments are working together to deliver the Government's agenda on promoting employment and supporting children's development.

The initiative is expected to receive full year funding of €14 million to provide over 6,000 after-school places for children attending primary school in order to support parents to take up employment. This funding has been made possible through savings from the Vote of the Department of Social Protection.

Eligibility for the new After-school Childcare programme is determined by the Department of Social Protection. Officials from the Department of Social Protection and my Department are continuing in close collaboration on the operation of the programme. The first pilot phase has commenced. Up to 500 childcare places are available with Department of Social Protection local offices in Tralee, Mullingar, Dundalk, Cork City, Finglas, Kings Inn and Limerick City participating. The second phase of the pilot will be rolled out in July, with the full roll-out of the programme in September 2013, to coincide with the new school year. The pilot programme will assist both Departments in determining the procedural, quality and practical issues that require attention prior to the finalisation of the programme.

The programme will provide €35 per week per child enrolled in a participating service for after school services and this payment will rise to €100 per week during holiday periods when parents will be availing of full day care. A further €20 per week will be paid by the parent to

the provider in both instances.

The new After-school Childcare programme will further augment my Department's programme of childcare supports for low income families. These include the Community Childcare Subvention and the Childcare Education and Training Support programmes, both of which provide subsidised childcare for low income parents, including qualifying parents who are on approved VEC and FÁS education and training courses. In 2013, my Department expects to spend in the region of €70 million on these programmes, supporting over 30,000 childcare places.

Any proposed additional funding for childcare or other related services by way of re-allocation of resources currently part of the child benefit budget would be a matter for Government to consider in the context of Budget 2014.

*Question No. 17 answered with Question No. 6.*

### **Youth Services**

18. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs the priority she is giving to the frontline workers in Clondalkin and Lucan Youth Services, Dublin; if she will outline the impact the planned cuts will have on these services; and if she will make a statement on the matter. [21688/13]

27. **Deputy Derek Keating** asked the Minister for Children and Youth Affairs if her attention has been drawn to the fact that the frontline workers in the Clondalkin/Lucan Youth Services, Dublin, are dealing with one of the most vulnerable and at-risk groups in the greater Dublin area (details supplied); if she will reconsider her policy of funding youth cafés and continue to maintain the funding for frontline workers in youth work in Clondalkin and Lucan; and if she will make a statement on the matter. [21687/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 18 and 27 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 Peoples 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 Government's 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

PROJECT	FUNDING
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.

### **Aftercare Services**

19. **Deputy Eamonn Maloney** asked the Minister for Children and Youth Affairs the structures and support mechanisms that can be provided to young persons who leave State care where there is no family support. [21730/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Young people who leave State care are entitled to advice, guidance and practical support. This is delivered in partnership with the young person, his or her family, carers, social workers, key or link worker and other statutory, community and voluntary agencies. Before a young person leaves care, a needs assessment is carried out to identify a young person's need for accommodation, financial support, social networks, training and education. The most vulnerable group of children are those leaving residential care or short term foster care placements. Children who come into care late, in their mid to late teens, may not have developed the relationships with staff or aftercare workers, helpful for good outcomes.

One of the key features of aftercare is a dedicated aftercare worker who will work with the young person, and advocate on their behalf to promote their safety and development. Many young people continue to reside with foster carers while attending third level education. Young people who do not have family support from a foster carer or family base are helped to find accommodation in either supported lodgings, sheltered housing or independent accommodation and encouraged and supported financially in furthering their training and education.

The core eligible age range for aftercare is 18 years and up to 21 years which can extend until the completion of a course of education in which he/she is engaged up to the age of 23 years of age.

Ideally, aftercare provides the range and continuum of services to assist the varying needs of young people leaving care to help them achieve a successful transition from the care environment to independent adult life in the community. This transitional period may present serious challenges to young people and HSE staff alike, as these young adults encounter all the usual developmental issues of leaving home without, for many, the security of a stable background.

Some young people, on leaving care, declare themselves independent of state services and are reluctant to engage with the service. This presents challenges to service providers but is not a reason to cut off a young person from receiving support within the timeframes of the aftercare service. The HSE policy provides that these young people can re-engage with the service at any time until they reach 21 years of age.

Given the particular difficulties for some young people leaving care in areas of mental health and disability, the aftercare policy has a strong multi-agency dimension. The HSE's Aftercare Implementation Group is developing protocols with Social Inclusion, Disability Services, Mental Health Services Primary Care in the HSE and the Department of the Environment regarding housing to support this approach. A protocol has been signed with the Irish Youth Justice Ser-

vice which covers joint working arrangements for young people in Detention Schools.

The Deputy will be aware that I am currently examining options to strengthen legislation regarding the provision of aftercare. I have recently held round-table discussions with HSE, service providers, advocates and the voluntary sector in relation to the recent improvements in aftercare service delivery and the proposed legislative change. My officials have met with their counterparts in Northern Ireland to discuss the nature and impact of the strengthening of aftercare legislatively in Northern Ireland and issues to do with service provision. The Deputy will be aware that I had previously indicated my intention to bring forward legislative amendments and this remains my focus.

*Question No. 20 answered with Question No. 10.*

### Children in Care

21. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs the steps she is taking to help reverse the increase of deaths by suicide of children in care, children known to the Health Service Executive's child welfare and protection service and young persons in aftercare in 2012 or the 2011 number of cases notified to the National Review Panel (details supplied); and if she will make a statement on the matter. [21773/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The figures for referrals to the National Review Panel in 2011 and 2012 are as set out in the tables below. Cases referred to the Panel include:

- All deaths of children in care, including deaths by natural causes
- All deaths of children known to HSE child protection system
- Deaths of young adults (up to 21 years of age) who were in the care of the HSE in the period immediately prior to their 18th birthday or were in receipt of aftercare services
- Where a case of suspected or confirmed abuse involves the death of, or a serious incident to, a child known to the HSE or a HSE funded service
- Serious incidents involving children in care or children known to the HSE child protection services

#### **NRP Notifications 2012**

Table 1: Cause of Death

Cause of Death	No.
Drug Overdose	0
Natural Causes	7
Suicide	9
Homicide	1
Road Traffic Accident	2
Other Accidental	4
Total	23

**NRP Notifications 2011**

Table 2: Cause of Death

Cause of Death	No.
Drug Overdose	2
Natural Causes	8
Suicide	3
Homicide	0
Road Traffic Accident	1
Other Accidental	1
Total	15

Of the referrals in both 2011 and 2012 of children who were in the care of the State, there were two deaths in each year. All four of these children had terminal illnesses before they entered State care and were not expected to survive. The referrals of suicide cases in 2011 (which include aftercare cases up to age 21) represent 20% of the total number of referrals to the panel in that year and 39% for 2012. There are not directly comparable data readily available for the general youth population. However, in the general youth population deaths by suicide accounted for 22% of all deaths of children aged 10-17 in 2011 (State of the Nation' Children Report, 2012). The figures for the general youth population deaths by suicide in 2012 are not yet available.

While the figures above highlight an increase in suicide cases referred to the National Review Panel between these two years this cannot be considered a trend owing to the very small amount of data available and the short reference period. In this regard, the Report of the Independent Child Death Review Group stated, inter alia, that *'while not seeking to minimise the gravity of the issue of deaths of children in care, in statistical terms the numbers will be small. Therefore any generalisation based on these numbers, or even comparisons with the general population is likely to be unreliable'* . However this is an issue which will be monitored closely in the future. Further, the Chair of the National Review panel has recently highlighted the increased prevalence of suicide in the cases referred in 2012. In this regard there are plans to provide specialist training in the area to Review Panel members to assist in better understanding the underlying issues. The NRP also intends to produce themed reports in the future which will focus on areas such as this.

As regards the broader issue raised by the Deputy, my Department supports a range of community based programmes for all those working with young people in out-of-school settings. The training is based on the resource 'Mindout' which was developed by Health Promotion HSE West and NUI Galway. Mindout adopts a universal mental health promotion approach which has strong links with the "Support for all" element of the recent guidelines on Mental Health Promotion for Schools published by the HSE, Department of Education and Skills and the National Office for Suicide Prevention. In addition, the HSE is working proactively to ensure that front line staff are receiving training and receive continuing professional development with regard to suicide awareness and the promotion of positive mental health for young people.

**Internet Safety Issues**

22. **Deputy Éamon Ó Cuív** asked the Minister for Children and Youth Affairs the action her Department will take to help young people counter the effects of websites that encourage

harmful and unhealthy behaviour, such as promoting anorexia and bulimia and other eating disorders; and if she will make a statement on the matter. [21836/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** While the internet undoubtedly presents fantastic opportunities for children, it is equally clear that there is a real opportunity for children to be put at risk by their exposure to material and/or individuals which may be harmful. With the rapid evolution of internet technology, through internet on mobile phones and camera phones, parents need to understand that access to the internet is becoming increasingly diverse and therefore increasingly difficult to supervise.

The Office for Internet Safety (OIS) which was established in March 2008 as an Executive Office of the Department of Justice and Equality has primary responsibility for the development and promotion of strategic actions to promote the highest possible levels of internet safety, particularly in relation to combating child pornography. The Office for Internet Safety plays a key role in ensuring a cohesive approach is being taken across Government Departments, State Agencies and other key stakeholders in addressing illegal content on the internet.

The OIS has established a service accessible at [www.hotline.ie](http://www.hotline.ie) where people can report sites if they have concerns that content may be illegal. All reports received are assessed and where content is found to be illegal action is taken. This is an anonymous service and you do not have to give your name or any personal information.

The Safer Internet Ireland Project is a consortium of industry, education, child welfare and government partners that acts as a Safer Internet Centre in Ireland providing awareness, hotline and helpline functions and activities in the Republic of Ireland. The project, coordinated by the OIS aims to develop national initiatives promoting the safer use of electronic media and enhance protection of the vulnerable, particularly children, against the downside of the Internet. The project develops materials and programmes of awareness to ensure that children, teachers and parents understand the benefits and risks of the Internet.

The National Centre for Technology in Education (NCTE), has primary responsibility for the development of material and programmes of awareness to ensure children, teachers and parents understand the benefits and risks of the internet, through initiatives such as [www.web-wise.ie](http://www.web-wise.ie)

There are some simple practical steps parents can take to help limit the risks as well as clear advice they can give their children. The best way of doing this is for parents to get involved and understand how their children use the internet. Developing your knowledge of the technology involved and understanding how your child uses this technology to interact with others on the Internet will greatly assist parents in guiding and supporting their children to ensure that they are using it in the safest possible manner.

*Question No. 23 answered with Question No. 16.*

### **Child Care Services Provision**

24. **Deputy Brian Stanley** asked the Minister for Children and Youth Affairs the reporting protocols in place regarding children in high support units who engage in anti-social behaviour in off-site settings and more serious activities, including criminal damage; the protocols in place when it is apparent that children placed in high support units have taken alcohol or may have engaged in other substance abuse activities; if these latter incidents are also covered by reporting protocols; and if she will make a statement on the matter. [21774/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** High support units offer a residential service to children and young people who are in need of specialised targeted intervention: they are ‘open’ in that the young person is not detained. High Support differs from ordinary residential care in that the units offer higher staff ratios, on-site education as well as specialised input such as psychology services.

High support units aim to assist young people in developing internal controls of behaviour, to enhance self-esteem, facilitate personal abilities and strengths, and to build a capacity for constructive choice, resilience and responsibility. There are high supports units that are managed locally and two high support units that are managed nationally.

The HSE has advised me that they have in place protocols, where young people who are placed in high support units engage in anti-social or risk taking behaviour, that is known to the staff.

All significant events are notified to the allocated social worker, the HSE monitor for high support, the senior management team and any other person with a bona fide interest in the young person. There is a register of all Significant Events maintained at the HSE’s national office for High Support and Special Care.

If it is known that a young person was involved in more serious activities such as criminal damage, again this would be notified through the significant event protocol and the Gardaí would also be informed.

Where there are child protection concerns, these are notified via the Child Protection Notification System to the allocated social worker, the HSE nominated child protection officer, the HSE monitor for high support, the senior management team and any other person with a bona fide interest in the young person. The allocated social worker is responsible for investigating the child protection concerns and informing the high support unit of the outcome.

### **Asylum Seeker Accommodation**

25. **Deputy Michael Colreavy** asked the Minister for Children and Youth Affairs her views on the suitability of direct provision centres for child and family accommodation of asylum seekers; if she has urged the Department for Justice and Equality to introduce an independent complaints mechanism and independent inspection office of direct provision centres in order to ensure the highest standards of welfare and protection, particularly of children; and if she will make a statement on the matter. [21776/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In the first instance, I would like to clarify that the Reception and Integration Agency (RIA) is a functional unit of the Irish Naturalisation and Immigration Service (INIS), a division of the Department of Justice and Equality. RIA is charged with providing accommodation and ancillary services to asylum seekers, that is, adults and their children, under the Direct Provision system while their applications for asylum are processed. I am advised that Direct Provision centres are monitored three times a year, twice by Department of Justice staff and once by an external company.

The revised Children First: National Guidance for the Protection and Welfare of Children was published in July, 2011. The Guidance deals with the recognition, reporting and management of child welfare and safety concerns. It sets out a number of key messages relating to the duty to protect children and support their welfare. The scope of Children First extends beyond the reporting of suspected neglect, abuse and welfare concerns. It emphasises the importance of multi disciplinary, inter-agency working in the management of such concerns. Key to this is

the sharing of information between agencies and disciplines in the best interests of children and the need for full co-operation to ensure better outcomes.

The HSE has advised me that concerns about the welfare, safety or wellbeing of a child in Direct Provision are reported to the HSE Children and Family Services, in line with Children First. Referrals include welfare concerns such as a parent being hospitalised, parental illness, a child being left unsupervised by an adult or mental health concerns regarding the parent, while a smaller number would relate to child protection concerns.

There is a specific unit within RIA -the Child and Family Services Unit - whose role is to manage, deliver, co-ordinate, monitor and plan all matters relating to child and family services for all asylum seekers residing in the direct provision system. This unit also links, where necessary, directly with an Garda Síochána.

I would like to assure the Deputy that I have had ongoing contact with my colleague, the Minister for Justice and Law Reform and that senior officials within my Department have engaged with the HSE, to ensure that children who residing in Direct Provision are afforded the same levels of welfare and protection that their counterparts in the wider community are afforded.

*Question No. 26 answered with Question No. 16.*

*Question No. 27 answered with Question No. 18.*

### **Early Childhood Education**

28. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs the measures she is putting in place to enable children with special needs access crèche and pre-school care; and if she will make a statement on the matter. [21832/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free pre-school year to all eligible children. The programme includes a number of additional provisions to take account of children with special needs. These include an exemption from the upper age limit for qualification under the programme where a child is developmentally delayed and would benefit from starting primary school at a later age. In addition, children with special needs can apply to have the pre-school year split over two years on a *pro-rata* basis, for example availing of the programme for two days a week in the first year and for three days a week in the second year. Application for these exemptions must be made prior to the child commencing the programme. It is my view that it would be extremely helpful to many children, and particularly those children with special needs, if a second pre-school year were to be provided. However, the introduction of a second pre-school year would require considerable additional funding and this funding is not available because of the financial constraints under which the Government is currently operating.

The ECCE programme will continue to be evaluated and developed as resources permit. My Department has been actively working with the Department of Health, specifically the Office of Disability and Mental Health, in the context of building better supports to facilitate the inclusion of children with special needs in mainstream pre-school settings. I was successful in securing capital funding in Budget 2013 to support the ongoing improvement of the childcare sector. The funding programme (applications for which closed on 30 April 2013) will provide

grants under four strands, one of which is specifically for grants to improve the accessibility of services for children with disabilities.

### Adoption Records Protection

29. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs the number of domestic births placed for adoption in each of the past three years, 2010, 2011 and 2012; and if she will make a statement on the matter. [21763/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am advised by the Adoption Authority of Ireland that the number of domestic adoption orders made in the period referred to by the Deputy is as follows:

Year	No. of Domestic Adoptions Orders
2010	189
2011	39
2012	46

Further details in this regard are in the Annual Reports of the Adoption Authority Of Ireland which are available on [www.aai.gov.ie](http://www.aai.gov.ie).

### Inter-Country Adoptions

30. **Deputy Sandra McLellan** asked the Minister for Children and Youth Affairs if the signed agreement with Vietnam regarding inter-country adoptions came into operational effect before the end of April 2013 as previously advised; the up-to-date position regarding arrangements for inter-country adoptions with Ethiopia, India and Russia; and if she will make a statement on the matter. [21762/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In September 2012 the Adoption Authority of Ireland (AAI) and the Vietnamese Central Authority for Adoption signed an administrative arrangement for intercountry adoption. The administrative arrangement is the first international arrangement for intercountry adoption entered into by the AAI and the Socialist Republic of Vietnam since both countries ratified the Hague Convention. The Adoption Authority accredited Helping Hands for activities in relation to facilitating adoptions from Vietnam and Helping Hands has recently received confirmation from the Vietnamese authorities of its approval to operate there. I met recently with representatives of Helping Hands who informed me that they expect adoptions to commence shortly. In March I lead a delegation to India which included the Chair of the Adoption Authority of Ireland and a departmental official. The visit, which was in conjunction with representing the Irish Government at official functions in India for St Patrick's Day, afforded me the opportunity to assess the position in relation to intercountry adoption in India and to clarify issues in relation to the requirements of the Indian authorities in that regard. I was advised that registration is now open with CARA (the Indian Central Authority) for special needs cases; this includes children with intellectual or physical disabilities, siblings including twins, and children over five years of age. It was explained that Indian currently operates intercountry adoption with other Hague countries without the need for any specific administrative arrangements of the type in place with Vietnam.

I have also travelled to Moscow, accompanied by Dr Geoffrey Shannon, Chair of the Adop-

tion Authority, in order to discuss at a diplomatic level issues in relation to the potential for a bilateral agreement with Russia. During my visit I met with my counterpart, Minister Dmitry Livanov, Minister of Education and Science of the Russian Federation. This meeting was productive and allowed for an exchange of views on the possibility of Ireland entering into a bilateral agreement on intercountry adoption with Russia. Russia and Ethiopia are not signatories of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. In these circumstances, future adoptions from Russia and Ethiopia would require a bilateral agreement between Ireland and these countries. The Russian authorities acknowledged the satisfactory outcomes for Russian children adopted in Ireland and expressed a willingness to conclude an agreement with Ireland which would be subject to the approval of the Russian parliament. My Department, in consultation with the AAI, is continuing efforts to draft wording of a bilateral agreement, including in consultation with the Office of the Attorney General, which would satisfy our legal and Constitutional requirements, in particular in relation to the Russian requirement for post adoption reports. The wording of the draft bilateral agreement will be a matter of consideration by the Attorney General's office in advance of any further discussions with the Russian authorities.

The Adoption Authority delegation visit to Ethiopia in April last year was an initial part of the Authority's deliberations on the feasibility and suitability of entering into discussions with Ethiopia on a bilateral adoption agreement. The Authority is examining the compatibility of the Irish and Ethiopian adoption legislation.

### **Children in Care**

31. **Deputy Seán Ó Fearghail** asked the Minister for Children and Youth Affairs the number of children in care who now have an allocated social worker; and if she will make a statement on the matter. [21854/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The HSE compiles monthly performance reports which include statistics in relation to children in care. These reports are published on the HSE website. The latest published report shows that there were 6,397 children in the care of the HSE in February 2013, of which 5,837 (91.2%) children had an allocated social worker. It is important to note the dynamic nature of children entering and leaving care. The HSE Review of Adequacy for HSE Children and Families Services 2011 showed that 36.7% of children admitted to care during 2011 were also discharged within the year. The Review also showed that there were over 2000 admissions to care in each of the years, 2009 to 2011. The HSE advise that where there are immediate operational difficulties in assigning one social worker to a child, social workers are assigned based on a needs assessment and prioritisation. Some of these cases can relate to children in very stable fostering placements, provided perhaps, by a relative. Where a social worker is not assigned for a period, practice has been to support foster placements through the regular social work duty system where the child can contact the social worker on duty. It is also important to note that cases are subject to ongoing review and, where appropriate, the level and nature of the support being provided to foster carers and children in care will change depending on the needs of the child.

### **Child Care Services Provision**

32. **Deputy Gerry Adams** asked the Minister for Children and Youth Affairs the implications for her Department's planning for the future of the projections contained in the new study from the Central Statistics Office entitled Population and Labour Force Projections 2016-2046

that predicts a 17% to 20% increase in the number of children of primary school age over the next eight years; and if she will make a statement on the matter. [21769/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As part of Budget 2013 I, together with my colleague the Minister for Social Protection, announced a new School Age Childcare initiative which will be targeted at low-income parents availing of employment opportunities. The initiative is expected to receive annual funding of €14 million to provide in the region of 6,000 after-school places for children attending primary school, in order to support parents in taking up employment. Preparations are well-advanced for the introduction of a pilot project in a small number of locations, with the national roll-out of the programme planned for September this year. In addition to the new School Age Childcare Programme, my Department provides funding for three other childcare programmes which provide a range of supports to parents of pre-school and after-school children. The Early Childhood Care and Education programme provides a free pre-school year to all eligible children in the year before commencing primary school. The Community Childcare Subvention programme, which is provided through community-based childcare services, enables those services to provide childcare at reduced rates to disadvantaged and low income families. The Childcare Education and Training Support programme provides subvention for childcare places to qualifying trainees and students availing of certain FÁS and VEC courses. My Department provides in the region of €260 million annually to support parents with the cost of childcare under these programmes.

Capital funding grants were made available to child-care providers, both community and commercial, during the years 2000 to 2008 for the development and refurbishment of child-care facilities. Approximately €425 million was invested during this period. In Budget 2012, €6 million was provided for remedial, maintenance and renovation work in established child-care facilities, and to assist these facilities to purchase equipment for early education and child-care services. In Budget 2013, a further €2.75 million has been allocated to support the ongoing improvement of the childcare sector. My Department is currently developing an Early Years Strategy which will cover a range of issues affecting children in their first years of life. The Strategy will bring together and consider a significant amount of international and domestic research on the importance of early years for child development, including findings from the “Growing Up in Ireland” study. It will also be informed by the evaluations of the Prevention and Early Intervention Projects which have been funded jointly by my Department and philanthropic organisations, as well as an analysis of existing service provision and associated resources.

I am satisfied that prior and ongoing investment by my Department in the area of childcare will ensure the availability of high quality care and education for children into the future.

### **Child Care Services Provision**

33. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she continues to have dialogue with the various stakeholders in relation to issues affecting the welfare, well-being and health of children and young persons; the extent to which dominant issues have arisen in this regard; if she has a preference for particular and or specific policies to target any such issues; and if she will make a statement on the matter. [21806/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has always emphasised the importance of regular contact and discussion with key stakeholders in relation to policy and services for children and young people. This includes ensuring that, where appropriate, representative bodies and organisations working with children and young people play a role in the formation of policy. A number of committees and advisory groups are currently in place under my Department. One of these is the National Children’s Advisory

Council, which acts in an independent advisory role to myself as Minister for Children and Youth Affairs and includes representatives of statutory agencies, the voluntary sector, research community, parents and young people. Its overarching role is to contribute to the development of a strong collaborative interface between statutory and non-statutory providers of children's services in order to improve outcomes for children and young people. The Council is currently assisting my Department in developing a new National Policy Framework for Children and Young People 2013-2018, which will build on *Our Children - Their Lives*, Ireland's first children's strategy which was published in 2000 and provide a continuum of the life-course from infancy through to early and middle childhood, adolescence and early adulthood. Key areas which I expect the Framework will identify include health and well being; education; economic security and poverty; parenting and family support; environment; safety; sports and recreation; and media, arts and culture. Other committees include the National Youth Work Advisory Committee which includes representatives from both the voluntary and statutory sectors with an interest and involvement in the administration and provision of youth work programmes and services. Its main role is to advise on and assist in the co-ordination of youth work policies, programmes and services and provide a forum to address and progress specific issues. The National Children's Strategy Implementation Group includes representatives of relevant Government departments, the Health Service Executive (HSE), local authorities, the education sector and other key agencies. Its key priority is to ensure the implementation of all strategic plans and policy documents in relation to children's services in Ireland and improve the way in which Government, agencies and organisations work with each other.

### **Adoption Legislation**

34. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the reason for the delay in introducing the adoption (tracing and information) Bill; and the steps being taken to protect birth/adoption records held in private hands. [21820/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Work is continuing in relation to the preparation of the Heads of Bill of the adoption (information and tracing) Bill. My view is that persons affected by adoption should be provided with a statutory right to as much information as possible within permissible Constitutional boundaries. The proposed legislation is intended to provide for a structured and regulated approach for applicants seeking access to adoption information and is also intended to facilitate contact between parties affected by adoption, including in circumstances where an adoption order was not effected. It is intended that the Bill will provide for the Adoption Authority to be responsible for providing access to adoption records, in accordance with the provisions of the Bill. The Bill will provide for the Adoption Authority to establish and maintain a National Index of Adoption Records, the purpose of which is to help an applicant for adoption information to identify the location of his or her adoption records. The intention is that the Bill is to provide that either the Adoption Authority, the HSE or an accredited body may hold adoption records, with the Authority having overall charge of those records. The HSE have already commenced the take over of files. In late 2011 the HSE Adoption Services took responsibility for the adoption files of the Sacred Heart Adoption Society in respect of homes in Bessborough, County Cork; St Peters, Castlepollard, County Westmeath and Sean Ross Abbey, Roscrea, County Tipperary. These files have since been transferred to the HSE in their entirety and are stored in specialised facilities in Glanmire County Cork. It is also intended that the Bill will provide for placing the National Contact Preference Register on a statutory basis and that a National Tracing Service will be established under the provisions of the Bill, the operation of which will be subject to guidelines to be set out in regulations.

Complex legal and Constitutional issues have arisen during the course of preparation of the Heads of Bill including the setting of criteria for balancing an adopted person's right to information about his or her identity as against a birth parent's right to privacy. These issues are currently receiving careful examination and detailed consideration is underway on the part of my Department and the Office of the Attorney General. I am anxious to bring the Heads of Bill before Government at the earliest possible date. Again, my view is that persons affected by adoption should be provided with a statutory right to as much information as permissible within Constitutional boundaries. However, there are undoubtedly challenges remaining in developing a workable framework which respects the Constitutional rights of all parties. I remain committed to achieving my policy objectives notwithstanding these challenges.

### **Illegal Adoptions**

35. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs if, in view of the recent apology given by the Australian Prime Minister to the victims of illegal adoptions carried out in that country in the 1960s, if an inquiry will be established into the illegal adoptions carried out here in the post-1952 period when adoption legislation was in force. [21658/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The issue in Ireland of illegal adoptions relates to illegal registrations, i.e. children who were given at birth to other individuals who registered these children as their own and who are now unable to access personal records and information. I have met with individuals who have found themselves in these circumstances and I acknowledge and empathise with the dilemma that these individuals are addressing. Efforts have been made by the Adoption Authority of Ireland and the HSE, within their legal remit, to facilitate the investigations that these individuals are undertaking in endeavouring to establish medical and/or identifying information about themselves. Further efforts are required to move beyond that and endeavour to trace birth parents, children and or siblings who are affected by this issue.

In consultation with the AAI and the HSE, my Department is examining legislative and administrative options in relation to accessing records which may exist. I am also examining provisions in this regard in the forthcoming Adoption (Information and Tracing) Bill. I have recently received further legal advice from the Office of the Attorney General in regard to complex legal and constitutional issues which have arisen during the course of drafting the Heads of Bill. These issues are currently under consideration in my Department.

When the former Adoption Board launched the National Adoption Contact Preference Register in 2005, provision was made for persons, who were party to the illegal registration of a child, to register an interest in the Register for possible future contact with another party sometime in the future. Fundamental to the success of the NCPR is that any persons with information in this regard contact the Information and Tracing Unit of the AAI. The Adoption Act 1952 provided a legal basis for adoption in Ireland and for the establishment of the Adoption Board thereby bringing order to what had been the ad hoc arrangements which had previously existed in lieu of formal adoption procedures. That Act was replaced by the Adoption Act 2010. All adoptions in Ireland since 1952 have been carried out in line with this legislation.

### **Bullying of Children**

36. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she and or her Department has undertaken studies into the extent of the various

forms of bullying affecting young persons; if she has in mind, the provision of specific policies to address this issue as a matter of urgency; and if she will make a statement on the matter. [21807/13]

195. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department has studied the various forms of bullying most commonly identified in order of prevalence and age group; the extent to which she is in a position to address the issues arising with particular reference to putting place remedial measures; and if she will make a statement on the matter. [22074/13]

199. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which the various forms of bullying have been monitored as it affects children and young persons of various ages; and if she will make a statement on the matter. [22078/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 36, 195 and 199 together.

My Department is committed to evidence-based policy development and a strong comprehensive research programme is in place; this includes funded research and capacity building programmes, as well as a research infrastructure and dissemination programmes. The National Strategy for Research and Data on Children's Lives 2011-2016 sets out a comprehensive action plan for research and data on children's lives in Ireland and proposes a systematic, harmonised and coordinated approach across departments and agencies to achieve a better understanding of the factors influencing children's lives.

There is a growing body of national and international evidence on the prevalence of bullying and its impact on our children and young people, on their confidence, learning outcomes, self-esteem and mental health. Two national surveys, which are Government funded, give us a national picture of the extent of bullying among children in Ireland.

The first, Growing Up in Ireland, the National Longitudinal Study of Children, which is funded through my Department, provides us with data on the proportion of nine-year olds who have been victims of bullying (40%) and with verbal bullying emerging as the most common form of bullying, followed by exclusion and physical bullying. Boys were more likely to have experienced physical and verbal bullying, while girls were more likely to have experienced exclusion. There was little difference in the proportion of boys and girls who were bullied through written messages and electronic means and these forms of bullying occurred much less frequently than the other forms in this age cohort. There was a clear overlap between children who had bullied another and children who had been victimised – these children are classified as bully victims and constituted 10% of nine-year-olds.

The second national survey, the Health Behaviour of School Aged Children (HBSC) survey, also provides us with important data on this issue. Since 1998, the HBSC survey, which is conducted every four years, provided us with trends in the proportion of children between the ages of 9 and 17 who report that they were bullied at school. Given that this is part of an international study, we can also compare rates of bullying in Ireland with rates of bullying in other countries. The latest international comparisons revealed that rates of bullying in Ireland were lower than the HBSC average (27.3% versus 29.2%). Statistically significant differences were observed across age and gender, with a higher percentage of younger children and boys reporting that they were bullied at school in the past couple of months.

Internationally, a recent EU study to examine the safety of children on the internet found that 4% of children between the ages of 9 and 16 in Ireland experienced online bullying compared with an EU average of 6%. This finding is also supported by the "Growing up in Ireland"

research which showed that 5% of 9 year olds experienced cyber-bullying. However, UNICEF's recently published "Child Well being in Rich countries" (Report Card 11) highlighted a rise in bullying among Irish young people; the report stated that 28% of children in Ireland aged 11, 13 and 15 reported "being bullied at school at least once in the past couple of months." These reports, which are available in full online, are indicative of the wealth of research on Irish children's lives and experiences now accessible to Irish policy-makers.

The Deputy will be aware that ongoing work to implement the Action Plan on Bullying, which is being led by the Department of Education and Skills, represents a significant step in delivering on the Government's absolute commitment to reverse these current trends. To achieve this we must work with a broad base of interests to tackle the underlying causes of bullying, including prejudice in all its forms, in a sustained manner. The Action Plan on Bullying was produced earlier this year following detailed consideration of available evidence and research on bullying. The Working Group consulted with leading academics in the field of bullying and reviewed the current best practices in bullying prevention in other jurisdictions, to develop the series of specific evidence based actions and recommendations outlined within the Action Plan. I am pleased to advise the Deputy that the actions set out in the Plan are being progressed by the relevant sectors.

In terms of additional research, this includes new research on the prevalence and impact of bullying linked to social media on the mental health and suicidal behaviour among young people through the National Office for Suicide Prevention. The National Disability Authority has also agreed to conduct and support research on effective supports for children with special educational needs. In addition, my Department, along with the Department of Education and Skills, has agreed to identify and initiate further research on bullying issues as our resources permit, including the monitoring and evaluation of initiatives in schools and other sectors in order to support evidence for further policy development and decision making. This will be considered in future calls for proposals under the National Children's Research Programme.

My Department will continue to work across all sectors and services to raise awareness about bullying, its impact on children and young people and the effective measures to be taken to tackle prejudice, combat bullying and promote a safer environment for our young people.

## **Youth Services**

37. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the steps being taken to protect front-line youth services in view of the funding cuts experienced by the sector; and if she will make a statement on the matter. [21736/13]

**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 Peoples 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.

### **European Security Strategy**

38. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade if a review of the European Security Strategy will be taking place in the near future; if he will outline Ireland's participation in the last review; his views on what he anticipates that Ireland's contribution will be at the next review; and if he will make a statement on the matter. [22113/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The European Security Strategy (ESS), which was approved by the European Council in 2003, outlines challenges and threats to European and international security such as terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure and organised crime. It goes on to focus on strategic objectives for the EU, in particular the need to promote good governance beyond the borders of the Union and to advance the development of effective multilateralism through support for the United Nations. It considers policy implications for the EU in light of these threats and strategic objectives. And it concludes that the EU should become more active, more capable and more coherent. We value also its role in widening the context in which the EU's Common Security and Defence Policy (CSDP) operates.

A review of the ESS was carried out in 2008 but made no fundamental changes to it. It did, however, broaden the challenges identified to include threats such as cyber security, climate change and pandemics. In the lead-up to the review, Ireland worked to ensure that the document remained consistent with our values and concerns. In particular, we ensured that there was a prominent reference to the pre-eminent role of the UN in the international system and that CSDP remained situated as an integral part of the EU's broader Common Foreign and Security Policy.

In 2012 EU Foreign Ministers again looked at the possibility of revising the ESS. It was decided, however, that an examination of particular emerging threats would be more appropriate at this time. Following on from this, and at the initiative of the High Representative for Foreign Affairs and Security Policy, Ministers have discussed a number of such issues, including energy security, water and conflict, space and security and the implications of climate change

for international security. In its current Presidency role, Ireland is working to prepare Council Conclusions in support of the ongoing development of a cybersecurity strategy for the EU.

Debate continues about refinement of the ESS and the development of a broader foreign policy vision for the EU which goes beyond strict security concerns. For example, four Foreign Ministers – those of Sweden, Poland, Italy and Spain – are proposing the development of a global foreign policy strategy for the EU. This is being taken forward by four think-tanks in the EU which hope to present proposals this month for a future “European Global Strategy”. Ireland is happy to play its full part in any such debates.

### **Diplomatic Representation**

39. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade the outcome of the discussions with New Hampshire State officials that the Embassy of Ireland in Washington had on their recent visit to New England; if he envisages that any new links will be established, either with the diaspora, in terms of trade or otherwise, between the US State and here in the near future [21901/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Ambassador to the United States, Michael Collins, accompanied by the Consul General for the New England area, Michael Lonergan, visited New Hampshire on April 26 where they met with Governor Maggie Hassan in the State capital, Concord. Ambassador Collins and Governor Hassan discussed a number of issues of mutual interest to Ireland and New Hampshire, focusing heavily on trade and investment. The Ambassador also extended an invitation to the Governor to visit Ireland at some point in the future. Later the Ambassador gave a public lecture on “Ireland and the EU: Economic Challenges and Recovery” at Saint Anselm College in the State’s largest city, Manchester to an audience drawn from the area’s business, political, academic and Irish American communities and answered a number of questions.

New Hampshire has strong historical links to Ireland, with over 280,000, or over one-fifth of the state’s population, claiming Irish ancestry. Such strong Diaspora connections are a tangible asset in developing Irish trade and investment links in the region. A number of Enterprise Ireland client companies have also opened offices recently in New Hampshire as an initial gateway to the United States marketplace. I hope this recent visit encourages further development of economic relations between New Hampshire and Ireland.

### **Ministerial Expenditure**

40. **Deputy John McGuinness** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22037/13]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The amounts claimed by each Junior Minister and Secretary General in my Department for travel and subsistence and details of the number of staff appointed by each Minister and Junior Minister in my Department or constituency office to include costs for the period 2007 – 2013 are set out in the tables below. My Department is fully compliant with the Department of Finance guidelines on foreign travel and also operates its own detailed internal travel guidelines which

ensure cost effective travel practices. The central aim of the Departmental travel policy is to minimise official travel costs and achieve value for money for expenditure necessarily incurred, consistent with effective discharge of official duties. As the Deputy is aware the role and functions carried out by special advisors are set out in Section 11 of the Public Service Management Act 1997.

**Tánaiste and Minister for Foreign Affairs & Trade, Mr. Eamon Gilmore, TD**

**2011 to date**

-	2011 Salary	2012 Salary	2013 Salary	Travel and Subsistence
Chief Adviser (1)	101,272	167,421	64,393	1,288
Economic Adviser (1)	122,214	154,465	59,410	1,196
Special Adviser (2)	50,130	82,348	32,488	1,637
	-	9,643	30,683	820
Personal Assistant (2)	38,691	65,896	25,162	-
	49,625	63,865	25,339	-
Personal Secretary (2)	27,805	45,781	16,728	-
	-	4,109	9,130	-

**Minister for Foreign Affairs, Mr. Michéal Martin, TD**

**2008 – 2011**

-	2008 Salary	2009 Salary	2010 Salary	2011 Salary	Travel and Subsistence
Special Adviser (2)	60,883	109,830	194,478	7,824	3,591
	59,787	106,214	72,969	-	1,886
	-	-	46,552	6,449	-
Personal Assistant (1)	28,944	49,029	88,017	13,203	-
Personal Secretary (1)	21,516	39,267	77,014	5,649	313

**Minister for Foreign Affairs, Mr. Dermot Ahern, TD**

**2004 – 2008**

-	2007 Salary	2008 Salary	Travel and Subsistence
Press Adviser (1)	97,469	38,230	6,829
Special Adviser (1)	107,117	37,048	3,816

Personal Assistant (1)	63,478	26,274	-
Personal Secretary (1)	57,980	23,527	-

**Minister for State for European Affairs, Ms. Lucinda Creighton, TD**

**2011 to date**

-	2011 Salary	2012 Salary	2013 Salary	Travel and Subsistence
MoS Lucinda Creighton	-	-	-	34,917
Special Adviser (1)	29,649	63,146	24,629	5,146
Personal Assistant (1)	2,992	52,201	20,236	-
Personal Secretary (1)	23,705	42,149	16,099	-
Civilian Driver (2)	22,779	35,649	12,184	418
	25,902	36,912	12,003	1,092

**Minister for State for European Affairs, Mr. Dick Roche, TD**

**2007 - 2011**

-	2007 Salary	2008 Salary	2009 Salary	2010 Salary	2011 Salary	Travel and Subsistence
MoS Dick Roche	-	-	-	-	-	97,853
Special Adviser (1)	47,729	93,251	98,521	92,496	29,938	2,707
Personal Assistant (1)	28,107	53,700	54,840	51,389	20,449	12,124
Personal Secretary (1)	25,022	46,745	47,240	44,475	14,102	46
Civilian Driver (2)	19,058	38,484	43,051	36,129	8,321	60,842
	16,517	41,458	44,502	35,316	8,141	50,438

**Minister for State for European Affairs, Mr Noel Tracey, TD**

**2004 - 2007**

-	2007 Salary	Travel and Subsistence
MoS Noel Tracey	-	37,884
Special Adviser (1)	43,282	1,582
Personal Secretary (1)	23,081	-

*Questions - Written Answers*

Civilian Driver (2)	14,924	8,027
	14,924	7,155

**Minister of State for Trade and Development, Mr. Joe Costello, TD**

**December 2011 to date**

-	2011 Salary	2012 Salary	2013 Salary	Travel and Subsistence
MoS Joe Costello	-	-	-	8,518
Personal Assistant (1)	-	45,224	20,603	-
Personal Secretary (1)	-	49,346	19,777	-

**Minister of State for Trade and Development, Ms. Jan O’Sullivan, TD**

**2011**

-	2011 Salary	Travel and Subsistence
MoS Jan O’Sullivan	-	11,580
Personal Assistant (1)	38,759	-
Personal Secretary (1)	34,777	-
Civilian Driver (2)	23,736	2,809
	22,743	3,003

**Minister of State for Development Cooperation, Mr. Peter Power, TD**

**2008 - 2011**

-	2008 Salary	2009 Salary	2010 Salary	2011 Salary	Travel and Subsistence
MoS Peter Power	-	-	-	-	65,911
Special Adviser (1)	51,225	93,267	89,825	28,518	-
Personal Assistant (1)	32,219	69,534	61,563	21,842	-
Personal Secretary (2)	25,436	49,403	24,164	5,653	-
	-	3,554	27,535	4,008	-
Civilian Driver (2)	21,504	37,085	9,099	-	13,698
	21,504	39,764	35,858	7,960	28,082

-	11,346	38,024	7,283	12,552
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**Minister of State for Development Cooperation, Mr. Michael Kitt, TD**

**2007 - 2008**

-	2007 Salary	2008 Salary	Travel and Subsistence
MoS Michael Kitt	-	-	33,110
Personal Assistant (1)	29,851	-	-
Personal Secretary (1)	24,494	-	-
Civilian Driver (2)	-	-	8,572
	17,152	-	9,801

**Minister of State for Development Cooperation, Mr. Conor Lenihan, TD**

**2004 - 2007**

-	2007 Salary	Travel and Subsistence
MoS Conor Lenihan	-	9,080
Personal Assistant (1)	20,113	926
Personal Secretary (1)	27,294	-
Civilian Driver (2)	14,924	1,820
	16,250	5,107

**Secretaries General - Travel and Subsistence**

-	Date	Travel and Subsistence
David Cooney	2009 - to date	11,127
Dermot Gallagher	2007 - 2009	16,066

**Banking Sector Issues**

41. **Deputy Peadar Tóibín** asked the Minister for Finance the impact on the small and medium enterprises sector in charges to bank changes including interest rates changes, over the past two years; and the steps taken by his Department to address this matter with the banking sector. [21935/13]

**Minister for Finance (Deputy Michael Noonan):** The Government recognises that SMEs are the lifeblood of the economy and will play a vital role in the recovery of employment growth in our country. It is also very conscious of the costs faced by SMEs in doing business and one of the aims of the Action Plan for Jobs 2013 is to reduce controllable costs of doing business. I have no statutory function in relation to business interest rate decisions made by individual lending institutions at any particular time. The decisions financial institutions operat-

ing in Ireland make on the interest rates they charge to customers are commercial decisions for the institutions concerned. Interest rates are determined by a broad range of factors including ECB base rates, deposit rates, market funding costs, the competitive environment, and an institution's overall funding.

### **Property Taxation Application**

42. **Deputy Billy Timmins** asked the Minister for Finance his views on correspondence (details supplied) regarding property tax; and if he will make a statement on the matter. [21939/13]

**Minister for Finance (Deputy Michael Noonan):** The Government agreed with the recommendation of the "Thornhill Group" – the expert group that advised on the design of the Local Property Tax (LPT) – that the tax should be centred on the principles of equity, transparency and simplicity. It was also considered that a universal liability should apply to all owners of residential property with a limited number of exemptions. In making its recommendations for exemptions and for deferrals, the group had regard to the following criteria:

- Ability to pay;
- Reliefs create costs which have to be paid for, either by taxpayers who do not benefit from the relief or by reductions in public expenditure;
- Reliefs should be designed to address clear economic and social policy needs;
- Care needs to be taken in designing relief to ensure they are targeted based on need, and there are not unintended and inequitably distributed gains;
- The LPT is intended to be a tax on the benefit from ownership of a residential property;
- Such residential properties have monetary and non-monetary values which are independent of incomes;
- And that the LPT is not assessed on incomes.

While there are few exemptions from the charge to LPT, an exemption is available where a residential property was previously occupied by a person as his or her sole or main residence and has been vacated by the person for 12 months or more due to long term mental or physical infirmity and is not occupied by any other person. The system of deferrals outlined in the Finance (Local Property Tax) Act 2012, as amended, is targeted at cases of need, and has reference to income stressed home owners, allowing enhanced deferrals where there is low income and liability to mortgage interest. A liability for LPT will arise where a person owns a residential property on the liability date, which is 1 May 2013 for the year 2013. The LPT is a self-assessed tax and therefore liable persons are obliged to calculate the tax due based on their assessment of the market value of their property, file their return by the relevant deadline and pay the tax due. The tax is in place for a half year in 2013 and for a full year from 2014 onwards.

Revenue has put in place a wide range of payment options to enable liable persons to select the one that best suits their circumstances, to will allow them to pay their LPT liability in full, or to pay by instalments in various ways, including by deduction at source from certain Department of Social Protection payments. This is intended to assist with budgeting by allowing liable persons to pay the tax in equal instalments.

For liable persons who choose not to make an LPT Return, the Revenue Commissioners have a duty, in the interests of fairness and equity to those who are compliant, to take effective

follow-up action to recover the tax from the non-compliant. This may mean that tax clearance certificates will not be issued where there is failure to pay LPT. I believe the vast majority of people will want to be compliant with the LPT, as they are with other taxes legislated for by the Oireachtas. Revenue is making it as easy as possible for people to comply with their obligations to submit an LPT return and either make arrangements to pay their LPT charge or avail of a deferral of the charge if they are eligible.

For individuals on low incomes or whose only income is from the Department of Social Protection, the LPT legislation provides for the possibility to defer the charge to LPT in certain cases where specified conditions are met. The deferral system focuses on ability to pay the tax and is based on the income of the liable person, with increased limits where there is liability to mortgage interest. A person who qualifies for full deferral can opt to defer 100% of the LPT liability. A person who qualifies for partial deferral can opt to defer 50% of the liability and must pay the balance of LPT. In all deferral cases interest will be charged on LPT amounts deferred at a rate of just under 4% simple interest per annum. This is half the rate of interest that applies in cases of non-compliance with LPT and other taxes, where a daily rate of 0.0219% - just under 8% per annum – is applied to the outstanding amount from the payment date to the date the tax is paid. The deferred amount, including the interest, will attach to the property and will have to be paid before the property is sold or transferred.

The Government does not propose at this time to introduce a wealth tax but all taxes and potential taxation options are constantly reviewed.

### **Mortgage Repayments Issues**

43. **Deputy Finian McGrath** asked the Minister for Finance if he will respond to issues raised in correspondence (details supplied) by the Irish Brokers Association on debt forgiveness. [22057/13]

**Minister for Finance (Deputy Michael Noonan):** I can assure the Deputy that the Government is very aware of the significant difficulties some homeowners are facing in meeting their mortgage obligations and it has put in place a comprehensive strategy to address the problem focusing on four main distinct areas:

- **Innovative Personal Insolvency Reform:** Personal insolvency reform was identified by the Keane Report as a catalyst for addressing the mortgage arrears problem and it indicated that without an effective insolvency system the mortgage arrears problem will not be resolved. The introduction of the new Personal Insolvency Act provides new statutory insolvency frameworks to allow debtors and creditors reach arrangements on unsustainable mortgage and personal debt. The legislation provides a legal framework for the resolution of mortgage arrears, as well as other personal debt, and it will provide certainty for borrowers and lenders alike about the consequences of non-payment and failure to reach agreement. It does not preclude, however, borrowers and lenders reaching bilateral agreements to address mortgage or other debt difficulty. A number of concerns have been raised about the balance of power between banks and debtors, which has commonly been referred to as a 'Bank Veto'. The reality is that it is in the best interest of both debtors and creditors to seek to conclude an acceptable and workable bilateral arrangement under the Personal Insolvency Act, be it a Debt Settlement Arrangement or Personal Insolvency Arrangement. The latter such arrangement will be of particular use for those persons experiencing difficulty with repayment of their mortgages and to provide, as appropriate, for debt restructuring. Both debtors and creditors have rights in a financial contract and these must be respected, having regard to the insolvency of the debtor. Of course, in the event that either a Debt Settlement Arrangement (DSA) or Personal Insolvency Arrangement

(PIA) cannot be agreed, the ultimate resolution option is judicial bankruptcy.

- **Mortgage Arrears Resolution Strategies:** As announced in March, the implementation of the mortgage arrears strategies has further intensified with the Central Bank now setting time bound and measurable targets for the main banks on their progress in resolving, on a durable basis, the position of their mortgage customers who are in arrears on their mortgage. The “Keane Report” has already outlined a number of possible options that can be considered by banks to provide a sustainable solution for a mortgage in difficulty on a case by case basis. Mortgage lenders have now introduced long-term measures to assist mortgage holders in distress such as split mortgages, trade-down mortgages, negative equity mortgages and through the mortgage to rent scheme and the Central Bank will monitor the performance of banks against the targets.

- **Comprehensive Advice and Guidance:** In addition to existing arrangements, the Government has introduced a range of additional information and guidance resources to assist mortgage holders through what can be a difficult and stressful process. A dedicated website, [www.keepingyourhome.ie](http://www.keepingyourhome.ie), has been put in place to provide general public information on mortgages arrears issues. In addition, there is a Mortgage Arrears Information Helpline, which is established under the aegis of the Citizens Information Board, to provide more tailored information to individual callers. Finally, a panel of accountants has been put in place to provide “one to one” independent advice to borrowers who have been provided a long term forbearance resolution offer by their lender in respect of a mortgage on their primary home. All of these information services are provided at no direct charge to the users of the service.

- **Keeping families in their homes:** As a social housing response, a “mortgage to rent” scheme is now in place on a nationwide basis. This option will be available to households with unsustainable mortgages and who would qualify for social housing support and meet other appropriate criteria will allow the family, in the context of an agreed resolution to an unsustainable mortgage, to remain in their home.

Overall, while progressing these particular measures, the Government is also conscious of the need to restore the economy and employment levels and its overall economic policies are directed to achieve those objectives, the successful achievement of which will be of general benefit to those with mortgages as well as the general economy.

### Excise Duties Yield

44. **Deputy Arthur Spring** asked the Minister for Finance if he will provide a breakdown in excise returns by category and by month from January 2011 to April 2013. [21915/13]

**Minister for Finance (Deputy Michael Noonan):** The breakdown in excise returns by category and by month from January 2011 to February 2013 is as follows:

2011	Alcohol	Tobacco	Oils	Carbon	VRT	Other Excise
Jan	87.8	0.6	234.7	14.5	41.5	12.1
Feb	35.9	26.8	176.7	44.7	57.7	9.0
Mar	51.2	64.7	183.0	23.3	49.1	8.2
Apr	67.9	96.1	180.2	32.2	45.9	9.5
May	67.5	65.4	177.5	19.4	33.5	5.5
Jun	65.6	102.9	177.9	26.9	36.1	4.8
Jul	70.8	113.7	174.3	22.1	31.4	12.5

Aug	72.0	109.7	185.6	20.5	19.5	6.1
Sept	70.2	78.3	174.0	22.2	36.4	9.0
Oct	64.7	90.0	174.7	22.9	14.6	10.8
Nov	75.3	110.7	181.3	24.3	12.2	7.8
Dec	100.8	267.2	109.9	25.3	10.4	4.6
TOTAL	829.5	1126.1	2129.8	298.2	388.4	100.0

2012	Alcohol	Tobacco	Oils	Carbon	VRT	Other Excise
Jan	87.8	1.0	223.8	16.8	47.7	8.5
Feb	35.6	52.8	166.7	41.3	62.9	4.1
Mar	50.6	55.8	176.7	24.5	56.1	4.0
Apr	64.7	70.8	166.8	34.2	44.5	9.0
May	61.4	108.0	180.9	26.0	33.6	4.8
Jun	73.3	121.8	168.6	33.3	33.6	4.0
Jul	68.4	80.2	167.7	27.9	25.8	10.7
Aug	64.7	92.4	175.9	26.7	21.1	5.6
Sept	68.7	68.3	165.3	26.4	17.2	5.8
Oct	65.9	99.8	175.1	29.7	14.5	14.6
Nov	85.0	97.5	171.9	33.6	11.2	5.4
Dec	120.0	264.7	87.9	33.6	11.2	4.0
TOTAL	846.1	1113.1	2027.3	354.0	379.4	80.5

2013	Alcohol	Tobacco	Oils	Carbon	VRT	Other Excise
JAN	93.5	0.87	231.39	25.96	52.06	8.25
FEB	40.63	104.83	158.9	42.74	64.61	2.99
MAR	50.98	52.32	165.34	33.56	53.00	3.20
APR	78.32	72	164.89	37.63	47.00	9.28
TOTAL	263.43	230.02	720.52	139.89	216.67	23.72

### Excise Duties Yield

45. **Deputy Arthur Spring** asked the Minister for Finance if he will provide a breakdown of the projected excise returns by category for 2013. [21916/13]

**Minister for Finance (Deputy Michael Noonan):** Consistent with the recently published April Stability Programme Update, the forecast for excise duties in 2013 is €4,920 million. This is unchanged from the *Budget 2013* estimate. It is important to take into account that this estimate is inclusive of the impact of all measures introduced in *Budget 2013*, including the increase in revenues from the increase in motor tax rates. With the exception of VRT which is forecast separately, the Department of Finance forecasts excise duties revenues on an aggregated basis and does not publish separate forecasts for any sub-components of individual tax heads.

### IBRC Liquidation

46. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 153 of 30 April 2013, if he will confirm, if he is entitled to instruct the Special Liquidator KPMG or the independent professional valuers of PWC and UBS pursuant to the Irish Bank Resolution Corporation Act 2013 to alter their preferred loan methodologies in order to ensure that the valuation of the total loan book of IBRC is at least €12.928 billion. [21918/13]

60. **Deputy Pearse Doherty** asked the Minister for Finance if he instructs the Special Liquidator KPMG or indirectly the independent professional valuers of PWC and UBS pursuant to the Irish Bank Resolution Corporation Act 2013 to alter their preferred loan methodologies in order to ensure that the valuation of the total loan book of Irish Bank Resolution Corporation is greater than €12.928 billion combined with all the unguaranteed unsecured liabilities of the bank, the ELG liabilities of the bank and the Deposit Guaranteed Scheme liabilities of the bank that National Asset Management Agency's acquisition of the remainder balance sheet of IBRC which is not sold to third parties would make all of those liabilities whole including providing an Exchequer boost of the €933.77 million the Exchequer has paid out for the ELG bonds as well as the £300 million of preference shares issued by him; and if he will make a statement on the matter. [21983/13]

64. **Deputy Pearse Doherty** asked the Minister for Finance if the instructions given to the independent professional valuers of PWC and UBS, pursuant to the Irish Bank Resolution Corporation Act 2013, by the Special Liquidator KPMG or indirectly by him is to achieve the most accurate independent valuation of the current market value or whether the instruction given is to ensure that the total valuation of the total loan book of IBRC achieves at least €12.928 billion; if he will confirm that it would be advantageous to the Exchequer's finances for 2013 that the independent valuation of the total loan book of IBRC is at least €12.928 billion in order to avoid additional Exchequer cost to meet the shortfall between the independent valuation and the price to which either the private investor or National Asset Management Agency will pay for the cumulative total balance of the loan book; if he will confirm whether NAMA is concerned that his interests are not aligned with those of NAMA who could be forced to take on assets at a larger price than it is able to sell in the short or medium term thus prolonging the retention of the IBRC assets by NAMA in order to avoid him facing up to losses now rather than in the future if NAMA make a loss on these assets [21987/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 46, 60 and 64 together.

The Special Liquidators have responsibility for the appointment of independent valuers to value the assets of IBRC.

Section 9 of the IBRC Act provides that the Minister shall issue the Special Liquidator with instructions setting out the details of the manner in which the winding up of IBRC is to proceed. Section 9 also gives the Minister the power to give a direction to the Special Liquidator if he is of the opinion that it is necessary for the achievement of any of the purposes of the Act to do so. The Minister may revoke or amend the instructions to the Special Liquidator. A Special Liquidator shall comply with any instructions issued or directions given under the IBRC Act.

Section 14 of the IBRC Act requires the Minister to issue an instruction to the Special Liquidator as to the manner, consistent with the purposes of the IBRC Act, in which bank assets to be bid upon by NAMA, in accordance with a direction given under Section 13(1)(a), are to be valued; and to appoint a person to carry out an independent valuation of those bank assets.

Section 14 of the IBRC Act provides that the valuation of loan assets shall be valued using discounted cash flow analysis, taking into account the timing and reliability of cash flows, together with an appropriate discount factor to determine the value or, where appropriate, in

accordance with other standard loan valuation methodologies.

The specific valuation methodologies to be employed will be agreed between the Special Liquidators and the independent professional valuers appointed by the Special Liquidators. However, in their determination of the valuation methodologies that ought to be employed, the Special Liquidators are required to comply with Section 14 of the IBRC Act as well as any further instructions or directions issued by the Minister pursuant to the IBRC Act 2013. Apart for any prescriptions concerning the valuation methodologies to be applied contained in the IBRC Act and in any further instructions or directions issued to the Special Liquidators, the independent valuation of the assets is solely at the discretion of the independent valuers.

Pursuant to the directions issued to NAMA in accordance with the provisions of the IBRC Act 2013, NAMA will be required to bid for the assets of IBRC (In Special Liquidation) at a price equal to the independent valuation.

### **NAMA Bonds**

47. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No.77 of 24 April 2013, if he will confirm that the National Asset Management Agency issued senior bonds totalling €12.928 billion to purchase the CBI's remaining lending to the Irish Bank Resolution Corporation under the Facility Deed; if he will further confirm the total nominal amount of interest NAMA will pay to the Central Bank of Ireland for these bonds, assuming no redemption is made on these bonds in the next 12 months; if he will confirm whether the interest payments made on these bonds are pure profit or whether there is in fact an income cost for the Central Bank of Ireland holding these NAMA bonds; and if he will make a statement on the matter. [21919/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA issued senior bonds totalling €12.928 billion as consideration for the Deed of Assignment and Transfer between CBI and NAMA and National Asset Resolution Ltd. Over the next 12 months, assuming current interest rate expectations and no redemptions on these bonds, two coupon payments, totalling approximately €37m, are expected to be paid to the CBI. The Central Bank does not comment on individual investment holdings. As NAMA bonds are managed together with the Bank's other investment assets, any positive investment return at year end, after costs of funding are taken into account, will be the product of the Bank's investment portfolio in aggregate and not individual investments in isolation.

### **NAMA Bonds**

48. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 77 of 24 April 2013, that the National Asset Management Agency issued senior bonds totalling €12.928 billion to purchase the CBI's remaining lending to the Irish Bank Resolution Corporation under the Facility Deed, the way €2 billion of outstanding IBRC borrowings have been satisfied as per official documentation from his Department detailing that a total of €15 billion of outstanding borrowings outside of the debt that was satisfied by the issuance of the Irish government bonds for the other net debt. [21920/13]

49. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 87 of 21 February 2013, if he will confirm that the total value of the National Asset Management Agency bonds now owned as consideration for a portion of this €2 billion additional debt and previously held by the Irish Bank Resolution Corporation is €884 million as per the

IBRC 2012 interim reports; if he will detail further to the publication of the Central Bank of Ireland's Annual Report on the 30 April 2013 the further assets held by the Central Bank of Ireland, previously pledged by IBRC which satisfy the additional €638 million of IBRC net debt that is outstanding. [21921/13]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 48 and 49 together.

As the Deputy is aware, prior to liquidation, IBRC's funding profile was primarily reliant on borrowings from the Central Bank of Ireland. The majority of funds were advanced to IBRC under a Special Master Repurchase Agreement ("SMRA"), involving the sale and repurchase of the c. €25bn nominal value Promissory Notes and €796m nominal value NAMA senior bonds. IBRC also had a smaller amount of outstanding borrowing under the Eurosystem's Main Refinancing Operation secured by other assets with a nominal value of approximately €370m. In addition, €3.46bn nominal value 2025 Irish Government Bonds also provided significant secured funding in a market repo (see Parliamentary Question No. 157 of 30 of April 2013 for further information regarding the Bank of Ireland repurchase agreement). As is typical for collateralised lending arrangements, these repurchase agreements incorporated standard market terms including the requirement to provide collateral of a value in excess of the amount of lending extended under the agreement, i.e. "excess collateral", whereby the collateral taken as part of the repurchase agreement is priced and subject to appropriate haircuts by the respective lenders.

As the Deputy is also aware, in addition to the repurchase agreements, ELA funds of approximately €15bn were advanced by the Central Bank under a Facility Deed which benefitted from a Ministerial Guarantee. The Central Bank also had security over all the ELA lending through a floating charge over the otherwise unencumbered assets of IBRC.

Upon appointment of the Special Liquidators existing funding arrangements between IBRC and the Central Bank of Ireland (CBI) were terminated. As a result, IBRC was obligated to repurchase the collateral provided under the repurchase agreements from its lenders at prices governed by those agreements. As IBRC was unable to repurchase this collateral with cash, the lenders retained and valued the collateral in fulfilment of IBRC's obligations under the agreements, with the value of collateral in excess of the borrowings being due back to IBRC. In effect, the Promissory Notes, the NAMA Senior Bonds, the other assets and the 2025 Irish Government Bonds, held as collateral under the various repurchase agreements, were retained by the lenders in lieu of IBRC repurchasing this collateral with cash.

Under the terms of the various repurchase agreements, the value of the collateral in excess of the borrowed amount was applied by the lenders to reduce, or "set off", the total amount outstanding under the Facility Deed. While the values applied to individual securities held as collateral under the various repurchase agreements are commercially sensitive and so are not provided in granular detail, the combined result of these set off arrangements was to reduce the total amount outstanding under the Facility Deed from c. €15bn at the time of the liquidation to €12.928bn at the time it was acquired by NAMA.

### **IBRC Liquidation**

50. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 238 of 19 February 2013, if he will provide an update on the composition and ownership structure of the Irish Bank Resolution Corporation subsidiaries of which there are nearly 300; if he will explicitly confirm whether the liquidator is responsible for overseeing the disposal of

the IBRC wealth management business or whether this business is separate to the IBRC liquidation; if he will confirm whether a broker has been appointed to value this business and whether it is expected to be sold or transferred to the National Asset Management Agency; and if he will make a statement on the matter. [21922/13]

**Minister for Finance (Deputy Michael Noonan):** The special liquidators have confirmed that Irish Bank Resolution Corporation Limited holds an interest (either directly or indirectly) in various entities, some of which are 100% owned, other subsidiaries have equity structures that reflect share ownership by the bank which ranges from minimal ownership up to and including full ownership by the bank. Interests are held in entities incorporated in a number of different jurisdictions however principally in the UK, Ireland and the US. The wealth management business is operated through Irish Bank Resolution Corporation Limited and the special liquidators will be responsible for overseeing the disposal of this business unit.

The Special Liquidators are in the process of appointing valuers to value Irish Bank Resolution Corporation's Limited various equity interests and the valuations will be commenced shortly. The Special Liquidators will then engage in a sales process to dispose of this asset.

### **Government Bonds**

51. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 157 of 30 April 2013, the reason the Central Bank of Ireland purchased the 2025 Irish government bond which was retained by Bank of Ireland; the reason this bond did not remain retained by Bank of Ireland; if he will explain if the Central Bank of Ireland is allowed purchase up to €3.1 billion of Irish government bonds and return the interest on these bonds to the Irish Exchequer; the reason the Central Bank of Ireland does not continue to engage in such practice for the foreseeable future in tranches of €3.1 billion of acquisitions per year; if he will explain how the Central Bank of Ireland purchasing rather than swapping as was the case with the promissory note restructuring of Irish government bonds from Bank of Ireland does not breach Article 123 of the Treaty on the Functioning of the European Union; if he will detail the way the Central Bank of Ireland financed this purchase and the available finance the Central Bank of Ireland has to conduct similar purchases of Irish government bonds on an annual basis of up to €3.1 billion in the future; and if he will make a statement on the matter. [21923/13]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has confirmed that following the termination of IBRC's market repo of the 5.4% Irish 2025 bond in the context of the special liquidation of IBRC, this particular bond was acquired by it. As the purchase was carried out on the secondary market, between the Central Bank and Bank of Ireland, the transaction did not breach Article 123 of the Treaty which contains a prohibition on primary market purchases only. The Central Bank has placed the bond in a special holding along with the other government bonds received in exchange for the Promissory Notes. While the Bank currently retains these bonds in this holding, it has indicated that it intends to sell them as soon as possible, provided conditions of financial stability permit. The Central Bank, in common with other National Central Banks of the Eurosystem, can hold financial assets only up to particular limits as part of agreements between the various members of the Eurosystem. The terms of such agreements and related issues are a matter for the Central Bank of Ireland and the ECB and not something that I can comment on. Other details in relation to the acquisition of the 2025 Irish government bond by the Central Bank of Ireland are matters for the Central Bank of Ireland.

### **IBRC Liquidation**

52. **Deputy Gerry Adams** asked the Minister for Finance further to Parliamentary Question No. 160 of 30 of April 2013, if he will confirm that the total unguaranteed liabilities of the Irish Bank Resolution Corporation that existed at the time of the IBRC liquidation outside of ELA liabilities in euro amounts, subject to currency fluctuations, is €658 million; if he will confirm further to Parliamentary Question No.194 of 23 of April 2013, that the two ELG scheme guaranteed bonds of €933.77 m were repaid in full; if the independent valuation of the total balance sheet of IBRC exceeds €12.928 billion, that the pool of excess credit developed through sale to the National Asset Management Agency or third parties at that independent valuation price is available to compensate the State for the Exchequer finances provided to satisfy these repayments; if he will confirm whether the €9.03 million the Central Bank of Ireland has paid to satisfy its obligations under the deposit guarantee scheme whether if the independent valuation of the total balance sheet of IBRC exceeds €12.928 billion, that the pool of excess credit developed through sale to NAMA or third parties at that independent valuation price is available to compensate the Central Bank of Ireland for this payment; and if he will make a statement on the matter. [21924/13]

**Minister for Finance (Deputy Michael Noonan):** There are various unguaranteed liabilities of IBRC and the final liability will only become known at the conclusion of the liquidation process. The holders of the two ELG scheme guaranteed bonds with an equivalent scheme value of €933.77 million have been fully compensated from the ELG Scheme. The State will become an unsecured creditor in relation to this amount and will be paid according to the legal priorities as set out in the Companies Acts, depending on the asset realisations.

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 the debt which NAMA will have purchased from the Central bank will be paid. If there are proceeds available after the repayment in full of NAMA debt, these proceeds will be applied to the remaining unsecured creditors.

As the Deputy is aware payments from the Deposit Guarantee Scheme (DGS) are made from the Deposit Guarantee Fund which is operated by the Central bank and funded by deposit taking institutions. The Central Bank continues to pay out under the DGS Scheme and the final pay-out is expected to be in excess of €9.03million. The Deposit Guarantee Scheme will become an unsecured creditor in relation to these payments and will be paid according to the legal priorities as set out in the Companies Acts, depending on the asset realisations.

### **Property Taxation Exemptions**

53. **Deputy Noel Greally** asked the Minister for Finance the way deferral of local property tax and the subsequent 4% charge will be of any benefit to those qualifying persons already in debt distress; and if he will make a statement on the matter. [21930/13]

**Minister for Finance (Deputy Michael Noonan):** The deferral arrangements in the Finance (Local Property Tax) Act 2012, as amended, are focused on particular categories of householders and enable cases where there is an inability to pay the Local Property Tax (LPT) to be addressed. To qualify for a deferral, the residential property must be occupied as a sole or main residence. The gross income thresholds for a full deferral are €15,000 for a single person and €25,000 for a couple, whether married persons, civil partners or qualified cohabitants. A person may claim a deferral if their gross income will not, "as can reasonably be foreseen at the liability date" exceed these thresholds in that year.

A deferral of up to 50% of the LPT liability will be possible where the gross income of the

liable person does not exceed €25,000 for a single person or €35,000 for married persons/civil partners/cohabitants.

The full and partial deferral thresholds may be increased in the case of properties occupied as a sole or main residence and subject to a mortgage. In such cases, the gross income thresholds may be increased by 80% of the mortgage interest payments. The deferral option in such qualifying cases will apply until the end of 2017.

Additional reliefs introduced in the Finance (Local Property Tax) (Amendment) Act 2013 provide that a person who has entered into an insolvency arrangement under the Personal Insolvency Act 2012 may apply for deferral of the LPT that is due during the period for which the insolvency arrangement is in effect. The 2013 Act also provides that a person who suffers both an unexpected and unavoidable significant financial loss or expense, as a result of which he or she is unable to pay their LPT without causing financial hardship, may apply for full or partial deferral.

Interest of c. 4% per annum is charged on deferred amounts. This is half the interest rate charged in cases of non-compliance.

Deferrals allow tax not paid in a year to be rolled forward to be paid at a later date. Elections for deferrals are voluntary, subject to eligibility. Where properties change hands through gifts or inheritances, the charge need not be paid and the deferral option may continue and accumulate, provided the new owners meet the eligibility requirements for deferrals provided for in the legislation.

Taxpayers who had deferred payment, but who are no longer eligible for deferrals due to improved financial circumstances, have the option of leaving the original deferrals in place in respect of previous tax liabilities, or of paying them off either in single payments or gradually.

Any amount deferred will be a relatively small part of the overall value of the property, even where the deferral lasts for a number of years or in cases where the higher rate of 0.25% applies to a portion of the value.

## Tax Yield

54. **Deputy Alan Farrell** asked the Minister for Finance if he will advise on the revenue collected in 2010, 2011 and 2012 from capital gains tax; the prospective collection will be in 2013; and if he will make a statement on the matter. [21942/13]

**Minister for Finance (Deputy Michael Noonan):** The information requested by the Deputy is set out in the table showing the amounts received into the Exchequer in respect of Capital Gains Tax (CGT) in the years 2010 to 2012. The figure for 2013 is the current estimate of CGT for the year which is consistent with current forecasts published in the Stability Programme Update on the 30th April 2013.

€ million	2010	2011	2012	2013
Capital Gains Tax	345	415	415	360

*Totals are rounded to the nearest €5 million.*

55. **Deputy Alan Farrell** asked the Minister for Finance his views on the Money Advice and Budgeting Service report outlining its concerns that split mortgages will not be a solution for the bulk of homeowners in distress in view of the fact that its findings revealed that the majority of homeowners in distress are between 41 and 65; and if he will make a statement on the matter. [21943/13]

**Minister for Finance (Deputy Michael Noonan):** The Report referred to by the Deputy was prepared by MABS NDL (National Development Limited). The stated aim of the Report is to provide an analysis of the experience of MABS clients with mortgage difficulties, often in addition to other debts and other issues, as well as the experience of MABS money advice staff working with those clients to come to a resolution that is “mutually acceptable, affordable and sustainable.” Regarding the particular issue of split mortgage, the Deputy will be aware that split mortgage was one of a number of possible arrangements suggested by the 2011 Inter-Departmental Mortgage Arrears Working Group (Keane Group) report to address significant mortgage difficulty. Other options such as trade down mortgages, mortgage to rent scheme and negative equity mortgages were also referenced in the Keane report. The split mortgage concept involves splitting a distressed mortgage into an affordable mortgage and warehousing the balance. The Central Bank has advised that the majority of lenders have introduced, or are in the process of introducing a split mortgage arrangement. While lenders have taken the broad approach set out in the Keane report, the particular split mortgage details can vary from lender to lender.

However the sustainability of a split mortgage, like all other forbearance and modification arrangements, is based on affordability and other relevant factors having regard to the specific circumstances of the individual case and the legitimate long term interests of both borrower and lender.

### **State Banking Sector Regulation**

56. **Deputy Brendan Smith** asked the Minister for Finance the position in relation to interest rate increases other than those linked to ECB movements of financial institutions substantially owned by the State; his policy on same; if the financial institutions involved must notify or seek approval from his Department before implementing such increases; the number of cases that have been granted or refused approval in the last two years; if he will list the State owned institutions; in the last two years, if he will indicate the number of increases that each has made above the ECB tracker movements; the sum percentage total of these increases for each of these institutions; if he will outline the gap in the spread between tracker and actual rate currently in use or announced for each institution; the way he will explain to a person with an AIB loan the reason they will not issue instructions to AIB, being State owned, not to proceed with such rate increases; and if he will make a statement on the matter. [21950/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware the Relationship Framework with the banks provides that the State will not intervene in the day-to-day operations of the banks or their management decisions. This framework is published on the Department of Finance website. I must ensure that the bank is run on a commercial, cost effective and independent basis to ensure the value of the bank as an asset to the State, as per the Memorandum on Economic and Financial Policies agreed with the EU Commission, the ECB and the IMF. Neither the Central Bank nor the Department of Finance has a statutory function in relation to interest rate decisions made by individual lending institutions at any particular time. It should also be noted that the Relationship Framework references decisions regarding pricing as being commercial decisions for the banks.

With regard to AIB and PTSB the state owned institutions I have been supplied with the following details with regard to mortgage rate increases over the last two years.

### AIB

The ECB rate changed 6 times since 2011, 2 increases and 4 decreases. In the same period, AIB variable rates changed 4 times, 1 decrease and 3 increases with an overall net increase of 1.15% for Standard Variable Rates (SVR's). The gap between the average AIB variable mortgage interest rate and tracker mortgage interest rate is currently 2.5% or 3.1% effective from 5th June 2013.

ECB Rate Changes	-	AIB SVR & LTV Variable Rates	-
-	-	PDH SVR	PDH LTV Variable
New Rate	AIB Effective	Change	New Rate Change- New Rate (Range from)
1.25%	n/a	unchanged	3.25% unchanged 3.09% to 3.49%
1.50%	n/a	unchanged	3.25% unchanged 3.09% to 3.49%
1.25%	22/11/2011 - 03/09/2012	-0.25%	3.00%-0.25% 2.84% to 3.24%
1.00%	n/a	unchanged	3.00% unchanged 2.84% to 3.24%
0.75%	n/a	unchanged	3.00% unchanged 2.84% to 3.24%
	04/09/2012 - 12/11/2012	+0.50%	3.50%+0.50% 3.34% to 3.74%
	13/11/2012 – present	+0.50%	4.00%+0.50% 3.84% to 4.24%
0.50%	-	-	-
-	Effective from 05/06/2013	+0.40%	4.40%+0.25% 4.09% to 4.49%

### EBS

The gap between the average EBS variable mortgage interest rate and tracker mortgage interest rates is currently 2.6% or 3.1% effective from 1st June 2013.

ECB Rate Changes	-	-	EBS PDH SVR	-	-
ECB Change	Change	New Rate	EBS Effective	Change	New Rate
-	-	-	01/04/2011	+0.60%	4.43
April 2011	+0.25%	1.25%	01/05/2011	unchanged	4.43
Jul 2011	+0.25%	1.50%	01/08/2011	+0.25%	4.68
-	-	-	01/10/2011	+0.25%	4.93
Nov 2011	-0.25%	1.25%	01/12/2011	-0.25%	4.68
Dec 2011	-0.25%	1.00%	01/01/2012	-0.35%	4.33

Jul 2012	-0.25%	0.75%	01/08/2012	unchanged	4.33
May 2013	-0.25%	0.50%	01/06/2013	+0.25%	4.58

### PTSB

As of today, 8 May 2013, Ptsb svr rate is 4.34%.

Since 21 November 2011, the svr rate has dropped 1.35% from 5.69%. The svr rate was reduced as follows

- 0.25% on 21 Nov 2011
- 0.25% on 29 Dec 2011
- 0.50% on 14 May 2012
- 0.35% on 30 July 2012

Since 13 July 2011, the ECB rate has dropped 1.00% from 1.50% to 0.50% as follows

- 0.25% on 2 Nov 2011
- 0.25% on 7 Dec 2011
- 0.25% on 4 July 2012
- 0.25% on 2 May 2013

In relation to the gap in the spread between tracker and svr, it must be noted that not everyone on a tracker mortgage has the same tracker rate; the margin over ECB ranges from 0.45% to 3.35% so the interest rate on these loans ranges from 0.95% to 3.85% (margin + ECB rate).

The average margin on a tracker rate is 1.25 % meaning that the interest rate as of today including the latest ECB rate reduction is 1.75 %; 2.59% less than the current svr rate.

### Fuel Rebate Scheme

57. **Deputy Heather Humphreys** asked the Minister for Finance the criteria that hauliers will have to adhere to in order to be eligible for the essential fuel rebate due to come into effect on 1 July 2013; and if he will make a statement on the matter. [21963/13]

**Minister for Finance (Deputy Michael Noonan):** Provision has been made in this year's Finance Act for the repayment, to qualifying road haulage and bus operators, of part of the mineral oil tax paid on the auto-diesel used by them in the course of business. This relief will apply to purchases made on or after 1st July this year. The amount to be repaid will vary according to a sliding scale, by reference to the price at which auto-diesel is purchased. The maximum amount repayable will be 7.5 cent per litre. To qualify for the repayment, road haulage operators in the State must hold either an international road haulage operator's licence or a national road haulage operator's licence, issued under the Road Traffic and Transport Act 2006. Road haulage operators established in another Member State must hold an equivalent licence recognised under EU law.

Bus operators in the State will be required to hold an international road passenger operator's licence or a national road passenger operator's licence issued under the Road Traffic and Transport Act 2006. Bus operators established in another Member State must hold an equiva-

lent licence recognised under EU law.

The auto-diesel must, in the case of road haulage, be used in a road haulage vehicle with a maximum permissible gross laden weight of not less than 7.5 tonnes. For passenger transport, the vehicle concerned must conform to certain classifications set down in the EU “type approval” Directive. This includes buses and minibuses with seating for a minimum of nine passengers.

I am informed by the Revenue Commissioners who have responsibility for the operation of the repayment scheme that, except where the auto-diesel is purchased in bulk by the qualifying transport operator, payment must be made by means of a fuel card approved by Revenue for that purpose. Revenue will approve a fuel card where the fuel card provider undertakes to provide such information as they require in relation to the fuel card purchases, and continues to act in accordance with that undertaking. The fuel card must be approved before any repayment claim is made in relation to fuel card purchases.

Any operator who claims a repayment, and who is established in the State, must hold a current tax clearance certificate. Any claimant who is established in another Member State must show that he or she is tax compliant in that Member State.

Qualifying road transport operators will be required to register with Revenue before any claim for repayment is submitted. Claims will be made in respect of auto-diesel purchased during a three-month repayment period. Revenue is currently developing the IT systems for submission and processing of repayment claims, with a view to issuing the first repayments before the end of the year. The detail of the requirements for the administration of the scheme, and the Revenue Commissioners regulations to support them, are also in preparation, and there is ongoing consultation with trade interests in that regard.

### **Croke Park Agreement Issues**

58. **Deputy Mary Lou McDonald** asked the Minister for Finance further to Parliamentary Question No. 319 of 16 April 2013, if he will confirm that his Department did not calculate the specific reduction of GDP growth directly attributed to the proposed Croke Park 2 cuts to public sector pay and pension of €1 billion between 2013 and 2015. [21966/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is no doubt aware, fiscal consolidation in the form of adjustments to both expenditure and taxation is being implemented in order to reduce the fiscal deficit. In turn this lowers the cost of borrowing, helps to put public debt on a declining path and contributes to increased investor confidence. Having said that I fully recognise that there will be a short-term reduction in economic activity before these medium to long-term growth benefits associated with a lower sovereign risk premium and the subsequent pass-through to private sector sentiment is realised. In recent years this strategy has shown some results for the non-traded sector. Inward investment remains strong and exports from Ireland are now considerably above their pre-crisis level. In addition, bond yields on government debt have fallen sharply. The economic forecasts underpinning Budget 2013 were drawn up to be consistent with the expenditure consolidation set out on Budget day and included provisions for savings through a reduction in the public service pay bill of €300m in 2013 and an overall reduction of €1bn by 2015. As set out in the forecasts, the government consumption component of GDP is set to decline in every year to 2015, consistent with policy-related objectives of reducing the wage bill. These forecasts were updated at the end of last month for the Irish Stability Programme – April 2013 Update. They continue to reflect the consolidation envelope laid out at Budget time as well as the outturn for 2012 as estimated by the CSO.

## **State Banking Sector Regulation**

59. **Deputy Pearse Doherty** asked the Minister for Finance if he will detail the total nominal value of assets in the Asset Management Unit of Permanent TSB; if he will provide a category of the breakdown of these assets, in nominal value owner occupied mortgages, nominal value buy to let mortgages, nominal value of tracker owner occupied mortgages, nominal value of tracker buy-to-let mortgages, nominal value of commercial mortgages, nominal value of National Assets Management Agency bonds, nominal value of Irish Government bonds, nominal value of each of type of mortgage in arrears; if he will provide a breakdown of the type of deposits in the Asset Management Unit of Permanent TSB, the nominal amount of deposits below €100,000 and the nominal amount of deposits above €100,000; if he will provide a breakdown of the nominal amount of ECB or Ela finance in the Asset Management Unit of Permanent TSB, nominal value of Senior PTSB bonds in the Asset Management Unit, nominal value of PTSB subordinated bonds in the PTSB Asset Management Unit; and if he will make a statement on the matter. [21982/13]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware the Asset Management Unit (“AMU”) is a business unit for management reporting purposes but it is not a separate legal entity. All assets and liabilities of Permanent TSB remain in the relevant legal entities of the Permanent TSB group as laid out in the annual report, which is available on Permanent TSB’s website.

I have been informed by Permanent TSB that the AMU only manages loan assets and that the nominal value of loans managed by the AMU presently is c €14 billion. I have also been informed by Permanent TSB that the total amount of assets managed by the AMU, and the mix of assets, may change over time.

Permanent TSB does not provide a further breakdown of loan assets managed by the AMU but the annual report includes detailed information on all of the loan assets held by Permanent TSB.

I have also been informed that no funding in Permanent TSB, whether deposits or otherwise, has been transferred to the AMU, which itself is not a separate legal entity.

As the Deputy will be aware from the annual report, Permanent TSB had no ELA funding at December 2012, and I am informed by Permanent TSB that it has not accessed ELA in the intervening period.

*Question No. 60 answered with Question No. 46.*

## **Central Bank of Ireland Issues**

61. **Deputy Pearse Doherty** asked the Minister for Finance the cost to the Central Bank of Ireland of borrowing unused capacity from counterparts in the 17-nation currency bloc relating to ANFA assets to ensure that the Central Bank of Ireland’s holding of Irish Government bonds as part of the promissory note restructuring deal is not in breach of Article 123 of the Treaty on the Functioning of the European Union; if he will detail the total nominal amount of capacity the Central Bank of Ireland has for holding ANFA assets without breaching EU Treaty law; and if he will make a statement on the matter. [21984/13]

**Minister for Finance (Deputy Michael Noonan):** The terms of the Agreement on Net

Financial Assets and related issues is a matter for the Central Bank of Ireland and the ECB and not something that I can comment on.

### **IBRC Liquidation**

62. **Deputy Pearse Doherty** asked the Minister for Finance if the total fees charged by KPMG for the liquidation of Irish Bank Resolution Corporation shall be published on an annual basis as they would be if it were a court liquidation; if he will confirm whether the breakdown of KPMG fees will be published, including the valuation fees awarded to PWC for the entire loan book minus the UBS mandated portion; if he will confirm if the National Assets Management Agency intends to hire their own independent valuer for the loans once the remaining loans are transferred to NAMA from IBRC; if he will confirm if the sale of the IBRC transferred assets to NAMA will have an EU/IMF deadline process for subsequent sale of the assets; and if he will make a statement on the matter. [21985/13]

**Minister for Finance (Deputy Michael Noonan):** The Special Liquidators will comply with their reporting obligations and as such the liquidation accounts will be filed with the CRO after two years of the liquidation and yearly thereafter. I am advised by NAMA that, until there is clarity as to the type and volume of loans to be transferred to it by the Special Liquidators, it is not in a position to set out the approach that it may adopt.

### **IBRC Liquidation**

63. **Deputy Pearse Doherty** asked the Minister for Finance if the insolvency initiated under the powers given to him in the Irish Bank Resolution Corporation Act 2013 is an insolvency proceeding within the meaning of section 6 (1) of S.I. No. 131/2003 European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 and therefore exempt to the application of Regulations 3 and 4 of the said regulations; if he will confirm whether the insolvency initiated under the powers given to him in the Irish Bank Resolution Corporation Act 2013 is considered a relevant insolvency proceeding within the meaning of the British Transfer of Undertakings (Protection of Employment) Regulations 2006 and therefore exempt from Regulations 4 and 7 of said regulation; and if he will make a statement on the matter. [21986/13]

**Minister for Finance (Deputy Michael Noonan):** By reason of the amendment inserted by Section 19(2) of the Irish Bank Resolution Corporation Act 2013, the insolvency initiated under the powers given to me in that Act is an insolvency proceeding within the meaning of section 6 (1) of S.I. No. 131/2003 European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 and therefore exempt to the application of Regulations 3 and 4 of the said Regulations. It would not have been possible to amend the United Kingdom Transfer of Undertakings (Protection of Employment) Regulations 2006 by an Irish Statute.

Whether the insolvency of IBRC is a relevant insolvency within the meaning of the United Kingdom Transfer of Undertakings (Protection of Employment) Regulations 2006 is a matter to be determined by the UK Courts under applicable law and it would not be appropriate for me to comment on that matter.

*Question No. 64 answered with Question No. 46.*

### **Tax Reliefs Application**

65. **Deputy Pearse Doherty** asked the Minister for Finance when SARP became operational; if any returns were made retrospectively for SARP in respect of 2011; if so, the number of people and the amounts involved; the instructions that have been given to persons availing of SARP in terms of conditions applicable; the number of jobs filled by Irish residents that have been created as a result of SARP; and if he will estimate the amount that will be saved for the Exchequer if SARP was abolished in 2014. [21997/13]

**Minister for Finance (Deputy Michael Noonan):** Section 14 of Finance Act 2012 introduced the Special Assignee Relief Programme which is designed to reduce the cost to employers of assigning key individuals in their companies from abroad to take up positions in the Irish based operations of their employer. By way of eBrief No. 29/12 (dated 29/6/2012) Revenue advised that they had updated their Tax and Duty manuals to reflect matters relating to the new SARP. Details of the relief are also included in Revenue's Guide "Supporting Job Creation and other Enterprise Supports". Details of these and other documentation in relation to SARP, including the claim form, are available on Revenue's website at [www.revenue.ie](http://www.revenue.ie).

Paragraph 10 of Section 14 provides that relevant employers must submit an annual return to the Revenue Commissioners detailing, inter alia, the number of employees and the amounts of exempt income claimed under the programme. As 2012 was the first year of the programme, this return was not sought until after the end of the tax year 2012 in order to ensure that as accurate a picture as possible of take-up levels over a full tax year could be provided.

Employer returns received to date for 2012 indicate that there were 6 individuals who qualified for the relief with 2 of them receiving an aggregate total tax-free remuneration of €39,767. Job increases were reported as numbering 26 with 2 jobs also reported as retained because of the relief. It is expected that the 4 individuals who are not reported in the employer returns as receiving tax-free remuneration are expected to claim it when they submit Form 11 tax returns for 2012 in late 2013. Until the details from these returns are available it would be premature to attempt an estimate of the amount of tax that would be saved for the Exchequer if SARP was abolished in 2014.

It is possible that not all employers have submitted a SARP return yet. Also, the figures provided do not include the details for claims that are not included in employer returns received to date but will be made in the Form 11 tax returns for 2012 to be filed under the self-assessment system in October/November of 2013.

### **Tax Reliefs Application**

66. **Deputy Pearse Doherty** asked the Minister for Finance the conditions applicable for retirement relief; when the €2 million cap is due to come in; the revenue that could be raised for the Exchequer if the €2 million cap before CGT is applied was reduced to a cap of €1.5 million; the amount that could be raised for the Exchequer if the cap for transferring to a non family member was reduced from €750,000 to €500,000. [21998/13]

**Minister for Finance (Deputy Michael Noonan):** Retirement relief applies to a disposal of business or farming assets that have been owned and used for such purposes for a period of 10 years prior to the disposal. In order to qualify for the relief, an individual must be aged 55 years or over. The relief also applies to the disposal by an individual of all or part of the shares of a company which is a trading or farming company and the individual's family company or a member of a trading group of which the holding company is the individual's family company. It also applies to certain personally owned assets which are used by the company and to land which has been leased under the 1992, 1999 or 2005 EU Early Retirement From Farming

Schemes, where the land was owned by an individual for a period of at least 10 years and used by him for the purposes of farming throughout that period.

Land which has been let for the period of 5 years prior to its disposal under a compulsory purchase order for the purposes of road-building or road-widening, but prior to its first letting was farmed for 10 years by the person making the disposal, also qualifies for retirement relief as does land which has been let at any time in the period of 15 years prior to its disposal but, prior to its first letting, was farmed for 10 years by the person making the disposal and the disposal is to a child. For this purpose, "child" includes certain nephews and nieces and foster children of the individual concerned.

The assets or shares in question must have been owned by the individual for a period of not less than 10 years ending on the date of the disposal and must have been chargeable business assets throughout the 10-year period ending with the disposal (subject to the variation mentioned above in relation to land that is let for part of the period of ownership).

In addition, where the disposal is of shares, the company in which the shares were held must have been a trading or farming company and the individual's family company, or a member of a trading company of which the holding company is the individual's family company, during a period of not less than 10 years ending on the date of disposal. Moreover, in any case, the individual must have been a working director of the company for a period of not less than 10 years during which he or she has been a full-time director for not less than 5 years.

In the case of disposals outside the family, the relief threshold is currently €750,000, that is to say, where the value of the consideration given for the disposal is less than or equal to €750,000, any gain accruing on disposal is fully relieved. Marginal relief may apply in certain situations. The current threshold of €750,000 that applies to disposals outside the family will be reduced to €500,000 for disposals of qualifying assets by individuals aged 66 or over on or after 1 January 2014.

In the case of disposals within the family, there is no restriction at present on the amount of relief that can be claimed but a cap of €3m will apply to disposals, on or after 1 January 2014, of qualifying assets by individuals aged 66 or over. If qualifying assets on which relief is granted are disposed of within 6 years, the relief granted is clawed back.

From information on personal tax returns for 2011, the most recent year available, 58 individuals claimed capital gains tax retirement relief within the family on disposals where the consideration exceeded €1.5million. The total aggregate consideration in respect of these 58 disposals was €292.8 million. The number of individuals that claimed capital gains tax retirement relief on disposals outside the family where the consideration exceeded €500,000 was 148. The total aggregate consideration in respect of these 148 disposals was €117.7 million.

However, as the amount entered on tax returns refer to the value of the consideration and not the actual capital gains, there is no dedicated basis for separately identifying an estimate of the yield that would have arisen in these cases if the lower cap had been in place for the 2011 tax year. Accordingly the specific information requested by the Deputy is not available.

## Tax Yield

67. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 176 of 30 April 2013, in which he said that the Revenue Commissioners could not estimate the amount that would be raised if CGT was applied to the sale of principal residences because it is not a current policy, the reason an estimate cannot be made by his Department in

view of the wealth of knowledge that has been accumulated by his Department in relation to house transactions in preparation for the local property tax; his views on whether it is acceptable that his Department cannot make estimates of revenue that could be raised or saved as a result of a new policy; and if he considers this an impediment to formulating new policies at budget time. [21999/13]

**Minister for Finance (Deputy Michael Noonan):** Capital Gains Tax is payable on any “chargeable gain” that arises on the sale of a chargeable asset, i.e. the difference between the sale price less the cost price (or market value in certain cases) and taking account of incidental costs associated with the purchase and the sale as well as any enhancement expenditure that may have been incurred. It would therefore be necessary to know each of these elements in relation to each property sold before it could be established whether a gain or a loss arises on each property. Where a loss is made on the sale of a chargeable asset, that loss is allowable against other chargeable gains made in the same year or, if not capable of being so used, is carried forward against losses in future years. Where a chargeable asset now being sold was acquired prior to 6 April 1974, the market value of the property at 6 April 1974 is substituted for its cost price. The market value at 6 April 1974 or the cost price, if purchased between 6 April 1974 and 31 December 2002, is indexed to take account of the effects of inflation, so that only the real gain in monetary terms is chargeable.

For example a property with a market value of (say) € 15,000 at 6 April 1974 would be indexed by an indexation factor of 6.112, so that the adjusted base cost/market value would be €91,680. Any consideration on sale in excess of this indexed base cost would be a chargeable gain (subject to any necessary adjustment for incidental costs associated with the sale as well as any enhancement expenditure that may have been incurred). On the other hand, a property purchased in 2005 for (say) €500,000, might only realize (say) €300,000 if sold today – giving rise to an allowable loss to the taxpayer of €200,000, which could be set against other chargeable gains, thereby potentially reducing the amount of CGT that would be raised.

As principal private residences have been exempt from capital gains tax since its introduction in 1975, none of the elements required to calculate a gain or a loss is not returned by taxpayers or otherwise collected by Revenue in a manner that would enable a chargeable gain or allowable loss to be calculated. Neither the introduction of local property tax nor the preparatory work that preceded it will be of assistance in estimating the yield from the removal of the CGT exemption for principal private residences.

Given the fall in the value of residential properties in recent years, it is likely that many residences, if sold, would not make a chargeable gain – and would in fact incur a loss, thereby reducing the CGT that would be raised in such cases.

It is necessary to balance the collection of statistical information for Exchequer purposes with the desire to minimise as far as possible the administrative burden placed on individual taxpayers and on the business community to provide such information in tax returns. In the circumstances, I have no plans to require taxpayers to provide the information necessary to estimate the possible yield from removing the exemption. Policies are formulated using the best available data having regard for the need for balance for the reason outlined.

## **Tax Yield**

68. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 181 of 30 April 2013, regarding the lack of information of revenue that could be raised if CGT and CAT was applied to transfers between spouses, if he will consider establishing a

database in which transfers of this type had to be recorded; and if he will then consider examining the policy of introducing a threshold for spousal transfers and applying either CGT or CAT to transfers. [22000/13]

**Minister for Finance (Deputy Michael Noonan):** I am conscious of the need to balance the collection of statistical information for Exchequer purposes with the desire to minimise as far as possible the administrative burden placed on individual taxpayers and on the business community to provide such information in tax returns. At this stage I have no plans to establish a database along the lines suggested.

### Tax Credits

69. **Deputy Pearse Doherty** asked the Minister for Finance the current tax credit for rent relief; if it is being phased out and if so by when; and the cost of the tax relief in a full year at its current amount and at its previous value for €400 per annum. [22001/13]

**Minister for Finance (Deputy Michael Noonan):** Section 473 of the Taxes Consolidation Act 1997 provides an allowance at the standard rate for a person who proves for a year of assessment that they have paid rent in respect of a certain type of private tenancy which is their main residence. The relief takes the form of a reduction in income tax chargeable on an individual's income by an amount equal to the lowest of:

- the total of such payments multiplied by the standard rate of tax for that year;
- the "specified limit" (see below) multiplied by the standard rate of tax for that year;
- the amount that reduces the income tax of that person to nil.

The relief is being withdrawn on a phased basis with effect from 8 December 2010 and ending in 2017. No relief is due to individuals who commence renting on or after that date. The table below sets out the "specified limits" for the years 2010 to 2018.

Tax Year	Single Under 55	Single Over 55	Widowed/ Married under 55	Widowed/ Married over 55
2010	2,000	4,000	4,000	8,000
2011	1,600	3,200	3,200	6,400
2012	1,200	2,400	2,400	4,800
2013	1,000	2,000	2,000	4,000
2014	800	1,600	1,600	3,200
2015	600	1,200	1,200	2,400
2016	400	800	800	1,600
2017	200	400	400	800
2018	0	0	0	0

The most recent year for which detailed information is available regarding the rent relief scheme is the income tax year 2010, which presumably is the year to which the Deputy refers when he refers to "its previous value for €400 per annum". The latter is the reduction in income tax chargeable which would apply in the case of a single person under 55 based on the "specified limit" of €2,000 multiplied by the standard rate of tax. In 2010, the cost to the Exchequer of the rent relief scheme is estimated at approximately €83 million. On this basis, assuming the

cost base has remained constant in the years since 2010, the full year cost to the Exchequer in 2013 terms would be reduced by about 50% to a cost of the order of €40 million.

### **Property Taxation Exemptions**

70. **Deputy Pearse Doherty** asked the Minister for Finance if he will confirm that landlords can write the local property tax off against rent for tax purposes; and the estimated cost of this to the Exchequer. [22002/13]

**Minister for Finance (Deputy Michael Noonan):** The Inter-departmental group set up to consider the design of a property tax chaired by Dr Don Thornhill, (the “Thornhill Group”), recommended that the Local Property Tax (LPT) paid in respect of a rented property should be deductible for income tax or corporation tax purposes, in a similar manner to commercial rates. However, the Group recognised the considerable pressures on the public finances and the need to bridge the gap between expenditure and revenue. For this reason, the Group suggested that consideration be given to phasing in deductibility over a period of years. The Group also considered that it was a matter for Government, having regard to the prevailing budgetary situation, to decide on the time span for phasing-in deductibility and on what percentage of LPT to allow as a deduction from gross rents for tax purposes. There is no provision in the current legislation for such deductions. While it is the intention of the Government to introduce such a provision on a phased basis, neither the manner in which this will happen or the timing have yet been decided. It is not possible at this stage to estimate the potential cost to the Exchequer.

### **VAT Rates Exemptions**

71. **Deputy Pearse Doherty** asked the Minister for Finance the reason Betfair is not paying tax here; and the reason VAT is not being applied to the company. [22004/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that under the provisions of section 851A of the Taxes Consolidation Act 1997, which was inserted into the tax code by the Finance Act 2011, they have a statutory obligation to treat all taxpayer information confidentially. Consequently, they are precluded from commenting on the tax affairs of the business in question.

### **Tax Exemptions**

72. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a list of the sporting bodies that currently have CGT exemptions. [22005/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that their website contains a list of sporting bodies, available at <http://www.revenue.ie/en/tax/it/leaflets/sport-bodies-alpha.pdf>, that are exempt from income tax and corporation tax under section 235 of the Taxes Consolidation Act 1997. Such bodies are also exempt from CGT by virtue of section 610A of the Taxes Consolidation Act 1997 provided the proceeds from any disposals made by such bodies are applied for the sole purpose of promoting athletic or amateur games or sports within the period of 5 years of the receipt of such proceeds. In certain circumstances, exemption from capital gains tax applies where the proceeds from disposals by sports bodies are applied for charitable purposes. The Revenue Commissioners may allow an extension of the period of 5 years if they are satisfied that an approved sports body is in the process

of applying the proceeds of a disposal for sporting or charitable purposes, as the case may be.

### Capital Allowances

73. **Deputy Pearse Doherty** asked the Minister for Finance the revenue that could be raised for the Exchequer by reducing the energy efficiency capital allowances from 100% to 50%; and the conditions applicable to avail of this allowance. [22006/13]

**Minister for Finance (Deputy Michael Noonan):** Under TCA, section 285A, accelerated capital allowances at a rate of 100% are available for certain energy-efficient equipment for use in a company's trade. Accelerated capital allowances under Section 285A are only available to companies, not individuals. The equipment must be approved and listed by the Minister for Communications, Energy and Natural Resources. The following conditions must be met:

- A person carrying on a trade must incur capital expenditure on the provision of machinery or plant for the purposes of that trade;
- The machinery or plant must belong to that person, not leased, let or hired;
- The machinery or plant must be in use at the end of the chargeable period for which the allowances are claimed;
- While the machinery or plant is used for the purposes of the trade, it must be wholly and exclusively so used.

I am informed by the Revenue Commissioners that on the basis of the estimated cost of claims relating to energy efficient capital allowances for accounting periods ending in 2011, the estimated gain to the Exchequer by reducing these capital allowances from 100% to 50% could be in the region of €0.7m.

However, this estimate assumes no behavioural changes on the part of taxpayers, and reductions in the amount a taxpayer can claim may have a significant behavioural impact and may not produce a corresponding increase in tax yield. In current economic conditions any estimate of additional yield must be treated with caution.

### Tax Credits

74. **Deputy Pearse Doherty** asked the Minister for Finance if he has considered modernising the base year for R&D tax reliefs. [22008/13]

**Minister for Finance (Deputy Michael Noonan):** As announced in Budget 2013, my Department is undertaking a review of the R&D Tax Credit in 2013. The purpose of this review is to ensure that the scheme remains best in class internationally, and represents value for money for the taxpayer. In February 2013 a request for submissions was published on the Department's website inviting interested parties to make submissions on the terms of the review by the 12th April 2013. The terms of reference for this paper included the base year. All options identified in these submissions will be considered as part of the review, which will include the submission received from Sinn Féin and their proposal regarding the base year.

### Tax Collection

75. **Deputy Pearse Doherty** asked the Minister for Finance the number of companies and persons that were audited for non-payment or under-payment of tax in the years 2009, 2010, 2011 and 2012, by year; the total amount that was due in tax following these audits; the amount of the tax that has been collected and by how many persons; the total amount the surcharges and late payment fines amounted to in these years; the amount that was actually charged in surcharges and late payment fines; and the number of persons that paid the amounts. [22009/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the following Tables contain the details of the compliance interventions carried out by them from **2009-2012** inclusive. Compliance interventions include audits, conducted under the Code of Practice for Revenue Audit, as well as assurance checks and risk management interventions. Risk management interventions are used where, based on the risk assessment carried out on a case, it is felt that a full audit is not appropriate. Cases are selected for intervention on the basis of sophisticated risk analysis.

Type of Intervention	Completed 2011	Yield €m	Completed 2010	Yield €m	Completed 2009	Yield €m
Comprehensive (All tax heads)	4,717	183.6	4,209	197.1	4,353	279
Multi Tax/Duty Audits	1,236	61.6	1,374	53.6	1,735	63
Single Tax/Duty Audits	3,345	126.9	3,841	111.6	5,053	163
Single Issue/Transaction Audits	1,768	68.4	1,584	72.4	1,278	97
Total Audit Interventions	11,066	440.5	11,088	434.7	12,419	602

Audit Interventions	Completed 2012	Yield 2012 €m
Comprehensive (All taxheads)	4,687	181.8
Multi Tax/Duty Audits	985	34.7
Single Tax/Duty Audits	2,624	99.7
Single Issue/Transaction Audits	770	42.9
PAYE Compliance Interventions	29,879	23.2
Risk Management Interventions	125,073	87.7
Assurance Checks	373,803	22.4
Total Compliance Interventions (Audit, Risk & Assurance)	537,821	492.4

The Revenue Commissioners have also advised me that as a deterrent to tax and duty evasion considerable sanctions are applied. Details are provided in the following Table of the interest and penalties applied in the **audit** settlements from **2009 to 2012**. These amounts are included in the above table.

**Audit Settlements 2009 – 2012 – Breakdown of Interest and Penalties included.**

Year	2009 €m	2012 €m	2011 €m	2012 €m
Tax	457.6	324.0	341.1	283.1
Interest	99.6	77.6	66.4	49.8
Penalties	45.3	33.1	33.0	26.2
Total	602.5	434.7	440.5	359.1

In relation to late filing, surcharges are imposed on those who file their income tax, corporation tax and capital gains tax returns late. The surcharge amount is treated as additional tax and is calculated by applying a rate of 5% to the final tax charge for the year, where the return is up to two months late. The surcharge rate increases to 10% where the return is more than two months delayed. There are no late payment fines, but interest can be charged and this is determined on a case by case basis. Data are not maintained in such a way as to enable the numbers of cases or the amounts to be quantified.

### Tax Reliefs Cost

76. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a breakdown by individual category of flat rate expenses; and their total cost to the Exchequer in tax reliefs in the last available tax year. [22010/13]

**Minister for Finance (Deputy Michael Noonan):** The position is that tax law provides that employees and office holders may claim a tax deduction in respect of: (a) the cost of travelling expenses necessarily incurred in the performance of the duties of their employment or office; and (b) the cost of other expenses incurred wholly, exclusively and necessarily in the performance of the duties of their employment or office.

As regards an expenses claim under (b) above, I understand from the Revenue Commissioners that, in strictness, each employee or office holder should submit his or her individual expenses claim to Revenue. However, by way of long standing practice stretching back over 40 years, the expenses deductions due for certain categories of employee are, for administrative ease, agreed between Revenue and the relevant representative bodies. These agreed rates of expenses are granted to individuals in their determination of tax credits for PAYE purposes and have become known as “flat rate expenses”. The Revenue Commissioners publish such agreed flat rate expenses on their website at <http://www.revenue.ie/en/tax/it/employee-expenses.html>

Therefore, some employees obtain their statutory tax deduction in respect of expenses via the administrative “flat rate expenses” regime whilst others obtain their tax deduction on foot of an individual claim submitted to the Revenue Commissioners.

I am informed by the Revenue Commissioners that the cost to the Exchequer of the tax deduction in respect of expenses (other than expenses of travel and subsistence) incurred by employees for the income tax year 2010, the most recent year for which final information is available, is estimated at €66.5 million.

### Census of Population Statistics

77. **Deputy Sean Fleming** asked the Minister for Finance the information obtained by his Department and the Revenue Commissioners to assist in the identification of households and persons in respect of the local property tax from the Central Statistics Office arising from the

Census of Population 2011; and if he will make a statement on the matter. [22024/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that they are precluded from using data obtained by the Central Statistics Office (CSO) in the Census of Population 2011 to identify individual residential properties and owners for inclusion in the Register of residential properties in the State, because the confidentiality of all information collected by the CSO from individuals, households or business is guaranteed by law under the Statistics Act 1993. This protection covers any information collected in the Census and the Act gives a legal guarantee that information provided on census forms will be treated as strictly confidential by the CSO. I am also advised, however, that information from the CSO Census 2011 at Small Area level was used by the Commissioners in developing their valuation guidance. “Small areas” are areas of population comprising between 50 and 200 dwellings created by the National Institute of Regional and Spatial Analysis on behalf of the Ordnance Survey Ireland, in consultation with CSO. The information provided by the CSO included property type (percentages of properties of different types for each small area) and age of property (percentages of properties constructed in each of the last 5 decades and pre-1960 for each small area). As the information is at neighbourhood level, it does not identify or include any information on specific properties or owners and consequently access to it is not restricted by the Statistics Act.

I am further advised that Revenue’s valuation guidance, which is based on sales since January 2010 taken from Revenue’s stamp duty records, also uses data from the CSO’s Residential Property Price Index to adjust for price changes in the interim. The Property Price Index provides guidance on establishing the percentage reduction to be applied to the price obtained for properties sold in 2010, 2011 or 2012.

As the Deputy will appreciate from the foregoing, the Revenue Commissioners used CSO data for the purposes of LPT administration where they were legally permitted to do so.

### Ministerial Expenditure

78. **Deputy John McGuinness** asked the Minister for Finance the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22036/13]

**Minister for Finance (Deputy Michael Noonan):** In response to the Deputy’s question the following table outlines details in respect of the amount paid in travel and subsistence payments made by my Department to the Junior Ministers in the Department for the period 2007 to date in 2013.

Travel and Subsistence payments made to Ministers of State

Period	Name	Domestic T and S	Foreign T and S	Total Amount
01/01/2007-19/06/2007	Tom Parlon	Nil	Nil	Nil
20/06/2007-13/05/2008	Noel Ahern	Nil	€ 582	€ 582

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13/05/2008 -09/03/2011	Martin Mansergh	€ 25	€ 3,019	€ 3,044
09/03/2011- to date	Brian Hayes	€ 68	€ 1,773	€ 1,839

In relation to the three Secretaries General covered by the period in question a total of €13,531 was paid in relation to travel and subsistence payments. Some €1,696 related to domestic travel & subsistence and €11,835 related to foreign travel.

In relation to the number of staff that has been appointed since March 2011, I have made five appointments consisting of two advisers, one staff member to my constituency office and two civilian drivers.

The total payments to date including salaries and wages inclusive of employer's PRSI contributions and travel and subsistence payments in respect of these five appointments amounts to €672,795. Some €456,218 of the total relates to the wage costs, travel and subsistence made to the two advisers and staff member in my constituency office with the remaining €216,577 of the total relating to the wage costs and travel and subsistence payments made to my two civilian drivers.

In relation to my predecessors as Minister for Finance the details for the period 1 January 2007 to 9 March 2011 are as follows:

In the period 8 May 2008 to March 2011 Mr Brian Lenihan appointed two special advisers and two members of staff to his constituency office. These appointees received total payments of €1,207,831 in respect of salary and allowances and travel and subsistence in the period in question.

In the period 1 January 2007 to 7 May 2008 Mr Brian Cowen's two advisers and two constituency office appointees received total payments in respect of salary and allowances and travel and subsistence amounting to €320,079

The Deputy will be aware that previous Ministers availed of State cars with Garda drivers the estimated average annual cost of which was €280,000.

### **Duty Free Sales**

79. **Deputy Kevin Humphreys** asked the Minister for Finance if VAT applies to products on sale in duty free areas in Irish airports; the taxation and regulations that apply in these areas; and if he will make a statement on the matter. [22059/13]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that all goods sold and supplied in duty free areas in Airports to passengers travelling to destinations outside the EU are zero rated for VAT purposes in accordance with paragraph 3 of Schedule 2 of the Value-Added Tax Consolidation Act 2010 and are exempt from excise duty in accordance with section 77 of the Finance Act 2005. There are restrictions, such as 200 cigarettes and 1 litre of spirits, on the quantity of excisable goods that can be supplied duty free to such passengers. All goods supplied to other travellers, including travellers to other EU countries, are liable to excise duty and Irish VAT at the appropriate rates. Shops in airports, handling intra- and extra-EU flights need to distinguish, in sales and accounting, between sales to passengers travelling to destinations outside the EU (duty free) and sales to passengers trav-

elling to other EU member states (duty paid). The determination of whether a sale is duty free or not is made at the point of payment, that is, at the till, where the passenger's boarding pass or ticket will provide the necessary evidence.

### **Mortgage Resolution Processes**

80. **Deputy Nicky McFadden** asked the Minister for Finance the measures being taken to support variable rate mortgage holders in relation to engagement with banks; and if he will make a statement on the matter. [22098/13]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank of Ireland (CBI) has responsibility for the regulation and supervision of financial institutions in terms of consumer protection and prudential requirements and for ensuring ongoing compliance with applicable statutory obligations. However, the Central Bank has no statutory role in the setting of interest rates by regulated entities, apart from the interest rate cap imposed on the credit union sector in accordance with the provisions of the Credit Union Act, 1997. I am informed by the Central Bank that each institution determines the rate it charges its customers, depending on a number of factors such as cost of funds and commercial considerations, such as competition, risk pricing and the impact on deposit rates.

However within its existing powers and through the use of suasion, the Central Bank continues to engage with specific lenders which appear to have standard variable rates set disproportionately to their cost of funds. Also, the Central Bank wrote to all mortgage lenders in October 2011 and asked them to consider the impact on arrears when considering any future interest rate increases.

The CBI has informed me that given the increased financial pressures currently being experienced by mortgage consumers, the CBI was of the view that they needed sufficient time to plan for any increases in their standard variable interest rate. As such, in February 2011, the Central Bank advised mortgage lenders that it expected them to notify these consumers, in writing, at least one month in advance of any increases in their standard variable rate. This notification must include a) the date from which the new rate will apply; b) the details of the old and new rate; c) the revised repayment amount; and d) an invitation for the consumer to contact the lender if he/she anticipates difficulties meeting the higher repayments.

### **Mortgage Resolution Processes**

81. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank of Ireland has provided the banks with a list of agreed mortgage arrears forbearance solutions or if it is up to the banks to identify their own solutions; and if he will make a statement on the matter. [22107/13]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be familiar with the Central Bank's announcement of the new measures being introduced to address mortgage arrears, which includes the publication of performance targets for proposing and concluding sustainable solutions for borrowers in arrears over 90 days for the main mortgage banks. The Central Bank has advised that while it is not mandating any particular model of restructuring and while sustainable solutions will be arrived at on a case-by-case basis, there are some fundamental principles that must be respected as follows:

- The affordability assessment of the borrower needs to be based on both their current and

prospective future servicing capacity for all borrowings; assumed prospective future increases in the debt servicing ability of the borrower must be credible and conservative

- Lenders need to apply a realistic valuation of the borrower's assets, in particular their property. This also applies to any assumption of potential asset price appreciation, as well as the estimated costs related to a potential foreclosure of property; and

- Lenders need to use an appropriate interest rate when discounting future income flows, which should take account of the lender's cost of funds.

The Central Bank will assess compliance with these principles in its supervisory audit of compliance with the targets, including through analysis of a sample of modifications.

### **Student Grant Scheme Delays**

82. **Deputy Robert Troy** asked the Minister for Education and Skills if he will explain the position that many students at Athlone Institute of Technology are now facing due to ongoing problems with the Student Universal Support Ireland [21896/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have been informed by Student Universal Support Ireland (SUSI) that Athlone Institute of Technology have withdrawn the notice to students with outstanding fees in relation to sitting their end of year exams. As the Deputy will be aware SUSI are unable to finalise an application until all the necessary information has been provided by the applicant as required under the Student Grant Schemes 2012. Since December 2012, SUSI has engaged in a number of proactive campaigns by telephone, email and post encouraging applicants to provide the information necessary to finalise their applications. Students who have outstanding issues are currently being contacted by SUSI as part of their close out strategy in relation to grant applications for the 2012/2013 academic year.

### **Departmental Funding**

83. **Deputy Andrew Doyle** asked the Minister for Education and Skills the funding made available to the Irish Research Council from 2007 to present; the funding made available during the same period to the Irish Research Council for Humanities and Social Science and the Irish Research Council for Science, Engineering and Technology which predated the IRC; and if he will make a statement on the matter. [21904/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Irish Research Council (IRC) was officially established from 19th March 2012, through the merger of the Irish Research Council for the Humanities and Social Sciences (IRCHSS) and the Irish Research Council for Science, Engineering and Technology (IRCSET). The IRC continues the various activities and funding programmes of the two previous Councils. Its broad remit is to support and enhance human capital development, in particular at postgraduate and early stage postdoctoral researcher levels, and encourage independent exploratory research. Its remit covers the full range of disciplines spanning the humanities, social sciences, business, law, sciences, engineering and technology. The funding provided to the IRC from 2012 and to the two previous Councils from 2007 to 2011 is outlined in the table.

**A summary of the expenditure since 2007 is given in the table.**

-	€m Exp.	€m allocation					
-	2007	2008	2009	2010	2011	2012	2013
IRCHSS	12.5	12.69	14.4	11.24	10.8	-	-
IRCSET	22.9	25.56	26.097	21.8	19.89	-	-
IRC (HSS)	-	-	-	-	-	10.05	10.5
IRC (SET)	-	-	-	-	-	20.59	20.9

### Student Grant Scheme Applications

84. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills when a decision will be made on a Student Universal Support Ireland grant application in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [21952/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have confirmed with Student Universal Support Ireland that the student referred to by the Deputy has been awarded a grant and an award letter issued on 2nd May, 2013.

### State Examinations Issues

85. **Deputy Pat Breen** asked the Minister for Education and Skills if he will report on the numbers, if any, of retired teachers who have been successful in the recent recruitment process for appointment for superintending this year's certificate exams; and if he will make a statement on the matter. [21956/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### School Staffing

86. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will review an application for supplementary redeployment panel by a person (details supplied) in County Donegal. [21958/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The core function of the redeployment arrangements is to facilitate the redeployment of all surplus permanent teachers to other schools that have vacancies. The redeployment of all surplus permanent teachers is key to the Department's ability to manage within its payroll budget and ceiling on teacher numbers. Thereafter, schools are required under the panel arrangements to fill permanent vacancies from supplementary panels comprised of eligible fixed-term (temporary/substitute) and part-time teachers. The application process for the supplementary panels was introduced for the 2012/13 school year.

The arrangements for panel access for fixed term (temporary/substitute) and part-time

teachers for the 2013/14 school year are set out in Department Circular 0038/2012 which was published on 9 November 2012 on the Department website.

The period for submitting applications was between 9 November 2012 and 14 December 2012. The circular made clear that late applications would not be considered. The Department has received a number of applications after the closing date which will not be processed.

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

87. **Deputy Brendan Griffin** asked the Minister for Education and Skills his views on correspondence (details supplied) regarding education training. [21975/13]

91. **Deputy Eric Byrne** asked the Minister for Education and Skills if he will clarify a situation regarding a project (details supplied) in Dublin 8; and if he will make a statement on the matter. [21991/13]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I propose to take Questions Nos. 87 and 91 together.

I recognise that further education as it is currently delivered covers a broad spectrum of education that ranges from basic adult literacy and numeracy courses to courses that are certified at level 6 and above on the National Framework of Qualifications. It also spans the generations of learners from adult learners to early school leavers. It is delivered in formal classroom settings and in less formal settings based in the community. It is essentially a flexible form of education that can meet the diverse needs of learners in the most appropriate setting.

Since the publication of the Bill a number of concerns, similar to those of the Deputies, have been raised regarding the definition of further education and the matter is being dealt with in the context of the passage of the Bill.

### **Teaching Qualifications**

88. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills his views on the findings of the International Review Panel on Initial Education and the recommendations it makes for reform of the current system which if implemented should enhance teacher professionalism by increasing the research capacity of providers of initial teacher education. [21976/13]

89. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will respond to the criticism of the International Review Panel on Initial Teacher Education that there is an over-reliance on part-time ITE staff and that casualisation is not conducive to high-quality outcomes, particularly in the area of research and systematic quality improvement. [21977/13]

90. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if his Department will be implementing a recommendation of the International Review Panel on initial teacher education that has called on the State to monitor the quality of entrants to all Initial Teacher Education providers, including private ones; the reason the number of entrants to publicly funded institutions remains capped while private-sector numbers remain uncapped at a time when many graduate teachers are unemployed. [21978/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 88 to 90, inclusive, together.

I have accepted the recommendations set out in a report commissioned by the Higher Education Authority (HEA) on the structures of initial teacher education (ITE). The purpose of the report was to identify possible new structures to improve initial teacher education in Ireland so that it is comparable with the best in the world.

I believe that the recommendations on structural changes will complement other reforms already in train and assist in positioning Ireland at the forefront of teacher education. The implementation of the panel's recommendations concerning research will contribute to this goal. I agree with the review panel that there should be a culture of research in teacher education where staff are familiar with current research and are engaged in research on critical areas of teaching and teacher education.

The panel made comments on the staffing situation in ITE institutes. I too am concerned that ITE providers have access to and can retain suitably qualified and experienced personnel. It is hoped that the move to larger institutions will provide more critical mass and certainty for staff planning and development purposes. In the meantime, however, we are required to comply with necessary restrictions on recruitment and employee numbers, given the difficult position with the public finances.

In terms of the quality of entrants to ITE programmes, as a State we endeavour to set high standards of literacy and numeracy for all school leavers and to produce well informed critical thinkers across various disciplines. The academic standard of entrants to ITE programmes is high. Nonetheless, the Teaching Council, as part of its ongoing and multifaceted work on improving the quality of teaching, is currently undertaking a review of entry requirements and I look forward to receiving its advice in due course.

My Department is also keen to ensure that forecasting mechanisms are developed to ensure an adequate supply of teachers with the required qualifications. However, even with the best possible systems in place, securing equilibrium between demand and supply is not an exact science, and is subject to quite a number of variables. Recent developments, such as the EU rules on mutual recognition of qualifications, have also meant that supply is more difficult to control and predict. I have asked the Teaching Council to advise on this issue. My Department will work with the Council and other relevant stakeholders, as required, towards developing such mechanisms.

In the meantime, the numbers approved for entry to State-funded primary ITE programmes will continue to be subject to limits, as I do not believe it is in the interest of graduates or the teaching profession that there be an unregulated increase in graduate teachers from the public sector in the short to medium term. The level of intake to these Colleges has decreased in recent years in light of available resources and factors impacting on demand.

*Question No. 91 answered with Question No. 87.*

### **Ministerial Expenditure**

92. **Deputy John McGuinness** asked the Minister for Education and Skills the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22034/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information sought is being compiled at present and will be forwarded to the Deputy shortly.

### **School Staffing**

93. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the reason a school (details supplied) in County Galway is due to lose a teacher; the options open to management and parents to retain this teacher; and if he will make a statement on the matter. [22060/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that in the context of Budget 2012, I announced a three year phased adjustment to increase the relevant pupil thresholds for small schools with four teachers or less. The staffing arrangements in small primary schools are considerably more favourable than other medium to larger schools.

As part of the Budget 2012 decisions, the number of pupils required to gain and retain a classroom teaching post in small primary schools is being gradually increased between September 2012 and September 2014. During this period the pupil threshold for a 2-classroom school is being increased to 20 pupils. In these extremely challenging times, all public servants are being asked to deliver our public services on a reduced level of resources and teachers in small schools cannot be immune from this requirement. The phasing of these measures can provide the schools concerned with time to consider the potential for amalgamation with other schools where this is feasible. If amalgamations do take place, they will be voluntary and follow decisions taken by local communities and not by the Department.

The Government recognises that small schools are an important part of the social fabric of rural communities and my Department has expanded the existing appeals process so that it is accessible to the small schools that are affected by the budget measure. In this regard small schools will not lose their classroom post if they are projecting sustainable increased enrolments in September 2013 that would be sufficient to allow them to retain their existing classroom posts over the longer term.

The detailed arrangements in relation to the appeals process are set in the Department's Staffing Circular 0013/2013. The Appeals Board operates independently of the Department and its decision is final.

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

94. **Deputy Brendan Griffin** asked the Minister for Education and Skills the supports that exist for secondary schools to provide scribes and readers for students who need them for in house school exams; if he will agree that the failure to provide such services outside of State exams disadvantages those who need this service; and if he will make a statement on the matter. [22065/13]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that reasonable accommodations for students with special educational needs, who are taking State examinations, may include the provision of a reader or scribe, subject to the conditions set out by the State Examinations Commission, which are available at [www.examinations.ie](http://www.examinations.ie).

Such accommodations are specific to participation in state examinations and are therefore provided only for that purpose. The accommodations are intended to limit the impact of a candidate's special educational need or disability on their exam performance, while not giving the

candidate an unfair advantage.

Additional supports are provided for children with special educational needs throughout the school year which include additional resource teaching or learning support, either through the General Allocation Model or individual allocation, lower pupil teacher ratios in special schools and classes, assistive technology support where required, and access to Special Needs Assistance support, for children who have care needs.

### **Child Care Services Provision**

95. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform if he will arrange to expedite the removal of the telecommunications mast at the Old Finglas Garda Station, Dublin, in view of the fact that this is holding up the adaption of this building for a childcare facility; and if he will make a statement on the matter. [22015/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Tetra Ireland Limited was granted a licence in 2008 for the installation of telecommunications equipment on the mast at the former Garda Station in Finglas. The licence facilitated the roll-out of Digital Radio for An Garda Síochána and other Emergency Services. The licence agreement requires 12 months notice by the Commissioners of Public Works to Tetra Ireland Limited to terminate the licence. A Termination Notice issued to Tetra Ireland Limited in accordance with their licence and it expires on the 30 June 2013. The mast will be removed as soon as possible thereafter.

### **Garda Stations Closures**

96. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform if he will look favourably on a business plan which proposes that a community use be established for the Garda Barracks in an area (details supplied) in County Kerry; and if he will make a statement on the matter. [21905/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Office of Public Works (OPW) is assessing the management issues arising in respect of all the recently closed Garda Stations including Beaufort. The office is engaged in determining alternate State use, potential disposal and addressing temporary constraints relating to some individual properties. Community involvement subject to the receipt of an appropriate social or community case which identifies the Business Case and the competence to insure, maintain and manage the State property for the duration of the licence. The OPW will consider the proposal from Beaufort Community Council in the context of the above and will contact the community group in the near future.

### **Ministerial Appointments**

97. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the steps he has taken to ensure that all State boards have at least 40% of each gender [21969/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy is aware, in 2011 the Government introduced new arrangements for the appointment of State board members. Under the new arrangements, Departments now invite expressions of interest from the public in vacancies on the boards of bodies under their aegis on their websites. It is

open to all members of the public regardless of gender, political affiliations or geographically location to apply for appointment to these vacancies. I am satisfied that the new arrangements introduced by the Government in 2011 have significantly improved transparency in the making of appointments to State Boards compared with the making of appointments in previous years. Since the formation of this Government 16 members have been nominated to State Boards, 25% of which being female. In view of the statutory procedures for the appointment of members of the Civil Service Arbitration Board and the Public Appointments Service, there is limited scope for me to take a factor such as gender into account when I make such appointments. I would like to make it clear that it is my intention in the limited number of appointments I have to make to increase the number of women appointees over the lifetime of the Government.

### **Public Sector Staff Issues**

98. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the percentage of principal officers within the civil service that are women. [21971/13]

99. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the percentage of assistant principal officers within the civil service that are women. [21972/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 98 and 99 together.

Based on data reported by Departments for the end of April 2013, some 34% of principal officers and 41% of assistant principal officers employed on a whole-time equivalent basis are women.

### **Public Sector Staff Remuneration**

100. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he intends to proceed with legislative cuts to public sector pay implemented from 1 July 2013. [21973/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy will be aware, I requested Mr. Kieran. Mulvey, the Chief Executive Officer of the Labour Relations Commission (LRC) to establish if there was any basis to conclude a negotiated agreement following the ICTU Public Services Committee rejection of the LRC proposals for an extension to the Public Service Agreement. I have agreed Mr. Mulvey's request to allow him additional time to explore with the trade unions and relevant management potential areas for progress that have emerged as part of the engagement process. It is intended that this limited and intensive process will conclude over the coming days. Based on the final outcome to this engagement, I will be bringing proposals to Cabinet to secure the necessary savings required in the public service pay and pensions bill.

### **Coillte Teoranta Harvesting Rights Sale**

101. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the possible legal difficulties or obstacles to the sale of the harvesting rights of Coillte; in particular, if such a sale might breach articles in the Aarhus Convention in relation to public participation and environmental issues; and if he will make a statement on the matter. [21992/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As might be expected, a variety of complex issues, legal or otherwise, fall to be considered in the context of the proposed sale of harvesting rights to Coillte forests as announced under the State assets disposal programme. The Government has established a Steering Group comprising the relevant Departments and NewERA to examine these issues and to report back to Ministers on the matter. NewERA, on behalf of the Steering Group, has worked closely with Coillte to analyse the various financial, policy and technical issues arising, which include *inter alia* the issue of public access to the forests, replanting obligations to ensure the continued existence of our forests, harvesting policy, the issue of supply of timber to the local saw mills, etc., as well as the implications for Coillte itself. A number of specialist advisers have been engaged by Coillte to further inform this process. The implications of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters for the form and timing of an eventual harvesting rights transaction are also among the matters that are being explored.

### Ministerial Expenditure

102. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22041/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question the following is a list of travel and subsistence claimed by my Secretary General and the Minister of State since the formation of my Department in July 2011 to date in 2013. An additional list of staff appointed by me in my Department and the Minister of State is also included incorporating their relevant cost and travel and subsistence for the same period.

Travel and Subsistence claimed by Secretary General and Minister of State 05/07/2011 – 07/05/2013

Officer	Domestic	Foreign	Total
Secretary General	€277.96	€2,688.41	€2,966.37
Minister of State	€40,633.17	€8,376.83	€49,010.00
Overall Total			€51,976.37

Staff appointed by Minister and Minister of State in Department or Constituency Office and their relevant costs 05/07/2011 – 07/05/2013

Minister	-	-
Type of Expenditure	Number of Staff	Amount
Drivers Salaries	2	€145,297.00
Drivers Expenses		€47,832.00
Special Advisers Salaries	2	€411,729.44
Special Advisers Expenses		Nil
Total		€604,858.44
Minister of State	-	-
Type of Expenditure	Number of Staff	Amount

Minister	-	-
Drivers Salaries	3*	€152,924.00
Drivers Expenses		€9,258.00
Total		€162,182.00

\* Minister of State has 2 drivers. One driver was replaced during the period stated.

### Public Park Access

103. **Deputy Aengus Ó Snodaigh** asked the Minister for Public Expenditure and Reform if a copy of the bylaws for the Phoenix Park, Dublin, are available to the public; if he will ensure that those bylaws and any other laws pertaining to the use of the Phoenix Park for purposes as a large scale entertainment venue be made available to local community organisations adjacent to the park, in particular the two Chapelizod residents' associations, COVA and CRA. [22068/13]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The bye-laws relating to the Phoenix Park are on public display at the following entrances: Parkgate Street, Chapelizod Gate, Islandbridge Gate and North Circulare Gate.

Copies of the bye-laws are available on the Phoenix Park website ([www.phoenixpark.ie](http://www.phoenixpark.ie)) for all local communities and the general public at large.

### Public Sector Pensions Legislation

104. **Deputy Olivia Mitchell** asked the Minister for Public Expenditure and Reform if in the proposed public sector pensions reduction legislation a specific amendment will be included to exclude pension benefits resulting from contributions made on a purely commercial basis as for instance in the case where a former worker moves from the private sector to the public sector and transfers the private fund to the public one; and if he will make a statement on the matter. [22104/13]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy will be aware, following the rejection by the ICTU Public Services Committee of the Labour Relations Commission proposals for a revised "Croke Park" deal, the Government has requested the Chief Executive of the LRC to make contact with the parties to establish whether or not there is a basis for a negotiated agreement to meet budgetary targets. The Government will reflect on the outcome of this process before deciding on how to secure the required level of savings from public service pay and pensions.

More generally, and as a long-standing norm in public service pension schemes, service which is purchased or transferred in is treated in the same way as ordinary accrued service for the purposes of calculating pension benefits. This parity of treatment also applies in respect of the exposure of pensions to the Public Service Pension Reduction (PSPR). Since its introduction on 1 January 2011, the PSPR has applied to affected public service pensions in an across-the-board fashion, with no distinction being made in respect of any part of a pension which derives from purchased or transferred service; I have no plans at present to change this arrangement.

### Employment Rights Issues

105. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the pro-

tections that are in place to ensure that au pairs are not exploited in work; and if he will identify the relevant sections of legislation that excludes au pairs from such protections. [21927/13]

106. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if au pairs recruited and placed by an agency are covered by the provisions of the Protection of Employees (Temporary Agency Workers) Act; and if not if he will identify the relevant sections of legislation that excludes such workers. [21928/13]

107. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of au pairs currently working here; and the steps taken to regulate this employment. [21929/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 105 to 107, inclusive, together.

The term “au-pair” is not defined in Irish employment rights legislation. A genuine au pair placement falls outside the scope of the employer-employee relationship and, therefore, I do not have any statistics on au pairs.

Accordingly, agencies offering genuine au pair placements fall outside the scope of the Protection of Employees (Temporary Agency Work) Act, 2012.

I am aware that NERA has encountered individuals described as “au pairs” who have been found to be domestic employees and as such are fully protected by the State’s employment rights legislation. In these instances NERA investigates employers who are using the term ‘au pair’ to avoid their statutory obligations under employment law. Where the employment status of an individual is in question, the provisions of the “Code of Practice Determining the Employment or Self-Employment Status of Individuals” are used in order to determine the employment status of the relationship.

Ireland’s body of employment rights legislation protects all employees employed on an employer-employee basis in Ireland. Therefore, once it is clear that a person is working under a contract of employment in another person’s home, on a full-time or part-time basis, that person has the same protection under law (including the right to the National Minimum Wage) as all other employees.

Guidance and information for both workers and employers as to the employment of persons in domestic situations is contained in the “Code of Practice for Protecting Persons Employed in Other People’s Homes” which was developed in 2007 by Labour Relations Commission in consultation with social partners. Further information on employment rights is available by phone from 1890 80 80 90 or online from [www.workplacerelations.ie](http://www.workplacerelations.ie).

Where people have concerns that employees may be exploited or are receiving less than their statutory entitlement, the matter may be reported to NERA for investigation. Cases for redress on matters relating to Employment Equality or Employment Rights legislation can be made on the workplace relations complaint form available from NERA or online at [www.workplacerelations.ie](http://www.workplacerelations.ie).

### **Banking Operations**

108. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he raised the adverse impact of changes to cash handling and the additional costs associated on small and medium enterprises when he recently met with the AIB. [21934/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I have not met recently with AIB and therefore I have not raised the adverse impact of changes to cash handling and the additional costs associated on small and medium enterprises. However, I expect to meet the CEO of AIB shortly to discuss a range of issues of relevance to enterprises.

### Work Permit Applications

109. **Deputy Peter Mathews** asked the Minister for Jobs, Enterprise and Innovation the position regarding an application for a work permit in respect of a person (details supplied); and if he will make a statement on the matter. [21961/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** A work permit application in respect of the person named was refused on 4 February 2013. It was open to the applicant to seek a review of this decision within 21 days of the date of refusal but no such request for a review was received in my Department. New Employment Permit applications are normally only considered where it is established that a minimum salary of €30,000 per annum is on offer based on a 39 hour week and where the position on offer is one of the occupations currently eligible for a new employment permit. The salary stated in respect of this position was €9,600 for a 15 hour week. In addition documentation provided with the application indicated that the employee held a Student Stamp/Visa which at that time precluded the holder from obtaining a Work Permit. I understand that at the time of application the immigration status of the person named was not in date and that this situation remains.

### Ministerial Expenditure

110. **Deputy John McGuinness** asked the Minister for Jobs, Enterprise and Innovation the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22039/13]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In the time available, it has not been possible for my officials to compile all of the information requested by the Deputy in respect of the period 2007 to date in 2013. However, I will forward the details to the Deputy in writing as soon as possible.

### Tax Code

111. **Deputy Pearse Doherty** asked the Minister for Social Protection the current status of proprietary directors in relation to income tax, PRSI and so on; the amount that would be raised for the Exchequer if PRSI was applied to proprietary directors' income. [22003/13]

**Minister for Social Protection (Deputy Joan Burton):** I am informed by the Revenue Commissioners that it is a long established principle of Irish tax law that a director (including a proprietary director) of an Irish incorporated company holds, for taxation purposes, an Irish public office the remuneration arising from which is chargeable to income tax in the State. Such remuneration is within the scope of deduction at source of tax and the USC under the PAYE/USC systems. This charge to Irish income tax and the USC applies irrespective of where the

director is tax resident or where the duties of that directorship are exercised.

### **Money Advice and Budgeting Service Funding**

112. **Deputy Michael Healy-Rae** asked the Minister for Social Protection if she will confirm that the funding made available for the operation of the Money Advice and Budgeting Service offices network throughout the country is assured and will continue to be provided and that enhanced funding will be made available in recognition of the strain and pressure that these offices are under at present; and if she will make a statement on the matter. [22088/13]

**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.

*Question No. 113 withdrawn.*

### **Disability Allowance Appeals**

114. **Deputy Seán Kenny** asked the Minister for Social Protection when a decision will be made on appeal against the disallowance of disability benefit claim in respect of a person (details supplied) in Dublin 17; and if she will make a statement on the matter. [21902/13]

**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 20th

April 2013. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When received, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Mortgage Arrears Proposals**

115. **Deputy Pearse Doherty** asked the Minister for Social Protection the reason financial brokers are excluded from the Mortgage Advisory Services she has announced. [21907/13]

116. **Deputy Pearse Doherty** asked the Minister for Social Protection if she has had a request from the Professional Insurance Brokers' Association to meet her regarding their exclusion from the Mortgage Advisory Service; and when this meeting will take place. [21908/13]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 115 and 116 together.

The Mortgage Arrears Information and Advice Service was established to provide a comprehensive and coordinated approach to assist people in mortgage distress. The approach differentiates between mortgage information and mortgage advice. The first two elements involve the enhancement of the website [www.keepingyourhome.ie](http://www.keepingyourhome.ie) and the establishment of a Mortgage Arrears Information Helpline within the Citizens Information Board both of which focus on the provision of comprehensive mortgage arrears information in particular to people in arrears or pre-arrears.

The third element of the service is the provision of independent financial advice to mortgage holders who are being presented with long term mortgage resolution proposals by their lenders. This advice is provided by a panel of accountants drawn from members of the main accountancy institutes in Ireland who have agreed to participate and support this independent service. This panel is available on a county by county basis on the website [www.keepingyourhome.ie](http://www.keepingyourhome.ie).

When a lender is proposing longer-term mortgage resolutions, the lender advises the borrower to obtain independent financial advice on the proposed arrangement and that, if the borrower wishes to avail of this option, that the lender will pay €250 to an accountant of the borrower's choosing for the provision of this advice. The advisory framework has commenced with practising accountants because they already operate within a regulatory regime which includes qualitative oversight by their regulating bodies and in these circumstances it was possible to establish the advisory framework for people with mortgage distress within a relatively short timeframe.

There is nothing to inhibit other financial intermediaries from continuing to give advice on mortgages as required by borrowers. The advisory framework is being monitored on an on-going basis and a full review of the service will be undertaken in June 2013. The review will be undertaken to ensure that it is meeting its objectives and will encompass all aspects of the service including if participation is extended to other interested parties, the criteria that would be required in terms of relevant qualifications, experience, independence, professional indemnity insurance, etc. All interested organisations will have an opportunity to input to the review of the service. I have had no meetings on this issue with the Professional Insurance Brokers Association and I am arranging for officials of my Department to meet with this organisation

in the coming weeks.

### Invalidity Pension Applications

117. **Deputy Pat Breen** asked the Minister for Social Protection if she will provide details of numbers of persons who applied for invalidity pension in County Clare for the years 2010, 2011 and 2012; the numbers of those who were refused and granted and of those who were refused the numbers who appealed the decision and the numbers who were successful and unsuccessful in those appeals; of those applications which were successful before and after Appeal, the number of cases that were decided solely on the condition of being incapable of work for at least 12 months and likely to be incapable of work for at least another 12 months; and if she will make a statement on the matter. [21955/13]

**Minister for Social Protection (Deputy Joan Burton):** In 2012, there were 230 claims for invalidity pension received from persons with an address in County Clare and there were 350 claims decided. Of the 350 claims decided, 131 were awarded and 219 were disallowed. Full year statistics for invalidity pension claims received from persons with an address in County Clare are not available prior to 2012. Social Welfare Appeals Office statistics are not maintained on a county by county basis and the Chief Appeals Officer is not in a position, therefore, to supply the specific information sought in relation to appellants with addresses in County Clare. However, the table below gives information in relation to the total number of appeals in the years in question.

#### Invalidity Pension Appeals – 2010 -2012

Year	Appeals Lodged	Revised Deciding Officer Decision*	Total Decided by Appeals Office	Appeals Allowed	Appeals Partly Allowed	Appeals Disallowed	Appeals Withdrawn
2010	1,024	185	694	341	6	314	33
2011	2,285	345	970	408	6	489	67
2012	4,765	474	1,517	1,031	4	430	52

\*Where a person has received a decision to disallow a payment, it is open to them to ask for a review by a deciding officer. These figures reflect those cases where a disallowed claim was revised on review by a deciding officer prior to determination by an Appeals Officer. Generally these cases arise where a person submits additional information, not already considered, in support of their claim following a decision to disallow.

In order to qualify for invalidity pension, claimants must satisfy both medical and contribution criteria. All awarded invalidity pension claims are deemed by either a deciding officer or an appeals officer to have satisfied all the eligibility criteria. In respect of the disallowed claims, statistics are not kept on the specific reason(s) for the disallowance. However, it is safe to say that the vast majority of disallowances are on medical grounds.

### Fuel Allowance Payments

118. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection her plans, due to the cold weather, to extend the free fuel allowance to the end of April 2013; and if she will make a statement on the matter. [21957/13]

**Minister for Social Protection(Deputy Joan Burton):** My Department will spend €211 million on the fuel allowance scheme this year, helping approximately 410,000 recipients with their heating costs. A similar number (approximately 410,000 people) receive the household benefits package, the electricity and gas element of which is worth €420 per year at a cost of €284 million in 2013.

The fuel allowance is paid for 26 weeks over the coldest months of the year, from October to April, and final payments for the 2012/2013 season were due to be paid in the first week of April. Because of the cold weather conditions being experienced at that time, I extended the fuel allowance season by one week to further assist recipients.

The 2012/2013 fuel allowance season has now ended and I have no plans to make further payments under the scheme. The 2013/2014 fuel allowance season will commence in October 2013.

*Question No. 119 withdrawn.*

### **Invalidity Pension Appeals**

120. **Deputy John McGuinness** asked the Minister for Social Protection if an application for invalidly pension now under appeal in respect of a person (details supplied) in County Kerry will be expedited and approved. [21988/13]

**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 1 March 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 the 13 April 2013 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

*Question No. 121 withdrawn.*

### **Rent Supplement Scheme Administration**

122. **Deputy Terence Flanagan** asked the Minister for Social Protection if her attention has been drawn to the fact that at present a person in receipt of rent supplement is able to not pay the rent to their landlord, that her Department can be aware that this is happening, but no action can be taken by her Department to stop a person receiving the rent supplement; and if she will make a statement on the matter. [22013/13]

123. **Deputy Terence Flanagan** asked the Minister for Social Protection if she will consider introducing a system whereby landlords would have to sign off each month to show that they have received rent from a tenant in receipt of rent supplement; and if she will make a statement on the matter. [22014/13]

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

122 and 123 together.

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.

Under the legislative provisions governing rent supplement, the Department's relationship is with the tenant; the tenant makes the application for rent supplement and payment is made to the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs. There is no direct relationship between the landlord and the Department in the administration of the scheme. However, social welfare legislation provides for the payment of a rent supplement payment to a nominated payee such as a landlord on behalf of the tenant. This arrangement is entered at the tenant's request and subject to the consent of the Department. The official dealing with the request will take into account all the relevant circumstances of the particular case and the tenant's preference will be accommodated where possible.

It is open to the landlord to bring to the attention of the Department any instance where they suspect that a tenant is receiving rent supplement and is not paying their rent. Where the Department becomes aware that a person is not using rent supplement to meet the accommodation costs, payment of the supplement is suspended and the matter investigated. Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the Board's dispute resolution process.

The Department has no plans to implement a system whereby landlords would have to sign off each month showing that they have received rent from a rent supplement recipient. The efficiency of the scheme would be significantly affected if the Department had to create a formal relationship with all landlords, for what should be only a short term need.

The Government has approved in principle the transfer of responsibility for the provision of rental assistance to persons with a long term housing need from this Department to housing authorities using a new Housing Assistance Payment (HAP). Under the proposed arrangements for HAP, landlords will receive the rent for the property directly from the housing authority. The Department is working closely with officials from the Department of Environment, Community and Local Government in developing proposals to give effect to this transfer.

### **Ministerial Expenditure**

124. **Deputy John McGuinness** asked the Minister for Social Protection the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in her Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in her Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if she will make a statement on the matter. [22042/13]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is currently being compiled and will be sent to him as soon as possible.

*Questions Nos. 125 and 126 withdrawn.*

## Mortgage Arrears Proposals

127. **Deputy Stephen S. Donnelly** asked the Minister for Social Protection if she will disclose the full details of the web traffic for the Citizens Information Board's website keepingyourhome.ie, detailing unique visitors, page-views, bouncerrates, average visit duration, new versus returning visitors, traffic sources, page popularity and so on; and if she will make a statement on the matter. [22111/13]

**Minister for Social Protection (Deputy Joan Burton):** The Mortgage Arrears Information and Advice Service was established to provide a comprehensive and coordinated approach to assist people in mortgage distress.

The website [www.keepingyourhome.ie](http://www.keepingyourhome.ie) was substantially redesigned and now acts as the key online access portal for comprehensive mortgage arrears information. It is one of the two measures set up to provide mortgage information, the other was the establishment of a Mortgage Arrears Information Helpline within the Citizens Information Board. Both services focus on the provision of comprehensive mortgage arrears information in particular to people in arrears or pre-arrears. The third element of the service is the provision of independent financial advice to mortgage holders who are being presented with long term mortgage resolution proposals by their lenders.

The following details the web traffic to the site since its enhancement in June 2012:

Month	Unique visitors	Number of visits	Pageviews	Average pageviews per visit	Average duration of visit
Jun 2012	3,330	4,832	18,968	3.92	3m 37 sec
Jul 2012	3,771	5,270	22,049	4.18	3m 45 sec
Aug 2012	3,709	5,248	20,088	3.82	4m 02 sec
Sep 2012	6,235	9,056	37,232	4.11	4m 19 sec
Oct 2012	6,398	8,951	33,555	3.74	3m 59 sec
Nov 2012	4,947	6,971	29,244	4.19	3m 56 sec
Dec 2012	4,521	6,858	24,997	3.64	4m 18 sec
Jan 2013	7,477	10,676	32,628	3.05	3m 14 sec
Feb 2013	6,971	10,145	32,268	3.18	3m 14 sec
Mar 2013	8,661	13,005	46,387	3.56	3m 51sec
Apr 2013	10,632	16,297	64,774	3.97	5m 03 sec

There is no information available on new v. returning visitors or on bounce rates.

Over 55% of visitors come to the site directly, about 25% are referred from other sites such as [mabs.ie](http://mabs.ie), [citizensinformation.ie](http://citizensinformation.ie) and [nca.ie](http://nca.ie) (National Consumer Agency) and the remainder come via search engines, such as Google and Bing.

After the homepage of the site, the five most popular pages in April were:

Overview: For Homeowners

Mortgage Arrears Resolution Process (MARP)

Mortgage Arrears Information and Advice Service: Panel of Accountants

Overview: Problem Debt

## Mortgage Arrears

The increasing use of the website indicates the value that people are receiving from this service. The CIB place great emphasis on ensuring that the information on the website is continuously monitored and kept current.

## Rent Supplement Scheme Eligibility

128. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which rental accommodation exists to meet the requirements of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22115/13]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was, until the end of March 2013, paid Rent Supplement in County Kildare, at an address that the person themselves secured (in an area for which they listed two previous addresses) and which was, within the current rent limits for an adult and three young children.

We have not received a new application for Rent Supplement from the person concerned.

## Pension Provisions

129. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which means test applies to applicants for old age pension and non-contributory old age pension; the extent to which the value of savings, assets including capital affects such applications; and if she will make a statement on the matter. [22116/13]

**Minister for Social Protection (Deputy Joan Burton):** The personal rate of State pension contributory is a non means-tested payment based on PRSI contributions paid to the Social Insurance Fund over a working life. To qualify a person needs to:

- enter insurable employment by age 55 for State Pension (transition) and age 56 for State Pension (contributory),
- have paid 520 full rate social insurance contributions
- have a yearly average contributions of at least 10 for State pension (contributory), and at least 24 for State pension (transition).

The yearly average determines the weekly rate of payment.

An increase in the State pension for a spouse or partner (qualified adult) can be paid. This element of the State pension is means tested. Any income the qualified adult has from employment, self-employment, savings, investments and capital (for example, any property except the person's home) is taken into account. Where there is joint savings or investments with the spouse or partner, half of that amount is taken into account. An increase for a qualified adult may be payable if the qualified adult has weekly income of less than €310. There are currently approximately 2,500 State pension transition customers and approximately 68,000 State pension contributory customers who have been awarded an increase for a qualified adult.

Where a person does not meet the qualifying conditions for State pension contributory, they may apply for the means-tested State pension non-contributory. The means test for State pension non-contributory takes into account the income and assets of both the claimant and his or her spouse or partner. Capital, property (excluding a person's home), savings and investments are assessed as capital and a formula is then used to assess the weekly means from capital. The

weekly rate payable depends on the total weekly means of the person or couple.

The formula for assessing means from capital is as follows:

Capital	Weekly means assessed
First €20,000	Nil
Next €10,000	€1 per €1,000
Next €10,000	€2 per €1,000
Balance	€4 per €1,000

There are currently approximately 95,000 customers in receipt of State pension non-contributor.

### Respite Care Grant Applications

130. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a respite grant is payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22117/13]

**Minister for Social Protection (Deputy Joan Burton):** I can confirm that carer's allowance (CA) is in payment for the person in question in respect of two care recipients. One of the care recipients currently qualifies for domiciliary care allowance (DCA) which will cease when she turns 16 this month.

In order for a child under 16 years to be considered to be medically eligible for CA, DCA must be in payment for that child. Once the child reaches 16 years and is no longer entitled to DCA, a review of the continuing entitlement to CA is carried out. However, in the time-frame of this particular case, the review will not be completed until after the first Thursday in June (the date the respite care grant (RCG) becomes payable) and, consequently, the Department can confirm that RCG for 2013 will be paid in respect of both cares in this case once they are still in payment on the due date.

### Carer's Allowance Appeals

131. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when arrears for carer's allowance will issue in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22123/13]

**Minister for Social Protection (Deputy Joan Burton):** The Department would like to offer its condolences to the family of the deceased.

I confirm that the department received an application for carer's allowance from the person in question on the 14 June 2012. The application was awarded on 11 of January 2013 and payments issued to Post Office from 17 of January 2013 with the final payment issued on 27 of March 2013, six weeks after the death of the caree. Arrears of allowance due from 14 of June 2012 to 16 of January 2013 issued to the person in question on 11 of January 2013.

The person in question has appealed the decision not to backdate her allowance beyond the date of application. All the necessary papers have now been submitted to the Social Welfare Appeals Office for determination. The Social Welfare Appeals Office will be in touch with the person directly regarding the progress of the appeal.

## Ministerial Expenditure

132. **Deputy John McGuinness** asked the Minister for Arts, Heritage and the Gaeltacht the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22030/13]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Department of Arts, Heritage and the Gaeltacht was established on 2 June 2011. The amount of travel and subsistence, both foreign and domestic, paid to the Minister of State and Secretary General in my Department from that date was as follows:

-	June – Dec 2011	2012	2013
Minister of State	14,119	26,087	1,551
Secretary General	3,933	4,690	975

There are 10 posts in my Department (6 in my office and 4 in the office of the Minister of State) to which appointments have been made in line with Government Guidelines on Ministerial Appointments. The salary costs of these staff in the period from June 2011 to date were €1,068,106 while travel and subsistence costs for the same period were €75,886. All travel and subsistence payments were made in accordance with the Department of Public Expenditure and Reform guidance on such matters.

## Broadband Services Provision

133. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources the plans there are for broadband roll out specifically for the Billinter/Bective area south east of Navan and all other rural areas in counties Meath and Westmeath. [21926/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Ireland's telecommunications market has been fully liberalised since 1999 in accordance with the requirements of binding EU Directives. The market has since developed into a well-regulated market, supporting a multiplicity of commercial operators, who provide services over a diverse range of technology platforms. Details of broadband services available in each County, including Counties Meath and Westmeath, can be found on ComReg's website at [www.call-costs.ie](http://www.call-costs.ie).

The State can only intervene to ensure access to broadband services in areas where the competitive market has failed to deliver such services, as in the case of the National Broadband Scheme (NBS) and the Rural Broadband Scheme. NBS services are available within 26 of the 106 Electoral Divisions in County Meath, including the Electoral Division of Bective, and within 18 of the 92 Electoral Divisions in County Westmeath, the list of which is set out as follows.

With basic broadband services widely available across Ireland, the focus is now on accelerating the roll out of high speed services. The Government's National Broadband Plan, which I published in August last, aims to radically change the broadband landscape in Ireland by ensuring that high speed services of at least 30Mbps are available to all of our citizens and businesses, well in advance of the EU's target date of 2020, and that significantly higher speeds are available to as many homes and businesses as possible.

During the preparation of Ireland's National Broadband Plan, the commercial market operators indicated that they expect to provide 70Mbps to 100Mbps services to 50% of the population by 2015. Since the publication of the Plan, investments by the commercial sector are underway in both fixed line and mobile high speed broadband services, particularly in urban and semi-urban areas.

The Government is also committed in the Plan to investing in areas where high speed services are not commercially viable and will not be provided by the market. In an important milestone towards delivery of this commitment in the Plan, my Department has appointed experts to assist it in the design, planning and procurement of the State-led investment. Intensive technical, financial and legal preparations including stakeholder engagement will be on-going throughout 2013 with a view to the launch of a procurement process in 2014.

Through the implementation of the National Broadband Plan, we are committed to increasing the availability of next generation speeds significantly, with a view to ensuring that all citizens and businesses can participate fully in a digitally enabled society.

I would reiterate that the Government remains committed to ensuring that all parts of Ireland, including the Bellinter and Bective areas as well as all rural areas in Counties Meath and Westmeath, will have at least 30Mbps connectivity, through public or private sector investment, as outlined in the National Broadband Plan.

#### National Broadband Scheme (NBS)

##### Electoral Divisions (ED) covered by the NBS in Co. Meath

ED Name	ED Reference No
ARDBRACCAN	ED 167002
BECTIVE	ED 167011
CASTLEKEERAN	ED 167016
CLOGHRACK	ED 167019
CLONMACDUFF	ED 167020
CROSSKEYS	ED 167022
DRUMCONDRA	ED 167027
KILLALLON	ED 167047
KILLARY	ED 167048
KILLEAGH	ED 167049
KILLYON	ED 167051
KILMORE	ED 167054
KNOCKLOUGH	ED 167056
LOUGHAN	ED 167058
MOYLAGH	ED 167063
RATHKENNY	ED 167075
RATHMORE	ED 167076
TROHANNY	ED 167092

#### National Broadband Scheme (NBS)

##### Electoral Divisions (ED) covered by the NBS in Co. Westmeath

ED Name	ED Reference No.
BALLYMORE	ED 237013
BALLYMORIN	ED 237009
BALLYNASKEAGH	ED 237015
CHURCHTOWN	ED 237026
CLONARNEY	ED 237028
CLONLOST	ED 237030
COLLINSTOWN	ED 237031
COOLE	ED 237032
COPPERALLEY	ED 237034
DRUMRANEY	ED 237038
FORE EAST	ED 237044
FORE WEST	ED 237045
GLORE	ED 237049
HILLTOWN	ED 237053
JAMESTOWN	ED 237057
KILCUMNY	ED 237060
KILLARE	ED 237062
KILLULAGH	ED 237066
KILPATRICK	ED 237067
KNOCKDRIN	ED 237071
MULTYFARNHAM	ED 237081
RIVERDALE	ED 237091
STONEHALL	ED 237096
TAGHMON	ED 237099
UMMA	ED 237103
WOODLAND	ED 237105

### Renewable Energy Incentives

134. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural Resources if there are any plans to include solar power in the REFIT3 tariffs; and if he will make a statement on the matter. [21932/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The REFIT3 scheme for biomass, which was opened in February 2012, is designed to incentivise the addition of 310 Megawatts (MW) of renewable electricity capacity from biomass technologies to the Irish electricity grid. Wind energy, hydro power and electricity from landfill gas are also supported under the REFIT1 and REFIT2 schemes.

Solar power is not currently supported by way of feed-in tariffs. However, grants are available under the Better Energy Homes scheme for homeowners to apply for €800 grant aid towards a solar thermal system.

In 2009, the Sustainable Energy Authority of Ireland (SEAI) initiated a pilot microgeneration programme which involved 42 installations of various microgeneration technologies including solar photovoltaic (PV). A final monitoring report on the performance of the installations and learning from the programme is awaited. This will inform future policy development.

SEAI has been asked to provide my Department with analysis of other means through which the microgeneration sector including PV could be supported, apart from through a feed-in tariff funded from the Public Service Obligation.

### Ministerial Expenditure

135. **Deputy John McGuinness** asked the Minister for Communications, Energy and Natural Resources the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013 [22032/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department was established in June 2007. The amount of travel and subsistence claimed by each Junior Minister and Secretary General in my Department from June 2007 to date is outlined in the following Table:

-	Home Travel and Subsistence €	EU Related Travel and Subsistence €	Other Travel and Subsistence €	Total €
Mr Tony Killeen TD, Minister of State	3,361	193	791	4,345
Mr Conor Lenihan TD, Minister of State	262	69	422	753
Mr Sean Power TD, Minister of State	33,921	812	241	34,974
Mr Fergus O'Dowd TD, Minister of State	32,534	1,034	1,515	35,083
Mr Aidan Dunning, Secretary General	918	2,592	0	3,510
Mr Brendan Tuohy, Secretary General	433	874	641	1,948

The number of full time equivalent staff appointed by each Minister and Minister of State in my Department or constituency office and their relevant cost in each case for the period June 2007 to date is outlined in the following Table:

-	Term of Office	Number of Staff	Cost €
Mr. Eamonn Ryan TD, Minister	June 2007-Jan 2011	4	1,108,060
Mr. Tony Killeen TD, Minister of State	June 2007-May 2008	1	75,959
Mr. Sean Power TD, Minister of State	May 2008-April 2009	4	236,827
Mr. Conor Lenihan TD, Minister of State	May 2009-March 2011	1	226,266

-	Term of Office	Number of Staff	Cost €
Mr. Pat Rabbitte TD, Minister	March 2011 to date	6	825,562
Mr. Fergus O'Dowd TD, Minister of State	March 2011 to date	4	344,535

Costs in the above Table consist of salaries, employer's PRSI, travel and subsistence and expenses. Costs for Minister Ryan and Ministers of State Power and Lenihan also include redundancy and severance payments to individual staff. Costs and staff numbers in respect of Minister Rabbitte reflect the revised arrangements for Ministers drivers.

As Ministers of State Killeen and Lenihan were assigned to more than one Department each appointed only one member of staff in my Department during their tenure.

### Renewable Energy Feed in Tariff Scheme Expenditure

136. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he will allow a school (details supplied) in County Galway to credit the surplus energy that is generated by their active wind turbine by selling it back to the national grid and thereby gaining income to pay other bills at the school; if they may be registered as a business if necessary for this purpose; and if he will make a statement on the matter. [22083/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Currently, electricity suppliers are not required to offer a feed-in-tariff for microgenerators. At present, Electric Ireland, on a commercial basis, is the only electricity supplier to offer a feed-in-tariff to domestic microgenerators. They offer a tariff of 9 cent per kilowatt hour for electricity exported to the grid to domestic customers under specified conditions.

The Commission for Energy Regulation, in the past, wrote to all electricity suppliers inviting them, on a voluntary and commercial basis, to introduce schemes for microgenerators. However, to date none of the suppliers, apart from Electric Ireland, has chosen to do so.

In terms of current supports for renewable electricity generation, it is noteworthy that the REFIT scheme operated by my Department does not set lower limits. There are currently some very small hydro plants operating in the scheme, as well as some small landfill gas and anaerobic digestion (AD) plants.

In order to inform further development of microgeneration policy, the Sustainable Energy Authority of Ireland (SEAI) initiated a pilot microgeneration programme in 2009. This involved 42 installations of various microgeneration technologies. A final monitoring report on the performance of the installations and learning from the programme is awaited from the SEAI.

SEAI has also been asked to provide my Department with analysis of other means through which the microgeneration sector could be supported, apart from through a feed-in-tariff funded from the Public Service Obligation. In view of falling technology costs, the Department has also asked SEAI to update analysis on the costs of varying levels of support for microgeneration technologies, with a view to considering how the sector could be supported going forward.

I have no function in the categorisation of electricity market participants which is a matter for the Commission for Energy Regulation (CER), the independent regulator.

### **Postcode Implementation**

137. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural Resources if he will provide an update in the implementation of postcodes here; when he expects this to be phased in; and if he will make a statement on the matter. [22097/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Government is committed to introducing postcodes across the State. The implementation of a national postcode system is a complex and detailed process. Consequently the procurement process to select a postcode management licence holder to implement a National Postcode System is ongoing. It is expected that the matter will be put to final tender in the very near future.

The final decision to proceed with implementation of a national postcode will be one for Government and will be based on appropriate financial, technical and operational considerations.

### **Non-Principal Private Residence Charge Collection**

138. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government if notices for non principal private residence charges will be issued for 2013 as in previous years. [21895/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Local Government (Charges) Act 2009 broadened the revenue base of local authorities by introducing a charge on non-principal private residences. The self-assessed charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties. Under the Act, it is a function of a local authority to collect the Non-Principal Private Residence Charge.

I understand that the Local Government Management Agency will be issuing reminder notifications to liable owners over the coming weeks. This measure will be complemented by media campaigns conducted by local authorities.

### **Foreshore Licences Applications**

139. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the reason for delays with an application for a foreshore licence (details supplied) in County Cork. [21914/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** My Department is awaiting documentation from the applicant in order to confirm that the public consultation process was conducted in the proper manner and that the requirements concerning the public display of documents were met. My Department is also awaiting final legal advice from the Chief State Solicitor's Office in relation to the question of ownership of the site.

### **Local Authority Housing**

140. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the local authorities if any that have Part V incomes on deposit which were

taken in lieu of houses; the amount by authority; if those sums are set against the general Government debt; if not, the way they may be spent; and if he will make a statement on the matter. [21944/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department collates and publishes a wide range of housing and planning statistics that inform the preparation and evaluation of policy, and those data are available on my Department's website at [www.environ.ie](http://www.environ.ie).

Data on the number of housing units and / or lands transferred under Part V of the Planning and Development Acts and on payments in lieu of such transfers, broken down by year and by local authority, are included within this range.

Comprehensive guidelines have issued to local authorities in relation to Part V including advice in relation to the use of Part V funds. These funds can only be used as capital by local authorities for their Part V functions or functions under the Housing Acts. Data regarding the specific application of these funds are not collated by the Department.

In February 2009, my Department set out details of the financial requirements for local authorities relating to their overall management of capital and current accounts. These requirements flow directly from the requirement for Government finances as a whole to be managed in accordance with the Stability and Growth Pact established under the Maastricht Treaty, and the associated limitation on budget deficits.

The local government sector must not impact negatively on the General Government Balance (GGB) in any one year. The downturn in the economy and substantial pressures on Government funding generally require a sharp focus in all sectors, including local government, to ensure effective control and management of public finances.

In order to stay within the overall GGB limit, it is necessary for local authorities to maintain both their current and capital accounts broadly in balance. The only restriction on local authorities is that, in aggregate, capital income equals capital expenditure in the year. Balance is only required at an overall level and this allows considerable scope for authorities to draw on their existing capital reserves as an element of their overall investment programme. The precise manner in which capital and current accounts are managed in order to achieve the overall balance necessary is a matter for individual local authorities.

While I appreciate that these GGB requirements impose limitations on local authorities, there are considerable funding constraints at all levels of Government. It is a matter for every local authority to determine its own spending priorities in the context of the annual budgetary process having regard to both locally identified needs and available resources within the GGB limits as set out.

## **EU Directives**

141. **Deputy Luke 'Ming' Flanagan** asked the Minister for the Environment, Community and Local Government regarding EU Directive 2011/70/EURATOM (Nuclear Waste), Under Article 6 (3) describing financing of Competent Regulatory Authority, Member States are required to ensure that the competent regulatory authority is given legal powers and human and financial resources necessary to fulfill its obligations in connection with the National Framework as described in Article 5 (1) (b), (c), (d) and (e); if he will provide a preliminary figure signalling that the cost of this will reflect the general principle given in Article 4 (1) that each Member State shall have ultimate responsibility for management of radioactive waste gener-

ated in it, and that the figure will reflect that responsibility and only that responsibility; and if he will make a statement on the matter. [21949/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Council Directive 2011/70/Euratom of 19 July 2011 establishing a Community framework for the responsible and safe management of spent fuel and radioactive waste requires Member States to bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 23 August 2013.

Ireland has been dealing with the issue of radioactive waste for some time. My Department is currently developing the necessary Regulations to ensure that Ireland meets its obligations to transpose this Directive. The establishment of a National Implementation Committee (NIC) was one of the recommendations made in the Interim Report of the Interdepartmental High-Level Group on Radioactive Waste which was accepted by Government in December 2010.

The NIC was established to progress work on;

Developing an Inventory Reduction Programme to reduce the overall amount of waste requiring storage in Ireland;

The interim centralisation of sources by sector in a small number of sector-specific existing storage facilities;

The development of options for final disposal.

It comprises co-ordinators nominated by the key stakeholders in the sectors where disused sources are held; technical advice is also provided by the Radiological Protection Institute of Ireland (RPII) and the Environmental Protection Agency (EPA). The Committee is chaired by my Department.

It is too early in the process to attempt to quantify the costs that may arise as a consequence of the transposition of the Directive. These will be influenced by the quantity of such waste requiring long-term management in Ireland.

### **Magdalen Laundries Issues**

142. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 941 and 942 of 16 April 2013, the steps being taken to ensure that there is access to Magdalene graves and ensure the upkeep of Magdalene graves. [21967/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries states that some of the women were buried in graveyards attached to a Magdalen Laundry; others were buried in plots maintained by the relevant Congregation in a public graveyard, while others were taken home by their families for burial in their former home-place.

My Department does not have a direct function in relation to the maintenance of burial grounds or in the supervision of access to them. In the case of public burial grounds, their management and maintenance is the responsibility of the relevant local authorities. Similarly, the management and maintenance of burial grounds owned by religious orders is a matter for those religious orders.

**Local Authority Staff**

143. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government the percentage of city and county managers that are women. [21970/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** There are currently 33 City and County Managers in situ of which 4 or 12% are women.

**Register of Electors Issues**

144. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 162 of 1 May 2013, if, in accordance with electoral law, a local authority must allow a citizen change their name and address on the Register of Electors from English to Irish in view of the fact that Article 8.1 of Bunreacht na hÉireann states the Irish language as the national language is the first official language; and if he will make a statement on the matter. [21989/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The position regarding change of voter registration details from English to Irish is as set out in the reply to Question No.162 of 1 May 2013. Voters are given the opportunity to register in either Irish or English. If they register in English and subsequently wish to change their registration details to Irish, the opportunity to do so is provided for in the context of the annual corrections to the draft register.

**Ministerial Expenditure**

145. **Deputy John McGuinness** asked the Minister for the Environment, Community and Local Government the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22035/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested is set out in the following tables. The Ministerial appointees held the positions of Special Adviser, Press Officer, Personal Assistant, Personal Secretary or Civilian Driver during the tenure of the relevant Minister or Minister of State. In a number of instances, there were changes in individual personnel during the period of tenure, together with some work-sharing arrangements which are included in the figures following.

Travel and Subsistence claimed by Ministers of State from 2007 to date

Minister of State	Travel and Subsistence claimed
Noel Ahern	€20,389.91
Batt O’Keeffe	€79,905.51
Tony Killeen	€18,958.19
Michael Kitt	€37,835.92
Máire Hctor	Nil
Áine Brady	Nil

Minister of State	Travel and Subsistence claimed
Ciarán Cuffe	Nil
Michael Finneran	€106,802.51
Willie Penrose	€10,717.85
Fergus O'Dowd	€2,714.64
Jan O'Sullivan	€16,044.24

Travel and Subsistence claimed by the Secretary General from 2007 to date

Secretary General	Travel and Subsistence claimed
Niall Callan	€2,124.85
Geraldine Tallon	€4,574.24

Details of staff appointed by each Minister from 2007 to date with relevant Salary costs and Travel and Subsistence claimed by those staff

Minister	Number of staff appointed	Salary costs for staff appointed	Travel and Subsistence claimed by staff appointed
Dick Roche	5	€171,766.31	€11,074.94
John Gormley	7*	€2,364,686.28*	€19,555.69*
Éamon Ó Cuív	Nil	Nil	Nil
Phil Hogan	8**	€698,044.15**	€37,561.94**

\* This includes a Programme Manager assigned to the Department of the Taoiseach.

\*\* This includes some individual staff changes and also a number of work sharers.

Details of staff appointed by each Minister of State from 2007 to date with relevant Salary costs and Travel and Subsistence claimed by those staff

Minister of State	Number of staff appointed	Salary costs for staff appointed	Travel and Subsistence claimed by staff appointed
Noel Ahern	4	€99,336.55	€2,703.50
Batt O'Keeffe	5	€277,113.98	€37,630.05
Tony Killeen	5	€645,734.32	€20,876.91
Michael Kitt	4	€213,786.90	€20,273.71
Máire Hctor	Nil	Nil	Nil
Áine Brady	Nil	Nil	Nil
Ciarán Cuffe	Nil	Nil	Nil
Michael Finneran	6	€636,178.65	€71,781.91
Willie Penrose	6	€158,899.63	€4,141.94
Fergus O'Dowd	Nil	Nil	Nil
Jan O'Sullivan	7	€479,004.89	€24,145.53

### EU Funding

146. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community

and Local Government if Fingal County Council has applied for EU INTERREG funding, through his Department, for environment and heat management funding in the Howth Peninsula special amenity area. [22045/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The EU INTERREG programme 2007-2013 is comprised of three strands: Strand A, which covers cross-border co-operation; Strand B, which covers transnational co-operation and Strand C, which covers interregional cooperation. Each Strand has its own priorities and covers specific geographic regions. Applications for funding under all strands of the INTERREG Programme are made directly to the relevant Programme Managing Authority. The relevant Managing Authorities are the Special EU Programmes Body and the BMW and S&E Regional Assemblies.

My Department does not have any direct involvement in relation to applications for funding under the INTERREG Programme and consequently does not have the information sought.

### **Local Authority Housing Application Numbers**

147. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of persons and families here waiting for one, two and three bed accommodation on county and county borough waiting lists including housing, transfer and homeless lists. [22046/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** My Department does not hold information on the number of households on local authorities’ waiting lists. This figure continuously fluctuates as households are allocated housing and new households apply for housing support. Detailed information on the latest statutory assessment of housing need which was carried out in March 2011, including a breakdown by authority and category of need, is available on my Department’s website – *www.environ.ie*

or on the Housing Agency’s website at *www.housing.ie*

Section 21 of the 2009 Housing Act replaces previous provisions in relation to the statutory assessment of housing need and all housing authorities have been directed to provide a summary report of social housing assessments under this provision as at 7 May 2013. The findings from these summaries will be published in the autumn.

### **Social and Affordable Housing Provision**

148. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of new social housing homes being provided in 2013 throughout each of the county and county borough local authorities administrative areas; the impact the above programme or other measures will have on the national housing lists. [22047/13]

149. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the plans, if any, he has to launch a public housing investment programme in 2013; and the effect such a programme could have on the national housing list up to

the end of 2015. [22048/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 148 and 149 together.

The Government’s housing policy statement, published in June 2011, clearly identifies that the priority for Government will be to meet the most acute needs of households applying for social housing support. I am determined to ensure that the social housing programme optimises the delivery of social housing and the return for the resources invested. To achieve this, it is essential that we tailor the use of available Exchequer supports to prevailing conditions and explore the full range of solutions to address housing needs.

In terms of addressing the demand for social housing, the social housing capital budget has been reduced from €1.535 billion in 2008 to €287m in 2013 and the financial parameters within which we will be operating for the coming years rule out a return to large capital funded construction programmes. The Government is committed to responding more quickly and on a larger scale to social housing support needs through a variety of mechanisms, including through increased provision of social housing. In July 2012 I announced details of a three-year funding programme of €100 million to deliver some 800 new units of voluntary and local authority owned social housing. I am monitoring expenditure under my Department’s housing programme for 2013, together with the level of contractual commitments extending into 2014, with a view to a decision later this year on approving some limited new construction and house purchases over the period to end 2014.

Delivery of social housing will be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms will include options to purchase, build to lease and the sourcing of loan finance by approved housing bodies for construction and acquisition. There is also obvious potential, across a range of housing programmes, for the Government’s objective of sourcing and providing suitable residential units for use as social housing to be aligned with the commercial objectives of the National Asset Management Agency (NAMA). My Department and the Housing Agency are engaged with NAMA to ensure delivery of housing units for social purposes.

In spite of the challenging circumstances within which local authorities must operate the final outcome for 2012 is expected to be in the region of 4,000 to 4,500 housing units. Given the current volatility of the market and different challenges to the channels of supply it is difficult to estimate the likely output of new units for social housing this year. However, it is provisionally estimated that in the region of 5,000 units will be provided for social housing in 2013.

### **Social and Affordable Housing Provision**

150. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, the amount of Exchequer funding provided to voluntary or co-operative housing organisations operating here in 2012; and if he will provide the amount of such funding that is allocated for these organisations in 2013. [22049/13]

151. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he will outline, in tabular form, the percentage of homes in the social housing stock that are managed by each of the voluntary or co-operative housing organisations;

if he is satisfied with the level of input by this sector in the provision of social housing; the number of housing units brought on stream by these organisations in 2012 and to date in 2013; and if he will make a statement on the matter. [22050/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 150 and 151 together.

My Department’s role in relation to the voluntary housing capital funding schemes relates primarily to the provision of funds to support the annual construction and housing acquisitions programmes by the sector. It is a matter for the relevant housing authority to ensure compliance with the terms and conditions of the schemes, and to have appropriate oversight and liaison arrangements in place for the effective administration of the schemes and for ensuring that the investment in voluntary housing is safeguarded.

At the end of 2012 a total of 25,371 units of accommodation had been provided by approved voluntary and co-operative housing bodies under my Department’s capital funding schemes since the inception of the Capital Assistance Scheme (CAS) in 1984 and the Capital Loan and Subsidy Scheme (CLSS) in 1992. Exchequer funding of €1.3 billion was provided under the CAS for the provision of some 15,262 units of accommodation for persons with specific categories of housing need such as older people, the homeless and persons with a physical, intellectual or mental health disability.

Under the CLSS, mortgage finance was provided to approved housing bodies by way of loans from the Housing Finance Agency (HFA) to meet the cost of providing social rented accommodation for low-income families. At end 2012, approved housing bodies had provided some 10,109 units of accommodation and loans to the value of around €1.4 billion had been drawn down from the HFA. The CLSS was terminated in 2009 and expenditure in respect of projects over the period 2010 to end 2012 relates to projects at construction or approved to commence construction prior to the decision to terminate the scheme.

In 2012 My Department recouped some €58 million to Local Authorities (LA’s) in respect of voluntary and co-operative projects progressed under the CAS Loan charges and management and maintenance allowances of over €68 million were recouped to LA’s in respect of accommodation provided under the CLSS. Earlier this year I announced capital allocations to local authorities under the CAS amounting to some €38.5 million. Detailed information in relation to the amounts of CAS funding recouped to each of the AHB’s across all local authorities in respect of the CAS for 2012 is being compiled and will be forwarded to the Deputy as soon as possible. It is not possible at this stage to indicate the likely drawdown of CAS funding by individual AHB’s over the course of 2013.

A number of AHB’s have entered into service level agreements with local authorities for the management and maintenance of social housing units which may be either leased or owned by the relevant authority. Details of these arrangements and the numbers of properties involved are not available in my Department.

In 2012 677 units of accommodation were completed under the Capital Funding Schemes by AHB’s. Data in relation to local authority housing stock, including completion figures for the voluntary and co-operative housing programmes funded by my Department, are available on my Department’s website, [www.environ.ie](http://www.environ.ie).

Data for the first quarter of 2013 will be available shortly. A breakdown of the numbers of units provided across all local authorities under the CAS and CLSS schemes from 1984 to end 2012 is set out in the following table:

-	No. of Units CAS 1984-2012	No. of Units CLSS 1993 - 2012
CAS only 1984 - 1992	2,691	-
CAS and CLSS 1993-2012	-	-
Carlow	187	254
Cavan	125	48
Clare	203	131
Cork	844	585
Donegal	533	420
Dun Laoghaire-Rathdown	543	372
Fingal	381	598
Galway	359	171
Kerry	402	169
Kildare	366	469
Kilkenny	437	137
Laois	212	271
Leitrim	64	44
Limerick	572	101
Longford	112	173
Louth	190	694
Mayo	409	193
Meath	206	180
Monaghan	211	76
Offaly	133	270
Roscommon	98	25
Sligo	237	237
South Dublin	263	992
Tipperary N.R.	233	132
Tipperary S.R.	262	390
Waterford	125	139
Westmeath	202	0
Wexford	230	284
Wicklow	265	85
City Councils	-	-
Cork	656	249
Dublin	2,465	1,651
Galway	292	182
Limerick	335	99
Waterford	419	288
TOTALS	15,262	10,109

### Constitutional Convention

152. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if a decision has been reached on holding a referendum on reducing the voting age to 16 following the Constitutional Convention's recommendation; and if he is considering

holding this referendum at the same time as the Seanad abolition referendum in October 2013.. [22085/13]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The First Report of the Convention on the Constitution, which was submitted to the Oireachtas on 26 March 2013, contained a recommendation that the voting age should be lowered to 16. The Government is considering this recommendation and will provide a response in the Oireachtas within 4 months – by 26 July 2013 – in accordance with the resolution of the Oireachtas establishing the Convention in July 2012.

### **Local Authority Housing**

153. **Deputy Noel Harrington** asked the Minister for the Environment, Community and Local Government the number of housing offers in each of the councils that were refused in 2012; and if he will make a statement on the matter. [22119/13]

154. **Deputy Noel Harrington** asked the Minister for the Environment, Community and Local Government the number of housing offers in each of the councils that a housing unit was refused more than once; the number of refusals for that unit in 2012; and if he will make a statement on the matter. [22120/13]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 153 and 154 together.

My Department does not hold information on the number of refusals of social housing offered by housing authorities. The issue of refusals is dealt with through the allocation schemes made by each housing authority as required under Section 22 of the Housing (Miscellaneous Provisions) Act 2009, and Regulations made thereunder (the Social Housing Allocation Regulations 2011), which set out the conditions that housing authorities must take into account when making their allocation schemes. The making and amendment of such an allocation scheme is a reserved function of the elected members of each housing authority.

Under the 2011 Regulations, where a household refuses two reasonable offers of accommodation within a continuous 12 month period, that household will not be considered by any local authority for social housing support for a period of 12 months from the date of the second refusal. In such cases, the household remains on the list but is excluded from consideration for offers of accommodation for the 12 month period. During this time, the household is not entitled to accrue any benefit from being on the list for priority purposes.

In addition, the 2011 Regulations allow a housing authority to opt for a Choice-Based Letting approach to allocations in its allocation scheme. Choice-Based Letting is a method that can be used for the allocation of social housing which is designed to offer more choice and involvement for applicant households in selecting a new home, thereby reducing the likelihood of a refusal.

### **Fuel Laundering**

155. **Deputy Brendan Griffin** asked the Minister for Justice and Equality if the Criminal Assets Bureau will start to seize lands where green diesel is being washed; and if he will make a statement on the matter. [21964/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Criminal Assets Bureau is

a statutory body established under the Criminal Assets Bureau Act 1996.

The remit of the Bureau is to target those persons who seek to derive benefit from criminal activities. In carrying out this role the Bureau utilises all available legal remedies, primarily those contained in the Proceeds of Crime legislation, Taxes legislation and Social Welfare legislation, to deprive persons of benefits obtained from the proceeds of crime.

I can inform the Deputy that under the Proceeds of Crime legislation the Bureau is empowered to seize the proceeds of crime irrespective of the manner in which it is held, whether in cash, bank accounts or property. However, no power of forfeiture exists under the Proceeds of Crime legislation in respect of land by virtue of the fact that criminal conduct is being engaged in on the property itself.

Any decision by the Bureau to seek to apply the Proceeds of Crime legislation to particular assets is an operational matter for the Bureau and the requirements of the Proceeds of Crime legislation must be established to the satisfaction of the Court in each case.

### **Firearms Licences**

156. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if he will outline in tabular form, the number of new firearms' licences issued on a county-by-county and year-by-year basis from 2007 to present; the number that have been renewed and have lapsed during the same period; and if he will make a statement on the matter. [21903/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As it has not been possible to compile the information requested by the Deputy in the time available, I have asked the Garda Commissioner for a report on the matter and will write to the Deputy when it becomes available.

### **Deportation Orders**

157. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will reconsider the recently issued deportation order against a person (details supplied) in Dublin 7;; and if he will make a statement on the matter. [21931/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned applied for asylum on 8th April, 2004. His application was refused following consideration of his case by the Office of the Refugee Applications Commissioner and on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act, 1999 (as amended) the person concerned was informed by letter dated 9 September 2005, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why he should be allowed to remain temporarily in the State.

Representations were submitted on behalf of the person concerned and he was given leave to remain for one year until 18th April 2012.

On the 21st February, 2012, a formal 'take back' request was received from the United Kingdom (UK) in respect of the person concerned in accordance with the provisions of Article

16(1)(e) of Council Regulation (EC) 343 of 2003. This request was accepted by Ireland and the person concerned was formally transferred from the UK to Ireland on 19th September 2012.

A Deportation Order was signed in respect of him on 18th April 2013. I am satisfied that the case of the person concerned was fairly and comprehensively examined following a thorough examination of his asylum claim and of his application to remain in the State. The person concerned is due to present to the Garda National Immigration Bureau on 14th May, 2013. The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

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.

### **Naturalisation Applications**

158. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed in order to update Garda National Immigration Bureau Card which is due to expire on 13 June 2013 in the case a person (details supplied) in County Louth who has already submitted an application for naturalisation for which a decision is pending [21941/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned was granted permission to remain in the State for an initial 2 year period on stamp 4 conditions from 13 June 2005, under the revised arrangements for the non-EEA national parents of children born in Ireland prior to January, 2005, commonly known as the IBC/05 Scheme. The permission to remain was renewed regularly and is currently valid until June 2013. Full details of the procedure for renewals of permission granted under the IBC/05 Scheme for the calendar year of 2013 can be found on the website of the Irish Naturalisation and Immigration Service (INIS) ([www.inis.gov.ie](http://www.inis.gov.ie)).

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 this 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.

### **Auctioneering Licences**

159. **Deputy Joe McHugh** asked the Minister for Justice and Equality with reference to the licensing of auctioneers who operate in livestock marts, if he will give due consideration to marts in Gaeltacht regions; his views on whether professional indemnity insurance requirements for such commercial operations should take into account the fact that marts do not provide advice to purchasers but instead facilitate sales and purchases; if he will try to identify a less bureaucratic way of securing tax clearance compliance than via the method currently envisaged; and if he will make a statement on the matter. [21974/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Property Services Regula-

tory Authority is responsible for the control and regulation of Property Services Providers (i.e. Auctioneers/Estate Agents, Letting Agents and Management Agents). Under the Property Service (Regulation) Act 2011, all Property Services Providers (including auctioneers in livestock marts) are required to hold a licence from the Authority. I am advised by the Authority that it is not aware of any specific issues arising in respect of livestock marts in Gaeltacht regions.

Any person wishing to hold a Property Services Provider licence is required under the Act to have professional indemnity insurance. In addition, the Act provides that the Authority shall not issue a licence to any person who does not hold a Tax Clearance Certificate. Insofar as tax clearance is concerned, the Act also requires that all of the Directors of a body corporate must provide the Authority with copies of their Tax Clearance Certificates. As such, these are statutory requirements and the Authority has no discretion in the matter. It might be noted that the procedures for obtaining a Tax Clearance Certificate are entirely a matter for the Office of the Revenue Commissioners.

### **Courts Service Issues**

160. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality if he will consider increasing and updating scale costs for District Court actions in view of the increase in the jurisdiction of the District Court which is proposed; and if he will make a statement on the matter. [21994/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, costs in the District Court are generally determined by fixed scales which are directly related to the jurisdiction limit of the Court. Any proposals to revise the schedule upwards, following the enactment of the Courts Bill 2013, would be a matter for the District Court Rules Committee to consider in the first instance.

### **Proposed Legislation**

161. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality if he will consider increasing jurisdiction of District Court to €20,000 bearing in mind that the average value of an award for motor liability which comprises 75% of the total awards of the Injuries Board in 2012 was just over €20,000 and the District Court has the capacity to deal with cases more speedily; and if he will make a statement on the matter. [21995/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Courts Bill 2013 will introduce new monetary jurisdiction limits for both the District and Circuit Courts which broadly reflect the increase in the Consumer Price Index (CPI) since 1991 by increasing the limits to €15,000 in the District Court and €75,000 in the Circuit Court. An exception is provided for personal injuries actions, where the Circuit Court jurisdiction will be limited to €60,000.

The Bill, while providing for a significant increase in the existing limits to the amounts that may be awarded by the lower courts, provides for awards with similar purchasing power, in real terms, to the monetary limits introduced by the Courts Act 1991.

I have noted the Deputy's suggestion that the District Court level be increased to €20,000. However as the Deputy is aware, the District Courts are very busy courts dealing with matters summarily and the Government's view is that a relatively cautious approach is warranted to ensure that a balance can be maintained between the jurisdiction levels and the likely case load. I intend however to keep this matter under review.

## **Road Traffic Legislation**

162. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will implement the banning of HGVs on Griffith Avenue, Dublin 9, between 8 a.m. to 9 a.m. and 3 p.m. to 4 p.m. which are school peak opening and closing times. [22016/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that neither my Department nor An Garda Síochána have responsibility for the introduction of road traffic regulations or other such restrictions on Heavy Goods Vehicles.

Insofar as the enforcement of existing restrictions are concerned, the Deputy will be aware that the H.G.V. cordon area for the Dublin City Centre does not include any area north of the East Wall Road and its intersection with Alfie Byrne Road.

The Deputy will also be aware that the in-bound lane alone on Griffith Avenue, that is, from the Malahide Road in the direction of the Ballymun Road for the full length of the road in the direction East to West, is subject to a three tonne limit restriction. This restriction does not fully cover the outbound lane of Griffith Avenue. H.G.V.'s are allowed travel on Griffith Avenue from the Ballymun Road to the Swords Road Junction only. H.G.V's are not permitted to travel, West to East, from the Swords Road Junction to the Malahide Road or to turn left onto this stretch of road from the M1 inbound. 3 tonne notices are prominently displayed on the restricted stretches of road. I am informed by the Garda authorities that traffic calming measures are also in place at the Western end of Griffith Avenue.

I am further informed that vehicles above the three tonne limit are permitted to drive within the restricted area for the purpose of delivering to a location within the same area.

I am advised by the Garda authorities there are four schools on Griffith Avenue with pedestrian controlled traffic lights in place at these locations to enhance road safety. I am also assured that Garda enforcement operations are conducted regularly on Griffith Avenue to ensure that the restrictions are complied with. Divisional and Regional Traffic members continue to monitor this area and where breaches are detected the appropriate action is taken.

## **Garda Investigations**

163. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will provide an update on the delay of the cold case file given to the Garda Commissioner on 11 March in relation to the Fr. Niall Molloy case. [22017/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Garda authorities that the examination surrounding the circumstances of the death of Father Niall Molloy is almost complete and that a report of this examination is expected to be submitted to the Commissioner sometime this month. Upon receipt of a report from the Commissioner I will review the situation.

I understand that the officers carrying out the examination are continuing to keep the family members of the deceased updated on progress. While I fully appreciate the concerns of the family, in any case where criminal behaviour is suspected it is only through a Garda investigation, and where evidence of criminal wrongdoing is available through the submission of a file by the Gardaí to the Director of Public Prosecutions, that persons can be brought fully to account.

Therefore, I hope that the Deputy will agree that, in the first instance, we need to allow the present Garda examination to proceed to its conclusion, which, as I have indicated, will be

shortly.

### Legal Aid Applications

164. **Deputy Finian McGrath** asked the Minister for Justice and Equality the options available in the case of a person (details supplied) in Dublin 5 regarding legal support. [22018/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that State-provided legal aid and advice in civil matters for persons on lower incomes is the responsibility of the Legal Aid Board, which is an independent statutory body. The granting of legal aid and advice is determined by the Board in accordance with the Civil Legal Aid Act, 1995, and associated regulations. A person may make an application for legal aid or advice at one of the Board's law centres. In this instance, the law centre at 45 Lower Gardiner Street may be the most convenient centre. Further information in respect of civil legal aid and advice, including the location of its law centres, can be obtained from the Legal Aid Board's website, [www.legalaidthboard.ie](http://www.legalaidthboard.ie).

### Ministerial Expenditure

165. **Deputy John McGuinness** asked the Minister for Justice and Equality the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22040/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** Travel and Subsistence claimed by Junior Ministers and Secretary Generals for the period 2007 to 2013 is as follows:

#### Travel and Subsistence for Junior Ministers and Secretary Generals 2007 - 2013

	2007	2008	2009	2010	2011	2012	2013
Brian Purcell Secretary General					€1,592	€3,273	€632
Sean Aylward Secretary Gen- eral	€9,180	€8,712	€8,386	€5,494	€5,003		
Frank Fahey Minister of State	€21,882						
Seán Power Minister of State	€15,546	€25,451					
Conor Lenihan Minister of State		€1,769					

Number of staff appointed by Ministers and Junior Ministers and their relevant costs for the period 2007 to 2013 are as follows.

Questions - Written Answers

Minister		2007	2008	2009	2010	2011	2012	2013
Minister Michael McDowell (29th Dail)	Staff	4						
	Cost	€204,696						
Frank Fahey, Minister of State	Staff	3						
	Cost	€74,010						
Minister Brian Lenihan, (30th Dail)	Staff	3	3					
	Cost	€105,106	€101,917					
Seán Power, Minister of State	Staff	1	1					
	Cost	€23,193	€19,024					
Conor Lenihan, Minister of State	Staff	2	2					
	Cost	€15,912	€75,937					
Minister Dermot Ahern (30th Dail)	Staff		4	4	4	4		
	Cost		€200,376	€325,944	€278,477	€321,630		
Minister Alan Shatter (31st Dail)	Staff					4	4	4
	Cost					€143,930	€260,882	€106,548

### Road Traffic Offences

166. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of fixed penalty notices for drivers holding a mobile phone while driving that were issued in 2010, 2011, 2012 and to date in 2013. [22053/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** Driving while holding a mobile phone is a Fixed Charge Penalty Offence and subject to ongoing enforcement by the Garda authorities. I am advised that members of An Garda Síochána carry out regular monitoring to detect breaches across the whole range of road traffic and transport legislation, including holding a mobile phone while driving.

The following table sets out the total number of Fixed Charge Notices issued by An Garda Síochána in the period 2010 to 31 March, 2013 for the offence of holding a mobile phone while driving. It should be noted that the figures provided are provisional, operational and liable to change.

Year	Number of Fixed Charge Notices issued in respect of mobile phone offences
2013 (to 31 March, 2013)	5,730
2012	30,806
2011	33,422
2010	34,635

### **Anti-Social Behaviour**

167. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will request An Garda Síochána to give additional attention to an area (details supplied) in Dublin 13, particularly at the weekends, to deal with underage drinking and anti-social behaviour; the number of complaints gardaí have received regarding this location in 2012 and to date in 2013; the amount of alcohol seized at this location in 2012 and to date in 2013; the number of arrests made at this location; and the number of minors dealt with under the juvenile diversion programme. [22054/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will be aware, An Garda Síochána has in place measures to address difficulties which arise with respect to public disorder and anti-social behaviour generally including the designation of certain areas as hotspots for such criminality with additional patrols directed accordingly. I have requested a report from the Garda authorities in relation to the specific circumstances described by him and will contact the Deputy directly as soon as the report is to hand.

### **Judicial Appointments**

168. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if he envisages the expansion in the number of members of the Judiciary due to the set-up of the Court of Appeal, should it pass a referendum; his views on the number of members of the Judiciary that will be required as a result of the new court being established; if the new court's judges will be at the same level of that as a current High Court judge; and if he will make a statement on the matter. [22067/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will be aware, the question of the appointment of judges to the Court of Appeal will not arise unless the People approve its establishment in the Referendum, in which case a Bill will be enacted setting out the various operational aspects of the Court, including the number of judges to be appointed to the Court. I announced earlier this week that the Government has decided to increase the number of Supreme Court judges by two as an interim measure to address the backlog in the Supreme Court and Court of Criminal Appeal.

Ahead of the Referendum, therefore, I intend to consult with interested parties, including my colleagues in Government and the Judiciary, before deciding on the optimal number of judges that should be appointed to the new Court, taking into account its expected workload and the future shape of the Supreme Court. Without prejudging the outcome of the consultations, it would be expected that the number of Supreme Court judges would reduce somewhat as the backlog of cases is dealt with. The salary is yet to be decided but the level will be between that of a High Court judge and a Supreme Court judge.

### **Prison Visiting Committees Issues**

169. **Deputy Andrew Doyle** asked the Minister for Justice and Equality further to Parliamentary Question No. 182 of 2 May 2013, if he intends to seek public expressions of interest for appointment, as part of the Governments commitment to openness and transparency, to the Visiting Committee of Shelton Abbey Prison under the Prisons (Visiting Committees) Act 1925 and Prisons (Visiting Committees) Order 1925, where there is currently two vacancies; and if he will make a statement on the matter. [22091/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** While I have no plans to seek public expressions of interest, the Deputy can be assured that the vacancies in Shelton Abbey Prison will be filled shortly.

### **Appointments to State Boards**

170. **Deputy Patrick Nulty** asked the Minister for Justice and Equality further to his announcement of 16 April 2013 the names of 14 persons who are to serve as members of the board of the Equality Authority in the interim before the Irish Human Rights and Equality Commission is established; the names of the two persons appointed by him on the nomination of representatives of employees as required by section 44(1)(a) of the Employment Equality Acts 1998-2011; the names of the two persons appointed by him on the nomination of representatives of employers as required by section 44(1)(b) of the Employment Equality Acts 1998-2011; the organisation or organisations representing employees and representing employers that made those nominations;; and if he will make a statement on the matter. [22106/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** It is a fundamental requirement of the Paris Principles that the members of the Irish Human Rights and Equality Commission be independent. This includes but is not limited to being independent of Government. The question of whether Commissioners should be nominated by any social partner organisation or be representative of any particular sector or NGO was expressly considered by the Working Group I set up to advise me on practical issues in relation to the establishment of the new Commission. The Group recommended that members of the new Commission be selected by a process independent of the Government, serving on appointment independently in their individual capacity and that their appointments should not be made on representative or nomination basis as heretofore was the case in relation to a number of positions on the Equality Authority board.

Members of the Working Group noted the historical development of the Equality Authority from a body purely focused on employment issues with representation from the employer and employee interests. The Working Group considered with the development of the wider remit of the new IHREC, representation of any corporate body or sectoral interest as of right on the new Commission is not appropriate. They went on to recommend that the new legislation should allow IHREC to establish subcommittees of the Commission to enable representatives of a wide range of interests to contribute in an advisory capacity. The Government accepted this recommendation (and indeed all the recommendations of the Working Group relating to the legislation) and this is reflected in the General Scheme of the Bill as published. I might mention that the selection procedure set out in the Heads was also endorsed by the Oireachtas Committee on Justice, Defence and Equality, before whom I caused the General Scheme to be laid and whose advice I sought. In these circumstances, and as I anticipate that the legislation to establish IHREC will be published before too long, I do not regard it as appropriate to make any appointments as Commissioner designate outside of the independent selection process that has recently concluded with the recommendation of the 14 persons referred to in the question to be members of IHREC and of the existing bodies on an interim basis.

As already announced, (and detailed in the table below) these 14 persons were appointed by the Government as members of Human Rights Commission on 16 April 2013 under the Human Rights Commission Act 2000, pending the establishment of the IHREC. The issues in relation to the interim appointments to the board of the Equality Authority, also under the relevant existing legislation (the Employment Equality Act 1998) will be discussed when I meet the members designate shortly.

**TABLE**

Name	Current Position	Appointment Period
Professor Siobhán Mullally	Professor of Law UCC Member of the Permanent Court of Arbitration The Hague, Member of the Council of Europe Group of Experts on Action Against Human Trafficking	5 Years
Ms Teresa Blake	Chairperson of Mental Health Tribunal, Barrister	5 years
Ms Orlagh O'Farrell	Lecturer in employment and equality law NUI Maynooth, Member of Community Legal Resource network. Director of Equality and Rights Alliance (ERA), Consultant on equality and discrimination issues	5 years
Ms Mary Murphy	Lecturer in Irish Politics and Society, NUI Maynooth	3 years
Ms Betty Purcell	Television Series Producer	3 years
Ms Heidi Foster Breslin	Director of Exchange House National Travellers Service, Non Executive Director of MABS, Trustee of Common Purpose Ireland.	3 years
Ms Sunniva McDonogh	Barrister ' Senior Counsel, Member of Property Services Appeals Board, Member of Penal Strategy Review Group	5 years
Professor Ray Murphy	Professor of Law, Irish Centre for Human Rights, NUI Galway. Member of Human Rights Institutes	5 years
Mr. Frank Conaty	Chartered Accountant, Former Chair and current member of National Parents and Siblings Alliance since 2002	3 years
Mr. David Joyce	Barrister, Lecturer TCD and former legal policy officer with the Irish Traveller Board	5 years
Mr. Fidele Muwarasibo	Integration Manager, Immigrant Council of Ireland	5 years
Mr. Mark Kelly	Director of Irish Council for Civil Liberties (ICCL)	3 years

Name	Current Position	Appointment Period
Mr. Kieran Rose	Chairperson of GLEN, Senior with the Offices of International Relations and Research in Dublin City Council	3 years
Mr. Liam Herrick	Irish Penal Reform Trust	3 years

### Garda Vetting Applications

171. **Deputy Jack Wall** asked the Minister for Justice and Equality the reason a person (details supplied) in County Kildare has not received a Garda clearance certificate in view of the fact that they are not in a position to take two employment opportunities because of same; and if he will make a statement on the matter. [22109/13]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that a vetting application on behalf of the individual referred to by the Deputy was received by the Garda Central Vetting Unit (GCVU) on 5 February 2013. The application was processed and returned to the registered organisation concerned on 7 May 2013. This is the only vetting application received by the GCVU in respect of the individual concerned.

### Defence Forces Recruitment

172. **Deputy Barry Cowen** asked the Minister for Defence if he will provide an update on when Army recruitment will commence in the coming year. [21900/13]

**Minister for Defence (Deputy Alan Shatter):** The Government has decided to accept my recommendation that the strength of the Permanent Defence Force will be maintained at 9,500. I believe this is the optimum strength required to fulfil all roles assigned by Government. The Military Authorities have advised that the strength of the Permanent Defence Force, at 31 March 2013, the latest date for which details are available, was 9,189 comprising 7,375 Army, 781 Air Corps and 1,033 Naval Service personnel. Following on from the 2012 recruitment campaign, 539 General Service recruits were enlisted in the Permanent Defence Force. It is intended that further general service recruitment will take place from the existing competition panel during 2013. All recruitment will be achieved within the resource envelope allocated to Defence.

### Ministerial Expenditure

173. **Deputy John McGuinness** asked the Minister for Defence the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22033/13]

**Minister for Defence (Deputy Alan Shatter):** The information requested by the Deputy is set out in the tables. The cost to my Department of domestic travel and subsistence for each Minister of State and the Secretary General from 1 Jan 2007 to date is as follows:

Year	Mr. Tom Kitt T.D 29/04/04 to 06/05/08	Mr. Pat Carey T.D 7/05/08 to 22/03/10	Mr. John Curran T.D 23/03/10 to 23/01/11	Mr. Paul Kehoe T.D 9/03/11 to date	Secretary General Mr. Michael Howard
2007	Nil	Nil	Nil	Nil	€1,505.44
2008	Nil	Nil	Nil	Nil	€795.23
2009	Nil	Nil	Nil	Nil	€1,327.20
2010	Nil	Nil	Nil	Nil	€914.87
2011	Nil	Nil	Nil	€69	€1,385.85
2012	Nil	Nil	Nil	Nil	€337.31
2013	Nil	Nil	Nil	Nil	Nil

The cost to my Department of foreign travel and subsistence for each Minister of State and for the Secretary General from 1 January 2007 to date is as follows:

Year	Mr. Tom Kitt T.D 29/04/04 to 06/05/08	Mr. Pat Carey T.D 7/05/08 to 22/03/10	Mr. John Curran T.D 23/03/10 to 23/01/11	Mr. Paul Kehoe T.D 9/03/11 to date	Secretary General Mr. Michael Howard
2007	Nil	Nil	Nil	Nil	€7,113.09
2008	Nil	Nil	Nil	Nil	€4,445.43
2009	Nil	Nil	Nil	Nil	€3,338.61
2010	Nil	Nil	Nil	Nil	€1,289.84
2011	Nil	Nil	Nil	Nil	€1,639.25
2012	Nil	Nil	Nil	€1,419.24	€3,771.22
2013	Nil	Nil	Nil	Nil	Nil

The foreign travel costs set out above include the costs of commercial flights undertaken by the Ministers of State and the Secretary General in the performance of their duties. The Ministerial Air Transport Service provided by the Air Corps was also occasionally availed of by Ministers of State during the period in question. Details regarding staff appointed by each Minister and Minister of State of the Department, including staff appointed to constituency offices, and their relevant cost including travel and subsistence for the period 2007 to date is set out as follows.

Costs relating to staff appointed by Minister Willie O'Dea T.D.

1 Jan 2007 to 18 Feb 2010:

Year	No of Appointed Staff	Remuneration Costs	Employer PRSI	Travel and Sub- sistence Home	Travel and Sub- sistence Foreign
2007	4	€272,451.45	€28,994.37	€5,471.86	€1,875.33
2008	4	€280,565.59	€29,851.25	€2,842.70	€3,012.98
2009	4	€295,292.82	€29,472.37	€2,449.98	€1,040.35
2010	4	€233,901.02	€4,466.09	€129.49	Nil

Costs relating to staff appointed by Minister Tony Killeen T.D.

23 March 2010 to 19 Jan 2011:

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Year	No of Appointed Staff	Remuneration Costs	Employer PRSI	Travel and Sub-sistence Home	Travel and Sub-sistence Foreign
2010	4	€189,638.70	€14,625.10	€781.94	€513.32
2011	5*	€109,271.26	€2,374.58	€326.97	€627.29

\*Includes the appointment of a temporary Personal Assistant for 16 weeks.

Costs relating to staff appointed by Minister Alan Shatter T.D.

9 March 2011 to date:

Year	No of Appointed Staff	Remuneration Costs	Employer PRSI	Travel & Sub-sistence Home	Travel and Sub-sistence Foreign
2011	1	€21,947.64	€2,179.36	Nil	Nil
2012	1	€55,866.72	€5,593.12	Nil	Nil
2013	1	€21,487.20	€2151.20	Nil	Nil

Costs relating to staff appointed by Minister Paul Kehoe T.D.

9 March 2011 to date:

Year	No of Appointed Staff	Remuneration Costs	Employer PRSI	Travel and Sub-sistence Home	Travel and Sub-sistence Foreign
2011	2	€44,475.20	€4,499.21	€11,242.86	Nil
2012	2	€74,384.05	€7,738.75	€21,075.61	Nil
2013	2	€26,353	€2,687.12	€8,697.46	Nil

### European Defence Agency

174. **Deputy Andrew Doyle** asked the Minister for Defence if he will outline Ireland's contribution financially to the European Defence Agency since its inception; if any staff from his Department or the Irish Defence Forces have been seconded to the EDA; if so, under what terms; and if he will make a statement on the matter. [22090/13]

**Minister for Defence (Deputy Alan Shatter):** The European Defence Agency was set up in 2004 during Ireland's Presidency of the EU. On 6 July 2004, the Government approved Ireland's participation in the framework of the EDA on the basis of a memorandum submitted by the Minister for Defence, in association with the Minister for Foreign Affairs. Ireland contributes, on an annual basis, to the operational budget of the Agency. The financial commitment of participants to this budget is in accordance with EDA funding principles, based on gross national income (GNI) key. Ireland's contribution to the budget of the EDA to date is:

Year	Amount
2013 (as at 07/05/13)	€136,940.00
2012	€354,205.78
2011	€284,036.55
2010	€315,760.00
2009	€584,807.00
2008	€571,850.00
2007	€459,100.00
2006	€226,530.00

Year	Amount
2005	€224,000.00
2004	€21,733.00

These figures include Ireland's contribution to (1) Joint Investment Programme on Force Protection of €230,000 per year from 2007 to 2010; (2) Joint Investment Programme on CBRN €30,000 per year over four years from 2012; and (3) Maritime Surveillance (MARSUR) Category B Ad Hoc Project €40,000 per year for three years from 2012. As part of the EDA's annual work programme, Ireland participates in project teams and working groups engaged in the ongoing work in various capability development areas that will be of benefit to the Defence Forces. The four main initiatives that Ireland is involved in are: The Joint Investment Programme on Force Protection launched in 2007. The Maritime Surveillance Project launched in 2011. The Chemical Biological Radiological and Nuclear protection project launched in 2011. Pooling and Sharing Naval Training Initiative, in which Ireland is taking a lead role, launched in 2011.

In relation to Ireland's involvement in the Pooling and Sharing Naval Training Initiative, the Chief Executive of the European Defence Agency requested Ireland to consider seconding a National Expert to the Agency to progress this initiative. Ireland agreed to second an Intern to the European Defence Agency, and a Naval Officer has taken up the internship for a six month period beginning on 2nd May 2013. During the next six months it is hoped that progress will be made in areas such as Hydrography and the use of Simulators for training purposes. The Agency will cover travel and other expenses and a daily allowance while the Department will pay the salary of the individual involved.

### **Agriculture Schemes Payments**

175. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine his plans to introduce an appropriate compensation scheme for farmers whose herds are affected with BVD; and if he will make a statement on the matter. [21917/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The cost of BVD to the farming industry is in excess of €100 million per annum. The provision of funding for compensation in the context of the compulsory phase of the BVD programme must be placed in the context of the economic benefits accruing to farmers arising from the eradication of this disease and, particularly, the short payback time involved for individual farmers as well as the scarce budgetary resources available to my Department. It has been estimated that the overall benefit for the eradication of this disease is beneficial to farmers. I should also emphasise that the strategy of my Department is to concentrate its scarce resources in continuing to support Animal Health Ireland in its ongoing work in establishing control.

### **Agri-Environment Options Scheme Payments**

176. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the reason for the delay in payment of an agri-environment scheme 1 application in respect of a person (details supplied) in County Donegal; when payment will issue; and if he will make a statement on the matter. [21940/13]

**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 €1,237.66 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. During the checking process on the Capital Investment Claim issues were noted in relation to the Tree Planting Standard action. A letter regarding these issues, issued to the person named on 3rd May 2013. Upon receipt of a satisfactory response to these issues the application will be further processed with the intention of issuing payment for the 2012 scheme year as soon as possible.

### **Departmental Staff Redeployment**

177. **Deputy Luke 'Ming' Flanagan** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 502 of 12 March 2013 (details supplied), the number who were seconded to both the Irish Horse Board and Horse Sport Ireland; his views on whether a total of at least four employees were seconded to IHB (details further supplied) and at least three employees were seconded to HSI; if the salaries of all the seconded Department employees were reimbursed; if he will show in the IHB and HSI accounts at his Department that the wages and all employment expenses such as pension, taxes and so on were fully reimbursed to his Department from both IHB and HSI. [21954/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** In answer to the Deputy's question, I can confirm that two Executive Officers are currently seconded from my Department since 1994 to Horse Sport Ireland Limited. The salaries in respect of the two individuals are recouped from Horse Sport Ireland Limited.

Inspectorate staff from my Department were seconded at various times between 1993 and 2008 to provide support services to IHB to assist in the development of the industry. My Department paid the salaries for these individuals during that time.

### **Agri-Environment Options Scheme Appeals**

178. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the position regarding an agri-environment option scheme appeal in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [21959/13]

**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 €771.28 in respect of 2011.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The person named was selected for a ground inspection which took place on 13th November 2012. During this inspection, issues of non compliance with the terms and conditions of the scheme were noted in relation the Riparian Margin action, which resulted in a penalty being imposed.

A letter issued to the person named informing her of this penalty and giving her the option to

appeal the decision. The person named submitted an appeal to my Department and the original decision was overturned. Full payment totalling €3,397.48 has now issued to the person named in respect of the 2012 scheme year – 75% payment issued on 22nd April 2013 and the balancing 25% payment issued on 23rd April 2013.

### **Freedom of Information Requests**

179. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if he will provide details of the area aid claim that was made in respect of lands (details supplied) in County Kerry; and if he will make a statement on the matter. [21980/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The position remains as I outlined in my reply to PQ 12/53199 on 28 November.

The person named had submitted a request under the Freedom of Information Act for the names of the people who have claimed Area Aid payments on the land referred to. Unfortunately this request had to be refused on the basis that third party information in relation to Single Payment/Disadvantaged Area scheme applications cannot be released under the Freedom of Information Act. The person was advised by letter of this on 20 September 2012 and also of the appeal procedure. An official of my Department had also, around that time, been in contact with the person named to further outline the position.

### **Single Payment Scheme Payments**

180. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when payments in respect of a single farm payment and disadvantaged area payment will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [22022/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2012 Single Payment/Disadvantaged Area Schemes was received in my Department of 15 May 2012 in the name of the Reps of the Herdowner named. After processing, over-claims were disclosed in respect of two land parcels listed on the application form. Following correspondence with my Department, it was agreed to clarify the matter by means of a Rapid Field Visit to both parcels. The results of this visit will shortly be available and the application can then be further processed.

An application requesting the transfer of 38.50 Single Payment Entitlements from the Reps of the second person named to the first person named was submitted to the Transfer of Entitlements Section of my Department on 17 May 2010.

As the requested transfer was by way of inheritance, it was necessary to request the normal testamentary documentation. My Department has been in touch with the first person named on four occasions seeking the required documentation but the details have not yet been provided.

In addition, the first person named is currently not the registered herd owner. As entitlements can only be transferred to a registered herd owner, the first person named has been advised of the need to obtain a herd number or have the existing herd number transferred to his name. In this context he has been advised to contact the Galway District Veterinary Office.

As soon as the outstanding issues are resolved my Department will finalise the transfer and make the outstanding payments.

## **Ministerial Expenditure**

181. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the amount of travel and subsistence both foreign and domestic claimed by each Junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and Junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22029/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The requested information is being compiled and will be made available directly to the Deputy within the next few days.

## **Single Payment Scheme Eligibility**

182. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine if he will clarify the position regarding single farm payment entitlements (details supplied) [22058/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the original Commission proposals, existing payment entitlements in Member States such as Ireland which applied the Single Payment historic model, will expire on 31 December of the year before the first implementation of the new CAP regime. It is now recognised that the first year of the new regime will be 2015. Farmers will apply in that year for an allocation of new payment entitlements.

The Commission proposals have been the subject of negotiations at official and political level in the Council of Ministers over the past 18 months culminating in an agreed Council position which was reached at the Council on 18/19 March. Under the proposals agreed by the Council of Minister, the number of entitlements to be allocated in the first year of the new regime can either be based on the total number of eligible hectares declared in that year or, alternatively, a Member State may decide that the number of entitlements will be confined to the number of eligible hectares declared in either 2012 or 2013. While this is an option for Member States it is too early yet to say which option will be exercised by Ireland.

Member States are also allowed to confine the allocation of payment entitlements to those farmers who received a payment under the existing Single Payment Scheme in either 2010 or 2011. Where a Member States exercises this option, the European Commission is empowered to adopt delegated acts to determine how entitlements are to be allocated to farmers who apply in the first year of the new regime but who did not receive payment in either 2010 or 2011. Again, it is too early to say whether Ireland will exercise this particular option.

I should also point out that the next step in the negotiations involves reaching agreement between the three European Institutions i.e. the Council of Ministers, the European Parliament and the Commission. It is therefore too early to speculate on how the final outcome will affect individual farmers.

## **Agri-Environment Options Scheme Applications**

183. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Galway has not received payment in respect of the agri-environment scheme; when payment will issue; and if he will make a statement on the matter. [22084/13]

**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 November 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. The person named was selected for a ground inspection which took place on 2nd October 2012. During this inspection, issues of non compliance with the terms and conditions of the scheme were noted in relation the Copying of Hedgerow action, 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. The person named submitted an appeal to my Department which resulted in the original decision to apply the penalty being upheld. A letter issued to the person named on 15th March 2013 informing him of this and giving him the option of appeal to the Agriculture Appeals Office. To date no appeal has been received. Officials in my Department are finalising the payment in respect of the 2012 scheme year on the basis of this decision and payment will issue shortly.

### **Afforestation Programme**

184. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the number of hectares of forestry that have been approved for planting in 2013; and the number that were approved in 2012; and if he will make a statement on the matter. [22086/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A total of 12,221 hectares were approved for planting under the afforestation schemes in 2012. For the period up to 30 April 2013, a total of 6,165 hectares have been approved.

### **Coillte Teoranta Harvesting Rights Sale**

185. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine his views on correspondence (details supplied) regarding the proposed sale of Coillte's harvesting rights; and if he will make a statement on the matter. [22089/13]

**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. The process is at an advanced stage and, aside from the identification and valuation of the forestry assets, a number of issues have been identified in relation to the possible harvesting rights concession. The future management of the estate, the maintenance of existing amenities and public access to recreational land are some of the issues being considered as part of the analysis.

I am aware that Coillte currently manages 10 Forest Parks and over 150 recreation sites throughout Ireland and that their forests provide a range of recreational opportunities for the general public continuing a long tradition of open access to state owned forests. I am also conscious that such recreational facilities are also very valuable resources as tourism attractions in the various regions. As previously stated, it is the Government's intention that appropriate provisions would be included in any sale of Coillte harvesting rights to allow for the maintenance of the company's current open forest policy.

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.

### **Common Agricultural Policy Negotiations**

186. **Deputy Andrew Doyle** asked the Minister for Agriculture, Food and the Marine the progress made in recent weeks on the trilogue/ordinary legislative procedures discussions regarding the deal reached at council level regarding the Common Agricultural Policy with other EU member states; if he envisages this process to be completed before the conclusion of the Irish Presidency of the Council of the EU at the end of the next month; and if he will make a statement on the matter. [22092/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An intensive schedule of trilogue discussions with the European Parliament and EU Commission commenced on 11th April 2013. Up to today 11 trilogues have taken place; three each on direct payments and rural development, four on the single CMO and one on the horizontal and financial management proposal. As holders of the Presidency, Ireland is representing the EU Council of Ministers in these negotiations.

On the Direct Payments dossier, we have now had a run through of the proposals for the basic payment scheme including the various options for internal convergence, the national reserve and the redistributive payment. We have also discussed the scope and definitions, the provisions on active farmers, coupled support and the schemes for young farmers and small farmers. On Monday, we started looking at the provisions on capping and flexibility between pillars.

As to the single CMO, we have looked at the introductory provisions, trade issues and the school schemes. We have also commenced examination of specific sectoral rules starting with olive oil, hops, apiculture, fruit and vegetables and wine as well as the PDO and PGI provisions. Yesterday there was a first discussion on market intervention, exceptional measures and the crisis reserve.

Moving to rural development, we have had a first discussion on the objectives and priorities and have started a more detailed discussion on the individual measures.

Finally, we have examined general and financial management provisions in the Horizontal Regulation.

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 with the target of achieving inter-institutional agreement by the end of June 2013. I am aware that this is a very challenging time frame and will require intense efforts by all parties to the negotiation.

On the basis that nothing is agreed until everything is agreed, I can tell you that to date we have adhered to the general approach agreed by the Council of Agriculture Ministers in March.

On many issues, the Council position is at the centre of the negotiations but there are areas where the Council is isolated and may have to move if common ground is to be found. I have established informal contacts with the Chair of the European Parliament Agriculture Committee and the EU Commissioner with a view to identifying the scope for acceptable compromises on some of the more intractable political issues. In addition, I will be using next week's meeting of the EU Council of Ministers in Brussels and the informal Agriculture Council meeting scheduled to take place in Dublin at the end of the month to explore with Member State colleagues possible landing zones in key areas of difference.

### **Agriculture Schemes Penalties**

187. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine his views on whether many single farm payment penalties might not actually be lawful as inspectors might have exceeded their jurisdiction on family farms; if persons carrying out farm inspections should be given prior notice; and if he will make a statement on the matter. [22103/13]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Implementation of the Single Farm Payment regime is governed by relevant EU legislation, in particular, Council Regulation (EC) 73/2009 and Commission Regulation (EC) 1122/2009. This legislation is directly applicable in the State.

Under the EU regime, provided the purpose of the control is not jeopardised, the Department is enabled to give up to 14 days notice for land eligibility and certain cross-compliance on-farm inspections. However, in the case of cross compliance inspections relating to cattle identification and registration, the maximum advance notice which may be given is 48 hours, while, in the case of those relating to feed, food and animal welfare, no advance notice may be given.

In giving effect to the EU regime, under which inspections are carried out by officers duly authorised with requisite powers of entry and inspection, my Department, as a general rule and following requests from farming organisations, tries, insofar as practicable, to integrate various inspections with a view to minimising the number of farm visits and avoiding more than one visit to a farm. In respect of those elements of an inspection for which advance notice is made possible (but not mandatory) by the EU legislation, the farmer can request deferral of those particular elements. This, of course, necessarily involves a follow-up visit to the farm.

It will be seen from the above that the Department's inspection regime is entirely in line with the governing EU legislation.

### **Coillte Teoranta Harvesting Rights Sale**

188. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine the position regarding the selling off of Coillte (details supplied); and if he will make a statement on the matter. [22114/13]

**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 consideration about a possible sale of Coillte harvesting rights is one element of the State assets disposal programme, which forms part of our commitments under the EU/ECB/IMF funding programme and with a view to generating resources for additional investment in job creation initiatives in the economy. Following preliminary consideration of Coillte and its various assets, the Government decided that a concession for the harvesting rights to Coillte forests represented the best option to release value from Coillte in the short to medium term.

The process is at an advanced stage and, aside from the identification and valuation of the forestry assets, a number of issues have been identified in relation to the possible harvesting rights concession. The implications for the timber industry, the future management of the estate, the maintenance of existing amenities and public access to recreational land are some of the issues being considered as part of the analysis.

I am aware that Coillte currently manages 10 Forest Parks and over 150 recreation sites throughout Ireland and that their forests provide a range of recreational opportunities for the general public continuing a long tradition of open access to state owned forests and I note the concern that such recreational opportunities be maintained for future generations. As previously stated, it is the Government's intention that appropriate provisions would be included in any sale of Coillte harvesting rights to allow for the maintenance of the company's current open forest policy. 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.

In relation to further investment in our forests, the Forest Service of my Department promotes new planting of forests (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.

### **Solidarity Fund**

189. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if he has considered an application under the EU solidarity fund to address some of the costs being incurred by farmers during the course of the recent fodder shortage as a result of prolonged bad weather in 2012 and 2013; and if he will make a statement on the matter. [22118/13]

**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.

### **Child Care Services Provision**

190. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the measures she is putting in place to deal with a projected increase in the young population, under 14 years, of up to 100,000 by 2012; and if she will make a statement on the matter. [22028/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As well as a number of childcare, youth and other programmes, my Department is responsible for the implementation of the free pre-school year in early childhood care and education (ECCE programme). As a result, statistical information in relation to the numbers of children and young people living in Ireland is a crucial factor in my Department's planning for programme development and budgetary requirements.

The significant increase in birth rates in Ireland in recent years has been closely monitored by my Department. In particular, the introduction of the ECCE programme for 3 to 4 year olds in January 2010 coincided with a significant upward trend in the birth rate during the period 2006 to 2009. As a result, the annual cost of the ECCE programme has risen over the course of 2010 to date.

The Department of Public Expenditure and Reform was advised that this would be the case, and this was reflected in the additional budgetary provision of €9.8m which was secured for the ECCE programme in 2012.

It is my intention to maintain the free pre-school year as a universal programme despite the continued increase in the number of eligible children which the latest CSO study continues to indicate, and the fact that additional funding may be required.

I am also very conscious that work is continuing on improvement of quality within the pre-school year. All of the available evidence indicates that the quality of the provision is key to obtaining good outcomes for children. In particular, I would like to see further progress in workforce development within the sector and I will be working with my colleagues, the Minister for Education and Skills and the Minister for Social Protection, to determine how this might be managed in the context of current financial constraints.

### **Employment Rights Issues**

191. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs if her attention has been drawn to concerns about exploitation in the au pair industry arising from the lack of a regulatory framework (details supplied); if she accepts that this puts both children and au pairs at risk; and if she will consider the establishment of an interdepartmental working group to address the issues concerned. [21951/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I recently met representatives of the Migrant Rights Centre Ireland in relation to these matters. It transpired from our discussions that the issues of concern were primarily in relation to the establishment and protection of employment rights. As such it is a matter for the consideration of the Department of Jobs, Enterprise and Innovation, whose function it is to establish and protect employment rights, as would the introduction of any regulatory framework.

### **Ministerial Expenditure**

192. **Deputy John McGuinness** asked the Minister for Children and Youth Affairs the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in her Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in her Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if she will make a statement on the matter. [22031/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As my Department was established in June 2011, the information requested by the Deputy refers to this period onwards and is set out below. As there are no Ministers of State at my Department the information relates to the Secretary General and to Ministerial staff appointments made by me.

In accordance with Department of Finance instructions on Ministerial appointments, I have appointed three Special Advisers (two of whom work share on a 50/50 basis), a Personal Assistant, a Personal Secretary and two civilian drivers. Their relevant costs, including travel and subsistence is set out hereunder:-

-	2011	2012	2013
-	€	€	€
Secretary General (Travel and Subsistence)	283	3,171	0
Ministerial Appointees (Travel and Subsistence)	4,509	13,279	5,147
Ministerial Appointees (Salaries)	197,061	345,577	120,241

### Youth Services

193. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she has had discussions with providers of youth support services throughout the country with a view to targeting areas or priority deemed to be in need of early attention; and if she will make a statement on the matter. [22072/13]

198. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the degree to which her Department is in a position to liaise with various youth groups and organisations throughout the country with a view to addressing the issues most commonly identified; and if she will make a statement on the matter. [22077/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 193 and 198 together.

Funding of €53.498m, including €1.75 for a new capital funding programme, has been provided to my Department in 2013 for the provision of youth services and programmes to young people throughout the country through a number of schemes.

These schemes include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2, Local Drug Task Force projects and certain other provisions including the Local Youth Club Grant Scheme and Youth Information Centres. This funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector. There are some 1,400 youth work staff in 477 projects and over 40,000 volunteers involved in the provision of services and activities for young people.

Each year over 380,000 young people participate in youth services. Youth work and non-formal learning in its many programmes and activities; recreational, sporting, learning, volunteering and personal development, offers young people opportunities to acquire new competences and skills such as critical thinking, problem solving, resilience, motivation, creativity and leadership. These are core and transferable life skills; the 21st century skills that are so important to equip young people for the challenges in today's world.

My Department works closely with the youth sector organisations to address the needs of children and young people. The National Youth Work Advisory Committee is an important source of advice and guidance to my Department in developing youth policy and initiatives. The committee is composed of a chairperson and 32 members drawn equally from the voluntary and statutory sectors involved in the administration and provision of youth work programmes and services. This committee advises my Department on matters relating to the development and coordination of youth work policies, programmes and services.

I have met, and will continue to meet, with many youth organisations and groups to try and see how we can work together to minimise the impact of the savings required under the Comprehensive Review of Expenditure and to see how we can work together to ensure the most effective and efficient use of the resources available in order to continue to support the provision of quality youth services to young people.

### **Child Protection Services**

194. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which incidents of physical, psychological or other forms of child abuse have been notified to her Department in each of the past two years to date; the extent to which adequate follow up response has been achieved; and if she will make a statement on the matter. [22073/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Statutory responsibility for the delivery of child welfare and protection services rests with the HSE, which is the appropriate body to receive all reports of concerns relating to all forms of child abuse.

My Department occasionally receives calls from individuals concerned about the safety and wellbeing of a child. In all such cases my officials provide whatever assistance is required to allow such an individual make a proper referral to the statutory authorities. Such assistance can often include my officials contacting the HSE directly on behalf of a correspondent. It is not possible to quantify the volume of such calls.

As regards the Deputy's query in relation to follow up of such referrals, my Department does not receive information in this regard. However, the HSE are always requested to highlight to my Department any cases which may have policy or legislative implications. This is the position for all cases referred to the HSE, not only those which come through my Department.

*Question No. 195 answered with Question No. 36.*

### **Child Protection Issues**

196. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she has adequate resources available to her Department in line with requirements and responsibilities arising from child protection legislation; and if she will make a statement on the matter. [22075/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department was set up to drive the delivery of key commitments in relation to children and young people and to put in place a unified framework of policy, legislation and provision across Government in respect of children and young people.

The 2013 estimate includes an allocation of €443m for my Department which represents an increase of €16m over the 2012 allocation and this clearly demonstrates the continuing com-

mitment of this Government to the ongoing development of quality and effective services to support children and families.

As regards service delivery, the commitment to establish a new Child and Family Agency is at the heart of the Government's reform of child and family services. The new Agency will assume responsibility for Children and Family Services, currently provided by the HSE, and the Family Support Agency. It will have a workforce of approximately 4,000 staff, and a combined existing budget of over €590 million. The Agency will be headed by Gordon Jeyes, as the Chief Executive designate, who will be supported by a senior management team. In order to achieve genuine improvements for children and families, the Agency will have a broader focus than child protection. Prevention, early intervention, family support and therapeutic & care interventions are all key to the provision of integrated multi-disciplinary services for children and families based on identified need.

It is my intention that the new Agency will address the persistent issues which have been raised regarding the standardisation of services, communication, coordination and sharing of risk assessment, management and treatment for many of the children and families with the most complex needs. At the same time, the Agency will have a role in supporting families - providing less complex, less intrusive and less expensive responses which have a preventive function.

The new Child and Family Support Agency and the wider transformation of children's services represents one of the largest, and most ambitious, areas of public sector of reform embarked upon by this Government. The level of resources available to the Agency year on year will be progressed through the usual Estimates process in the context of service planning and performance monitoring processes.

### **Child Poverty**

197. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department has been made aware of youth poverty; her strategy to address any such issues; and if she will make a statement on the matter. [22076/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has been given lead responsibility for implementing a new Area-Based Approach to Child Poverty programme during 2013-2016. This initiative was announced as part of Budget 2013 and has a funding allocation this year of €2.5 million, This is expected to increase to €4.75 million in 2015. The Initiative reflects the Programme for Government commitment to adopt an area-based approach to child poverty in co-operation with philanthropic partners, drawing upon best international practice and existing services, to break the cycle of child poverty where it is most deeply entrenched and improve the outcomes for children and young people where these are currently significantly poorer than they are for children and young people living elsewhere in the State. Officials in my Department are currently engaged in discussions with a philanthropic partner with a view to securing additional co-funding for the programme.

The new programme will build on and continue the work of the Prevention and Early Intervention Programme which has also been implemented by my Department. This earlier programme involved the implementation of a range of evidence based programmes and practices on a pilot basis in three areas of high social and economic disadvantage. The programmes aimed at improving outcomes for children and young people in relation to literacy, speech and language, health and pro-social behaviour as well as supporting improved parenting skills. The programmes are currently being evaluated by national and international experts.

The three existing areas of programme interventions, together with at least three additional areas, are expected to participate in the new programme. In addition, it is my intention to broaden the impact of the programme by, where appropriate, beginning the process of mainstreaming as many as possible of the evidence based programmes which have had positive test outcomes and are cost-effective. The establishment of my Department's new Child and Family Agency later this year will be important to this process.

Officials in my Department are leading a cross-Departmental Project Team to ensure that arrangements for the introduction of the new programme are put in places at the earliest possible date. Applications to participate in the programme were invited from interested consortia last month and the closing date for their receipt is 31st May 2013. Information relating to the application process is available from my Department.

*Question No. 198 answered with Question No. 193.*

*Question No. 199 answered with Question No. 36.*

### **Juvenile Offenders**

200. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department expects to examine issues surrounding juvenile offenders with particular reference to identifying the social and or economic contributory factors; and if she will make a statement on the matter. [22079/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I would like to inform the Deputy that the Irish Youth Justice Service (IYJS) which is based in my Department and includes officials from the Department of Justice and Equality is currently finalising a Youth Justice Action Plan which will sit within the Children and Young People's Policy Framework (CYPPF) 2013-2018 currently being developed in my Department but will also form part of the National Anti-Crime Strategy being developed as part of the draft White Paper on Crime process being finalised by my colleague Minister Shatter.

Youth crime will always be a concern but we now know from hard data that the vast majority of young people grow out of crime. In order for the public to have confidence in a youth justice system, it needs to be reasonably assured that it is effective in its policies and delivery.

The focus for the forthcoming Youth Justice Action Plan will be to continue the downward trends in high volume crime and detention; becoming more adept in understanding and intervening in more serious crime offending patterns; and improving the effectiveness and efficiency of these interventions in addressing the behaviour and needs of these children. The Plan involves evidence-informed targeted interventions to achieve better outcomes for children who get into trouble with the law, and to reduce crime leading to safer communities. Importantly, the voice and experiences of children involved in the youth justice system have influenced the development of these interventions.

Of course, the Deputy will be aware that my Department is responsible for a range of supports to families and children which, although not directly related to juvenile offenders, seek to address many of the social and economic contributory factors. I hope to bring a seamless new approach to policy development and integrated service provision for children so that they have the best possible start to life. In order to design and develop effective policies and services that make a difference, then as a first step, we need to better understand our children: their lives, their experiences, their expectations.

My Department's National Strategy for Research and Data on Children's Lives 2011-2016 sets out a 5 year plan to guide and support the development and use of research and data on children's lives, for the purpose of improving understandings and creating an evidence base to support policy and practice. Several of the priority areas identified in the strategy relate to the experience of children and young people in contact or in danger of coming in contact with the justice system.

The Deputy will be aware of the commitment given at broader systemic and cultural level through the way we deliver services, in particular through the work of the new Child and Family Agency (CFA) which will be established this year. At the heart of the new Agency will be a new Service Delivery Framework, which will differentiate between child welfare and protection cases, such that family and child welfare concerns can be responded to by new multi-agency, community-based models for early intervention and family support. The new Agency will represent the practical application of a new approach towards 'proportionate' service responses.

### **Mental Health Services Provision**

201. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she continues to liaise with health service providers, youth organisations and educationalists with particular reference to the identification of the causes of depression amongst young persons; the extent to which she continues to find it possible to address these issues or introduce new initiatives; and if she will make a statement on the matter. [22080/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The prime responsibility for policy in relation to the treatment and support for young people with depression currently lies with the Department of Health.

The issue of depression in young people is a complex issue requiring inputs from a wide range of stake-holders including young people, parents, schools, the media, youth organisations and the Primary Care and Child and Adolescent Mental Health Services of the Health Service Executive (HSE).

My Department supports the National Youth Health Programme which is in partnership with the HSE and the National Youth Council of Ireland. The programme's aims are to provide 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. Its work programme is informed by the knowledge and experience of the partners involved and most particularly by the Health Promotion Unit of the HSE and by the National Youth Council of Ireland which is the representative body for some 50 youth organisations in Ireland.

This work is achieved through the development of programmes and interventions specifically for and with youth organisations throughout the country and the provision of training and support for workers and volunteers who implement these programmes. It is covered under the MindOut Mental Health Promotion training and resource pack delivered to youth organisations. The training is based on the resource MindOut which was developed by Health Promotion HSE West and NUI Galway. MindOut is a twelve session mental health programme which takes a positive approach to the promotion of emotional and mental health among young people, looking at the ways they cope ranging from personal coping skills to informal networks of support to professional or voluntary support services. MindOut adopts a universal mental health promotion approach which has strong links with the "Support for all" element of the recent guidelines on Mental Health Promotion for Schools published by the HSE, the Department of Education and Skills and the National Office for Suicide Prevention.

The National Youth Health Programme also offers a Specialist Certificate in Youth Health Promotion. This programme is accredited by NUI Galway and adopts a whole organisational approach to health promotion. It focuses on a holistic model of an individual's health and mental health and reinforces youth work as a valuable setting for mental health promotion.

Actions needed to address this issue obviously extend beyond the remit of my Department. My Department is currently leading the preparation of the new Children and Young People's Policy Framework which will represent a whole-for government approach to addressing issues affecting children and young people including their well being.

### **Youth Unemployment Measures**

202. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she and or her Department has directly or in conjunction with other Departments managed to focus on the issue of youth unemployment; if particular strategies are deemed to be appropriate and successful; and if she will make a statement on the matter. [22081/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government is tackling unemployment generally through the twin strategies of the Action Plan for Jobs and Pathways to Work. My Department worked closely with the Departments of education and skills, social protection, jobs, enterprise and innovation and others as part of a cross departmental effort to realise this objective and to progress the Government's Action Plan for Jobs.

Youth unemployment is a particular concern because of the prospects it holds for young people themselves, their personal development and for social inclusion. The Government has a range of measures in place to tackle youth unemployment and these include programmes and initiatives in education, training, job search assistance/ work experience and to encourage job creation.

As Minister for Children and Youth Affairs, my aim is to highlight the potential youth work can play, as part of the response to the youth employment challenges, through collaboration with other interests. Each year over 380,000 young people participate in youth work services throughout the country. Youth Work and non formal learning, in its many programmes and activities, recreational, sporting, learning, volunteering and skills development, offers young people opportunities to acquire new competences and skills such as critical thinking, problem solving, collaboration, motivation, creativity and leadership. These are core and transferable life skills- the 21st century skills that are so important to training and career readiness. There is a growing recognition in Ireland and across Europe of the potential of youth work services to enhance employability of young people as part of a wider employment and enterprise strategy.

Youth employment is a theme which I prioritised during my Presidency of the EU Council of Youth Ministers through focusing on the potential of youth work and young people's engagement in youth activities and the way that non formal learning complements more formalised systems of employment, education and training. At the recent EU Youth Conference in Dublin, hosted by the Irish Presidency, over 250 young people and policy makers jointly discussed social inclusion challenges that impact on young people's lives such as employment and social supports as well as the role of quality youth work.

I will invite the EU Youth Council later this month to adopt Council Conclusions on the contribution of youth policy to addressing the goals Europe 2020 to maximise the contribution of youth policy in addressing the challenges young people face. I also plan, as part of the Presidency programme, to host an expert round table event on quality youth work and its contribu-

tion to youth employment (20–21 June 2013, Kildare).

On my invitation the National Youth Council of Ireland (NYCI) has submitted a proposal for the development of a national programme to address the needs of the most marginalised young jobseekers not in education, employment or training. This proposal is under review in my Department.

Minister Bruton published the 2013 Action Plan for Jobs last February on behalf of the Government and in that context my Department will continue to work closely with the Department of Jobs, Enterprise and Innovation, to identify in what ways the youth sector can contribute to shared policy objectives to address youth employment.

### **Child Abuse**

203. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she intends to enhance the procedures to ensure a rapid response to reports and or suspicions of child abuse; if she has in mind any particular initiatives in this regard; and if she will make a statement on the matter. [22082/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** All Child Protection and Welfare referrals are managed through the HSE Children and Families Standardised Business Process.

All reports of concern for the safety and well-being of a child come into the Duty/Intake team for assessment. All staff receiving such a referral are trained in the duty system and are obliged to treat seriously all child welfare and child protection concerns whatever their source.

The report and response nature of referrals is reflected in the following process. Step 1 – the screening staff deal with the information reported and preliminary enquiries are concerned with determining an appropriate response. Step 2 – referral process – the screen step is concerned with screening out those enquiries, reports, requests for service etc that do not belong with Child Protection & Welfare Teams. Once it is agreed by the duty team leader that it is a correct referral it is allocated immediately for an Initial Assessment. Step 3 – the initial assessment is a time-limited process to allow the gathering of sufficient information on the needs and risks within a case so that informed decisions and recommendations can be made and actions that will result in better outcomes for children are taken.

The duty team leader together with members of the team will deem the information received as: level 1 – child and family must be seen immediately; level 2 – child and family must be seen within 3 days; level 3 – child and family be seen within 7 days.

In identifying Risk it is the ‘professional judgement’ of the duty team leader to assess if immediate action is required. Risk is assessed if the child is at ‘ongoing significant risk’. This is to be decided based on the information received on the referral: 1) The seriousness of the abuse reported; 2) The likely level of risk to the future safety and welfare of the child; and 3) The degree of professional confidence in the information that either the abuse has occurred and is likely to be repeated or that the child is at immediate risk. Risk analysis continues throughout the 21 days allocated to complete the assessment. All information on the extensive process is available on the HSE website under the Standardised Business Process documentation. The full implementation of the Business Process continues to enhance the processing of all referrals throughout the country.

## **Bullying in Schools**

204. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs if she will outline her progress within her Ministerial remit on combatting incidences of bullying amongst young persons; in particular, if she has consulted with the Department of Education and Skills on a multi-Departmental approach to combatting homophobic bullying in schools; and if she will make a statement on the matter. [22100/13]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** As Minister for Children & Youth Affairs, I am committed to working with colleagues in Government to ensure that integrated policy responses to combat bullying are high on our agenda. Our Programme for Government commits that “we will encourage schools to develop anti-bullying policies and in particular, strategies to combat homophobic bullying to support students.”

The implementation of the Action Plan on Bullying, which is being led by the Department of Education and Skills, is an important step in delivering on this commitment to work with a broad base of interests to protect children from bullying and ensure a safer childhood.

In recognising the particular need to tackle homophobic bullying, and the broader issues of prejudice in society, the working group which produced this Action Plan included representatives of BeLonG To Youth Services and the GLEN (Gay & Lesbian Equality Network); organisations working to support Lesbian, Gay, Bisexual and Transgendered young people and to advocate for respect and inclusion of all citizens equally.

As part of its contribution to the Working Group’s deliberations BeLong To Youth Services consulted with young people from across Ireland on their experiences of homophobic or transphobic bullying in schools. Two thirds of the young people consulted had experienced homophobic or transphobic bullying in schools. Research commissioned by the GLEN (Gay & Lesbian Equality Network) and BeLong To Youth Services on the experiences of young LGBT people in Irish schools has found that 50% reported the existence of homophobic bullying in their schools.

I am pleased to advise the Deputy that the actions set out in the Action Plan to tackle this problem are being progressed. My Department is currently developing “A Children and Young Peoples Policy Framework” which will set out high level goals for both my own and other Departments for the next five years. The Policy Framework is expected to be published later in 2013. The development of an Anti Bullying Framework is being progressed in the context of this whole-of-government policy framework. My Department is also working to place the Children First Guidelines on a statutory footing. Within this process we will explore any additional clarifications that may be required to further assist schools in their response to bullying.

The Deputy may be aware that an additional €500,000 has been allocated to the Education Vote to supplement the existing substantial resources within the system dedicated to the welfare of young people. I understand that work is underway in the Department of Education and Skills to develop new anti-bullying procedures for schools in consultation with the Education Partners with a view to their introduction from next September. There will also be engagement with Boards of Management and parents in relation to coordinated training and resources development.

In recognising the lead role of schools, the National Education Welfare Board has issued guidelines requiring each school to have dedicated policies to prevent or address bullying. Schools must make it clear in their code of behaviour that bullying is unacceptable.

Since the Action Plan was launched, two successful awareness raising initiatives have been

rolled out. The first campaign was launched as part of EU Safer Internet Day in February. As part of it, the Government supported a national anti-cyberbullying media campaign specifically targeted at young people. The second, which I launched on March 6th, was the Stand Up! Awareness Week Against Homophobic & Transphobic Bullying in second level schools which was organised by BeLongTo Youth Services and was a key action point of the Plan.

The Anti Bullying agenda is a recurring element in all our consultations with young people. It is notable that the majority of the 34 Comhairle na nÓg initiatives funded by my Department have identified mental health services, cyber bullying and homophobic bullying as priority issues for young people. In response, this has led a number of targeted measures being adopted by service providers across the country.

Organisations and schools throughout the country are running anti-bullying campaigns and transition year students continue to pioneer student-led projects aimed at combating bullying and cyber bullying. My Department will continue to support the efforts of these projects and of teenagers who want to play a leading role in the national campaign against bullying.

Corporations are also playing their part. I recently organised a number of information nights for parents, teachers and youth workers which were supported by webwise and facebook. IBM have just launched free Activity Kits on cyber bullying, online identity and internet safety coaching and I hope that companies such as these will support the development of the of an anti-bullying website to provide a single point of access to practical advice and support in tackling and reporting bullying behaviours. Preliminary scoping work is underway towards this development.

My Department continues to work with other Departments, childcare services, education welfare services and the youth sector to raise awareness about bullying, its impact on children and young people and to advance measures to tackle prejudice, combat bullying and promote a safer environment for our young people.

### **Departmental Funding**

205. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs if she outline the funding being currently provided to all Youth Work projects in County Kildare for each of the past three years; if she will itemise the funding by specific organisation funded; if she will provide the total spend in each year in County Kildare in the context of the total spend nationally on such youth services; and if she will make a statement on the matter. [22101/13]

**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 Peoples Facilities and Services Fund Rounds 1 and 2 and Local Drugs Task Force Projects.

There are six projects in Co. Kildare under the aegis of Kildare Youth Services funded under the Special Projects for Youth Scheme. Funding is also provided for a Youth Information Centre in Naas. There are significant youth issues relating to early school leaving and substance misuse and projects offer a wide range of programmes and services aimed at addressing these issues. My Department is currently compiling the details of the funding provided to youth work projects in Co Kildare and this information will be forwarded directly to the Deputy in

the coming days.

### **National Lottery Funding Disbursement**

206. **Deputy Michael Healy-Rae** asked the Minister for Health if funding will be made available to an organisation (details supplied) in County Kerry; and if he will make a statement on the matter. [21925/13]

**Minister for Health (Deputy James Reilly):** My Department administrates a National Lottery Discretionary fund which provides once-off grants to community groups and voluntary organisations, providing a range of health related services. The application form and full details are available on the Department's website at *www.doh.ie*.

### **Eating Disorders**

207. **Deputy Brendan Griffin** asked the Minister for Health if he will help tackle an issue regarding eating disorders (details supplied); and if he will make a statement on the matter. [22066/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Having examined the details raised in relation to the Internet and eating disorders, I wish to stress, in the first instance, that the Internet is an international and worldwide phenomenon, that has no borders and no single control mechanism. Therefore, efforts to combat harmful materials and activities on the Internet can be hampered by the multiplicity of jurisdictions, various legal systems, differing societal norms, or other relevant factors in this regard. Many pro-eating disorder websites may be hosted outside this jurisdiction, principally in the United States. As such, they would be subject to US jurisdiction, and any effective action is therefore limited in nature.

Notwithstanding such difficulties, there is in Ireland a self-regulatory framework in place for internet service providers (ISPs). The Internet Service Providers Association of Ireland Code of Practice and Ethics sets out clear guidelines and minimum standards in respect of dealing with complaints regarding suspected illegal material. However, pro-eating disorder websites are not regarded as illegal. The Deputy may rest assured that the Department of Health, in conjunction with other relevant agencies, are cognisant of the issues raised in this instance and will continue to pursue an inter-agency response to policy and service developments to best tackle eating disorders overall. A key feature of this, obviously, is to promote awareness of the dangers involved among the younger sections of our population.

### **Health Insurance Cost**

208. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the recent announcement regarding further increases in the private health insurance market; if this will make it impossible for already financially struggling families to afford private health insurance; and if he will make a statement on the matter. [22102/13]

**Minister for Health (Deputy James Reilly):** As Minister, I have no legal power to intervene in relation to health insurance prices set by the health insurance providers. The insurance companies, operating as commercial providers with a view towards profit generation, make commercial decisions about their prices. However, it is clear that any significant price increases will make it more difficult for customers to renew their policies, therefore I have consistently

raised the issue of costs with health insurers and am determined to address costs in the sector in the interests of consumers. Last year, I established the Consultative Forum on Health Insurance which comprises representatives from the country's main health insurance companies, the Health Insurance Authority (HIA) and my Department. This Forum was established to generate ideas which would help address health insurance costs, whilst always respecting the requirements of competition law. I have made it clear to the health insurers that I believe significant savings can be made, the effect of which can be to contain the cost of health insurance premiums.

Given VHI's very significant share of overall costs in the market, I will continue to focus strongly on the need for the VHI to address its costs and to address aggressively the base cost of procedures, including professional fees. At my instruction, the VHI recently compiled a detailed cost containment plan, which sets out savings targets for 2013 and for the 2014-2016 period, so as to minimise the need for any future premium increases. The savings targets over this period are to be achieved through a combination of initiatives including rate reductions with private hospitals and consultants, utilisation management, expansion of clinical audit, reductions in high cost drugs and prosthesis, provider reviews and the continued transition of procedures to lower cost, medically appropriate settings. I will continue to focus strongly on this issue, as part of measures to ensure the sustainability of the private health insurance market in the transition to a Universal Health Insurance system.

In the meantime, many consumers can make large savings on their health insurance premiums by shopping around for the health insurance plan that best suits their needs. For those who have been insured on the same plan for a number of years, it is important to review the level of cover to ensure that their needs are being met, without being over-insured. Consumers have a legal right to switch between or within insurers to get better value and to reduce their premium costs. The Health Insurance Authority (HIA) provides information to consumers regarding their rights and also on health insurance plans and benefits. The HIA's website [www.hia.ie](http://www.hia.ie) has a useful plan comparison tool which assists in finding suitable and competitive health insurance plans.

### **Mobility Allowance Scheme**

209. **Deputy Joe Higgins** asked the Minister for Health his views on the progress made on providing for the needs of those currently in receipt of the mobility allowance when the current scheme will expire. [21897/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** A Project Group, which is independently chaired, has been established to seek an alternative method to provide for the priority transport needs of people in a manner that does not run counter to the Equal Status Acts. The work of the Project Group is being supported by the National Disability Authority and includes representatives from the Irish Wheelchair Association, the Disability Federation of Ireland, an independent service user and advocate for people with disabilities and a retired County Council Manager with relevant experience. Both Minister Reilly and myself have instructed the Project Group to seek solutions across the whole of Government, so that alongside representatives from the Department of Health and the Health Service Executive, membership also includes representatives from Pobal and from the Departments of Transport, Tourism & Sport, Environment, Community and Local Government, Social Protection and Finance and the Revenue Commissioners. The Group who will report to Government this month, has met 6 times, with the next meeting scheduled for 22nd May, 2013. The results of the review, which has included a public consultation process, will be presented to the Government

before any final decisions are made on future arrangements. At this stage, I am not in a position to pre-empt the outcome of the review or the decision of Government.

### **HSE Funding**

210. **Deputy Dominic Hannigan** asked the Minister for Health the reason the decision taken by the Health Service Executive to either wholly or partly stop the issue of a research grant provided by his Department to the Irish Society for Quality and Safety in Healthcare via the H.S.E.; and if he will make a statement on the matter. [21909/13]

211. **Deputy Dominic Hannigan** asked the Minister for Health if it will be possible to get a copy of the value for money review that was undertaken by the Health Service Executive about Irish Society for Quality and Safety in Healthcare; and if he will make a statement on the matter. [21910/13]

212. **Deputy Dominic Hannigan** asked the Minister for Health if there are any plans to reduce the number of patient organisations that are in operation; if so, the reason; and if he will make a statement on the matter. [21911/13]

213. **Deputy Dominic Hannigan** asked the Minister for Health if he will open up communication with the Irish Society for Quality and Safety in the Healthcare in order that a new grant can be established for it; and if he will make a statement on the matter. [21912/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 210 to 213, inclusive, together.

Discussions in relation to the funding of the Irish Society for Quality and Safety in Healthcare are proper to the Health Service Executive (HSE), as appropriate to its holding of the Health Vote. I have arranged to have the Deputy's questions referred to the HSE for attention and a more detailed response.

### **Accident and Emergency Services Provision**

214. **Deputy Gerry Adams** asked the Minister for Health if the national ambulance service has signed off on a national transfer policy and if so, the date it was signed. [21946/13]

215. **Deputy Gerry Adams** asked the Minister for Health if there is at present a freeze on all transfers within the national ambulance service to the north west pending the outcome of a forthcoming Labour Court hearing. [21947/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 214 and 215 together.

As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Accident and Emergency Services Provision**

216. **Deputy Gerry Adams** asked the Minister for Health if the National Ambulance Service signed up to the Health Service Executive family friendly policy. [21948/13]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Speech and Language Therapy**

217. **Deputy Pat Deering** asked the Minister for Health the reason for the delay in speech therapy in respect of a child (details supplied) in County Carlow. [21962/13]

**Minister for Health (Deputy James Reilly):** The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Home Help Service Provision**

218. **Deputy Áine Collins** asked the Minister for Health further to Parliamentary Question No. 702 of 16 April 2013 (details supplied) his views on the matter. [21965/13]

**Minister for Health (Deputy James Reilly):** The HSE recognises the importance of home help and home care in supporting older persons to live in their own homes and communities, in accordance with Government policy. The 2013 National Service Plan includes the provision of 10.3 million hours of home help service, the same level as planned for in 2012. The number of hours worked by home helps varies according to service needs, given that the home help service requires a unique set of arrangements to achieve the level of flexibility required. On 29 June 2012, the Labour Court recommended that the HSE and SIPTU should engage in relation to matters concerning the contracts of home helps. Subsequently, on 16th October 2012, it identified mechanisms to define specified hours and protocols to be followed where specified hours are not met as issues to be addressed. At a further hearing on 12th December 2012, it noted that management proposals to deal with these issues would be encompassed in a comprehensive delivery model for home help services.

The parties subsequently met on a number of occasions under the auspices of the Labour Relations Commission, most recently on 30th April. While significant progress was made on a range of contractual matters including those identified by the Labour Court, the Commission is to refer a number of outstanding issues to the Labour Court.

### **Health Information and Quality Authority Issues**

219. **Deputy Mary Lou McDonald** asked the Minister for Health the plans in place to ensure permanent advocacy for women in institutionalised settings in their places of residence in view of the 2010 Health Information and Quality Authority inspection of one such setting which found that some institutional practices were observed which require to be reviewed, these include empowering residents to make decisions and choices in their daily lives, reviewing the form of addresses used and ensuring the confidentiality of residents' information [21968/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The introduction of legislation in relation to persons requiring assisted decision-making falls within the remit of the Minister for Justice and Equality. Under the Health Act 2007, statutory responsibility is given to the Chief Inspector of Social Services, part of the Health Information and Quality Authority (HIQA), for the independent inspection and registration of certain categories of designated centres. This includes residential care settings for older people. This responsi-

bility is underpinned by a comprehensive quality framework comprising the Health Act 2007, the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009, as amended, the Health Act 2007 (Registration of Designated Centres for Older People) Regulations 2009 and the *National Quality Standards for Residential Care Settings for Older People in Ireland*.

All nursing homes for older people, whether public, private or voluntary, are subject to the same core standards in relation to quality and safety. HIQA carry out inspections across the nursing home sector to ensure that these Standards are being met and that residents are receiving the best possible care. Regulation 10 of the Care and Welfare Regulations deals specifically with residents' rights, dignity and consultation. With regard to the National Quality Standards there are 32 standards under 7 groupings, *Rights, Protection, Health and Social Needs, Quality of Life, Staffing, The Care Environment and Governance and Management*. They are patient-centred, providing a blueprint for the provision of a higher standard of care delivered against a set of clear and comprehensive criteria.

In the case of the centre referred to by the Deputy, the specific matters were addressed by the Registered Provider and resolved to the satisfaction of the HIQA inspector.

### **General Medical Services Scheme Administration**

220. **Deputy Michael McCarthy** asked the Minister for Health the reasons treatment for a person (details supplied) in County Louth, who suffers from a rare debilitating condition, has had their request for the treatment abroad scheme refused despite strong medical evidence which supports their application; and if he will make a statement on the matter. [21993/13]

**Minister for Health (Deputy James Reilly):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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.

### **Health Screening Programmes**

221. **Deputy Denis Naughten** asked the Minister for Health the locations in which 24-7 stroke units currently operate; and if he will make a statement on the matter. [21996/13]

**Minister for Health (Deputy James Reilly):** The HSE National Clinical Care Programmes provide a national, strategic and co-ordinated approach to a wide range of clinical services. In relation to the National Stroke Programme, the aim of the programme is to save lives, reduce average length of stay (AvLOS) in hospitals and reduce admission of stroke patients to nursing homes. One of the objectives of the National Stroke Programme was to establish additional stroke units. Stroke units are generally referred to as acute stroke units, rehabilitation stroke units or combined acute and rehabilitation stroke units. The acute, combined and rehabilitation stroke units located in acute hospitals operate on a 24/7 basis. In relation to the Deputy's query regarding the locations of 24/7 stroke units I have forwarded the question to the HSE who will respond directly to you in this regard.

## Hospital Waiting Lists

222. **Deputy Pearse Doherty** asked the Minister for Health if he will provide in tabular form per department in Letterkenny General Hospital, County Donegal, the current waiting times for public patients; the number of public patients currently on each list; the average number of public patients treated per month; the number of persons waiting more than nine months for either an appointment or procedure; and if he will make a statement on the matter. [22011/13]

**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 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.

## Ambulance Service Provision

223. **Deputy Gerry Adams** asked the Minister for Health if he will provide an update on ambulance services in Drogheda, County Louth; if any decision has been taken to reduce the number of ambulances available to the area at night; when that decision will come into effect; the consultation that has been held in relation to that decision; the measures that have been put in place to deal with the pressures and the demands on the ambulance services in County Louth; and if he will make a statement on the matter. [22019/13]

**Minister for Health (Deputy James Reilly):** The National Ambulance Service (NAS) is not a static service. The Service deploys its resources in a dynamic manner and works on an area and national, rather than a local, basis. The dynamic deployment of ambulance resources ensures that the nearest appropriate resource is mobilised to the location of any incident. The NAS has been taking a number of steps to improve response times. These include development of a Performance Improvement Action Plan, an Intermediate Care Service, the control centre reconfiguration project and a trial emergency aeromedical service. Following a referral to the Labour Court under the Public Service Agreement, the NAS is currently progressing a number of efficiencies arising from LCR 20313, including the issue of removal of overtime built in to rosters. New rosters are now in place and are operating successfully. In relation to the specific queries raised by the Deputy, as these are service matters, they have been referred to the Health Service Executive for direct reply.

## Tobacco Control Measures

224. **Deputy Nicky McFadden** asked the Minister for Health his views on the potential negative impact upon legitimate manufacturing jobs in a tobacco company in Mullingar, County Westmeath; the proposed EU tobacco laws as set forth under the European Union Tobacco Products Directive may have; if these manufacturing jobs will be protected without compromising the EU's efforts to reduce smoking among young persons; and if he will make a statement on the matter. [22021/13]

**Minister for Health (Deputy James Reilly):** The Irish Government supports the overall objective of the proposal for the revised Tobacco Products Directive which is to reduce the numbers of people smoking. In particular the aim of the revised Directive is to reduce the attractiveness of tobacco products to young people. Approximately 700,000 people die every year in the EU from tobacco related illnesses.

Ireland, as one of the Tobacco Control leaders in the EU, supports any efforts at European level to limit the harm to health, society and to the economy caused by tobacco consumption. As Chair of the negotiations on the Directive during the Irish Presidency, we are working to progress the discussions and to build consensus among the Member States to facilitate the adoption of legislation which will ultimately reduce the number of EU citizens who die from tobacco related illnesses. These negotiations are on-going and no conclusion has been reached on the particular Article of the Directive which relates to the industry referred to in your question.

### **Patient Transport Provision**

225. **Deputy Mattie McGrath** asked the Minister for Health the assistance available towards the cost of transport to and from hospital appointments and where the patient is not in a position to pay for a taxi; and if he will make a statement on the matter. [22023/13]

**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 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. Under the supplementary welfare allowance (SWA) scheme, the Department of Social Protection administers a scheme which may help meet essential, once-off, exceptional expenditure, which a person could not reasonably be expected to meet out of their weekly income. These payments are known as Exceptional Needs Payments (ENPs). Enquiries relating to this scheme should be addressed to the Department of Social Protection.

### **Ministerial Expenditure**

226. **Deputy John McGuinness** asked the Minister for Health the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22038/13]

**Minister for Health (Deputy James Reilly):** The information in respect of travel and subsistence, both foreign and domestic, claimed by each Junior Minister and Secretary General in my Department is set out as follows:

Questions - Written Answers

Travel and subsistence claimed	2007	2008	2009	2010	2011	2012	2013
Junior Minister:-	€	€	€	€	€	€	€
Sean Power, TD	58,724	0	0	0	0	0	0
Brian Lenihan, TD	24,926	0	0	0	0	0	0
Tim O'Malley, TD	50,664	0	0	0	0	0	0
Jimmy Devins, TD	11,022	26,098	0	0	0	0	0
Brendan Smith, TD	0	986	0	0	0	0	0
Maire Hctor, TD	0	46,623	0	0	0	0	0
Pat the Cope Gallagher, TD	24,806	37,402	0	0	0	0	0
Barry Andrews, TD	0	412	1,399	664	0	0	0
John Moloney, TD	0	17,615	24,979	26,045	7,190	0	0
Trevor Sargent, TD	0	0	0	0	0	0	0
Mary Wallace, TD	0	0	43,746	0	0	0	0
Aine Brady, TD	0	0	11,102	17,722	0	0	0
Kathleen Lynch, TD	0	0	0	0	14,037	18,419	7,146
Roisin Shortall, TD	0	0	0	0	5,199	2,949	0
Alex White, TD	0	0	0	0	0	3,339	4,200
Secretary General:-	-	-	-	-	-	-	-
Michael Scanlan	3,012	2,213	507	939	0	47	0
Dr Ambrose McLoughlin	0	0	0	0	0	3,819	3,893

The information in respect of the number of staff appointed by each Minister and Junior Minister for the period 2007 to date in 2013 is currently being collated and will be forwarded to the Deputy as soon as it is available.

### Accident and Emergency Departments Waiting Times

227. **Deputy Thomas P. Broughan** asked the Minister for Health the further steps being taken to reduce the waiting times in the accident and emergency Departments Beaumont Hospital, Dublin. [22052/13]

**Minister for Health (Deputy James Reilly):** Since my appointment as Minister for Health, I have set out to address the issues which cause delays in patients being treated in our hospitals. I established the Special Delivery Unit (SDU), which is working to unblock access to acute services by improving patient flow through the system, including Beaumont Hospital. An intensive work programme is underway between the SDU's liaison officers, the Clinical Programmes and Beaumont Hospital teams. The SDU is satisfied that there is increased engagement at all levels in the hospital, focussing on working to achieve the national targets for unscheduled care so that emergency patients may be seen in a timely manner.

There has been some improvement in treatment times for patients at Beaumont Emergency Department (ED). On a year to date basis, at the end of April 2013, 54% of all ED patients were admitted or discharged within 6 hours and 68% were admitted or discharged within 9 hours. As measured by the INMO, there were 9% fewer patients on trolleys in the twelve months to the end of April 2013 compared to previous period. This is on top of the 15% improvement in 2012 compared to 2011.

In relation to the Deputy's question regarding the additional steps being taken to reduce

waiting times at the hospital, as this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy.

### **Health Strategies**

228. **Deputy Mary Mitchell O'Connor** asked the Minister for Health his views on research carried out by the National Coalition for Vision Health in Ireland, which indicates that the 220,000 already suffering sight loss could rise to 272,000 by 2020; if he is confident that he will be able to honour the commitment to the World Health Organisation guidelines to eradicate avoidable blindness by 2020; and if he will make a statement on the matter. [22056/13]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The issues involved in eye health are not specific to the disability sector, but would span a number of areas in the health sector in regard to access to treatment, patient safety and quality of care. The policy with regard to the disability sector is not condition-specific, with a focus on the development and implementation of policies to enable the Health Service Executive to fund a broad range of supports which enable people with disabilities to live full and independent lives in the community, with health supports provided as appropriate. In this regard, the implementation of the recommendations contained in the Value for Money and Policy Review of Disability Services, will assist in achieving a more person-centred service for people with disabilities, including those with sight and blindness issues, as much as other persons who have physical disabilities or related impairments and whose needs and issues are acknowledged in the Review.

There are a number of eye conditions which are part of Vision 2020 including cataract, refractive error, glaucoma, diabetic retinopathy and age related macular degeneration. There are detection and treatment services available at present in community and acute hospital settings for these conditions. In addition, there are a number of high level strategies which would be relevant to the area of eye health, including Clinical Programmes; Public Health; Health Protection; Positive Ageing and Carers Strategies and Screening initiatives. A number of these strategies link with the Clinical Ophthalmology Programme. The health sector will continue to provide and deliver vision services and supports through these programmes and specifically through health prevention, screening and intervention policies and programmes. In this context, it is not proposed to develop a national vision strategy.

### **National Lottery Funding Applications**

229. **Deputy Brendan Griffin** asked the Minister for Health if funding will be provided to a service (details supplied) in County Kerry; and if he will make a statement on the matter. [22064/13]

**Minister for Health (Deputy James Reilly):** My Department administrates a National Lottery Discretionary fund which provides once-off grants to community groups and voluntary organisations, providing a range of health related services. The application form and full details are available on the Department's website at [www.doh.ie](http://www.doh.ie).

### **Ambulance Service Provision**

230. **Deputy Michael Healy-Rae** asked the Minister for Health his views on the emergency call centres in counties Kerry and Cork (details supplied); and if he will make a statement on

the matter. [22069/13]

231. **Deputy Michael Healy-Rae** asked the Minister for Health if an independent safety audit has been carried out on a facility in Townsend Street which it is proposed will be taken over as an ambulance control room for Cork and Kerry; if one has not been carried out, if it will be carried out in the near future; and if he will make a statement on the matter. [22070/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 230 and 231 together.

The HSE National Ambulance Service (NAS), through its national control centre reconfiguration project, is continuing to rationalise the number of ambulance control rooms across the country, with a target of one system across 2 sites - Tallaght and Ballyshannon. This project is focused on improving call taking and dispatch functions and on delivering improved technology. This will assist in improving response times and will allow the NAS to deploy emergency resources in a much more effective and efficient manner, on a regional and national basis rather than within small geographic areas.

The control centre reconfiguration project is consistent with international best practice and is endorsed by HIQA as the most appropriate approach to improve the quality of services to patients and facilitate investment in technologically enabled service delivery. The project is also a key element of Future Health: A Strategic Framework for Health Reform in Ireland 2012-2015. The NAS intends to move the Cork, Tralee and Navan Control Centres to the existing facility in Townsend Street, pending completion of the Tallaght Control Centre. The NAS is satisfied that the move to Townsend Street will mitigate against existing risks in Cork, Tralee and Navan and will therefore improve the safety of services to patients.

The NAS has undertaken appropriate risk assessments in relation to this process. It is satisfied that Townsend Street can facilitate the interim move of the three control centres and is providing additional staff, training, technology and equipment to facilitate this process. The transfer will also improve the dynamic utilisation of resources in those areas, including rapid response vehicles, intermediate care vehicles and emergency ambulances.

### **Orthodontic Services Waiting Lists**

232. **Deputy Martin Ferris** asked the Minister for Health when a person (details supplied) may expect to receive orthodontic treatment. [22093/13]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines and priority is given to patients with greatest needs. The HSE has been asked to examine the specific query raised by the Deputy and to reply to him as soon as possible.

### **Hospital Waiting Lists**

233. **Deputy Martin Ferris** asked the Minister for Health when a person (details supplied) will receive an MRI scan. [22094/13]

**Minister for Health (Deputy James Reilly):** The management of inpatient and daycase waiting lists for patients awaiting public health care is based on the principle that after urgent and cancer patients are treated, then clinically assessed routine patients should be seen in chron-

ological order (i.e. longest waiter first). Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant and hospital involved.

In relation to the specific query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

### **Hospital Services**

234. **Deputy Martin Ferris** asked the Minister for Health if there will be an orthopaedic surgeon at Kerry General Hospital in July and August. [22095/13]

235. **Deputy Martin Ferris** asked the Minister for Health the number of persons currently awaiting orthopaedic surgery at Kerry General Hospital. [22096/13]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 234 and 235 together.

The Government has decided that the numbers employed across the public service must be reduced in order to meet its fiscal and budgetary targets. The Health Sector must make its contribution to that reduction. However, the HSE can make staff appointments once it remains within its overall employment ceiling and has the financial resources to do so.

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 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.

### **Children in Care**

236. **Deputy Billy Timmins** asked the Minister for Health in respect of the C case, the number of girls in care in State care that were taken to Britain or elsewhere for an abortion following a court decision, following testimony from a psychiatrist for the State that she was suicidal for each year from 1998 to date in 2013; the psychiatrist involved on each occasion; and if he will make a statement on the matter. [22108/13]

**Minister for Health (Deputy James Reilly):** As this is a matter for the Minister for Children, I have asked my colleague to reply directly to the Deputy.

### **Care of the Elderly**

237. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he continues to monitor activities at St Bridget's Nursing Home, Crooksling, County Dublin, with the objective of ensuring that the full scale of activities previously provided there continues, that the maximum utilisation of the facilities thereat remain intact and that endeavours be made

to ascertain to the extent to which further services can be provided in what is an ideal institution; if he will report on the extent if any to which services have diminished in the past twelve months and make provision for the immediate restoration; and if he will make a statement on the matter. [22110/13]

**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.

### **Crisis Pregnancy Services**

238. **Deputy Billy Timmins** asked the Minister for Health the position regarding crisis pregnancy agencies; the amount the State has given in funding to these agencies for each year from 2003 to date in 2013; the names of the agencies that have received funding; the amount each agency received for the years 2003 to date in 2013; and if he will make a statement on the matter. [22112/13]

**Minister for Health (Deputy James Reilly):** I have requested that my officials compile the information for each of the years from 2003 - 2013. When it is compiled I will write to you directly with the information.

### **Ministerial Expenditure**

239. **Deputy John McGuinness** asked the Minister for Transport, Tourism and Sport the amount of travel and subsistence both foreign and domestic claimed by each junior Minister and Secretary General in his Department for the period 2007 to date in 2013; the number of staff appointed by each Minister and junior Minister in his Department or constituency office and their relevant cost including travel and subsistence in each case for the period 2007 to date in 2013; and if he will make a statement on the matter. [22043/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The information requested by the Deputy is being compiled and will be forwarded as soon as possible.

### **Road Network**

240. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if construction works are likely to commence on the N3 north of Kells to Cavan, the N59 Moycul-len bypass and the N71 Bandon to Inishannon in 2013. [22051/13]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. The 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.

9 May 2013