

Written Answers.

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

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

Questions Nos. 11 to 54, inclusive, resubmitted.

Questions Nos. 55 to 63, inclusive, answered orally.

Child Benefit Rates

64. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if she will guarantee the current rates of child benefit as a universal payment; and if she will make a statement on the matter. [33251/13]

96. **Deputy Michael Moynihan** asked the Minister for Social Protection if she will provide an assurance to Dáil Éireann that there will be no reduction in child benefit rates in the forthcoming budget; and if she will make a statement on the matter. [33227/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 64 and 96 together.

Child benefit is a universal payment that assists parents with the cost of raising children and contributes towards alleviating child poverty. The estimated expenditure on child benefit in 2013 is around €1.9 billion and it is currently paid to around 613,000 families in respect of some 1.17 million children. The Government is conscious that child benefit, as a universal payment, is an important source of income for all families. Since becoming Minister for Social Protection, I have strongly defended the universality of child benefit because the State values every child and supports families. The fact that every family receives child benefit, regardless of their employment status, also ensures that there is not a disincentive to work. Any changes to the child benefit payment rate will be a matter for Government, to be considered as part of the annual budget and estimates process and I am not in a position to comment further at this time.

In addition to child benefit, the social protection system also provides assistance to low income families with children through the payment of qualified child increases on primary social welfare payments and through the family income supplement payment. Both of these provide a level of assistance which is directly or indirectly linked with a household's income situation. In the interest of achieving a better design of the overall system of child income supports, I established an Advisory Group on Tax and Social Welfare, which has been tasked with recommending cost-effective solutions as to how employment disincentives can be improved and better poverty outcomes achieved, particularly child poverty outcomes.

The Advisory Group prioritised the area of family and child income supports and its report

on this issue was published in February. It is the Government's intention that the report will now contribute to the policy debate. Given the range of complex issues involved, including fiscal, operational and legal considerations, as well as the implications for reforms in terms of child poverty and employment incentive outcomes, the Government has made no decision at this time on the core recommendations of the report. In considering the proposals to reform the structure of child and family income support payments, Government will also take into account further work by the Advisory Group on the issue of social protection and taxation supports for working age persons and more general developments in the budgetary and fiscal situation.

Rent Supplement Scheme Eligibility

65. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if she will look at the case of a person (details supplied) who is three years homeless and seven months pregnant with one daughter in school in Bray and who is unable to find any accommodation within the rent allowance caps; and if she will make a statement on the matter. [33191/13]

Minister for Social Protection (Deputy Joan Burton): No application for rent supplement has been received in respect of the person concerned. All claims are assessed on a case by case basis. The Department will be in a position to assess whether the client has an entitlement to a higher rent limit when an application has been received regarding same. An application can be sent to the Wicklow Rents Unit, PO Box 11758, Dublin 24.

Social Welfare Fraud Cost

66. **Deputy Michael Colreavy** asked the Minister for Social Protection the number of prosecutions taken for fraud against her Department; the cost of taking the cases and the full sum of moneys recovered for each of the past five years. [33267/13]

Minister for Social Protection (Deputy Joan Burton): The following table outlines the numbers of cases referred to the Chief State Solicitor's Office (CSSO) for consideration of criminal prosecution under social welfare legislation for the years 2008 to 2012. It also outlines the numbers referred to An Garda Síochána for consideration of prosecution under criminal justice legislation.

Cases referred for Legal Proceedings	2008	2009	2010	2011	2012
Criminal Cases	354	301	209	207	158
Cases referred to Gardaí	26	42	132	174	84
Total	380	343	341	381	242

Criminal prosecutions are taken against persons who defraud the social welfare system and employers who fail to carry out their statutory obligations. They are taken either by summary proceedings in the District Court or indictment proceedings in the Circuit Court. In addition, in cases where serious cases of identity fraud or multiple claiming occur, these are generally referred to the Gardaí for prosecution under criminal justice legislation. The legal costs are not borne by this Department and, therefore, that information is not readily available.

The Department ensures that cases that merit prosecution are forwarded for consideration of

legal proceedings and that all necessary evidential proofs are available. In considering cases of social welfare fraud for legal proceedings, the Department applies defined and recognised best practice standards. While criminal prosecutions are taken with a view to securing a conviction for the offences, the recovery of the overpayment in these cases is a separate issue. However, the monies that are recovered in cases prosecuted are not tracked individually. A social welfare overpayment will remain on a person's record until fully recovered. This will result in a reduction of all future entitlements up to and including pension. Following the death of a customer owing a debt to the Department, the Department will have a claim on any estate remaining.

Rent Supplement Scheme Eligibility

67. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection if there can be some leeway in the rent caps in the case of a person (details supplied); and if she will make a statement on the matter. [33192/13]

Minister for Social Protection (Deputy Joan Burton): No application for rent supplement for new accommodation has been received in my Department from the person concerned. Any new application would have to be considered in the context of the person's ability to meet the qualifying conditions for rent supplement and the revised maximum rent limits which came into effect on 17 June 2013.

Unfair Dismissals

68. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason no attempt has been made to recover from employers the full sum of social welfare appeals or other social protection payments paid to employees who are found to have been wrongfully dismissed by the Labour Court. [33262/13]

Minister for Social Protection (Deputy Joan Burton): Under the Unfair Dismissals Acts 1977 to 2007 a person may take a case to the Rights Commissioner Service or to the Employment Appeals Tribunal (EAT) if they feel they have been unfairly dismissed from employment. Where the case is upheld an award may be made against the employer in accordance with the penalties set out in that legislation. The unfair dismissals legislation falls under the remit of my colleague the Minister for Jobs, Enterprise and Innovation. However, I understand it provides for social welfare payments received after their dismissal to be disregarded in calculating the person's financial loss. Therefore, the person is not penalised for having been in receipt of a social welfare payment following their dismissal. The purpose of the insolvency payments scheme is to protect certain outstanding pay-related entitlements due to employees where their employer is insolvent in line with the legislation governing the scheme. These include wages, holiday pay, and various statutory awards made by the EAT and the Rights Commissioners, including awards under the unfair dismissals legislation. The Minister becomes a preferential creditor with regard to payments made under the scheme.

Generally, where the employer is continuing to trade, the Department would not be aware, and would have no reason to be aware, that a person had received an award under the Unfair Dismissals Acts. Therefore, it would not be possible for the Department to recoup social welfare payments from the employer. In addition, to do so could be inequitable, it would likely be administratively complex and it may have implications for the unfair dismissals process as a whole. Consideration of such issues would be a matter for my colleague the Minister for Jobs, Enterprise and Innovation in the first instance.

State Pensions Reform

69. **Deputy Sandra McLellan** asked the Minister for Social Protection when she plans to double the rate of the State pension which she has recently been quoted as proposing. [33258/13]

Minister for Social Protection (Deputy Joan Burton): The sustainability of State pension into the future is vital given the changing demographics, the increased numbers of those over 65 and increased longevity and reduced dependency ratio. Sustainable public finances are a prerequisite for future economic stability and growth, as well as being a prerequisite for maintaining and developing our social protection system. The Government's priority is to secure economic recovery, promote growth and employment. To this end, the State must pursue a determined deficit reduction strategy. Accordingly, there will be an on-going requirement to curtail expenditure in 2013 and in later years.

There are, therefore, considerable challenges ahead including the need to protect, as far as possible, the key income supports and services operated by my Department. These services and supports impact in some way on the lives of almost every single person in the State. The scope and scale of this expenditure plays a key role in the wider economy and helps to partially offset the effect of the downturn.

In relation to the forthcoming Budget, the Deputy will be aware that the Expenditure Report 2013 published by the Department of Public Expenditure and Reform last December provides for additional new expenditure reduction measures of €440 million to be achieved in 2014 in the Department of Social Protection budget. The Government have not made any decisions in relation to measures to be introduced in budget 2014. The Government will finalise its consideration of the Budget in the coming months having regard to all of its commitments, including the commitment in the Programme for Government to maintain welfare rates. The outcome of this process will be announced on Budget Day. Any plans to change State pension will be a matter to be decided in a budgetary context and announced on Budget day.

Youth Unemployment Measures

70. **Deputy Thomas P. Broughan** asked the Minister for Social Protection her priorities for areas within her Department which she will be recommending for no further cuts in budget 2014; her views on her Department's plans to enhance work activation schemes for young unemployed persons here following the agreement reached on the Youth Guarantee scheme at European level. [33208/13]

Minister for Social Protection (Deputy Joan Burton): The Government have not made any decisions in relation to measures to be introduced in Budget 2014. The Government will finalise its consideration of the Budget in the coming months having regard to all of its commitments, including the commitment in the Programme for Government to maintain core welfare rates. The outcome of this process will be announced on Budget Day.

Youth unemployment continues to present a major challenge for Ireland as it does for most Member States. Recognising the urgency required in tackling the challenge of youth joblessness, the EPSCO Council quickly agreed on the Recommendation on a Youth Guarantee in February. The Government and the Department were at the forefront of securing agreement on the adoption of the EU Council Recommendation on the Youth Guarantee. The Recommendation is that Member States should: *Ensure that all young people under the age of 25 years receive a good-quality offer of employment, continued education, an apprenticeship or a traineeship within a period of four months of becoming unemployed or leaving formal education.*

As part of the European Council agreement on the 2014 – 2020 EU Budget in February, it was decided, in association with the agreement on the Youth Guarantee, to provide €6 billion for a new Youth Employment Initiative (YEI) for regions with particularly high levels of youth unemployment. This funding will consist of €3 billion from the European Social Fund and an additional €3 billion from a new Youth Employment budget line. Proposals supported by the Irish Presidency that payments of the Youth Employment Initiative be front-loaded and all monies provided for this purpose be used in 2014 and 2015 were approved by the European Council last month. In addition, the European Council President, Herman Van Rompuy intimated in the final days of the Irish Presidency that a further €2 billion may be available, arising from proposed changes to the EU's Multiannual Finance Framework.

It is recognised, both in the Youth Guarantee Recommendation itself and more generally, that the pace of implementation must take account of the scale of the youth unemployment and inactivity challenge and consider the fiscal capacity of each Member State. At the same time, Member States should take all possible measures to ensure that the Recommendation is swiftly implemented. For our own part, the Government will now review the current range of youth employment policies in Ireland to assess what measures will need to be taken to commence the implementation of the Guarantee. It is intended to produce a concrete plan for the implementation of the Guarantee before the end of 2013. The Government intends to work with all relevant stakeholders to maximise the impact of a Youth Guarantee in Ireland.

The scale and nature of any additional measures required for the implementation of a Guarantee at national level will depend on the trend in youth unemployment, and in particular the number of young people likely to experience periods of unemployment of more than four months under current policies. While recent trends have been positive in this regard, the implementation of a Guarantee will, almost certainly, require an expansion in the range of opportunities currently on offer to young people in the form of further education and training, internships, subsidised private-sector recruitment, and supports for self-employment. In terms of a starting point to implementation, we sought funding from the European Commission (€250,000) for a proposed pilot Youth Guarantee project in the Ballymun area. I am pleased to say that our submission was one of those approved by the commission for funding and I expect that the Ballymun project will commence later this year.

Farm Assist Scheme Eligibility

71. **Deputy Brendan Griffin** asked the Minister for Social Protection her plans to review current qualifying criteria for farm assist; and if she will make a statement on the matter. [32895/13]

74. **Deputy Joe McHugh** asked the Minister for Social Protection if she will acknowledge the importance of farm assist as a dependency support for many farm families in rural Ireland; if she will commit to fully reviewing the scheme ahead of budget 2014; and if she will make a statement on the matter. [32897/13]

107. **Deputy Joe McHugh** asked the Minister for Social Protection her views on the farm assist scheme; if she will acknowledge its importance as a dependency support for many farm families in rural Ireland; and if she will make a statement on the matter. [32898/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 71, 74 and 107 together.

The farm assist scheme is based on jobseeker's allowance. It was introduced in 1999 to

replace 'Smallholders Unemployment Assistance' for low income farmers, without the requirement to be available for and genuinely seeking work. Farm assist recipients retain all the advantages of the jobseeker's allowance scheme such as retention of secondary benefits and access to activation programmes. Farm assist is a flexible payment and any farmer experiencing lower levels of income or cash-flow issues can ask his-her local social welfare-Intreo office to examine the level of means applying to his-her claim.

The assessment of means for the purpose of qualifying for farm assist is designed to reflect the actual net income and looks at gross income, less any expenses necessarily incurred, from farming. Income and expenditure figures for the preceding year are generally used as an indicator of the expected position in the following year. However, account is taken of any exceptional circumstances so as to ensure that the assessment accurately reflects the current situation. In the case of new entrants or persons changing from one type of farming to another the assessment looks at all expected annual income and is based on normal output and costs appropriate to normal stock levels, capacity, and market trends.

I met with a delegation from the Irish Farmers Association in May 2013 to discuss a range of issues, including difficulties arising as a result of fodder shortages and the operation of the farm assist scheme generally. Subsequent to that meeting my officials have held further discussions with the Irish Farmers Association and the operation of the scheme is under on-going consideration. Any changes to the scheme would be a matter for Government to consider in a budgetary context.

Youth Guarantee

72. **Deputy Timmy Dooley** asked the Minister for Social Protection the total amount of funding allocated from the European Union for the youth guarantee scheme here; her views on the adequacy of this funding; and if she will make a statement on the matter. [33215/13]

Minister for Social Protection (Deputy Joan Burton): As part of the European Council agreement on the 2014 – 2020 EU Budget in February, it was decided, in association with the agreement on the Youth Guarantee, to provide €6 billion for a new Youth Employment Initiative (YEI) for regions with particularly high levels of youth unemployment. This funding will consist of €3 billion from the European Social Fund and an additional €3 billion from a new Youth Employment budget line. Proposals supported by the Irish Presidency that payments of the Youth Employment Initiative be front-loaded and all monies provided for this purpose be used in 2014 and 2015 were approved by the European Council last month. In addition, the European Council President, Herman Van Rompuy intimated in the final days of the Irish Presidency that a further €2 billion may be available, arising from proposed changes to the EU's Multiannual Finance Framework.

It is recognised, both in the Youth Guarantee Recommendation itself and more generally, that the pace of implementation must take account of the scale of the youth unemployment and inactivity challenge and consider the fiscal capacity of each Member State. At the same time, Member States should take all possible measures to ensure that the Recommendation is swiftly implemented. For our own part, the Government will now review the current range of youth employment policies in Ireland to assess what measures will need to be taken to commence the implementation of the Guarantee. It is intended to produce a concrete plan for the implementation of the Guarantee before the end of 2013. The Government intends to work with all relevant stakeholders to maximise the impact of a Youth Guarantee in Ireland.

The scale and nature of any additional measures required for the implementation of a Guar-

antee at national level will depend on the trend in youth unemployment, and in particular the number of young people likely to experience periods of unemployment of more than four months under current policies. While recent trends have been positive in this regard, the implementation of a Guarantee will, almost certainly, require an expansion in the range of opportunities currently on offer to young people in the form of further education and training, internships, subsidised private-sector recruitment, and supports for self-employment.

Development of an implementation plan will include identification of the costs of implementation, and how it is envisaged that these will be met, how much can be provided from domestic sources, and what is the likely requirement from EU funds, e.g. ESF and YEI. The amount that would be required for Ireland will only become clear when the implementation plans are drawn up. The precise amount that will be available to Ireland from the EU funds is also as yet unclear. Hence, it is not currently possible to comment on the adequacy or otherwise of the funding that will be available. In terms of a starting point to implementation, we sought funding from the European Commission (€250,000) for a proposed pilot Youth Guarantee project in the Ballymun area. I am pleased to say that our submission was one of those approved by the commission for funding and I expect that the Ballymun project will commence later this year.

Social Welfare Offices

73. **Deputy Derek Keating** asked the Minister for Social Protection if she will consider opening a temporary social welfare office in the Lucan area, County Dublin, until an adequate premises is located by the Office of Public Works; and if she will make a statement on the matter. [32896/13]

Minister for Social Protection (Deputy Joan Burton): The Property Management Section of the Office of Public Works (OPW) is responsible for the acquisition of all accommodation requirements for the Department. The Department has identified the need for a new office to serve the Lucan-Adamstown area and the Office of Public Works is committed to providing a new Intreo Office in this area during 2014. Given the time required to secure new leases and the expenditure involved, it is not considered appropriate to open a temporary Social Welfare Local Office at this time.

Question No. 74 answered with Question No. 71.

Pension Provisions

75. **Deputy Timmy Dooley** asked the Minister for Social Protection if she is concerned at the failure by a number of companies to submit to the Pensions Board plans for the way they intend to return their defined benefit pension schemes to surplus; and if she will make a statement on the matter. [33240/13]

Minister for Social Protection (Deputy Joan Burton): The Funding Standard, which monitors the funding level of defined benefit pension schemes, was re-introduced in June 2012 and pension schemes were required to submit funding proposals to the Pensions Board by end June 2013. The Funding Standard had been in abeyance following the financial downturn in 2008, until June 2012. Many administrative and legislative measures were introduced during that period to assist the sustainability of defined benefit pension schemes.

The majority of schemes either already have a current actuarial funding certificate with the

Pensions Board, in which case they do not have to submit a funding proposal, or they have submitted funding proposals. Of those have not met the deadline of 30 June, a number have been in contact with the Pensions Board with a view to submitting proposals very shortly. The Board will, in the coming days, be formally contacting schemes that have not submitted plans to ascertain their particular circumstances. The Board will decide what steps to take, scheme by scheme, on a measured basis and taking account of the individual scheme circumstances. However, it must be emphasised that trustees must meet their legal obligations, and ultimately the Pensions Board will use its regulatory powers where benefit underfunding is not properly addressed.

Illness Benefit Reform

76. **Deputy Catherine Murphy** asked the Minister for Social Protection if her attention has been drawn to the application documentation which is necessary to apply for illness-related social welfare benefits which has been found to be badly designed in so far as it frequently does not provide clear instruction and space for medical professionals to include critical information; if she has evidence which demonstrates that insufficiently filled out forms lead to a high number of initial rejections and that this represents a serious barrier to genuinely-deserving individuals and increases administration costs; and if she will make a statement on the matter. [33204/13]

Minister for Social Protection (Deputy Joan Burton): The key principles underpinning the design of the Department's application forms are the use of clear and simple language, with consistent layout and presentation across both online and paper forms. All primary application forms are designed to facilitate the use of scanning and automated processing. This ensures that the application is processed as efficiently as possible and that customers receive their entitlement in a timely manner. Primary application forms are regularly reviewed, including those parts of forms that relate to the provision of medical evidence, to ensure they request only the information required to establish the customer's entitlement, in a clear and easy to understand manner. A key aspect of this review is customer feedback and a number of channels are used for this including consultative fora, customer panels and a formal complaints process.

In support of their application for medical based schemes, customers are advised to submit all medical evidence they have in support of their claim. The disability and illness related schemes require that all available medical evidence is assessed by the Department's Medical Assessors (MAs) and this, together with other qualifying criteria such as means testing, qualifying contributions, etc. are taken into account in assessing claims. In addition to application forms which are completed by trained medical professionals (GPs), all applicants are encouraged to provide as much additional information in support of their case as they wish, in the form of additional papers, medical reports, test results, scans, X-rays, etc. All medical evidence submitted is considered by the Department's MAs as part of their assessment.

I am satisfied that the initiatives underway in the Department, the improvements in processes and procedures supported by the redesign of application forms, and the Department's use of modern technology will continue to deliver an improved and efficient service to customers. Any specific suggestions to improve forms would be welcomed and considered in future subsequent design reviews.

Departmental Budgets

77. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she is satisfied

regarding the availability to her Department of the necessary resources to meet the widest possible scale of eventualities arising from the ongoing economic situation which she inherited, with particular reference to the need to meet the needs of all categories of persons now dependent on a payment from her Department with particular reference to incentives to address such issues such as youth unemployment, disability/invalidity payments/entitlements and/or upskilling; and if she will make a statement on the matter. [33189/13]

Minister for Social Protection (Deputy Joan Burton): The Estimates for the Department of Social Protection as published in the 2013 Revised Estimates (REV) provides for expenditure of €20.243 billion on schemes, services and administration in 2013. The Estimates are based, in the main, on an analysis of trends as regards likely numbers of recipients and average value of payments in 2013. Actual trends on individual schemes are being closely monitored on an ongoing basis and overall expenditure is very close to target at the end of June. Decisions about the adequacy of resources available to the Department in 2014 will be taken in the overall budgetary context.

The Deputy will be aware that the Department of Public Expenditure and Reform's Expenditure Report 2013 published last December provides for additional new expenditure reduction measures of €440 million to be achieved in 2014 in the Department of Social Protection. Reducing overall expenditure in 2014 in line with this target will be very challenging. The Government will be giving detailed consideration to the formulation and composition of its overall budget package and future expenditure ceilings over the coming months, including measures relating to this Department.

Social Welfare Offices

78. **Deputy Martin Ferris** asked the Minister for Social Protection when the Thomas Street, Dublin 8, Ballyfermot, Dublin 10 and the Bishop's Square social protection offices will be upgraded to Intreo offices; the additional staff training required to facilitate the change; and the progress being made to achieve the required upskilling. [33263/13]

Minister for Social Protection (Deputy Joan Burton): The Office of Public Works is responsible for the provision of the Department's property requirements, including refurbishment and fit out works. The Intreo roll-out for upgrading accommodation operates on a rolling programme and is heavily weighted towards a significant number of offices completed by the end 2013 and the remainder throughout 2014. Preparations are underway in Ballyfermot and Bishop's Square and it is expected that these offices will be completed by the end 2013 and during 2014 respectively.

The Department expects to relinquish the lease of the Thomas Street premises and earlier this year the Office of Public Works sought expressions of interest from landlords and their agents for a new premises to service the customers of that office. A number of options have been explored and negotiations have commenced. Given that this is new accommodation and given the scale of the project it is expected to be delivered in 2014. With regard to the rollout of Intreo offices I can advise the Deputy that the first twelve Intreo offices are now live and it is intended to convert a further 31 offices to full Intreo working by the end of this year and to complete the full roll-out to all 63 offices of the Department in 2014. It is to be noted that key elements of the Intreo model are being rolled-out in advance of the physical modification of offices. Personal profiling is already in place in all offices while individual progression planning and the accelerated integrated decision process will be operational in all offices by the end of this year.

The Intreo roll-out is being supported by a training and development plan for all offices to equip staff and management to deliver this new service. The Department's centralised training section, Staff Development Unit, works in partnership with a dedicated Intreo Project Team and local management to address identified training needs for each Office in preparation for the provision of the new service to customers. All of the training is being developed and delivered by in-house training resources and, to date, there has been no expenditure on external providers for Intreo-related training. Where additional training is required following the introduction of the new service, this is provided on an on-going basis.

Management and staff are receiving training in a range of areas including decision-making, the habitual residence condition, community welfare service awareness, customer service, change management, non-violent crisis intervention, presentation skills and internal IT systems training. These training programmes range from one half-day session to two weeks in duration. Former FÁS employment service officers, who joined the Department in January 2012, undertook Adult Guidance and Education training at NUI Maynooth as part of their role-specific development. They continue to use these skills in their daily interaction with customers regarding activation into employment or education.

The Department is currently developing a training course for newly-appointed case officers to equip them with the skills necessary to operate in this new role and this may include an external training element. In addition, the Department is beginning a process to review and redesign its functional training programmes, focusing on the business skills required for key frontline roles in the organisation, with a view to preparing these programmes for future accreditation. A Request For Tender will issue in this regard later this year.

Social Welfare Schemes

79. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will provide details of each social protection scheme; the annual cost of each scheme; and the numbers availing of the payment for each of the past three years. [33270/13]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy is collated by the Department annually for inclusion in the Statistical Information on Social Welfare Services report which is laid before the Dáil when published and copies lodged in the Oireachtas library. Furthermore these reports are available to the public at www.welfare.ie/en/Pages/Annual-Statistical-Information-Reports.aspx. I enclose for the Deputy's convenience a tabular statement detailing the number of persons in receipt of a Social Welfare payment and the annual cost of each scheme at 31 December in each of the years 2010 to 2012. The annual scheme costs for 2012 are provisional, pending auditing by the Comptroller and Auditor General.

Expenditure by Scheme 2010 to 2012 (provisional)

Scheme	2010 €000	2011 €000	2012 €000
State Pension (Non-Contributory)	977,293	971,769	963,211
State Pension (Contributory)	3,451,503	3,622,746	3,800,469
State Pension (Transition)	108,194	132,395	146,468

Questions - Written Answers

Scheme	2010 €000	2011 €000	2012 €000
Widow's, Widower's or Surviving Civil Partner's Contributory Pension	1,335,584	1,337,865	1,342,192
Death Benefit Pension	7,778	7,977	7,827
Jobseeker's Allowance	2,809,381	2,974,987	3,054,741
One-Parent Family Payment	1,110,328	1,088,897	1,057,753
Widow's, Widower's, or Surviving Civil Partner's Non-Contributory Pension	19,252	18,173	17,670
Deserted Wife's Allowance	5,020	4,211	3,546
Basic Supplementary Allowance	206,570	174,393	179,437
Farm Assist	110,931	113,724	108,170
Pre-Retirement Allowance	77,850	59,942	46,091
Jobseeker's Benefit	1,285,438	926,900	735,747
Deserted Wife's Benefit	93,387	85,828	83,536
Maternity Benefit	323,938	309,141	303,196
Adoptive Benefit	891	1,075	465
Health & Safety Benefit	588	643	518
Back to Education Allowance	179,851	201,519	199,567
Back to Work Allowance / Back to Work Enterprise Allowance	87,960	114,582	127,203
Part-Time Job Incentive Scheme	1,157	1,032	1,370
Community Employment Programme	-	349,396	330,399
Tus-Community Work Placement Scheme	-	11,761	67,055
Rural Social Scheme	-	46,835	45,242
National Internship Scheme-JobBridge	-	7,914	54,739
Disability Allowance	1,109,505	1,089,178	1,087,512
Blind Pension	16,032	15,624	15,747
Carer's Allowance	501,789	507,193	509,671
Illness Benefit	942,571	875,549	773,224
Injury Benefit	17,884	16,507	15,848
Invalidity Pension	639,994	606,502	603,925
Disablement Pension	78,822	77,460	76,123
Carer's Benefit	26,288	24,474	24,453
Family Income Supplement	185,998	204,543	223,608

Scheme	2010 €000	2011 €000	2012 €000
Guardian's Payment (Non-Contributory)	4,697	5,134	4,987
Guardian's Payment (Contributory)	11,462	11,416	10,848
Rent Allowance	804	701	663
Child Benefit	2,213,429	2,076,338	2,046,955
Domiciliary Care Allowance	95,710	99,924	102,237

Recipients by Scheme at 31 December in each of the years 2010 to 2012

Scheme	2010	2011	2012
State Pension (Non-Contributory)	97,179	96,749	96,126
State Pension (Contributory)	280,419	296,995	312,314
State Pension (Transition)	10,206	12,110	14,372
Widow's, Widower's or Surviving Civil Partner's Contributory Pension	114,579	115,762	116,751
Death Benefit Pension	633	628	645
Jobseeker's Allowance	261,850	283,929	294,442
One-Parent Family Payment	92,326	90,307	87,918
Widow's, Widower's, or Surviving Civil Partner's Non-Contributory Pension	1,977	1,959	1,860
Deserted Wife's Allowance	487	409	336
Basic Supplementary Allowance	37,413	34,597	32,358
Farm Assist	10,714	11,333	11,162
Pre-Retirement Allowance	6,021	4,820	3,684
Jobseeker's Benefit	123,457	96,044	80,291
Deserted Wife's Benefit	8,372	8,071	7,753
Maternity Benefit	23,456	23,947	22,850
Adoptive Benefit	53	45	14
Health & Safety Benefit	60	61	60
Back to Education Allowance	21,147	24,666	25,033
Back to Work Allowance Employee	851	182	18
Back to Work Enterprise Allowance	7,958	10,751	10,810

Scheme	2010	2011	2012
Part-Time Job Incentive Scheme	161	180	215
Community Employment Programme	N/A	22,589	22,445
Tus-Community Work Placement Scheme	N/A	2,077	4,530
Rural Social Scheme	N/A	2,537	2,591
Disability Allowance	101,111	102,866	101,784
Blind Pension	1,485	1,496	1,456
Carer's Allowance	50,577	51,666	52,209
Illness Benefit	81,253	73,397	64,429
Injury Benefit	835	776	671
Invalidity Pension	50,766	49,792	50,053
Disablement Pension	13,721	13,993	14,202
Interim Illness Benefit	374	327	363
Carer's Benefit	1,642	1,637	1,638
Family Income Supplement	28,223	28,876	32,307
Guardian's Payment (Non-Contributory)	429	441	433
Guardian's Payment (Contributory)	919	955	938
Rent Allowance	179	159	141
Child Benefit	591,432	597,333	608,733
Domiciliary Care Allowance	23,428	24,101	24,699

One-Parent Family Payment Expenditure

80. **Deputy Sean Fleming** asked the Minister for Social Protection the number of persons who will be affected by the proposed changes to the lone parent's allowance which will commence on 4 July; the savings she estimates will be made from these changes; and if she will make a statement on the matter. [33216/13]

100. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if her attention has been drawn to the fact that the activation measures introduced by her, combined with changes to one-parent family payment in the past two years, are having the opposite effect to that intended. [33257/13]

108. **Deputy Michael Colreavy** asked the Minister for Social Protection the full saving-cut made to one-parent family payment recipients for each of the past three budgets. [33266/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 80, 100 and 108 together.

There are currently 83,210 people who receive the one-parent family payment (OFP). The cost of the OFP scheme was €1.06 billion in 2012 and is estimated to be €935 million in 2013. In 2013, on foot of the OFP reforms which came into effect on 4 July, it is expected that up

to 9,300 recipients will leave the OFP scheme. Up to 8,000 of these will lose entitlement this month. These numbers reflect the maximum number of cases who may lose entitlement in 2013. This reform is expected to yield estimated savings of €3.94m in 2013.

The reforms to the OFP scheme are predicated on activation and on getting customers who may have experienced recurring poverty and social exclusion traps back into the workforce once their children have reached an appropriate age. The Survey on Income and Living Conditions (SILC) figures published by the Central Statistics Office (CSO) in February, 2013, show that, in 2011, 16.4% of lone parents in Ireland were experiencing ‘consistent poverty’ – compared to 6.9% of the population as a whole. In order to address these issues, I am introducing reforms to the OFP scheme that aim to ensure better long-term outcomes for lone parents and their families.

It is expected that the majority of those who will lose their entitlement to the OFP payment will apply for the jobseeker’s allowance (JA) scheme. Lone parents who apply for JA and whose youngest child is under 14 years of age can avail of the new JA transition arrangement. The JA transition arrangement is provided for in the Social Welfare and Pensions (Miscellaneous Provisions) Act, 2013 and is a specific measure for lone parents transitioning from OFP to JA, whose youngest child is under 14 years of age. Customers who avail of this arrangement will be exempt from the JA conditionality that requires them to be available for, and genuinely seeking, full-time work. They will also be exempt from having to prove unemployment and be able to work part-time without restrictions and still receive the JA payment – subject to a means test.

The JA transition arrangement recognises the difficulty of parenting alone and will ease the transition of former OFP recipients with children of primary school age onto the JA scheme. Without it, it is likely that many former OFP recipients would not have qualified for the JA payment as their caring responsibilities may have prevented them from being available for, and genuinely seeking, full-time work. Significantly, the JA transition arrangement will still require that this group of customers fully engage with my Department’s full activation process. This is the same requirement that applies to all other jobseekers.

The OFP reforms are designed to provide the necessary supports to enable lone parents improve their skills and enhance their prospects of progressing into employment. As part of this process lone parents who transition to the jobseeker schemes will have access to the full range of supports and services provided under my Department’s activation service.

The following table outlines the savings, as announced, for budget measures that affected OFP recipients only in Budgets 2011, 2012 and 2013.

Year	Measures	Savings
2011	Reduction in the weekly rates of payment on OFP of €8 to €188 per week	€38.56m
2012	Reduction in the age of the youngest child for payment of OFP, reduction in the earnings dis-regard and cessation of the 6 month transitional payment on OFP	€15.3m
2013	Continued implementation of the 2012 reforms.	€36.97m

OFP recipients may have been affected by other budget measures in the last three years that

also affected other social welfare recipients such as changes to the child benefit scheme, fuel allowance etc. These savings are not included in the above table.

Youth Guarantee

81. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the number of young persons under 25 years of age who have received an offer of employment, continued education, an apprenticeship or a traineeship within a period of four months of becoming unemployed or leaving formal education since the youth guarantee scheme was announced; and if she will make a statement on the matter. [33256/13]

Minister for Social Protection (Deputy Joan Burton): While the Recommendation for an EU-wide Youth Guarantee Scheme was adopted during the Irish Presidency, the implementation of the scheme across the EU has yet to begin. It is recognised, both in the Youth Guarantee Recommendation itself and more generally, that the pace of implementation must take account of the scale of the youth unemployment and inactivity challenge and consider the fiscal capacity of each Member State. At the same time, Member States should take all possible measures to ensure that the Recommendation is swiftly implemented. For our own part, the Government will now review the current range of youth employment policies in Ireland to assess what measures will need to be taken to commence the implementation of the Guarantee. It is intended to produce a concrete plan for the implementation of the Guarantee before the end of 2013.

The Government intends to work with all relevant stakeholders to maximise the impact of a Youth Guarantee in Ireland. The scale and nature of any additional measures required for the implementation of a Guarantee at national level will depend on the trend in youth unemployment, and in particular the number of young people likely to experience periods of unemployment of more than four months under current policies. Development of an implementation plan will include identification of the costs of implementation, and how it is envisaged that these will be met - how much can be provided from domestic sources, and what is the likely requirement from EU funds, e.g. ESF and YEI. The amount that would be required for Ireland will only become clear when the implementation plans are drawn up.

As part of the European Council agreement on the 2014 – 2020 EU Budget in February, it was decided, in association with the agreement on the Youth Guarantee, to provide €6 billion for a new Youth Employment Initiative (YEI) for regions with particularly high levels of youth unemployment. This funding will consist of €3 billion from the European Social Fund and an additional €3 billion from a new Youth Employment budget line.

Proposals supported by the Irish Presidency that payments of the Youth Employment Initiative be front-loaded and all monies provided for this purpose be used in 2014 and 2015 were approved by the European Council last month. In addition, the European Council President, Herman Van Rompuy intimated in the final days of the Irish Presidency that a further €2 billion may be available, arising from proposed changes to the EU's Multiannual Finance Framework. The precise amount that will be available to Ireland from the EU funds is also as yet unclear. Until clarity is provided on this issue, the finalisation of any implementation plan will not be possible.

In terms of a starting point to implementation, we sought funding from the European Commission (€250,000) for a proposed pilot Youth Guarantee project in the Ballymun area. I am pleased to say that our submission was one of those approved by the commission for funding and I expect that the Ballymun project will commence later this year.

Social Welfare Code Issues

82. **Deputy Clare Daly** asked the Minister for Social Protection her plans to bring in legislation to deduct maintenance orders from social welfare payments where the court order is ignored. [32892/13]

Minister for Social Protection (Deputy Joan Burton): Under family law provisions, it is possible to apply to the court for an Attachment of Earnings Order. An Attachment of Earnings Order can be sought if the person is in employment, on social welfare or in receipt of a private pension, resulting in the maintenance being deducted at source. Under the Family Law Act 1995, it is possible to apply for this attachment at the initial maintenance hearing, if the person applying to court fears that there will be a default of maintenance. Where a judge deems it appropriate to attach welfare payments, this Department complies with all such Family Law Maintenance Orders received by deducting the amount specified in the court order from a social welfare recipient's payment.

Job Creation Issues

83. **Deputy Mick Wallace** asked the Minister for Social Protection her plans to allow private contractors provide employment activation services for the long-term unemployed; and if she will make a statement on the matter. [33205/13]

Minister for Social Protection (Deputy Joan Burton): The Pathways to Work initiative launched last year signalled the potential of contracting with third party providers to complement the existing capacity of the Department of Social Protection and the Local Employment Services to deliver employment services. The potential contribution of such contracting and the design of a contracting approach has since been considered by the Department working with an Interdepartmental group, comprising representatives of this Department, the Department of Public Expenditure and Reform, the National Economic and Social Council, the Offices of the Attorney General and the Chief State Solicitor. The Department also availed, following an open tender process, of expert international advice. Arising from this evaluation, the Cabinet Committee on Pathways to Work approved in principle a proposal to tender for the provision of employment services and agreed to the issue Prior Information Notice (PIN), which was published on 28 June. This notice formally notifies the market that the State intends to procure employment services. A PIN is a discretionary and exploratory first step in a procurement process. The publication of a PIN will enable the State to engage with potential vendors and other interested parties to gauge the level of market interest and will assist in finalising tender-contract design. A final decision on whether or not to proceed to full tender, and if so in what form, will be made once this engagement process is completed. It is important to note that our intention in exploring this option is not to displace existing resources within the Department and the LES but to contract with other parties so as to complement and work alongside these resources and thereby increase our capacity to serve unemployed people.

Social Welfare Offices

84. **Deputy Alan Farrell** asked the Minister for Social Protection if she will provide an update on the provision of a social welfare office in Balbriggan, County Dublin, for local community welfare services in view of the fact that currently recipients are required to travel to the city centre; and if she will make a statement on the matter. [32894/13]

Minister for Social Protection (Deputy Joan Burton): I am pleased to advise the Deputy that, with effect from 1 July 2013, community welfare services (CWS) for the Balbriggan area, which were previously administered from Gardiner Street, Dublin 1, have transferred to Balbriggan Social Welfare Local Office, Mill Street, Balbriggan. As a result, all CWS services for the Balbriggan area are now delivered locally. Local TDs and the Citizen Information Centre were informed of the re-location of services in advance of the change. The CW services now provided from the Local Office covers all CW services for Balbriggan North (north of the Bracken Court Hotel) and their maintenance thereafter.

The Clinic times are: Monday - 9.30am to 11.30am; Wednesday - 9.30am to 11.30am; Thursday - 10.30am to 12.30pm; Friday - 10am to 11am (emergencies only). There will also be an appointments service on Wednesday afternoons between 2pm to 4pm. Customer emergencies will be dealt with as they arise and are not restricted to the clinic time's referred to above. Customers can contact the CWS by phone on 01-6913812 and 01-6913813. There is no change to the delivery of Community Welfare services for the remaining area of Balbriggan which is administered from Balbriggan Health Centre.

Community Employment Scheme Numbers

85. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection the number of participants on special community employment allowance and their locations; if the full allocation of CE allowance positions has been filled and the reason there are empty positions. [33269/13]

Minister for Social Protection (Deputy Joan Burton): At June 2013 there were 895 participants on drug rehabilitation places on Community Employment. Seventy-four per cent (664) of these places were in the Dublin Region and a further 14 per cent (125) were located in Cork Central. Table 1 details drug rehabilitation places by region. There is no special allowance for participants on drug rehabilitation places however there are special conditions to support the delivery of drug rehabilitation places on Community Employment. These conditions cover participant eligibility, referral, programme delivery and expected outcomes.

Table 1: Drug Rehabilitation Places by Region

Region	Number
Cork Central	125
Dublin Central	338
Dublin North	130
Dublin South	196
Mid Leinster	28
Midlands North	1
Mid West	7
North East	15
North West	1
South East	33
South West	5
West	16
Grand Total	895

There are 1,000 drug rehabilitation places on CE, at June 2013 there were 895 places filled (excluding Supervisors).

Intreo Offices are ensuring that eligible persons for CE are made aware of the opportunities on CE and it is anticipated that this will help raise the demand for CE. The Department continues its commitment to getting people back to work as set out in the Programme for Government and the *Pathways to Work* documents.

The overall number of places available under CE has been increased by 2,000 to 25,300 (including supervisors) in 2013 with a budget of circa €352m. The composition of participant numbers has changed in recent years with a decline in One Parent Family Clients and clients in receipt of a disability payment and an increase in take-up by persons on Jobseekers Allowance. The change in participant composition has proved challenging for some sponsors and the department is working with these sponsors to assist them in filling the places already assigned to them. This additional allocation of places includes a priority being given to applicants who are referred to CE drugs rehabilitation places, childcare and social care. The take-up of CE places will be closely monitored. The Department is committed to reforming CE to ensure value for money, progression of the job seeker and support for community services.

Question No. 86 answered with Question No. 63.

Rental Accommodation Scheme Administration

87. **Deputy John Halligan** asked the Minister for Social Protection if she will look at the case of a person (details supplied) whose son has a disability who has been issued with a notice to quit in her current accommodation and cannot find anywhere to live within the rent caps; and if she will make a statement on the matter. [33194/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned will be contacted by an officer from this Department in order to discuss her case.

Social Welfare Appeals Delays

88. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she can streamline and-or accelerate the process for the determination of appeals in respect of disability payments, invalidity pensions or other disability related payments with a view to minimising the impact and-or hardship on the community; and if she will make a statement on the matter. [33190/13]

106. **Deputy Alan Farrell** asked the Minister for Social Protection the steps she has taken to reduce the waiting time for social welfare appeals and details of the success to date; and if she will make a statement on the matter. [32893/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 88 and 106 together.

There has been a rapid and sustained increase in the number of appeals received in the Social Welfare Appeals Office since 2009 which has placed extraordinary pressure on the office. Up to 2009, the average number of appeals received was 15,000 per annum whereas in 2012, the office received 35,484 appeals.

In order to manage this increasing workload, significant resources and efforts have been

put into reducing backlogs and improving appeals processing times for appellants, including the assignment of 15 additional Appeals Officers, in addition to 10 former Community Welfare Service Appeals Officers who joined the appeals office in 2011, bringing the total number of serving Appeals Officers to 41; reviewing and improving business processes; and implementing a new operating model within the appeals office.

In addition, a major programme of process redesign and modernisation is currently underway in the Department in relation to many of its scheme areas, aimed at reducing backlogs and reducing the time taken by the Department to respond to requests from the appeals office for submissions in relation to appeals.

These measures have led to improvements in processing times and a significant increase in the number of appeals finalised from 17,787 in 2009 to 32,558 in 2012. The Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012. Good progress is also now being made in reducing the number of appeals on hand from 20,414 at 1 January 2013 to 16,542 at 1 July 2013.

The average waiting time for appeals peaked in 2011 when the average time for an oral hearing was 52.5 weeks and for a summary decision was 25.1 weeks. In 2012 these times improved by 10.3 weeks when the average time for an oral hearing dropped to 39.5 weeks while the time for a summary decision increased slightly to 27.8 weeks. This improvement has continued with the average processing time up to June 2013 reducing to 36.2 weeks for an oral hearing and 27.6 weeks for a summary decision.

These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent awaiting any clarification from the appellant, time in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. For example in cases of schemes which include medical criteria such as disability allowance or invalidity pension, the time taken by the Department may include a review by a different medical assessor to the one who initially examined the case, and there may even be a third review by a medical assessor where additional medical evidence is submitted. A considerable period of time is also added when an oral hearing is required because of the logistics involved in this process. While this process carries an inherent delay in terms of finalising an appeal, it also crystallises the flexibility and accessibility of the appeals system.

By its nature and because it is a quasi-judicial function, the processing of appeals takes time and reflects the fact that, by definition, the appeal process cannot be a quick one. However, if an appellant's means are insufficient to meet their needs, it is open to them to contact their local Community Welfare Services concerning their eligibility for Supplementary Welfare Allowance while their appeal is pending.

Unemployment Statistics

89. **Deputy Martin Ferris** asked the Minister for Social Protection if her attention has been drawn to the fact that there is a 60% unemployment rate in Cherry Orchard, Dublin; and her plans to address the needs of areas with high levels of unemployment. [33247/13]

Minister for Social Protection (Deputy Joan Burton): The definition of unemployment used in the above-mentioned survey is self-defined unemployment as opposed to the stricter definition used by the ILO. This can mean that people who are not working but who are also

unavailable for work such as students and carers may be classified as unemployed in such a survey. The methods used in the survey can also be questioned (e.g. door-to-door surveys can capture less employed people as they are more likely to be out at work). While recent Live Register figures show that there has been a 4.8% decrease in the numbers signing on in Ballyfermot in the past twelve months (and a fall of 11.3% in the number of young people signing on), the Government recognises that unemployment black spots exist in specific areas across the country and need to be addressed.

The Government's approach to tackling the unemployment problem is to focus resources on those individuals most at risk of long-term unemployment. Up to the recent past, this has been based on identifying all persons who remain on the Live Register for three months after first signing on, and referring them for more intensive job-search assistance and guidance. Increasingly, referral is now based on profiling people at the beginning of a spell of unemployment, so as to focus resources on those most in need at an even earlier stage. By definition, such an approach focuses resources on those areas where unemployment is highest and of longest duration. The roll-out of the profiling system at my Department's 'one-stop-shop' Intreo offices will further enhance this effect as one of the main variables in the profiling system is geographical location. In other words, if someone comes from an area of high unemployment, s/he will, all other things being equal, receive more targeted assistance.

In addition, the geographical distribution of places on employment programmes such as CE and Tús & training programmes has been highly correlated with unemployment rates for each region. Within the Tús programme there is a specific area-based approach to the allocation of places. The 5,000 places on the scheme are allocated to community and voluntary organisations involved in the delivery of local services in urban and rural areas. The allocation is based on the numbers of eligible unemployed people in each local development company or Údarás na Gaeltachta area.

Other than through administrative mechanisms like those described, it is difficult to identify and target specific unemployment black spots at a very local level. The most frequent unemployment data come from the Quarterly National Household Survey (QNHS); as a sample survey, the QNHS provides reliable data at a regional, but not at a local level. Small-area statistics are collected in the Census, but these are available only at five-year intervals, and the unemployment concept underlying them does not correspond exactly with that used in the QNHS.

However, the Government's policy of targeting resources at those most at risk of long-term unemployment overcomes this statistical deficit and ensures those areas that are most in need of assistance are prioritised. The Department works primarily at a local level and is acutely aware of the differentiated impact of unemployment across local areas. The Department has 59 Intreo-local offices, 63 branch offices and newly incorporated employment offices. The Live Register figures by office are closely monitored and are an important consideration for the provision of our activation services.

Invalidity Pension Appeals

90. **Deputy Patrick Nulty** asked the Minister for Social Protection the position regarding an invalidity pension application in respect of a person (details supplied) in Dublin 13 which had gone to appeal and which has been granted under special provision by her Department, only to be immediately subjected to a medical review; if her attention has been drawn to the concerns and worry that this is causing the applicant who has been awaiting their claim for nearly two years; and if she will make a statement on the matter. [32900/13]

Minister for Social Protection (Deputy Joan Burton): Invalidity pension (IP) is a payment for people who satisfy the contribution conditions and who are permanently incapable of work because of illness or incapacity. In order to ensure adequate controls of the scheme expenditure, the continuing eligibility of persons in receipt of IP is reviewed periodically in accordance with their assessed risk of a change in circumstances. During 2012, there was a backlog of new invalidity pension claims which meant that there was an unacceptable delay in processing of new claims. Following a major service delivery modernisation project and business process improvement in the scheme area, the backlog of claims was cleared and new invalidity pension claims are now actioned upon receipt.

Following a review of an initial decision to disallow on medical grounds, the person concerned was awarded invalidity pension on the 14th March 2013 and the award was backdated to the 29th April 2011 - the date of her initial application and any arrears due for that period were paid. On 4 June 2013, a review of the continuing medical eligibility of the person concerned was initiated based upon the effective start date of her claim i.e. April 2011. This did not take account of the fact that the award date in the case had been so recent. In the particular circumstances of this case, the continuing eligibility review will be deferred for a reasonable period. We appreciate that reviews may cause worry or concern to individual customers and apologise if any such concern was caused in this case. Customers are given a reasonable length of time to provide the information necessary for the review and, if there is any particular difficulty with meeting the time limit, they may request additional time.

Gender Recognition Issues

91. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she has examined the Gender Recognition Bill 2013; the date on which she will publish her own Bill on gender recognition; and if she will make a statement on the matter. [33268/13]

Minister for Social Protection (Deputy Joan Burton): I take it that the Deputy is referring to Deputy Ó Snodaigh's Private Member's Bill which was introduced in Dáil Eireann on 22 May 2013 but which has not yet progressed beyond First Stage. I am satisfied that any legislation providing for the recognition of the acquired gender of transgender persons will have to be more comprehensive and detailed than that Bill. As I have indicated on a number of occasions, I want the legislation that the Department is preparing to be introduced as quickly as possible. However, the issues involved are complex and have implications for other areas of government.

I realise also that this is a very sensitive area for those involved and people are naturally keen that the legislation be brought forward quickly. I understand that but I also have to have regard to the legal complexities involved in relation to some of the recommendations of the Gender Recognition Advisory Group (GRAG) relating to the marital and civil partnership status of individuals. The Department has been taking advice on this matter including talking to the various stakeholders involved. I have requested the Oireachtas Committee on Education and Social Protection to consider the provisional draft Heads of Bill and, in that regard, officials from the Department will appear before the Committee in the Autumn. I feel that the Committee can make a very positive contribution to the preparation of the legislation and I believe that this approach should greatly assist the drafting of the legislation and its progress through the Oireachtas. When the Oireachtas Committee has discussed the provisional draft Heads of Bill, I will be in a better position to give a timeframe for the introduction of the legislation.

Community Employment Scheme Numbers

92. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will provide details of the local authority community employment scheme announced in budget 2013; and the number of persons who are currently participating in this scheme. [33261/13]

Minister for Social Protection (Deputy Joan Burton): The Government, as part of the Budget package for 2013, announced a number of initiatives focused on providing work opportunities for jobseekers, including the provision of 10,000 additional work placements across a number of schemes. The additional placements on community employment, Tús and Job-Bridge have already been rolled-out and are in the process of being filled by the sponsoring organisations and implementing bodies. The Budget package introduced a new initiative with local authorities to provide part-time work opportunities. This is in line with the commitments set out in the *Action Plan for Jobs and Pathways to Work*.

The design of this initiative which is called Gateway has been largely completed and local authorities have been engaged in a process of identifying the nature of work and range of opportunities that can be made available across their administrative and operational areas. Local authorities have been asked to complete consultations with staff representative bodies and other key stakeholders to enable the scheme to commence on a staged basis over the coming months.

Currently, 13 local authorities have agreed to lead out the first wave of Gateway and selection of participants will commence shortly by the Department of Social Protection. Following referral of interested customers by the Department, each local authority will conduct their own recruitment process, involving skill profiling, job matching and vetting by An Garda Síochána before a person is assigned to a position. The 13 local authorities have identified some 800-1,000 places for immediate recruitment with the objective of beginning work in late September/early October 2013 (pending improvements in the timeframe for Garda Vetting).

In addition to the above local authorities six to eight city and county councils intend to commence operations with a view to adding 500-800 placements by end October 2013. The remaining places will be filled in 2014 (pending completion of selection, recruitment and vetting processes).

Pension Provisions

93. **Deputy Seamus Kirk** asked the Minister for Social Protection the way the Government proposes to respond to the decision of the Court of Justice of the European Union on 25 April 2013 which found that the Government is liable for the shortfall in pension funds for the Waterford Crystal workers; the estimated cost to the State; and if she will make a statement on the matter. [33219/13]

Minister for Social Protection (Deputy Joan Burton): The ruling by the European Court of Justice was in response to a reference by the High Court seeking clarification of the interpretation of European law emanating from EU Directive 2008/94EC on the protection of employees in the event of the insolvency of their employer. Following the ECJ ruling, the matter will now revert to the High Court for consideration. Given this matter remains before the courts, it would not be appropriate that I comment further on any aspects of or possible issues arising from the case at this time. Careful and detailed consideration is of course being given to the ruling of the European Court of Justice, and will be given to the outcomes of the case before the High Court.

Social Welfare Code Issues

94. **Deputy Thomas Pringle** asked the Minister for Social Protection if she will outline the level of information required to be provided by claimants who are returning Irish emigrants to satisfy the habitual residence condition; if she will provide an average time frame for the verification of habitual residency of such persons; and if she is satisfied with this process. [33203/13]

110. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the date on which she will publish new guidelines to reform the rules regarding the habitual residency condition; and if she will make a statement on the matter. [33252/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 94 and 110 together.

The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. The term 'habitually resident' conveys a degree of permanence and implies a close association between the applicant and the country from which payment is claimed, which relies heavily on fact. The habitual residence guidelines were comprehensively revised in 2011 to take account of developments in case-law, both national and international, and to reflect the Department's interpretation of the legal provisions that impact on the habitual residence condition (HRC).

The guidelines are reviewed and revised on an ongoing basis to reflect changes in the conditions and processes as they occur, for example, the removal of the work permit condition for Romanian and Bulgarian nationals and very recently the accession of Croatia to the EU. The guidelines are published and available to customers on the Department's website to reflect the most up to date requirements.

In addition to the HRC guidelines there is further information for customers including:

- HRC information leaflet SW108 available on the website
- A HRC supplement with example cases published on the website.

Internally within DSP the Decisions Advisory Office unit provides guidance and support in complex cases and the staff development unit of DSP provides on-going HRC training.

There is comprehensive information on the HRC guidelines relating to material to be provided by returning Irish emigrants. Before a decision can be made regarding a person's habitual residence, it must be established whether the person has a legal right to reside in the State and all Irish nationals have a right of residence in Ireland. At that stage the five factors are examined to determine whether a person satisfies the HRC i.e. a) the length and continuity of living in Ireland, b) length and reasons for any absence, c) nature and pattern of the person's employment, d) person's main centre of interest and e) future intentions of the person applying for the social welfare scheme.

Each case is dealt with in its own right and a decision is based on the application of the legislation and guidelines to the particular circumstances of the case. Examples of documentation required is outlined on the HRC guideline, on the HRC information leaflet and on the Citizens Information website, including:

- Proof to show applicant has given up accommodation abroad
- Proof applicant has cancelled or applied to cancel any non-transferable benefits
- Proof to show measures put in place to open a bank account here
- Proof to show applicant has a tenancy in Ireland

- Proof of travel documents and evidence of transportation of personal possessions etc.

Any information that customers provide to establish their claim will be considered and it may be necessary in some cases to submit further documentary evidence in support of a claim. The average time frame for the verification of habitual residency for applicants for social welfare is not captured as the HRC is examined as part of the overall claim process. It is important to point out that if claimants are not satisfied with a decision they have the right to have the decision reviewed internally in DSP and-or appeal the decision to the Social Welfare Appeals Office.

Departmental Staff Training

95. **Deputy Gerry Adams** asked the Minister for Social Protection the courses that staff in her Department have had funded for them; the cost of each of those courses through the learning and development strategy; and if she will make a statement on the matter. [33245/13]

Minister for Social Protection (Deputy Joan Burton): The Department is committed under its Learning and Development Strategy to provide opportunities for the education and development of its staff. The Department recognises that investment in learning leads to improved performance and productivity, increased employee engagement and better customer service. Business areas offer development opportunities to staff through internal training, courses delivered externally or the refund of fees scheme. In 2012 and to date in 2013, staff attended 114 different external course types at a cost of €394,681 in 2012 and €138,036 in 2013.

The Department also operates the Refund of Fees scheme to encourage staff to pursue higher educational achievement outside of normal business hours. The scheme operates within the parameters of Department of Finance Circular 23/07. In the 2011/2012 academic year, 87 staff participated in the scheme resulting in a cost of €181,890. In the 2012/2013 academic year, 97 staff are participating, resulting in a cost to date of €92,163. Expenditure since 2009 for external courses and courses funded under the Refund of Fees scheme are outlined in Table 1 below.

Table 1

External Courses	Cost	Refund of Fees	Cost
2009	€352,435	2008/09 academic year	€194,709
2010	€290,323	2009/10	€177,131
2011	€206,421	2010/11	€195,552
2012	€394,681	2011/12	€181,890
2013 (to date)	€138,036	2012/13	€92,163

With regard to the cost of each course undertaken, this information is not readily available. The Department will, however, provide this information to the Deputy once it is compiled. The full list of courses under both external training and the Refund of Fees scheme are listed in Tables 2 and 3 below.

Table 2: Externally delivered courses 2012/13

Absence Management Accounting Procedures Advanced Access Advanced Excel AE Bootcamp (IT) Agewise Agile Data Warehouse Design Agile Methodologies Agile Project Management Basic Freedom of Information Basic Quark Xpress Business Process Improvement Business Statistics C# Programming (Intermediate) C# Programming (Introduction) Cert in Project Management Change Management Children First CISCO ACE Boot Camp Course CISCO Routers (Configuring BGP) Clear and Critical Thinking Comptia Network training (IT) Configuring BGP on Cisco Routers (IT) Configuring Windows 8 Conflict Management Courtroom Skills CPD Workshop in Adult Guidance Data Protection Awareness DCCM (IT) training Developing Web Applications Diabetes Awareness Diploma in Leadership ECDL CTP Training (IT) Editing Skills Effective Strategies to Reducing IT costs Effective Interviewing Skills Energy Conservation EU Presidency Training Excel Elementary Excel Intermediate Training Facilitation Skills First Aid Freedom of Information Fuel Poverty Conference Future of HR in Public Sector conference Gaeilge (FETAC) Gartner Workshop Health and Safety IDEA (IT) InDesign Pro Skills Industry Matters Conference Intermediate Access IT Audit Training IT Project Management Lean Six Sigma for Public Sector Leadership IT CMF Passport Course	Managing Performance Measuring Training Effectiveness Media Skills Mediation Training Mentoring Training Course Microsoft 2010 Advanced Microsoft Visio (2010) Minute Taking Money Skills MS Office 2010 & Windows 7 MS Office User Specialist MS TechEd MS Visio 2010 Non Violent Crisis Instructor Occupational First Aid Course OO Programming Intro Pensions Training Plain English Planning for Retirement Portfolio Process & Catalogue Planning Powershell for Administrators PQ Process Procurement in Public Sector Project Management Project Management & Engineering- Agile Public Financial Management Public Procurement Conference Public Procurement- Litigation Quality in Social Research Training Quark Level ½ Rent Supplement Requirements Engineering Risk Based Auditing/Planning Safe Pass System Training Safety Representative Scoping and Delivering IT Projects Senior Management Training Shared Service & Outsourcing Sharepoint 2010 Sharepoint – Custom Course (IT) Staff Management Training Stress Awareness SQL Training Team Building Team Foundation Server 2010 (IT) Training Needs Analysis Train the Trainer MS Visio Professional 2010 WEB Design with XHTML Windows Server 2008 Windows7 Troubleshooting Word Elementary Workforce Planning in Public Service Working successfully within Team Training Workplace Programme XML Design and Build 3Par Admin Training (IT)
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Table 3: Courses funded under Refund of Fees Scheme 2011/12/13

Accounting Accounting and Business Adult Guidance Advanced ECDL Applied Social Research Business Administration Business Management Business Studies Business Studies & HRM Business/Commerce Computing & IT Counselling Counselling & Psychotherapy ECDL Education and Training Forensic Accounting Frontline Managers Gaeilge Fheidhmeach Geographic Information Systems Government Human Resource Management Humanities Inclusion/Disability Studies Information Systems Information Systems & Management	Information Technology Irish Irish Law IT JEB Law Leadership & Management Learning & Development Microsoft Office Specialist Payroll Technician Personal & Professional Development Psychology Psychology & Social Science Psychology/Counselling Public Accounts Public Administration Public Management Science In IT Management Social Policy Social Science Social Science and Psychology Statistics Training & Continuing Education Training & Development Web Design Women/Gender/Society
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Question No. 96 answered with Question No. 64.

Respite Care Grant Payments

97. **Deputy Mary Lou McDonald** asked the Minister for Social Protection her plans to reverse the budget 2013 cuts to respite carers' grant. [33253/13]

Minister for Social Protection (Deputy Joan Burton): The contribution that people provide in caring for members of their own family is critical for society. It was for that reason that the Government last year adopted the National Carers' Strategy with a view to giving greater public recognition to carers and their work. Carers receive significant income supports from the Department of Social Protection so that people can continue living at home as long as possible. Expenditure on carers has increased significantly in recent years. In 2013 it is estimated to be €776 million compared with an estimated outturn of €771 million in 2012. The expenditure on carers in 2012 included: €509 million on carer's allowance; €24 million on carer's benefit; €135 million on the respite care grant; and €103 million on domiciliary care allowance. Carers also receive a free travel pass at an annual cost of €6 million and carers who reside with the care recipient are eligible for the household benefits package at an annual cost of approximately €30 million.

The respite care grant is available to all full-time carers regardless of their means while the income disregard and means test for carers allowance is the most generous in the social welfare system. Carers are entitled to an extra half-rate carer's allowance if they care for more than one person and a respite care grant for each care recipient. A person in receipt of certain qualifying payments and also providing full-time care and attention to another person may qualify for a half-rate carer's allowance while retaining their main social welfare payment. Regrettably, I am not in a position to reverse last year's cut in the respite care grant. It should be noted that the supports available to carers in Ireland are among the highest rates of income support in Europe.

Fuel Prices

98. **Deputy Robert Troy** asked the Minister for Social Protection if any figures are available which demonstrate the extent of fuel poverty here; if she is planning a strategy to address fuel poverty; and if she will make a statement on the matter. [33224/13]

Minister for Social Protection (Deputy Joan Burton): There are currently no comprehensive up to date national statistics available on the number of people experiencing fuel poverty in Ireland. The EU Survey on Income and Living Conditions, which is carried out by the Central Statistics Office each year, does however, measure the percentage of the population that said they were unable to afford to keep the home adequately warm, over the previous year. The most recent figures available from this survey indicate that in 2011, some 6.8% of households in Ireland were unable to afford to keep the home adequately warm, the same level as in 2010 but an increase on the 2009 figure which was 4.1%. The Government has an energy poverty strategy; 'Warmer Homes – A Strategy for Affordable Energy in Ireland' which was published by the Minister for Communications, Energy and Natural Resources towards the end of 2011. The Strategy identified the extent and impact of energy poverty, the existing measures in place and the actions required looking forward. My Department has been working with the Department of Communications, Energy and Natural Resources and other stakeholders on the implementation of this Strategy. Energy poverty is a factor of income, energy prices and the thermal efficiency of the home. In 2013, my Department will spend an estimated €284 million on the household benefits scheme, providing some 410,000 customers with a package worth almost €700 per year. In addition, some 410,000 customers will receive the fuel allowance of €20 per week paid for 26 weeks, at a cost of €211 million.

Under the supplementary welfare allowance scheme, exceptional needs payments may be made to help meet an essential, once-off cost which customers are unable to meet out of their own resources; this may include exceptional heating costs. In addition, more than 3,000 customers are currently in receipt of a special heating supplement, paid to assist people with special heating needs because of ill health or infirmity. The provision for exceptional needs payments in 2013 is €47.6 million, with an additional €11.4 million for supplements. The most cost-effective means of protecting households from energy poverty is to improve the thermal efficiency of the home. The Better Energy Warmer Homes scheme (BEWH), administered by the Sustainable Energy Authority of Ireland (SEAI), funds energy efficiency improvements in the homes of the elderly and vulnerable, making the homes more comfortable, healthier and more cost effective to run.

Back to Education Allowance Eligibility

99. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection her plans for back to education allowance in 2014; her plans to ensure back to education allowance will cover postgraduate courses in the future; and if she will make a statement on the matter. [33244/13]

Minister for Social Protection (Deputy Joan Burton): The Department carried out and published a policy review and high level issues paper of all Employment Support Schemes including the Back to Education Allowance (BTEA) earlier this year. The review was focused primarily on assessing the contribution certain programmes can make to the Department's activation policy stance. Consultation with stakeholders was identified as a key aspect of the Department's review process and consequently a stakeholders' forum was convened in February 2013. The forum brought relevant experts, practitioners, policy makers and representative bodies together to consider the review and offer suggestions and input to how future policy in this area should evolve. A report of this forum is also published on the Department's website.

The Department now moves to the implementation phase. All review recommendations and feedback from the stakeholders' forum is being considered. The review does not include specific recommendations regarding postgraduate courses, including expansion of BTEA to cover additional postgraduate courses in the future. The priority for the Department is that BTEA will be focused, targeted and suitable for the needs of the unemployed and the labour market in to the future.

Question No. 100 answered with Question No. 80.

Rent Supplement Scheme Payments

101. **Deputy John Halligan** asked the Minister for Social Protection if she will review the issue of rent allowance caps in the case of a person (details supplied) a young woman, homeless for three months who cannot find anywhere within the rent allowance caps; and if she will make a statement on the matter. [33193/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned was in receipt of rent allowance from February 2012 to January 2013 and continues to receive other social welfare payments at the same address. Currently my Department is not in receipt of a claim for a rent supplement from her; however she should call to her local welfare service as soon as possible to discuss her accommodation needs. The current rent limits for her area have recently increased to €350 per month for shared accommodation and €520 per month for living alone accommodation. The Community Welfare Service is available to advise and assist by

way of advocacy and rent supplementation anyone who is homeless or at risk of homelessness.

Property Taxation Collection

102. **Deputy Sandra McLellan** asked the Minister for Social Protection the reason no arrangements have been made to allow the property tax to be deducted in weekly instalments for those in receipt of jobseeker's allowance. [33259/13]

Minister for Social Protection (Deputy Joan Burton): In the context of its role in processing and making income support and related payments, the Department makes 87 million payments per annum to over 2 million recipients in any year. Payments are based on a range of entitlement conditions and are aimed at serving various social welfare policy requirements. These payments are of various types: universal payments, means assessed payments, payments based on social insurance contributory history and grants. Payments can be once-off, based on short term need or of long term duration. Because of the sheer scale, variety and nature of payments made by the Department, 'deduction at source' arrangements require substantial development of IT systems and business processes and impose a significant additional administrative burden on the Department and on the requesting agency. Short-term schemes, by their nature, would incur even more administrative overhead on all sides.

The Department has undertaken, as a service to a significant number of its clients, to invest the resources needed to provide the facility on the schemes agreed with the Revenue Commissioners. Any other arrangements required to pay the tax are a matter for the Revenue Commissioners. The Department is currently engaged in major transformation programmes to meet Government objectives, for example in relation to activation and supporting the provision of integrated income support and activation services through Intreo to clients of working age. The Department has embarked on a major programme of business and system change to support these objectives and is focussing its development efforts in this regard.

The jobseeker's allowance payment is not included in the schemes specified for deduction at source of local property tax, and there is currently no plan to extend the list of schemes from which local property tax can be paid. However, it is intended to review this position based on the experience of operating the facility over a period of time, and the situation with regard to deduction at source from jobseeker payments will be an aspect of the review.

Departmental Staff Numbers

103. **Deputy Brian Stanley** asked the Minister for Social Protection the number of appeals officers employed by her Department; the number of these officers who have undergone any training in disability or equality issues; and if she will make a statement on the matter. [33254/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office is independently responsible for determining appeals against decisions on social welfare entitlements. The role and function of the office is to provide and deliver an independent, accessible and fair appeals service in a prompt and courteous manner. Appeals Officers are statutorily appointed by the Minister for Social Protection to act as administrative tribunals and are required to exercise their functions in a quasi-judicial manner. An Appeals Officer must decide, taking account of all of the evidence presented, including medical evidence, on the impact of a person's illness/disability; on his/her capability for work; on whether a person is substantially restricted within the meaning of the Social Welfare Acts from taking up full time employment;

on whether a person requires full time care and attention; or, in the case of Domiciliary Care Allowance, on whether the child being cared for requires significantly more care than other children of the same age.

Training is provided on an on-going basis to Appeals Officers on a broad range of issues of relevance to their role. In this context, case conferences are held regularly, which allow the salient features of particular cases to be presented and discussed by Appeals Officers. In addition, Appeals Officer conferences, which are convened twice yearly, provide an opportunity to consider broader issues with a view to ensuring consistency in the manner in which appeals are determined.

Departmental Staff Numbers

104. **Deputy Dessie Ellis** asked the Minister for Social Protection the number of personnel who have retired from her Department and the number of additional staff employed; and the types of contracts they are on during each of the past two years. [33265/13]

Minister for Social Protection (Deputy Joan Burton): In the year 1 July 2011 to 30 June 2012, 332 staff members in the Department retired from the Civil Service. In the year 1 July 2012 to 30 June 2013 a further 83 staff members retired from the Department. In the year 1 July 2011 to 30 June 2012, 137 staff were transferred or redeployed into the Department from other government departments and public sector organisations. In the year 1 July 2012 to 30 June 2013 a further 177 staff were transferred or redeployed into the Department. The contractual arrangements applying to the staff in question are the standard arrangements that apply to all other permanent civil and public servants.

The Department will continue to source staff by way of transfer and redeployment to fill critical vacancies taking account of the Employment Control Framework (ECF) target, as determined by the Department of Public Expenditure and Reform. As an exception to the current moratorium on recruitment, the Department has limited sanction to recruit temporary clerical officers to provide cover in respect of critical vacancies where permanent staff are on maternity leave, long term sick leave and other forms of statutory leave. Sanction was also given by the Department of Public Expenditure and Reform to recruit temporary clerical officers to cover for staff who avail of the Shorter Working Year Scheme and to assist with the roll-out of the Public Services Card project.

In the period from 1 July 2011 to date some 1,196 temporary clerical officers have been recruited. The temporary contracts are offered on a fixed term or fixed purpose basis and accordingly the length of the contracts vary depending on the specific case in question.

Supplementary Welfare Allowance Applications

105. **Deputy Peadar Tóibín** asked the Minister for Social Protection the number of social welfare allowance applications received in 2012; the number refused by community welfare officers; and the numbers appealed and upheld on appeal. [33271/13]

Minister for Social Protection (Deputy Joan Burton): The supplementary welfare allowance (SWA) scheme is the “safety net” within the overall welfare system. The main purpose of the scheme is to provide immediate and flexible assistance to persons in need who do not qualify for welfare payments under any other social welfare scheme. The Government has provided almost €720 million for the various schemes under SWA in 2013. There are a number of

schemes under the SWA heading including basic income support and/or a supplement in respect of certain living expenses a person may not currently be able to meet. The supplements available include payments to assist with rent, mortgage interest, heating, special dietary requirements, exceptional or urgent needs, and back to school expenses.

A total of 453,833 claims for supplementary welfare allowance were registered in 2012. Statistics are not maintained where the claim was subsequently refused. During 2012, a total of 4,264 supplementary welfare allowance appeals were decided by the Social Welfare Appeals Office (SWAO). Of these, 1,017 appeals were allowed, a further 142 were partially allowed and the remaining 3,105 appeals were disallowed in full by the SWAO. There is no right of appeal to the SWAO in respect of a decision made under the exceptional needs payment. These cases are reviewed by review officers within the community welfare service. Statistics are not maintained regarding the number of reviews undertaken or their outcome.

Question No. 106 answered with Question No. 88.

Question No. 107 answered with Question No. 71.

Question No. 108 answered with Question No. 80.

Marriages of Convenience

109. **Deputy Denis Naughten** asked the Minister for Social Protection her plans to amend the Civil Registration Act 2004; if she intends to close off the sham marriage loop hole in the interim; and if she will make a statement on the matter. [32890/13]

Minister for Social Protection (Deputy Joan Burton): Marriages of convenience, or “sham marriages” are defined as marriages which are entered into for the purpose of one of the parties gaining an automatic right of residency based on marriage to a person who already has a right of residency. The matter is a complex one. EU citizens and their families have the right to move and reside freely within the territories of the Member States. These rights also apply to non-EU national spouses of EU nationals following the ruling of the European Court of Justice in the Metock case on 25th July 2008.

My Department has been considering this issue and has met with a number of stakeholders with a view to introducing measures to combat marriages of convenience. In this regard, I intend to introduce legislation shortly that will make such marriages far more difficult to contract in the future. The provisions will be part of legislation currently being drafted to amend the Civil Registration Act, 2004. I would hope to publish this legislation later this year. It should also be noted there are, at present, guidelines for registrars for marriage notifications containing requirements concerning notification procedures, including the verification of identity and marital status which can assist in the prevention of marriages of convenience.

Question No. 110 answered with Question No. 94.

Topical Issue Debate

111. **Deputy Brian Stanley** asked the Minister for Social Protection if she plans to be present for more Topical Issues debates relevant to her ministerial brief in the future; and if she will make a statement on the matter. [33255/13]

Minister for Social Protection (Deputy Joan Burton): Because of its size and scope,

the Department of Social Protection is subject to one of the largest volumes of requests for topical issues. When topical issues tabled to my Department are selected for answer by the Ceann Comhairle, I make every effort to take these debates and will continue to do so. To date I have taken 22 such debates in the Dáil, which I understand compares favourably with other Departments. But I am not always in a position to take topical issues given the work and time pressures on my office. There is no Minister of State at the Department of Social Protection. As a result, when I am not in a position to take a topical issue in the Dáil, Ministers from other Departments do so on my behalf.

Rent Supplement Scheme Expenditure

112. **Deputy Seán Crowe** asked the Minister for Social Protection if she will guarantee that there will be no cuts to rent supplement or increases to rental contribution required of tenants in the next budget; and if she will make a statement on the matter. [33249/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 84,000 rent supplement recipients for which the Government has provided over €403 million for 2013. The Government will consider the appropriate level of expenditure on rent supplement and any changes to the scheme in the context of the Budget process.

Youth Guarantee

113. **Deputy Jonathan O'Brien** asked the Minister for Social Protection if her attention has been drawn to the recommendation by the National Youth Council that her Department develop a strand within the youth guarantee scheme to support young persons with limited qualifications who are long-term unemployed; and her plans to act on this recommendation. [33250/13]

Minister for Social Protection (Deputy Joan Burton): I am aware of the National Youth Council of Ireland (NYCI) report concerning the role of youth work in supporting long-term unemployed young people with limited qualifications and I am grateful to them for their input. The Youth Guarantee is a major priority of the Department. Securing EU Council agreement for an EU Recommendation on a Youth Guarantee was one of the priorities of the Irish Presidency and this was secured during my chairing of the Council of European Employment, Social Policy, Health and Consumer Affairs (EPSCO). While Member States are encouraged to implement the Recommendation as soon as possible, it is recognised that implementation will need to be more gradual in countries with higher levels of youth unemployment and particularly severe budgetary problems.

The implementation of a guarantee will, almost certainly, require an expansion in the range of opportunities currently on offer to young people in the form of further education and training, internships, subsidised private-sector recruitment, and supports for self-employment. The intention is that an implementation plan for the national rollout of the Youth Guarantee will be finalised by the end of the year, and this will set out a timescale for implementation. By this time, it is hoped that there will also be greater visibility with regard to accessing funding from the EU Youth Employment Initiative.

Among the issues that can be addressed in the review and plan will be the role of the various actors involved in delivering employment, education, training and other relevant services to young people. While there is no explicit reference to the role of youth work in the Youth Guarantee recommendation, I am aware of the need to leverage all resources available. Indeed, the proposed pilot Youth Guarantee Scheme in Ballymun will involve amongst others, the NYCI. The Ballymun Pilot, which I am pleased to say has been selected by the European Commission as one of the pilot programmes to receive EU funding, is expected to start by the year-end. A significant proportion of the target group for the pilot will be young people who have low levels of educational attainment. It is hoped that there will be early lessons from the Ballymun Project that will guide the nationwide rollout of the YGS, including the possible contribution of the youth sector in supporting long-term unemployed young people with limited qualification.

Social Welfare Offices

114. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if she will report on her Department's progress to date in the roll out of Intreo offices across Ireland, in particular across north Dublin; and if she will also report on the integration of the services of community welfare officers to date into the services of her Department. [33207/13]

Minister for Social Protection (Deputy Joan Burton): The first 12 Intreo offices are now live and it is intended to convert a further 31 offices to full Intreo working by the end of this year and to complete the full roll-out to all 63 offices of the Department in 2014. It is to be noted that key elements of the Intreo model are being rolled-out in advance of the physical modification of offices. Personal profiling is already in place in all offices while individual progression planning and the accelerated integrated decision process will be operational in all offices by the end of this year. In Dublin North Division, all offices, with the exception of Balbriggan and Swords have established integrated decisions teams which include former community welfare staff. In addition, all community welfare services for Finglas have been re-located to the Intreo Office and community welfare services for Balbriggan, that were administered from Gardiner Street, have recently re-located to Balbriggan Local Office. Overall good progress is being made on integration of services.

Question No. 115 answered with Question No. 61.

Census of Population Publication

116. **Deputy Paschal Donohoe** asked the Taoiseach the reason data from the 1926 census will not be made publicly available until 2027; and if he will make a statement on the matter. [33146/13]

The Taoiseach: The Censuses of Population carried out between 1926 and 1991 were undertaken under the 1926 Statistics Act which did not permit access to Census records at any time. The Statistics Act, 1993 repealed the 1926 and 1946 Statistics Acts, and provided for the release of census forms from these censuses 100 years after the date of the relevant Census. As such, data from the 1926 Census will be made available in 2026. A further reduction of the guarantee could be incorrectly interpreted by some as a relaxation by the CSO in its approach to confidentiality and the protection of data supplied to it under the Statistics Act, 1993.

Independence, objectivity and the guarantee of confidentiality are the core values of official statistics which have helped create a positive image of, and ensure public trust in, official statistics in Ireland. Statistical confidentiality is the cornerstone of all CSO work. This is the

reason for the legal guarantees contained in the Statistics Act 1993. Any action that could lead to a weakening of that public trust would be detrimental not just to the Census of Population but also to the broader activities of the CSO covering areas such as economic, business and social statistics.

In conclusion I am satisfied that the 100 year period provided for in the Statistics Act strikes the right balance between facilitating legitimate historical and genealogical research on the one hand, while protecting the confidentiality of census data and maintaining the integrity of CSO guarantees procedures.

Visitors Book

117. **Deputy Kevin Humphreys** asked the Taoiseach if he will provide a copy of the attendance record book for his Department on 29 September 2008 and 30 September 2008; and if he will make a statement on the matter. [32862/13]

118. **Deputy Kevin Humphreys** asked the Taoiseach if he will provide a copy of the attendance record book for his Department for the month of September 2008; and if he will make a statement on the matter. [32863/13]

The Taoiseach: I propose to take Questions Nos. 117 and 118 together.

The Department does not keep an attendance book for general service staff. A Visitors Book is maintained at the Welcoming Pavilion. This is not an exhaustive record of all visitors who attended at the Department during that period. Visitors who sign the book are in the main attending press events or meetings. Visitors attending the Department by prior appointment may contact an office in advance and arrange parking. These visitors are met at Reception and generally are not asked to sign the Visitors Book. It is also possible to access my Department from Leinster House. My Department will co-operate fully with any inquiry established into these matters.

Departmental Projects

119. **Deputy Éamon Ó Cuív** asked the Taoiseach the number of projects that were approved funding by his Department conditional on a bond being produced from a builder; the amount of the default by builders where such bonds were in place; the amount recovered through the use of bonds in such cases; and if he will make a statement on the matter. [32864/13]

The Taoiseach: No projects have been approved funding by my Department conditional on a bond being produced from a builder.

International Bodies Membership

120. **Deputy Andrew Doyle** asked the Taoiseach if he will outline each international organisation, international agency or international body of which Ireland is a member for which his Department or a State body or agency under the aegis of his Department is responsible for or co-responsible; and if he will make a statement on the matter. [32865/13]

The Taoiseach: The Office of the Director of Public Prosecutions has membership of the following international organisations: International Association of Prosecutors, International

Society for the Reform of Criminal Law and the European Criminal Bar Association. A prosecutor employed in the Office of the Director of Public Prosecutions, is seconded to the Department of Justice and Equality, and is based at Eurojust in the Hague. In addition Ireland is a member of the European Commission for Democracy through Law (the Venice Commission). The Irish member (Ms Finola Flanagan) and substitute member (Mr. James Hamilton) are appointed by the Government on the nomination of the Attorney General.

Quarterly National Household Survey

121. **Deputy John Lyons** asked the Taoiseach the number of casual/part-time employees who are working in the private sector grouped by category of occupation, that is retail, health care, security; and if he will make a statement on the matter. [32339/13]

The Taoiseach: The exact information requested by the Deputy is not available. The Quarterly National Household Survey (QNHS) is the official source of estimates of employment in the State. In line with EU requirements the QNHS collects sector of employment data according to the standard EU classification (NACE Rev.2). The most recent QNHS figures available are for Quarter 1 2013. The results indicated that there were an estimated 85,000 employees (ILO) employed part-time with a temporary job/work contract of limited duration.

The table shows the number of employees (ILO) employed part-time with a temporary job/work contract of limited duration classified by NACE Rev. 2 Economic Sector for Quarter 1 2013. A public/private sector employment breakdown cannot be specifically identified within the QNHS. However, in the most recent (final Quarter 4 2012) Earnings, Hours and Employment Costs Survey (EHECS) for NACE Rev.2 (sectors B to S only), public sector employment stood at 381,200 while private sector employment was 1,143,900.

Number of employees (ILO) aged 15 years and over in part-time employment classified by permanency of the job¹ and NACE Rev. 2 Economic Sector, Quarter 1 2013

Economic sector (NACE Rev. 2)	Jan - Mar 13
SECTION A — AGRICULTURE, FORESTRY AND FISHING	*
SECTION B-F — TOTAL INDUSTRY	7.1
Section B-E — Industry	[3.0]
Section F — Construction	[4.1]
SECTION G-U TOTAL SERVICES	76.1
Section G - Wholesale & Retail trade; Repair of motor vehicles and motorcycles	18.1
Section H - Transportation & Storage	*
Section I - Accommodation & Food service Activities	13.1
Section J - Information & Communication	*
Section K-L - Financial, insurance and real estate activities	*
Section M Professional, Scientific and Technical Activities	*
Section N Administrative & Support Service Activities	[3.1]
Section O Public Administration and Defence; Compulsory Social Security	*
Section P Education	12.3
Section Q Human Health and Social Work Activities	13.0
Section R-U Other Services Activities	9.5
Not Stated	*
All	85.0

‘000’. Person has temporary job/work contract of limited duration;

Data may be subject to future revision;

Data may be subject to sampling or other survey errors, which are greater in respect of smaller values or estimates of change;

Reference period: q1=Jan-Mar;

*Estimates are too small to be considered reliable;

Parentheses [] indicate where estimates are considered to have a wider margin of error and should be treated with caution;

Source: Quarterly National Household Survey, Central Statistics Office.

Law Reform Commission Reports

122. **Deputy Dominic Hannigan** asked the Taoiseach when he expects the Law Reform Commission to examine the issue of the admission of counselling notes in sexual abuse cases as part of its fourth programme; and if he will make a statement on the matter. [32615/13]

The Taoiseach: In accordance with section 4 of the Law Reform Commission Act 1975, the Law Reform Commission has been preparing its proposed Fourth Programme of Law Reform. As part of that Programme it proposes to deal with disclosure and discovery in criminal cases generally and this would include, for example, access by the accused to the therapeutic records in sexual offence cases. I am sure the Commission will give this project appropriate priority in the context of the various projects in the Programme.

Departmental Records

123. **Deputy Stephen S. Donnelly** asked the Taoiseach the protocols in place regarding the cataloguing, retention and filing of documents pertaining to issues of national importance in his Department; the safeguards in place to ensure such records are kept securely, subsequent to his statement on 26 June that his Department retained no such files; and if he will make a statement on the matter. [33048/13]

The Taoiseach: All records and data, electronic and paper based, held in the Department are maintained in compliance with the provisions of the Data Protection Acts 1988 and 2003, the Freedom of Information Acts 1997 and 2003 and the National Archives Act 1986 and in compliance with the records management guidelines set out by the Department of Finance. The Department operates a central registry record-keeping system comprising a Registry File Tracking System and a central repository for the storage of all Departmental records. Files created in the Department are recorded centrally and their location is known, to the time when they are transferred to the National Archives for permanent preservation.

In my remarks of June 26th, I restated my concern at the paucity of documentation held in my Department relevant to the decisions taken by the previous Government in September 2008. My Department will co-operate fully with any inquiry established into these matters.

Dáil Reform

124. **Deputy Stephen S. Donnelly** asked the Taoiseach subsequent to comments made in response to questions on 2 July 2013, if he will include independent Deputies or representatives from the independent Deputies in all discussions on parliamentary reform; and if he will make a statement on the matter. [33149/13]

The Taoiseach: The Programme for Government sets out an ambitious Oireachtas Reform agenda which includes the enhancing of the Oireachtas Committee System and the reform of Dáil procedure. The Government has already introduced a wide range of Dáil reform measures, including:

- An increased number of Dáil sitting days
- An additional Leaders Questions session on Thursdays;
- The introduction of Topical Issues Debates;
- Friday sittings to give TDs the opportunity to introduce their own Bills enhancing the TDs legislative role, and
- A restructured Oireachtas Committee System.

Oireachtas reform has been discussed at the weekly Whips meetings, the Dáil Committee on Procedure & Privileges chaired by the Ceann Comhairle and the Dáil Reform Sub-Committee chaired by the Government Chief Whip.

The Whip of the Technical Group attends the Whips meetings on behalf of her colleagues and is a member of both the Dáil Committee on Procedure & Privileges and the Dáil Reform Sub-Committee. The Dáil Reform Sub-Committee has on a number of occasions since March 2011 discussed in detail Dáil Reform proposals submitted by members of the House. The Government Chief Whip has also met individual Members of the House who have contacted him with Dáil Reform proposals of their own.

In 2011 the Government introduced a new Committee system structure along with a package of Dáil reforms designed as the first phase in the process of reforming Dáil procedure. In June 2012 the Oireachtas Committee system was further restructured. In June 2013, with the publication of the Bill to hold a referendum on the abolition of the Seanad, the Government set out a number of Dáil Reforms necessary for the move to a unicameral parliamentary system.

The Government Chief Whip, along with Dáil Whips from all the political parties and the Technical Group, the Ceann Comhairle, the Chair of the Working Group of Committee Chairs and officials in Leinster House have been involved in developing the next phase of Dáil and Oireachtas Committee reforms. The Government Chief Whip proposes to bring forward this phase of Dáil Reforms in the coming months with the new procedures in place later this year.

The process of Oireachtas Reform is an ongoing one. Following the introduction of this current phase of Dáil reforms, consultation on further Oireachtas Reforms will take place involving, among others, all the Dáil Whips, including the Technical Group Whip. Any Member of the House who has Dáil reform proposals can contact the Government Chief Whip directly to discuss those proposals in detail and they will be considered as part of the ongoing process of Dáil reform.

Departmental Staff Numbers

125. **Deputy Pearse Doherty** asked the Taoiseach further to Parliamentary Question Nos.

150 and 152 of 2 July 2013, the positions the seven officials in his Department held at the time of the banking guarantee and what positions they hold now. [33294/13]

The Taoiseach: The positions held by the seven staff referred to in the reply to Parliamentary Questions of 2 July are as follows:

September 2008	July 2013
Assistant Secretary Northern Ireland and International Division- and Corporate Affairs Division	Secretary General
Assistant Secretary to the Government	Assistant Secretary to the Government
Assistant Secretary European and International Affairs Division	Assistant Secretary Economic, International and Northern Ireland Division
Principal Officer Northern Ireland and International Division	Principal Officer Protocol
Principal Officer Northern Ireland and International Division	Principal Officer Corporate Affairs Division
Principal Officer Economic and Social Policy	Assistant Secretary Social Policy, Public Service Reform and Corporate Affairs Division
Principal Officer European and International Affairs (on sec- ondment from the Department of Foreign Affairs)	Assistant Secretary European Affairs Division

Foreign Conflict Issues

126. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to the Israeli Government's plans to ethnically cleanse the Naqab, Negev; and if he will make urgent representation to the Israeli Government to express concerns regarding the negative and destructive consequences of such a policy. [33007/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Of the Arab population of Israel, about 170,000 are Bedouin living in the Negev desert in the south of the country. While none of these are any longer truly nomadic, they suffer from the difficulties common to non-settled communities in many developed countries, including in Europe, and other Bedouin living in many Arab countries in the region. These include lack of title to traditionally used lands and resources, pressure from a growing settled community, traditional distrust and disengagement from external official authority, difficulty in operating within a legal system developed for settled communities, lack of understanding and intermittent attention from public authorities, and lack of political weight in decisions which affect them. These are issues in many countries, not just Israel. It is an exaggeration to describe these as a policy of ethnic cleansing.

We have discussed more general issues relating to Arab citizens of Israel here in the Dáil in recent weeks. In relation to the Bedouin specifically, the most difficult problems relate to some 60,000 who live in as yet unrecognised villages, mostly in the area of and in some cases clustered around the rapidly growing city of Beersheva, one of Israel's major cities and the principal centre for the southern half of the country.

While there are genuine planning and development needs in the vicinity of Beersheva, we

clearly would expect that these must be addressed as much as possible through consultation, compromise and agreement, using the same standards applied for Israeli citizens generally. There have been a number of official inquiries and plans in recent years to address these issues, usually involving the recognition of some further Bedouin villages, and consolidation of existing unrecognised villages into these.

The implementation of these plans has sometimes been piecemeal and non-transparent, and it remains the case that a number of villages have seen repeated demolitions of homes and schools, in a way that I do not think would be considered acceptable in relation to the majority community in Israel. Indeed I cannot help contrasting this with the extreme reluctance of the Israeli Government to act against illegal Israeli settlements even where these have been ordered to be removed by Israeli courts. Both the EU and Ireland nationally have already raised these concerns with the Israeli authorities, and it will continue to feature in our dialogue about human rights issues in Israel.

Military Aircraft Landings

127. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will confirm the destination, purpose and cargo of three US military airplanes (details supplied) which landed at Shannon on 30 June 2013. [33008/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): On 25 June 2013, my Department received requests from the Embassy of the United States seeking permission for two Hercules C-130 aircraft with tail numbers 644852 and 650986 to land at Shannon Airport on 30 June for the purposes of crew rest and refuelling. Both flights were en route from Trapani-Birgi, Italy, to Newfoundland, Canada. The requests confirmed that the aircraft carried no arms, ammunition, explosives, photographic or intelligence gathering equipment. Insufficient details have been provided in relation to the third aircraft to identify the destination, purpose and cargo as requested. However, should the Deputy wish to provide additional information, my Department will be happy to look further into the matter.

Citizenship Applications

128. **Deputy John Paul Phelan** asked the Tánaiste and Minister for Foreign Affairs and Trade if a person (details supplied) is eligible for Irish citizenship and the process to be completed in applying for Irish citizenship in this case; and if he will make a statement on the matter. [33022/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I understand that the person referred to by the Deputy submitted an application for Irish citizenship through Foreign Births Registration to the Consulate General of Ireland in Chicago on 2 July 2013. The application will be processed in the normal manner.

EU Trade with Israel

129. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is in favour of introducing formal governmental advice to discourage Irish businesses from purchasing goods from Israeli settlements and from having any other commercial or investment links with those settlements. [33019/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): It is important to re-emphasise that the Government's main focus is on the Israeli settlements themselves, their relentless expansion and the restrictions enforced to bolster them, rather than on the less significant sub-issue of settlement products. The comparatively small amount of settlement products available on the EU market are insignificant in terms of EU trade with Israel, and are not even critical for the viability of the settlements themselves.

In relation to settlement products, I have kept the House informed of work under way at EU level to establish EU-wide guidelines on the labelling of settlement products. I have made very clear publicly my negative view of settlements and of the misappropriation of resources which enable the production of some settlement goods. My Department's website already contains advice warning that the purchase of property in Israeli settlements in the occupied Palestinian Territory or the occupied Golan Heights is subject to risk and that potential purchasers should seek independent legal advice before undertaking such purchases. I have also stated that I believe consumers wish to be able to distinguish settlement goods, and that labelling should not be able to mislead them in this regard. It is my expectation, and my preference, that action on labelling will take place at EU level. Until that EU discussion is complete, I do not wish to speculate on what further national actions may be desirable or necessary. It is again important to state that the Government does not support, and will not move to achieve, boycotts against goods from Israel.

It could also be necessary to take legal advice on any proposal to discriminate officially against goods which, in practical terms, would be bought not directly from settlements but from suppliers established in other EU member states, and goods legally present on the EU market.

Human Rights Issues

130. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support the Nobel Peace Laureate Aung San Suu Kyi's recent denunciations as discrimination and violations of human rights, the recent proposals in Burma-Myanmar to restrict interfaith marriages and the restriction of Rohingya families to two children; and if he will make a statement on the matter. [33028/13]

131. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he intends imposing trade restrictions on Irish-based parent companies engaging in business within or with Burma, while the recent UN reports and recommendations of unsatisfactory conditions of internally displaced persons' camps, particularly those accommodating the Rohingya population, remain ignored and unanswered by the Burma-Myanmar Government; and if he will make a statement on the matter. [33029/13]

135. **Deputy Patrick Nulty** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will continue to raise the plight of the Rohingya persons directly with his counterparts in the Burmese Government, and at European Union level, in particular in view of the strong trading links between Burma and the United Kingdom and France; if he will ensure the matter is raised directly with Burmese President Thein Sein during his imminent visit to Europe to meet EU leaders; and if he will make a statement on the matter. [33309/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I propose to take Questions Nos. 130, 131 and 135 together.

The Government is concerned about the human rights situation of the Rohingya community in Rakhine State. We continue to work through our Embassy to Myanmar/Burma (based in Ha-

noi) and through the mechanisms of the EU and UN to ensure that human rights are respected in Myanmar/Burma, including those of the Rohingya people.

As the Deputies are aware, opposition leader Aung San Suu Kyi has condemned local orders that have placed marriage and family size restrictions on the Rohingya community. She has been joined in her condemnation by the Special Rapporteur for the Human Rights Situation in Myanmar/Burma, Tomas Ojea Quintana, who has called these measures a clear-cut human rights violation. I support them in urging the Government of Myanmar/Burma to review and revoke all orders which violate international human rights standards.

Myanmar/Burma is currently undergoing a political, economic and social transition in which positive steps are being taken to transform the country and establish the country as a respected member of the international community. However, together with our international partners, Ireland recognises that complex challenges remain, particularly in regards to the Rohingya minority and other ethnic groups. In January 2013, the Irish Ambassador in Hanoi presented his credentials to become the first Ambassador of Ireland accredited to Myanmar/Burma. Following accreditation, the Ambassador met with both the President and Foreign Minister of Myanmar/Burma and discussed a range of issues, including the human rights situation in Rakhine State.

In March 2013, during a visit to Brussels by the President of Myanmar/Burma U Thein Sein, the EU and Myanmar/Burma agreed, among other things, to work in partnership to promote human rights and the rule of law for all people living in Myanmar/Burma, including the Rohingya community. At the 23rd session of the UN Human Rights Council (HRC) in May/June of this year, Ireland and our fellow council members adopted a Presidential Statement regarding the Situation of Human Rights for Muslims in Myanmar/Burma. HRC members expressed deep concern at the gross violations of human rights against Muslims in Myanmar/Burma, including the Rohingya community, and urged the government there to grant full citizenship rights, to the Rohingya in Rakhine and review the 1982 Citizenship Law.

In regards to trade restrictions, on 22 April 2013 Ireland together with our EU partners decided to lift all restrictive measures on Myanmar/Burma, with the exception of the arms embargo and the embargo on equipment which might be used for internal repression. This decision was taken in light of the political and economic reforms that have been taking place in Myanmar/Burma since 2011. Also, in June 2013 during Ireland's Presidency of the EU, the reinstatement of Generalised System of Preferences (GSP) for Myanmar/Burma was secured, and will help promote economic development in the country. Any move to re-impose sanctions would in my view be counterproductive.

Finally, officials from my Department have just returned from a scoping mission to Myanmar/Burma. They held meetings with a wide range of government, opposition, business and civil society figures, with a view to making recommendations on how Ireland can assist with the humanitarian situation, promote economic development, and increase linkages with Ireland. I expect to receive recommendations in this regard shortly.

EU Presidency Expenditure

132. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Foreign Affairs and Trade the cost of the advertisements placed in a publication (details supplied) on 2 July after the end of the Irish Presidency and the total cost of advertisements placed in media, broadcast, print and online, that were printed/broadcast/published after 30 June, the date of the end of the Presidency. [33031/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): In order to inform the Irish public on the outcome of Ireland's EU Presidency, space was reserved in the *Metro Herald* and *Irish Independent* newspapers on 2 July and 5 July respectively. The costs for these information features were €14,000 in the case of the *Metro Herald* and €14,000 in the case of the *Irish Independent*, both exclusive of VAT. No broadcast or online information features were placed, while no further information features in print are planned. The Presidency website www.eu2013.ie and the Presidency's Twitter account remain as an information resource on the results of the Presidency.

These costs will be covered from within the Presidency budget in the Department of the Taoiseach. As the Deputy may be aware, the overall budget for the 2013 Presidency was set at €60 million, excluding security costs. This amounted to an overall figure in excess of 40% less than the cost of the 2004 Presidency. With some costs still to be determined, it is now clear at this stage that projected Presidency spending will come under the original Presidency budget of €60m. The revised projected Presidency spend is now €51m, a saving of at least €9m. As the Presidency concludes and as final payments are made, a full financial report will be published later this year setting out the final cost of the Presidency.

Boston College Case

133. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will, on the back of the revelations of the extensive spying by the American National Security Agency, which has also been revealed to be used by the British GCHQ, raise the issue of the second Boston College subpoena with his counterparts in the United States and United Kingdom; if his attention has been drawn to any instances, including any relating to the Boston College subpoena case, where Irish citizens and/or their legal representatives have been compromised. [33045/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The allegations of surveillance of EU premises, if true, are of concern to all EU member states, including Ireland. The EU's External Action Service has sought clarification of the situation in both Washington and Brussels. High Representative Ashton has also spoken directly about this matter to Secretary of State Kerry and at a press conference, President Obama emphasised the importance of the US relationship with Europe and gave a firm undertaking to examine these allegations and to provide "all the information that our allies want". I welcome this clear statement and undertaking.

While Ireland is not one of the member states identified in the media reports to date, the Government has already expressed its concerns to the US Embassy in Dublin at a senior official level and looks forward to clarification being provided in response to the EU's request. Any further steps will be considered in light of the clarification received. Data protection issues are the primary responsibility of the Minister for Justice, Equality and Defence, and he has previously told the House of his discussions with the US Attorney General Eric Holder during the EU-US Ministerial meeting and in a bilateral meeting on the issue. It was agreed to set up a working group between the EU side and the US security services to continue dialogue in relation to this matter.

Diplomatic Representation Issues

134. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade

his plans to fill the recent vacancy of the Consul General of Ireland in Boston; if he will fill the vacancy in the near future to demonstrate Ireland's commitment to the New England area in the United States of America; and if he will make a statement on the matter. [33183/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The standard four-year assignment of the current Consul General in Boston will end on 21 August 2013 when he takes up his new post at my Department's headquarters in Dublin. A replacement has been nominated and will take up duty on 22 August.

Question No. 135 answered with Question No. 130.

Human Rights Issues

136. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if his attention has been drawn to a news report from the Bahrain News Agency published on 1 July 2013, which stated that a delegation from the Department of Foreign Affairs and Trade met members of the Bahraini Government on the sidelines of the 23rd Gulf Cooperation Council-EU joint meeting and that the Irish delegation commended the Bahraini Government's efforts to promote human rights; and if this report is accurate. [33375/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Deputy will be aware that I have on numerous occasions made clear my serious concerns regarding the overall human rights record in Bahrain and the need for positive actions on the part of the Bahraini government to improve the situation. I am aware of the news report in question regarding a meeting which took place on 30 June between the Secretary General of my Department and senior officials in the Bahraini Ministry of Human Rights. The Secretary General was in Bahrain as Head of the Irish Delegation attending the annual EU-GCC (Gulf Co-operation Council) ministerial meeting and availed of the opportunity to request this meeting in order to discuss human rights issues.

The news report in question was incomplete and did not convey a full record of the discussions which took place. The Secretary General, drawing on the lessons of our own peace process for the situation in Bahrain, emphasised that respect for human rights was an essential element in conflict resolution. In this regard, he welcomed the intention of the Bahraini authorities to undertake a joint initiative on human rights training with another EU member state and made clear Ireland's willingness to extend any practical co-operation we could which might be considered of assistance. The Secretary General pointed to the damage caused to the image of Bahrain by the recent troubles and made clear that the release of certain prisoners, including the Irish-trained medical professionals, would have a positive impact on international opinion.

Human Rights Issues

137. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will investigate the military response to the peaceful protest of small farmers in north-eastern Colombia, where four persons have died, and further support the peace process in Colombia; and if he will make a statement on the matter. [33376/13]

138. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will make representations to the Colombian authorities and raise the matter at the UN Human Rights Council in relation to the military response to the peaceful protest of small farmers in north-eastern Colombia which has resulted in the deaths of four persons to date and

hundreds wounded; and if he will make a statement on the matter. [33428/13]

139. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will intervene and condemn the Colombian authorities for vicious oppression of the peasant protest movement in Catatumbo and demand the establishment of a negotiating forum to solve the crisis and to implement what is a legal and constitutional right of the peasant population and to ensure reparation for the families affected by the violent response of the state. [33450/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I propose to take Questions Nos. 137 to 139, inclusive, together.

I am aware of the tragic loss of four lives as a consequence of clashes between Colombia's security forces and protestors in the north-eastern region of Catatumbo. At my request, officials are raising these events with the Colombian authorities and are also in touch with the European External Action Service. I welcome that representatives of an association of farmers from Catatumbo have accepted an invitation from Colombia's President Santos to discuss issues of concern. In my view, it is important that all citizens who engage peacefully in the political and social developments of their society can do so without fear of risks to their personal security. I urge all parties in Colombia to address issues of insecurity so as to foster conditions for peace and sustainable development.

The promotion and protection of human rights is a core principle of Ireland's foreign policy. Ireland engages with Colombia on human rights issues both in our contacts with Government and with civil society. When I met with President Santos earlier this year, I discussed with him concerns regarding the situation of human rights in Colombia, and Ireland's concerns were also raised at the Human Rights Council Universal Periodic Review of Colombia last April. Together with our partners in the EU, Ireland will continue to support activities in Colombia that promote peace, truth, justice, reparation and reconciliation.

Surveillance of EU Offices

140. **Deputy Andrew Doyle** asked the Tánaiste and Minister for Foreign Affairs and Trade in view of the President of the United States of America agreeing to hold high-level bilateral talks with Germany over US surveillance and security monitoring of EU offices in both Washington and New York, if he will confirm whether or not a similar offer has been made to Ireland to discuss the matter; and if he will make a statement on the matter. [33460/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The allegations of surveillance of EU premises, if true, are of concern to all EU member states, including Ireland. The EU's External Action Service has sought clarification of the situation in both Washington and Brussels. High Representative Ashton has also spoken directly about this matter to Secretary of State Kerry and at a press conference, President Obama emphasised the importance of the US relationship with Europe and gave a firm undertaking to examine these allegations and to provide "all the information that our allies want". I welcome this clear statement and undertaking. While Ireland is not one of the member states identified in the media reports to date, the Government has already expressed its concerns to the US Embassy in Dublin at a senior official level and looks forward to clarification being provided in response to the EU's request.

Citizenship Applications

141. **Deputy Michelle Mulherin** asked the Tánaiste and Minister for Foreign Affairs and Trade the reciprocal arrangements that exist between Ireland and Australia for persons wishing to apply for citizenship in either jurisdiction; and if he will make a statement on the matter. [33463/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): It is not the practice for Ireland to enter into reciprocal arrangements with other countries relating to the granting of citizenship and no such arrangement exists with Australia. The conditions for obtaining Irish citizenship are a matter for the Minister for Justice and Equality. Irish citizens may obtain Australian citizenship through meeting the requirements outlined under Australian law.

Tax Code

142. **Deputy Derek Nolan** asked the Minister for Finance his plans to extend the 9% VAT rate for the tourism industry into 2014 and beyond; and if he will make a statement on the matter. [33067/13]

Minister for Finance (Deputy Michael Noonan): Any proposals to maintain the 9% rate into 2014 will be considered in the context of Budget 2014.

National Car Test

143. **Deputy Joan Collins** asked the Minister for Finance the reason a national car testing centre (details supplied) in Dublin 12 cannot process vintage cars for the €200 VRT charge. [33152/13]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Revenue Commissioners that as a Foreign Registration Certificate, which is a requirement for registration of used vehicles, was not presented with the vehicle in question at the time of the NCTS appointment, the registration of the vehicle could not be completed. This document gives the technical information for the vehicle, including the date of first registration, which is required for the vehicle registration record.

In this particular case, I understand that the customer was asked to provide alternative documentation from a recognised ‘vehicle enthusiast’ organisation outlining the required vehicle details. I am advised that if it is more convenient, documentation from the manufacturer of the vehicle verifying the vehicle details would be acceptable. Once this documentation is provided, the registration of the vehicle can be completed. I have also been informed by the Commissioners that it has always been their practice to seek foreign registration certificates for the registration of “vintage” vehicles and where these are not available to accept the alternative documentation outlined above.

EU Budget

144. **Deputy Brendan Smith** asked the Minister for Finance the reason the State’s contribution to the EU budget in the first six months of the year, at €931 million, was up from €810 million in 2011; the reason this figure is €67 million higher than expected; and if he will make a statement on the matter. [33395/13]

Minister for Finance (Deputy Michael Noonan): The EU budget is mainly financed by contributions from each member state. These comprise ‘traditional own resources’ - principally customs duties collected on behalf of the EU, a VAT related payment under which an agreed percentage is levied on a harmonised VAT base for each member State and finally a balancing component paid according to each member state’s share of EU Gross National Income (GNI)*.

The 2013 EU budget is larger than the 2012 EU budget and this partly accounts for higher year-on-year payments made during the first six months of 2013. However, the primary reason for this increase is that the Commission, for cash flow reasons, has adjusted the monthly pattern according to which it seeks funds from member states, compared to previous years. This change to the monthly profile of contributions also explains why Ireland’s EU budget contribution to end June 2013 is €67 million higher than the forecast in the monthly profiles of expenditure and revenue published in February. These adjustments to the monthly profile of a member state’s contribution do not affect the annual payment total.

*GNI is equal to GNP adjusted for EU subsidies and taxes.

Prize Bonds

145. **Deputy Andrew Doyle** asked the Minister for Finance further to Parliamentary Question No. 240 of 2 July 2013, regarding anti-money laundering requirements for prize bonds, if officials in his Department have engaged with the National Treasury Management Agency regarding whether exemptions will be made available under European directives applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company; and if he will make a statement on the matter. [33416/13]

Minister for Finance (Deputy Michael Noonan): Officials of my Department are exploring with the National Treasury Management Agency (NTMA) whether or not exemptions available under the Third Money Laundering Directive (2005/60/EC) and its Implementing Directive (2006/70/EC) may be applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company.

Single Euro Payments Area

146. **Deputy Seán Kyne** asked the Minister for Finance if his attention has been drawn to the concerns of many Irish businesses regarding the non-mandatory status of the single euro payment area B2B which, despite the benefits to business and hence employment, has not been granted a timetable for implementation by Irish banks with the result that the SEPA core framework, intended for persons, will apply to Irish businesses. [33484/13]

178. **Deputy Dara Calleary** asked the Minister for Finance if he has set a deadline for Irish banks to implement the SEPA B2B scheme, if his attention has been drawn to the potential danger to credit supply here if this scheme is not implemented; and if he will make a statement on the matter. [33452/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 146 and 178 together.

The aim of the Single Euro Payments Area (SEPA) project is to create a single market for euro-denominated retail payments. SEPA is an EU initiative that will change the way that these payments are processed across Europe. SEPA will allow payment systems users to make euro-

denominated retail electronic payments to payees located in any of the participating countries, using a single payment account and a single set of payment instruments (the participating countries are the EU member states, together with Iceland, Liechtenstein, Norway, Switzerland and Monaco). SEPA comes into full effect on 1 February 2014 and businesses will need to ensure that payroll, direct debit and accounting systems are SEPA-ready. SEPA will introduce new business rules in relation to retail electronic payments and implement common standards in all participating countries for issuing and executing the underlying payment instructions. SEPA will deliver tangible benefits to businesses, for example by allowing faster settlement and simplified processing will improve cash flow and reduce costs.

The implementation of SEPA within Ireland is overseen by the National Payments Plan (NPP) Steering Committee, which was established in 2012 to modernise the way payments are made in Ireland. In this regard, an NPP-SEPA sub-group has been formed, consisting of representatives of consumers, businesses, Government and banks. This sub group provides an avenue for the discussion of any issues that arise in the process of migrating to SEPA.

The SEPA Direct Debit Scheme exists in two forms – the ‘core’ scheme and the ‘B2B’ (Business to Business) scheme. Both scheme forms allow creditors to collect funds directly from a debtor’s bank account, provided that a valid mandate has been given by the debtor to the creditor. The key difference is that in the B2B Scheme the payer is not entitled to obtain a refund in respect of an authorised transaction (in contrast with the rights afforded to the payer in the in the core SDD scheme). Adherence to the core scheme by banks is mandatory, but provision of the B2B scheme is optional; thus far only two Irish banks are in a position to offer the SDD ‘B2B’ service. The remaining banks are currently focussed on the migration of their business customers to the SEPA ‘core’ scheme in advance of the 1 February 2014 end-date. Once this objective has been achieved, the possibility of offering the ‘B2B’ scheme will be examined by these banks; this issue is currently the subject of ongoing discussion between the banks concerned and the Central Bank of Ireland.

Banking Sector Investigations

147. **Deputy Billy Timmins** asked the Minister for Finance the position on recent revelations regarding Anglo Irish Bank (details supplied); and if he will make a statement on the matter. [32871/13]

Minister for Finance (Deputy Michael Noonan): Like every citizen in this country who is working hard to restore the Irish economy I am deeply disturbed by the taped conversations involving these Anglo executives in 2008 and dismayed to hear senior banking executives refer to the banking crisis with such arrogance. The Irish taxpayer has grimly endured the austere cost of the bank recapitalisation and the bank guarantee. They are understandably outraged by these revelations. Irish citizens have suffered greatly as a direct result of the banking crisis and the events which have led to the bank guarantee. The recent revelations will only serve to reinforce the Government’s resolve to move this country back in the right direction by tightening up regulation and enforcing it.

The tapes raise serious issues and this Government is committed to ensuring that the public is fully informed about what happened in Irish Banks in the lead up to and during the financial crisis. The Government has published the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Bill 2013 which, if enacted, will provide the legal framework for a banking inquiry to be held within the current constitutional parameters. I expect that once that legislation is on the Statute Book the Houses of the Oireachtas will move quickly to progress that inquiry. It is important that all relevant parties participate fully with any resulting inquiry.

In addition there are ongoing investigations by the Gardaí that must be let run their course. The Central Bank is also carefully studying the various transcripts emerging and they will be liaising with the Gardaí in this regard. The Central Bank is also examining whether or not any breaches of regulatory requirements may have occurred arising from the information contained in the transcripts.

Central Bank of Ireland IT Operations

148. **Deputy Pearse Doherty** asked the Minister for Finance if the Central Bank of Ireland was affected by a recent power disruption at the HP data centre in Santry, Dublin; and if he will make a statement on the matter. [32939/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Central Bank that as a result of facilities works at the HP Santry data centre on 21st June, a power interruption lasting 15 minutes took place. The impact was minor and did not interrupt any business service of the Central Bank. I am also informed that migration to the HP data centre is in its early stages and the bulk of services are not yet live. Accordingly, it was not necessary to consider invoking service continuity procedures.

Property Taxation Administration

149. **Deputy Robert Dowds** asked the Minister for Finance with regard to deferral of property tax, the reason the rate of interest stands at 4%, nearly twice the current bank interest rate. [32952/13]

Minister for Finance (Deputy Michael Noonan): The Finance (Local Property Tax) Act 2012, as amended, provides for the charging of interest on overdue taxes at a daily rate of 0.0219 per cent per day, just under 8% per annum, the same as the rate chargeable in relation to other taxes under the care and management of the Revenue Commissioners. The legislation provides for the possibility of full or partial deferral in certain defined circumstances to qualified liable persons, and in such circumstances, the daily interest rate is 0.011 per cent, just under 4% per annum. This is half the interest rate that applies to cases of non-compliance. The deferred amount, including interest, will attach to the property and will have to be paid before the property is sold or transferred.

Certain events such as the receipt of money by way of winnings, gifts, inheritances or capital sums of any kind will cause the tax deferred up to that point, including interest, to become immediately payable. Deferred LPT and interest will have to be discharged on the sale/transfer of the property. However, a deferral may be allowed to continue where the property passes to another person by way of a gift or inheritance and the new liable person is also eligible for a deferral. Deferrals are voluntary and the tax payer may choose to pay any deferred LPT though not required to do so.

Therefore, the length of time that LPT may be deferred and any amounts deferred will vary depending on individual circumstances. These are some of the factors which make direct comparisons between the rates of interest charged on deferred LPT and bank loans difficult.

Per Central Bank figures (Retail Interest Rate Statistics: April 2013), the weighted average interest rate on outstanding loans to households for consumption and other purposes stands at 6.19 per cent at end-April 2013. The interest rate on short-term loans for consumption and other purposes with an agreed maturity up to one year stood at 9.74 per cent at end-April 2013.

The corresponding short-term rate reported by all credit institutions in the euro area was lower at 7.73 per cent at end-April 2013. Short-term loans for consumption and other purposes with an agreed maturity of up to one year include both overdrafts and credit card debt. In terms of longer-term loans, the interest rate reported by Irish resident credit institutions on loans with an original maturity over five years was 3.95 per cent at end-April 2013. This rate fluctuates with the reported rate at 4.17 per cent as of April 2012. In the euro area, the equivalent long-term interest rate reported by all credit institutions stood at 4.88 per cent at end-April 2013.

While a variable rate linked to Central Bank interest rates was considered, a fixed rate was favoured on grounds of certainty to taxpayers over how much they may owe and ease of administration for the Revenue Commissioners in calculating any interest due. I am satisfied that the rate of interest on deferred LPT is proportionate in the context of the higher rate of interest for cases of non-payment of LPT and current interest rates on loans from financial institutions.

Property Taxation Application

150. **Deputy Robert Dowds** asked the Minister for Finance in terms of deferral of property tax, if the same deferral conditions apply when the person involved is availing of the fair deal programme. [32953/13]

152. **Deputy Robert Dowds** asked the Minister for Finance in respect of the local property tax, the position regarding the deferral rule where a house is willed to someone who is unable to pay due to unemployment. [32956/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 150 and 152 together.

Based on the information supplied by the Deputy it is not possible to provide a definitive reply to these questions. However, the following information may be relevant.

The Finance (Local Property Tax) Act 2012 provides for the possibility of deferring all or part (50%) of the LPT charge in cases where certain specified conditions are met. While the deferral arrangements are not specifically linked to the Health Service Executive Fair Deal Scheme, an individual who is availing of that Scheme may be entitled to defer the charge. In order to answer the question fully however, I am advised that the Deputy would have to provide more specific details.

I am informed by the Revenue Commissioners that the general position is that under section 5 of the Finance (Local Property Tax) Act 2012 (as amended), an exemption may be obtained where a property that was previously occupied by a person as his or her sole or main residence has been vacated by the person for 12 months or more due to long term mental or physical infirmity. An exemption may also apply where the period is less than 12 months, if a doctor is satisfied that the person is unlikely at any stage to return to the property. In both cases, the exemption applies only where the property is not occupied by any other person or is not jointly owned with another person.

The Finance (Local Property Tax) Act 2012 (as amended) provides that a liability for Local Property Tax (LPT) will arise where a person is a liable person in relation to a residential property on the liability date, which was 1 May 2013 for the year 2013. This includes a person who inherited a residential property and owned it on that date.

An unemployed person who is an owner-occupier of a residential property may be entitled to a full or partial deferral if their annual income is within the limits set out in the LPT legisla-

tion. Full details of all deferral options are outlined in the Guidelines on Deferral or Part Deferral of Local Property Tax, which are available on Revenue's website, www.revenue.ie.

Property Taxation Administration

151. **Deputy Robert Dowds** asked the Minister for Finance if there is any redress for owners who have over-assessed the value of their dwellings. [32955/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that as the Local Property Tax (LPT) is a self-assessed tax it is a matter for the property owner to calculate the tax due based on his or her assessment of the market value of the property. For the purposes of LPT, values for properties under €1 million are organised into valuation bands, with an initial band from €0 to €100,000 and 18 bands between €100,001 and €1,000,000 with a range of €50,000 in each band. As property owners were not required to provide a precise value for their property as at 1 May 2013, it is anticipated that for the most part overpayments of LPT should not happen. That initial valuation of a property on 1 May 2013, assuming it was made in good faith, is valid up to and including 2016 and will not be affected by any increase or decrease in property prices or other changes during this period. This will ensure a measure of certainty for all property owners. Accordingly, where an owner assessed that the value of a residential property on 1 May 2013 places it in a particular valuation band but, due to a general decrease in property prices after that date, the reduction in the value of the property would place it in a lower valuation band, the owner will not be entitled to a refund of tax. By the same token, if the property increases in value in that period, no additional charges will apply. The owner will, however, have the opportunity to re-assess the value of the property on the next valuation date, which is 1 November 2016.

Revenue is most concerned that people meet their obligations voluntarily and pay the correct amount of tax. However, if someone has genuinely overpaid their LPT, Section 26 of the 2012 Act (as amended) provides that a claim for a refund of the tax overpaid may be made to Revenue, where the overpayment of LPT was made due to an error or mistake on a return or a statement made by the liable person, subject to certain conditions being satisfied. In this regard, I am advised that Revenue will issue detailed guidelines later in the year setting out the procedures to be followed by those who consider that they have either over or under valued their property for LPT purposes or inadvertently paid on foot of the Revenue estimate. However, in the meantime, if a person has such concerns regarding their property, they can write to LPT Branch, Government Buildings, Kilrush Road, Ennis, Co. Clare setting out their case and the matter will be considered.

I am advised by Revenue that any valuation amendments to Local Property Tax Returns must be in writing and must be supported by the appropriate evidence to explain or prove the need to decrease the value. Evidence can be in the form of recent sales or advertised house prices in the area, professional valuations or house price surveys for the area.

Question No. 152 answered with Question No. 150.

Appointments to State Boards

153. **Deputy Clare Daly** asked the Minister for Finance in what capacity was a person (details supplied) a member of the board of the Central Bank of Ireland; and if he was representing himself or the trade union movement. [33006/13]

Minister for Finance (Deputy Michael Noonan): Mr. David Begg's appointment in 1995 to the Board of the then Central Bank and Financial Services Authority of Ireland (CBFSAI) was in the context of his role as General Secretary of the Irish Congress of Trade Unions.

IBRC Staff

154. **Deputy Michael McGrath** asked the Minister for Finance the number of Irish Bank Resolution Corporation staff who have transferred to the National Asset Management Agency; the number who are on fixed-term contracts; the number who are permanent appointees; and if he will make a statement on the matter. [33036/13]

167. **Deputy Pearse Doherty** asked the Minister for Finance the number of staff of the former Anglo Irish Bank now employed by the National Treasury Management Agency and in the National Asset Management Agency specifically. [33120/13]

168. **Deputy Pearse Doherty** asked the Minister for Finance if he is satisfied that none of the former Anglo Irish Bank staff taken on by the National Asset Management Agency was involved in the events that led up to the failure of Anglo Irish Bank. [33121/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 154, 167 and 168 together.

Twenty National Treasury Management Agency (NTMA) staff assigned to the National Asset Management Agency (NAMA) have been recruited directly from the Irish Bank Resolution Corporation (IBRC) or its predecessor entities. All of these staff have been recruited on the basis of specified purpose contracts.

The issue of a transfer of staff from IBRC to NAMA does not arise. Prior to the appointment of the Special Liquidators to IBRC on 7 February 2013, IBRC provided primary servicing (loan administration services) on NAMA loans with nominal balances of €41 billion and provided special servicing (debtor engagement) on €5.1 billion of this portfolio. These services are now being moved to Capita Asset Services which was appointed by NAMA in March as back-up servicer to the existing IBRC portfolio. Capita is currently recruiting staff, both within IBRC and elsewhere. As part of the new arrangements, NAMA has decided to assume certain oversight functions in relation to this portfolio and, arising from this, positions have been advertised and applications have been received from IBRC staff. I am advised that this process is still ongoing and that of 27 offers made to IBRC staff to date 10 have been accepted and 17 have been declined.

In addition, as part of the Government's decision in February to appoint the Special Liquidators, it was decided that NAMA would acquire any loans which were unsold after the Special Liquidators had completed a loan valuation and sales process. The loan valuation process is currently underway and I am advised that additional positions are likely to become available in NAMA and in its service providers after the loan sales process has concluded and NAMA has acquired any unsold loans.

It is a matter for the NTMA, as employer, to satisfy itself as to the suitability of the staff it recruits, including staff assigned to NAMA. Section 42 of the NAMA Act requires the NTMA to ascertain to its satisfaction that the staff it proposes to assign to NAMA are of good character and have not been convicted of any offence likely to render them unfit or unsuitable, have not been disqualified or restricted from acting as a director under the Companies Acts and have no material conflicts of interest, whether actual or potential. In addition, under section 42(3), a member of staff of the NTMA is required to provide a statement of his or her interests, assets

and liabilities before being assigned to NAMA.

IBRC Staff

155. **Deputy Michael McGrath** asked the Minister for Finance the number of Irish Bank Resolution Corporation staff who have been made redundant or have been notified that they will be made redundant since the liquidation of the company was announced; and if he will make a statement on the matter. [33037/13]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Special Liquidators that following the appointment of the Special Liquidator, 809 employee contracts were terminated in the Republic of Ireland. 802 employees were re-hired by the Special Liquidators on short term contracts to assist with the liquidation of Irish Bank Resolution Corporation Limited. The 7 employees who were not re-hired held senior positions within the Bank. I have been advised by the Special Liquidators that they have entered into a redundancy consultation period with 23 staff in Belfast and 11 staff in London. I have also been informed that there are 16 staff members in Republic of Ireland whose contracts are not being renewed once they terminate on 7 September 2013.

Central Bank Board Meetings

156. **Deputy Pearse Doherty** asked the Minister for Finance if he will set out, by member, the attendance at Central Bank board meetings in the two years prior to the banking guarantee and in the months afterwards; the timeframe the board met; and the remuneration including expenses paid to the board members. [33039/13]

Minister for Finance (Deputy Michael Noonan): The attendance records for Central Bank board meetings, for the period 2006-2009, are set out in the following schedule. In relation to remuneration, Directors' fees from 2006-2008 and part of 2009 were €17,500 per annum. In May 2009, Directors fees were revised downwards by 10% to €15,750 per annum.

Central Bank and Financial Services Authority of Ireland

Attendance at Board Meetings

-	2006	2007	2008	2009
Total Number of Meetings Held	11	11	15	12
Number of Meetings Attended by:				
Liam Barron	11	6 ¹	n/a	n/a
David Begg	9	9	13	11
Tom Considine	6 ²	n/a	n/a	n/a
Gerard Danaher	6	8	14	8
Friedhelm Danz	9 ³	n/a	n/a	n/a
Roy Donovan	10	10	4 ⁴	n/a
David Doyle	5 ⁵	10	13	11

-	2006	2007	2008	2009
Total Number of Meetings Held	11	11	15	12
Number of Meetings Attended by:				
John Dunne	11	10	15	12
Jim Farrell ⁶	n/a	n/a	10	11
Alan Gray	n/a ⁷	11	12	10
Tony Grimes	n/a	4 ⁸	14	12
Brian Hillery	n/a	n/a	6 ⁹	10
Patrick Honohan	n/a	n/a	n/a	3 ¹⁰
John Hurley	11	11	13 ¹¹	9 ¹²
Patrick Neary	10 ¹³	11	13	0 ¹⁴
Dermot O'Brien	n/a	n/a	12	12
Mary O'Dea ¹⁵	n/a	n/a	n/a	12
Martin O'Donoghue	10	11	3 ¹⁶	n/a
Liam O'Reilly	1 ¹⁷	n/a	n/a	n/a
Brian Patterson	10	8	0 ¹⁸	n/a
Deirdre Purcell	11	10	13	11

1. Liam Barron retired as Director General in August 2007
2. Tom Considine ceased to be a member of the Board on 30 June 2006 on his retirement as Secretary General of the Department of Finance.
3. Friedhelm Danz retired from the Board on 26 October 2006.
4. Roy Donovan retired as a Director in April 2008
5. David Doyle appointed as a Director July 2006
6. Jim Farrell appointed as Chairman of the Irish Financial Services Regulatory Authority in May 2008
7. Alan Gray appointed as a Director in December 2006
8. Tony Grimes appointed as Director General August 2007
9. Brian Hillery appointed as a Director in May 2008
10. Patrick Honohan appointed as Governor in September 2009
11. Tony Grimes, Director General, was appointed acting Governor from 19 July until 19 September 2008
12. John Hurley retired as Governor on 25 September 2009
13. Patrick Neary appointed as Chief Executive of the Irish Financial Services Regulatory Authority in February 2006

14. Patrick Neary retired as Chief Executive of the Irish Financial Services Regulatory Authority in January 2009

15. Mary O’Dea appointed Acting Chief Executive of the Irish Financial Services Regulatory Authority in January 2009

16. Martin O’Donoghue retired as a Director in April 2008

17. Liam O’Reilly retired as Chief Executive of the Irish Financial Services Regulatory Authority in January 2006

18. Brian Patterson retired as Chairman of the Authority in April 2008

Central Bank Board Membership

157. **Deputy Pearse Doherty** asked the Minister for Finance the members of the Central Bank board in the 15 years leading up to the banking guarantee and in the immediate aftermath of the guarantee. [33041/13]

Minister for Finance (Deputy Michael Noonan): The information sought by the Deputy in relation to members of the Board of the Central Bank is set out in the following schedule.

Surname	First Name	Appointed	Term expired (incl. reappointments)
McAleese	Dermot	30-Jul-79	31-Jan-96
Ferguson	Vincent A	17-Jun-83	16-Jun-93
O’Connor	Stephen	17-Jun-83	31-Jan-96
Cromien	Sean P	01-May-87	30-Apr-08
Walsh	Mary	01-Jul-88	30-Jun-98
Donovan	Roy	01-Dec-89	30-Apr-08
Moriarty	Patrick J	01-Dec-89	30-Nov-98
Murphy	Michael	15-Jan-90	14-Jan-95
Ryan	Eoin	14-Sep-92	Deceased 14-Dec-01
McCann	Billy	29-Jul-93	28-Jul-98
O’Connell	Maurice	01-May-94	30-Apr-02
Mullarkey	Patrick	13-Jun-94	09-Mar-00
Byrne	Donal	28-Jun-94	30-Apr-03
Begg	David	12-May-95	30-Apr-03
Danz	Friedhelm	01-Feb-96	Resigned 31-Oct-06
Nugent	Jim	12-Feb-98	11-Feb-03
O’Donoghue	Martin	01-Jul-98	30-Apr-08
Danaher	Gerard	15-Oct-98	30-Sep-10
Hurley	John	10-Mar-00	25-Sep-09
McBennett	Michael	22-Feb-02	01-May-03
Considine	Tom	11-Mar-02	30-Jun-06
Dunne	John	01-May-03	30-Sep-10
Farrell	Jim	01-May-03	30-Sep-10
O’Reilly	Liam	01-May-03	30-Apr-06
Patterson	Brian	01-May-03	30-Apr-08
Purcell	Deirdre	01-May-03	30-Sep-10
Barron	Liam	01-May-03	17-Aug-07

Surname	First Name	Appointed	Term expired (incl. reappointments)
Neary	Patrick	01-Feb-06	31-Jan-09
Doyle	David	01-Jul-06	31-Jan-10
Gray	Alan W	21-Dec-06	30-Sep-10
Grimes	Tony	18-Aug-07	28-Jul-11
Hillery	Brian	01-May-08	30-Sep-10
O'Brien	Dermot	01-May-08	30-Sep-10
O'Dea	Mary	01-May-08	04-Jan-10
Honohan	Patrick	26-Sep-09	
Elderfield	Matthew	04-Jan-10	
Cardiff	Kevin	01-Feb-10	03-Feb-12
Clarke	Blanaid	01-Oct-10	
FitzGerald	John	01-Oct-10	
Geraghty	Des	01-Oct-10	
Soden	Michael	01-Oct-10	
Watson	Max	01-Oct-10	Resigned 31-Dec-11
Ahearne	Alan W	08-Mar-11	
Moran	John	06-Mar-12	

Bank Guarantee Scheme Administration

158. **Deputy Stephen S. Donnelly** asked the Minister for Finance further to Parliamentary Question No.191 of 11 June 2013 the reason the details sought per bank from 2008 are a matter of commercial sensitivity five years on; and if he will make a statement on the matter. [33043/13]

Minister for Finance (Deputy Michael Noonan): The Deputy refers in his question to an earlier related question to which I gave a written reply on 11 June, 2013. This reply was in response to the Deputy's request then for details of the breakdown of covered liabilities by bank as of 30 September, 2008. The details sought by the Deputy were communicated to my Department on the basis that the information was confidential and as being commercially sensitive. I am informed by my officials that this continues to be the case and will be unless the information becomes a matter of public record. I am informed that release of commercially sensitive information such as that originally requested by the Deputy could result in Market Disclosure Issues for those banks that are listed companies in respect of any releases that are not made through appropriate channels.

The Deputy will appreciate that the information was provided on a confidential basis and that its release without the approval of the banks concerned would be a breach of trust and could damage the relationships between the banks and the Authorities with consequences for provision of information by the banks in the future.

The Deputy will be aware from recent replies to questions of a similar nature raised in this House last week that there is information in aggregate form on the breakdown of liabilities of the covered banks for the period in question, 30 September, 2008 and this can be accessed at the following web address: <http://www.finance.gov.ie/documents/publications/reports/2011/nybergreport.pdf>

IBRC Liquidation

159. **Deputy Kevin Humphreys** asked the Minister for Finance the number of safety deposit boxes remaining in Irish Bank Resolution Corporation on the night the bank was liquidated; if any such deposit boxes remain unclaimed; and if he will make a statement on the matter. [33060/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that there were 24 safety deposit boxes in use when the Special Liquidators were appointed to IBRC. The Special Liquidators are currently reconciling the safety deposit boxes to determine ownership.

Credit Unions Issues

160. **Deputy Finian McGrath** asked the Minister for Finance if he will provide an update on the current state of credit unions and the banking issue; and if credit unions are now coming under pressure to bail out the banks. [33082/13]

162. **Deputy Finian McGrath** asked the Minister for Finance if he shares the concerns of credit unions on debt sharing (details supplied). [33097/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 160 and 162 together.

An unsustainable debt position has been reached by many borrowers, which needs to be addressed for the benefit of both borrowers and lenders alike. The Central Bank is facilitating a voluntary co-ordinated approach among lenders to the resolution of multiple debts owed by distressed borrowers.

The Central Bank is now carrying out a pilot exercise, involving banks, credit unions and other lenders, to test an approach to dealing with both secured and unsecured debt in a sample of approximately 750 cases where borrowers have debts with multiple lenders. This pilot framework contains a restructuring waterfall that will be applied to each borrower that agrees to participate, in order to establish the most appropriate modification to put him or her on an affordable repayment path. The pilot will operate for a period of three months, after which the results will be assessed to establish the effectiveness of the framework and to determine the appropriate next steps. It should be emphasised that participation in the pilot is voluntary for both the lender and borrower.

The Central Bank pilot scheme will offer the opportunity for distressed borrowers - including credit union members - to resolve their debts without the need to enter into a formal statutory process. In this respect, it is important that credit union members are not left with a more limited range of options than are available to customers of other financial institutions. It is in this spirit that the Central Bank has written to all credit unions to make them aware of the pilot so that the credit unions can decide whether their participation is in the interests of their members, including members with distressed debts across multiple lenders.

Credit unions have been invited by the Central Bank to nationwide information seminars on the pilot scheme to discuss its objectives and approach. The Irish League of Credit Unions has also been invited to attend at these sessions and provide input into the content of them.

The Central Bank initiatives in the mortgage arrears area, including the pilot framework and the mortgage arrears targets initiative announced last March, is consistent with the overall

Government approach to the mortgage arrears problem. In particular, the Government, while significantly modernising Ireland's bankruptcy and insolvency law and procedures, has also advocated and encouraged borrowers and lenders to address situations of debt difficulty, where possible, on a bilateral and informal basis, and the recent Central Bank initiatives should underpin that process. Taken together, the framework is in place to enable lenders to work with distressed borrowers to reach sustainable solutions for dealing with their personal indebted situations.

The correspondence referred to in the Question also raises an issue regarding the repayment of direct debits. I can clarify in terms of the refund rights available to payers under SEPA, these are laid down in the Payment Services Directive 2009 (the PSD) as transposed by S.I. 383 of 2009, and in the SEPA Direct Debit (SDD) scheme rulebook published by the European Payments Council (the owner of the SDD scheme).

The PSD grants consumers refund rights in three situations - for overcharging, unauthorised debits and incorrect processing. For unauthorised debits and incorrect processing, the payer has a right to an immediate refund as long as they notify their bank as soon as possible, and no later than 13 months after the debit date.

Property Taxation Administration

161. **Deputy Patrick O'Donovan** asked the Minister for Finance the options for a homeowner (details supplied) in County Wexford having discovered errors after making their local property tax return; and if he will make a statement on the matter. [33092/13]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that any valuation amendments to Local Property Tax Returns must be in writing and must be supported by the appropriate evidence to explain or prove the need to decrease the value. Evidence can be in the form of recent sales or advertised house prices in the area, professional valuations or house price surveys for the area. On the specific case raised by the Deputy, I am advised that Revenue has already been in direct contact with the person in question and the address of the property has been amended as requested. Revenue has also advised the person on the correct procedure in regard to amending the valuation of a property.

Question No. 162 answered with Question No. 160.

Banks Recapitalisation

163. **Deputy Pearse Doherty** asked the Minister for Finance if Anglo Irish Bank was trading solvently post September 2008 as a result of the banking guarantee; if the guarantee ensured the bank would not fail, or just insured that in the event of failure liabilities would be met; and if loan recipients following the banking guarantee can claim that their loans were issued fraudulently post 2008 because the bank was not solvent. [33116/13]

Minister for Finance (Deputy Michael Noonan): It is important to note that at no time was Anglo Irish Bank declared insolvent and the provision of capital and support by the Government has prevented insolvency. IBRC, the merged entity, comprising both Irish Nationwide Building Society and Anglo Irish Bank, remained solvent and in compliance with capital requirements up until liquidation on the 7th February 2013. Anglo Irish Bank was regarded as a systemically important credit institution and was managed and dealt with on that basis by all the Irish regulatory authorities. Failure of such an important institution would have had serious

and immediate financial and economic implications. Having consulted with the Central Bank capital was provided to the bank to ensure that they continued to meet all regulatory capital requirements.

In the case of Anglo the Department knew, prior to nationalisation, that capital would be required, that funding at the bank was problematic and that certain risks, including governance issues, could, if not mitigated, materially impact on the bank. However, the bank was not adjudged insolvent at that time. The audited accounts for the period, and assessments by the Financial Regulator, PricewaterhouseCoopers (PwC) and Merrill Lynch all indicated that the bank was solvent. Anglo was nationalised because of governance issues, and funding problems in particular which would very quickly have placed the bank in a position of inability to repay maturing debt including deposits, with a major and immediate knock-on impact on other banks and on the State. Further, there was strong negative market sentiment towards the bank which was impacting on the banking sector generally.

With the benefit of hindsight, however, it is now clear that the full extent of the evolving problems in global financial crisis or the property market were not envisaged in any assessment of the bank at that time. In the course of 2009/2010 the extent of the problems became clear and the level of impairments on assets increased substantially necessitating further injections of capital to sustain the capital position of the bank.

Banking Sector Issues

164. **Deputy Pearse Doherty** asked the Minister for Finance his views on whether the members of the board of Anglo Irish Bank, who held position up to and post September 2008 failed in their responsibility to alert shareholders as to the financial difficulties that the bank was in. [33117/13]

165. **Deputy Pearse Doherty** asked the Minister for Finance if he has asked the former members of the board of Anglo Irish Bank, who were on the board in the run up to and after September 2008, to provide a comprehensive report on the affairs of the bank and an explanation of their actions and assessment of what happened. [33118/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 164 and 165 together.

The Office of the Director of Corporate Enforcement is responsible for the enforcement of breaches of company law and it is the function of the director of the ODCE to investigate if the former members of the Board of Anglo Irish Bank complied with their regulatory responsibilities and duties. As there are currently a number of court cases in relation to the responsibility of the Bank in relation to the share price, it would not be appropriate for me to comment on this matter as it could prejudice the on-going court cases.

It is the responsibility of the investigating body to request the former members of the Board of Anglo to explain their actions and provide a report on the affairs of the bank. I do not give instructions to the ODCE as it is not my role and it would not be appropriate for me to do so. There are a number of inquiries and investigations on-going into matters at Anglo Irish Bank. I am advised that these proceedings are suitably resourced but take a long time to progress due to the complexity of the cases.

The DPP has now issued proceedings against three former executives in Anglo Irish Bank in relation to various offences under the Companies Acts. It is hoped that these cases will be progressed through the Courts in the first half of next year. Due to the sensitive nature of those

issues, it would be inappropriate for me or the bank to comment further at this time.

Banking Sector Investigations

166. **Deputy Pearse Doherty** asked the Minister for Finance if he is satisfied that Anglo Irish Bank kept proper books and records as required by section 202 of the Companies Act; and if he will make a statement on the matter. [33119/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that they are currently reviewing the books and records of Anglo Irish Bank/ IBRC. The Special Liquidators will be meeting their obligations under Section 56(1) of the Company Law Enforcement Act 2001 and as such will be considering the adequacy of the books and records of IBRC as part of this report.

Questions Nos. 167 and 168 answered with Question No. 154.

Banking Sector Investigations

169. **Deputy Pearse Doherty** asked the Minister for Finance if phone calls between the Central Bank of Ireland and traders market-related phone calls are recorded; if the recordings are kept; and if he has requested that these tapes also be preserved for any banking inquiry. [33295/13]

Minister for Finance (Deputy Michael Noonan): The Central Bank has advised me that it is not their practice to record telephone calls with regulated entities, but that phone calls on landlines in investment firm trading rooms are generally recorded, although there are no specific regulations that require this. The question of the recording of phone calls by investment firms is being reviewed as part of EU negotiations on the Markets in Financial Instruments Directive (MiFID) and the Market Abuse Regulation (MAR). MiFID is currently the subject of negotiations between the Council and the European Parliament, while MAR cannot be finalised until MiFID negotiations are complete. When MiFID is finalised it is expected that Member States will be given 24 months in which to implement the Directive.

The Council position on telephone recordings in MiFID is that telephone recordings between investment firms and clients should be mandatory, subject to the client being notified of this in advance. The agreed position between the Council and European Parliament in MAR is that competent authorities will, subject to certain conditions, be able to access such telephone recordings.

Banking Sector Recruitment

170. **Deputy Pearse Doherty** asked the Minister for Finance the standard that now applies to recruiting and hiring staff at the Central Bank of Ireland and other State-run banks; if senior staff must come with a level of experience in a similar field; and if he is satisfied that all staff currently appointed in the Central Bank of Ireland went through rigorous interview and probationary processes. [33296/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Central Bank that the Central Bank Commission approves the staffing plan for the Central Bank on an annual basis and this defines the resourcing needs across the organisation. The Central Bank adopts a

thorough recruitment process for all positions. The selection process involves an initial short-listing by human resources, further shortlisting by the hiring manager against an agreed criteria and role profile, aptitude tests (for more junior roles), interviews (with a selection panel), assessment centre (for senior roles) and second interview. All staff members have to complete a probationary period of 6 months. Recruitment policy at the covered banks is an operational matter for those banks.

Banking Operations

171. **Deputy Pearse Doherty** asked the Minister for Finance if the Financial Regulator is aware of loans being forwarded to customers in any of the State-owned banks, without going through due process; and the steps banks are supposed to follow, post the 2008 crash, in the issuing of loans. [33297/13]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Central Bank that all requests for new lending go through a formal process which inter alia includes steps such as application, assessment, approval, decline or defer pending further information, issue and signing of a binding contract and draw down of funds. Over the last three years the Central Bank has taken various steps to ensure higher lending standards by implementing various initiatives to improve governance, systems, controls, processes, and training. Examples of these various initiatives include but are not limited to the corporate governance code for credit institutions and insurance undertakings 2010, minimum competency requirements, Central Bank Provisioning and Disclosure Guidelines 2011 & 2012, Central Bank Valuation Guidelines 2012 and the fitness and probity regime 2011. In addition the Consumer Protection Code 2012 contains requirements in relation to information and suitability in relation to the sale of loans.

Tobacco Smuggling

172. **Deputy Tom Fleming** asked the Minister for Finance the progress made to date in addressing the growing problem of cigarette smuggling here; the number of seizures made and the quantity of cigarettes seized in each case during the past four years; and if he will make a statement on the matter. [33380/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners, who are responsible for the collection of tobacco products tax and for tackling the smuggling and sale of illicit tobacco products, that they attach a high priority to dealing with this criminal activity. Their “Strategy on Combating the Illicit Tobacco Trade (2011-2013)”, which is published on the Revenue website (www.revenue.ie), includes a range of measures designed to complement each other in targeting the supply and demand sides of the market for illicit tobacco products. This multi-faceted strategy includes ongoing analysis of the nature and extent of the problem, developing and sharing intelligence on a national, EU and international basis, ongoing review of operational policies, development of analytics and detection technologies, and optimum deployment of resources at both point of importation and inland to intercept and seize illegal products and to prosecute those involved. Interception of illicit tobacco products is achieved through a combination of risk analysis, profiling and intelligence and the screening of cargo, vehicles, baggage and postal packages. Revenue officers also target the illicit trade at the post-importation level by carrying out intelligence-based operations and random checks at retail outlets, markets and private and commercial premises.

In carrying out this important work Revenue works in close cooperation with other relevant

agencies, both nationally and internationally. There is extensive cooperation between Revenue and An Garda Síochána, and the agencies concerned in the State and in Northern Ireland work closely together, through a cross-border group on tobacco enforcement, to target the organised crime groups that are responsible for a large proportion of the illegal tobacco market. In addition, cooperation takes place with other Revenue administrations and with the European Anti-Fraud Office, OLAF, in the ongoing efforts to tackle the illicit trade at international level. The following table sets out the seizure details requested by the Deputy.

Details	2009	2010	2011	2012	2013*
Cigarettes	-	-	-	-	-
Seizures	10,610	9,017	10,580	8,108	3,015*
Quantity	218.5m	178.4m	109.1m	95.6m	11.3m*
Tobacco	-	-	-	-	-
Seizures	1,171	1,169	1,501	1,395	609*
Quantity	10,451kg	3,367kg	11,159kg	5,276 kg	2,913kg*

* to 30th June

There has also been considerable success in detecting and prosecuting those involved in the illicit trade, with 132 convictions during 2012 and 51 convictions to date in 2013 for the smuggling or sale of illicit tobacco products.

Negative Equity Mortgages Numbers

173. **Deputy Tom Fleming** asked the Minister for Finance the progress made in assisting households whose mortgages are in negative equity; the number of households that have been assisted for each of the past four years and to date in 2013; the additional plans he has in place to assist the increasing number of families whose mortgages are in negative equity; and if he will make a statement on the matter. [33381/13]

Minister for Finance (Deputy Michael Noonan): The Central Bank has engaged with mortgage lenders in relation to negative equity mortgages to develop a mortgage product that would allow home owners to sell their existing home and transfer the negative equity portion of the original loan to the new loan. In order to ensure that proposals in relation to such mortgages are consistent with the Central Bank's consumer protection and prudential policy objectives, the proposed criteria for any such facility need to be agreed in advance between mortgage lenders and the Central Bank. While the provision of negative equity mortgages will facilitate people moving homes and generate transactions in the housing market, the Central Bank has informed me that it is not expected that there will be a large take up of this product, as all sales must be sustainable and comply with the affordability and suitability provisions set out in the Consumer Protection Code. It is worth noting that a decision to introduce a negative equity type product is a matter for each mortgage lender and is based on commercial and policy considerations.

The Deputy will be aware that the Central Bank in its quarterly publication on Mortgage Arrears and Repossession statistics, publishes data on the number of mortgages restructured by quarter but it does not publish data in the format requested by the Deputy. The latest Central Bank data can be accessed at <http://www.centralbank.ie/polstats/stats/mortgagearrears/Pages/releases.aspx>. With regard to assisting borrowers in arrears the Central Bank published the revised Code of Conduct on Mortgage Arrears ("CCMA") recently, setting out requirements for mortgage lenders dealing with borrowers facing or in mortgage arrears on their principal primary residence (whether in positive or negative equity). The CCMA provides a strong consumer protection framework to ensure that borrowers struggling to keep up mortgage repayments are

treated in a fair and transparent manner by their lender, and that long term resolution is sought by lenders with each of their borrowers. The revised CCMA came into effect from 1 July 2013 and can be accessed on the Central Bank's website at www.centralbank.ie.

Property Taxation Collection

174. **Deputy Sean Fleming** asked the Minister for Finance if persons who provided a single direct authority payment instruction for the local property tax for 2013 automatically have the payment deducted from their nominated account on 21 March 2014 or will they be required to sign a new single debit authority as persons were informed that this is like an electronic cheque and therefore by definition a single payment and they were told it would be deducted not earlier than 21 July 2013; there is no reference that a different amount will automatically be deducted from their account in March 2014 without them having to sign a new payment authority, as would be the case like a new cheque which they were given to understand was the equivalent; and if he will make a statement on the matter. [33408/13]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that the Deputy is correct in comparing the 'single debit authority' (SDA) payment option to an electronic cheque and correct in stating that it is, by definition, an authority for a single debit to be made from the relevant account in favour of Revenue. Revenue has confirmed that where a taxpayer opted to pay Local Property Tax (LPT) in respect of 2013 by means of SDA, the instruction is limited to that particular payment and does not automatically carry over into 2014. Where a person wishes to avail of the SDA option to pay LPT in respect of 2014 he or she will be required to complete a new mandate. Revenue will remind all taxpayers of such requirements in due course.

Gambling Sector

175. **Deputy Brendan Griffin** asked the Minister for Finance the amount of winnings from gambling/lotteries paid out in the State per annum; the amount of this that arises from payouts of €500,000 or over; if he will provide any further details of the figured involved; and if he will make a statement on the matter. [33415/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that statistics on winnings from gambling are not held by them. I would advise the Deputy that only betting comes within my remit in the context of betting duty. Overall gambling and gaming is within the remit of the Minister for Justice and Equality.

Tax Code

176. **Deputy Brendan Griffin** asked the Minister for Finance if he continues to monitor the workings and effectiveness of the Hungarian SMS/MMS levy; if he will relay his findings; and if he will make a statement on the matter. [33417/13]

Minister for Finance (Deputy Michael Noonan): Officials of my Department continue to monitor developments regarding the imposition of an SMS/MMS/mobile call levy in Hungary. I am advised that, since 1 July 2012, publicly available telephone services in Hungary are subject to a tax which is levied on telecommunications service providers and which applies on the initiation of phone calls and the sending of SMS and MMS messages. The tax is levied at the

rate of 2 Hungarian Forint (HUF) per minute for initiated phone calls and HUF 2 per message (SMS/MMS) sent, which converts to approximately EUR0.0068, or c. two-thirds of 1 cent. Calls and messages to emergency services and those making charitable donations are exempt from the levy, as well as the first 10 minutes of calling in each month. The amount of tax payable is capped at HUF 700 (EUR €2.37) per month per phone number for private individuals and HUF 2,500 (EUR€8.47) for non-private individuals.

The levy is set to increase in Hungary from August 1. It is proposed that the telecom tax paid by businesses only will rise by HUF1 per minute or per text message, and the upper limit payable will rise from HUF2,500 to HUF5,000 (EUR €17 approximately). As previously advised, I understand the levy is the subject of European Commission challenge, claiming an infringement of Directive 2002/20/EC on the authorisation of electronic communications networks and services (Authorisation Directive). The action is currently at notification stage and has been responded to by the Hungarian authorities. No information has been made available as yet to my officials regarding behavioural impact of the tax.

As previously advised, the wider social and economic considerations which may militate against the introduction of a further tax on text messages would have to be taken into account, including the fact that that mobile phone calls and text messages are already subject to VAT at 23%, that a levy on such calls and messages could significantly increase the overall rate of taxation on mobile phone accounts, which would have implications for all sectors of society, and, finally, the fact the Exchequer has already received substantial benefit from the industry, particularly in the context of the recent spectrum auction.

In this regard, I am advised by ComReg that the winning bidders of its Multi-band Spectrum Auction for the 800, 900 and 1800 MHz bands will pay €854.64 million for these spectrum rights, comprising firstly of Upfront Fees amounting to €481.7 million (adjusted as necessary by transitional arrangements) and secondly, Annual Spectrum Usage Fees in the amount of €372.95 million which will be adjusted for inflation and paid in instalments until July 2030. Details of Upfront Fees and Spectrum Usage Fees for the duration of licences can be found in Section 2.2.5 of ComReg's Information Memorandum 12/52, which is available on the Com-Reg website, www.comreg.ie.

Money Laundering

177. **Deputy Sean Fleming** asked the Minister for Finance if he will review the recently introduced anti-money laundering requirements for prize bond purchases over €25; if he will consider raising this to purchases of €100 as the lower figure may be unnecessarily restrictive and have a detrimental impact on the sale of prize bonds, especially for persons who wish to give them as a gift to family members and friends; and if he will make a statement on the matter. [33424/13]

Minister for Finance (Deputy Michael Noonan): European legislation has been adopted to protect the financial system and certain professions and activities from being misused for money laundering and financing of terrorism purposes. The anti-money-laundering obligations applicable in Ireland derive from the Third EU Money-Laundering Directive. The Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 was enacted in July 2010 to transpose the Third Money Laundering Directive (2005/60/EC) and its Implementing Directive (2006/70/EC) into Irish Law. Part 4 of the Criminal Justice Act 2010 sets out the obligations of “designated persons” in relation to customer identification. One such obligation set out in the Act is the obligation to conduct customer due diligence, prior to the establishment of a business relationship. Customer due diligence refers to the identification of customers and that of any

beneficial owners of financial products associated with the customer.

An Post and the Prize Bond Company are deemed to be a “*designated person*” under the Criminal Justice Act 2010 as they fall within the definition of a “*financial institution*”. In light of this, An Post and the Prize Bond Company are required to comply with the relevant provisions of the Act in relation to the sale of Prize Bonds to customers. This means, in practical terms, that customer due diligence must be conducted on all purchases of prize bonds, irrespective of value. The extent to which any particular person or product may be exempted from the customer due diligence requirements of the Act is determined by reference to the Act having regard to the underlying Directives. The Central Bank of Ireland has no discretion to exempt certain firms from the requirement to comply with the Act.

In light of the above, I am exploring with the National Treasury Management Agency (NTMA) and my colleague the Minister for Justice whether or not exemptions available under the Directives may be applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company.

Question No. 178 answered with Question No. 146.

Pension Provisions

179. **Deputy Paschal Donohoe** asked the Minister for Finance his views on allowing, in Budget 2014, persons access up to 30% of their pension scheme akin to the AVC measure adopted in Budget 2013; and if he will make a statement on the matter. [33453/13]

Minister for Finance (Deputy Michael Noonan): Finance Act 2013 was passed into law on 27th March and section 17 of the Act, which makes provision for pre-retirement access to AVCs, has effect from that date. Section 17 introduces a new section 782A into the Taxes Consolidation Act 1997 which provides members of occupational pension schemes with a three-year window of opportunity to draw down, on a once-off basis, up to 30% of the accumulated value of certain AVCs made by them, including additional voluntary PRSA contributions made to AVC PRSAs. This is a restricted measure which enables rather than incentivises individuals to access part of their pension savings beyond their regular or compulsory pension contributions. I do not wish to damage future pension provision and it is important that individuals continue to provide for their retirement. For these reasons, I have no plans to extend the measure beyond AVCs.

Financial Services Sector Remuneration

180. **Deputy Andrew Doyle** asked the Minister for Finance his views on the recent vote of the European Parliament that voted against curbing fund managers bonuses; the way this move affects Ireland’s position on Undertakings for Collective Investment in Transferable Securities Directives; and if he will make a statement on the matter. [33461/13]

Minister for Finance (Deputy Michael Noonan): The recent vote in the European Parliament on aspects of the UCITS V proposal has no immediate effects. The UCITS V proposals will be determined by the co-decision process between the Council and the European Parliament and the shape of any final UCITS V Directive remains to be seen. Discussions within the Council on the proposal are still at a relatively early stage and it would not be appropriate for me to pre-empt those discussions or future negotiations between the Council and the European Parliament on this issue.

Property Taxation Exemptions

181. **Deputy Simon Harris** asked the Minister for Finance if he has given consideration to some type of reduction in the property tax for residents who are paying management company fees as recognition of the fact that they are paying for some services privately which others receive from the council; and if he will make a statement on the matter. [33474/13]

Minister for Finance (Deputy Michael Noonan): The Government decided that a liability to the Local Property Tax (LPT) should apply to all owners of residential property with a limited number of exemptions. Limiting the exemptions available allows the rate to be kept low for those liable persons who do not qualify for an exemption. A requirement to pay management fees is not relevant in determining liability to the LPT. Accordingly, whilst those who are liable for management fees to property management companies may be exempt from LPT for another reason, or may be entitled to avail of a deferral arrangement under the provisions contained in the legislation, there is no specific reduction in LPT for the payment of management fees.

Generally, properties in managed estates, to which such fees apply, would have been purchased by their owners in the knowledge that they would be taking on commitments to partake in and to fund the management of the estate, and that it was the intention that many such estates would not be taken in charge by local authorities, nor would it be appropriate for local authorities to do so. Management fees in these estates may, in some instances, include services such as refuse collection, maintenance of common areas and a sinking fund for certain repairs to the buildings. These are costs which homeowners in many other developments would have to fund themselves for their own properties.

Revenue from the LPT will accrue to local authorities, and will support the provision of local services. Local authorities provide a broad range of services in the public realm which benefit the wider community and the proper functioning of which are important for the well-being of every community and household. These include fire and emergency services; road maintenance and cleaning; street lighting; spatial and development planning and other similar services; regulatory and inspection functions and business support services, as well as libraries, parks, and other recreation and cultural public amenities.

Banking Sector Investigations

182. **Deputy Finian McGrath** asked the Minister for Finance if he will clarify which Department and what level of the Civil Service is currently handling the Anglo Irish Bank banking situation; if he will confirm if the Secretary General is involved in the investigations of the actions of those involved with the blanket guarantee of the bank previously known as Anglo Irish Bank and the Irish Bank Resolution Corporation; and if he will make a statement on the matter. [33538/13]

Minister for Finance (Deputy Michael Noonan): The Department of Finance is not conducting an investigation into Anglo Irish Bank as they have no statutory responsibility to do so. As the Deputy is aware the Garda Síochána are the body responsible for criminal investigations in the State. I understand that the Garda Bureau of Fraud Investigation have requested access to various documents/materials in the banks, including audio recordings, and that the banks have fully complied with these investigations to date. It would be completely inappropriate for the Department of Finance to act outside of its legal powers and interfere with any investigation that could compromise potential future criminal or civil investigations by the bodies responsible under statute. As described above, I am advised that tapes have previously been provided

by Anglo/IBRC to the Gardaí and a number of other authorities involved in investigations relating to Anglo Irish Bank and it is now up to those authorities to determine how they will proceed with action on foot of these tapes.

Apprenticeship Programmes

183. **Deputy John McGuinness** asked the Minister for Education and Skills the reason the formal papers confirming the completion of an apprenticeship as a mechanic have not issued to a person (details supplied) in County Kilkenny in view of the fact that they registered and commenced their course in August 2008; and if he will expedite the matter. [33020/13]

Minister for Education and Skills (Deputy Ruairí Quinn): This is a day to day operation matter for FÁS. I have made enquires of FÁS and I understand that to qualify for the Craft Certificate an apprentice must complete all 7 training phases and assessments and be employed as an apprentice with a FÁS approved employer for a minimum period of 4 years (208 weeks).

According to the information on record on the FÁS Apprenticeship Database, the individual in question, was registered as an apprentice in January 2009 and is currently employed with Dooley's Garage, Jenkinstown, Co. Kilkenny. His records show that he has successfully completed 6 of the 7 phases of the apprenticeship and has a total of 145 weeks in employment as an apprentice. In order to complete his apprenticeship it will be necessary for him to complete the following:- Undertake his phase 7 'on-the-job' assessments and his employer submits the results to FÁS and complete a further 63 weeks in employment as an apprentice with a FÁS approved employer to satisfy the 4 year time requirement (208 weeks – 145 weeks = 63 weeks).

This information is based on the details currently recorded on the FÁS database.

Further Education and Training Programmes Places

184. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number of training/up-skilling or further educational places being provided by his Department with a view to addressing the unemployment situation; and if he will make a statement on the matter. [33533/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department will fund over 430,000 part time and full time education and training places across the range of provision in the higher education, further education and training sectors in 2013. Unemployed participants are prioritised for places in further education and training. In line with commitments under the Pathways to Work initiative, over 51,000 places across this provision will be targeted specifically at the long-term unemployed in 2013.

1) Further Education provision

The main providers of FE programmes are Vocational Education Committees (VECs). Programmes are usually certified by the Further Education and Training Awards Council (FETAC) and certification is available for all FE learners. Full-time programmes are:

- Youthreach, for early school leavers between 15 - 20 years of age;
- Vocational Training Opportunities Scheme (VTOS) for unemployed adults over 21 years of age;

- Post Leaving Certificate (PLC) for learners over 16 years of age who have completed the Leaving Certificate (LC) or who are adults returning to education.

Part-time programmes are provided under:

- The Back to Education Initiative (BTEI), free for adults with a less than upper second level education;
- Adult Literacy (AL) for adults with specific needs in basic skills areas and includes English as a Second Language (ESOL) provision;
- Community Education (CE) providing informal and non-formal education for hard-to-reach adults.

2) FÁS/SOLAS Training services

FÁS Training Services will facilitate unemployed individuals through a range of training programmes that provide industry/occupational specific skills as well as preparatory type training, to enable a diverse range of unemployed individuals referred to FÁS through “Intreo”, to gain a recognised qualification, access job opportunities or progression opportunities to further/higher education/training.

3) Redundant Apprentice Placement Scheme (RAPS)

FÁS the National Training and Employment Authority introduced the Redundant Apprentice Placement Scheme in 2011 (RAPS) to provide redundant apprentices with the opportunity to complete the minimum on-the-job training with assessments for Phase 3, Phase 5 and Phase 7 of the Standard Based Apprenticeship Programme. This Programme was extended in 2012 and there were over 2,200 beneficiaries. RAPS will continue in 2013.

4) Skillnets

Skillnets which is an enterprise-led body funded through the National Training Fund (NTF) to provide companies with new opportunities to develop relevant, effective answers to their training and development needs was set ambitious targets for 2013 to train 40,000 persons, of which up to 8,000 will be unemployed.

5) Momentum

“Momentum” has been designed to provide targeted interventions to tackle the skills shortages in particular sectors of the Irish economy where vacancies have been identified and will provide up to 6,500 training places for the long term unemployed. Some of the places have been targeted specifically at young unemployed people. Momentum will be co-financed by the European Social Fund.

6) National Strategy for Higher Education

National Strategy for Higher Education is a detailed framework and range of recommendations that ensures the system continues to respond to enterprise needs. This includes structured employer surveys and interaction, increased work placement opportunities, staff mobility into enterprise and a renewed focus on generic skills. The Higher Education Authority has also published guidelines for the establishment of higher education institutional clusters at a regional level to support enterprise development and employment needs.

7) Springboard

Springboard is a new funding stream that has been introduced since 2011 to address the specific skills needs of enterprise and to support jobseekers to re-skill in areas where employment opportunities are emerging as the economy is recovering. To date more than 10,000 unemployed or previously self employed people have been provided places under Springboard and a further 5,000 places are expected to be delivered in 2013.

8) ICT Skills

A joint Government-Industry ICT Action Plan, which has been developed as a direct response to identified ICT skills shortages, contains a comprehensive range of measures to build the domestic supply of ICT graduates.

Schools Building Projects Applications

185. **Deputy Gerald Nash** asked the Minister for Education and Skills the position regarding an application for a new school building (details supplied) in County Louth; and if he will make a statement on the matter. [32878/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project for the school referred to by the Deputy is at an advanced stage of architectural planning, stage 2b. This stage includes the applications for Planning Permission, Fire Safety Certificate, Disability Access Certificate and the preparation of tender documents. Due to competing demands on my Department's capital budget, imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements, it was not possible to include this project in the construction programme. School building projects, including this project, which have not been included in the construction programme, but which were previously initiated will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to the Department in the future.

Special Educational Needs Staffing

186. **Deputy Michael McGrath** asked the Minister for Education and Skills the time new applications for redundancy payments for special needs assistants are currently taking to process; and if he will make a statement on the matter. [32886/13]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with my Department's recently published Circular on Supplementary Assignment Arrangements for Special Needs Assistants (Circular 37/2013), all SNAs who received notification of the termination of their employment due to redundancy from 1st May 2013 are deemed to be members of a Supplementary Assignment Panel for SNAs. As a result, unless an SNA opts out of this Panel, the processing of new applications for redundancy payments will not commence until after 1st June 2014. To date, no applications to opt out of the Panel have been received by my Department.

Teaching Qualifications

187. **Deputy Pearse Doherty** asked the Minister for Education and Skills the reason a student who has applied for registration with the Teaching Council of Ireland and who commenced their teacher education qualification outside of Ireland, holds a recognised and approved teach-

ing qualification from the General Teaching Council for Northern Ireland and meets the terms of the EU Directive 2005/36/EC has been advised that they do not have confirmed EU directive status from the Teaching Agency in England and is prevented from being assessed for the purpose of regulation 4, post-primary; and if he will make a statement on the matter. [32912/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Teaching Council is the designated authority for the recognition of professional qualifications of teachers in Ireland under Council Directive 2005/36/EC. The Council is obliged under the terms of the Directive to grant registration (or freedom of establishment) to teachers who have completed 'regulated education and training' and are deemed fully qualified as a teacher under the terms of the Directive in another EU/EEA Member State. The Council publicised requirements in this area in a notice of compliance with the Directive in May 2010. Decisions under the Directive are a matter for the Council and neither I, nor my Department, have a direct role in the process, nor would it be appropriate for me to intervene in individual cases. Should a person have a query relating to their application or wish to appeal a refusal to register they should contact the Teaching Council in the first instance.

Student Grant Scheme Appeals

188. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding an appeal to Student Universal Support Ireland in respect of a person (details supplied); when a decision is expected; and if he will make a statement on the matter. [32917/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland that in the case of the student referred to by the Deputy, his student grant application was appealed to the appeals officer in SUSI on 19th June, 2013. On that basis, the application is currently being reassessed and the student will be notified directly by SUSI of the outcome. Where an appeal is turned down in writing by SUSI and the applicant remains of the view that the scheme has not been interpreted correctly in his or her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board.

Student Grant Scheme Applications

189. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding an application to Student Universal Support Ireland in respect of a person (details supplied); when a decision may be expected; and if he will make a statement on the matter. [32918/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the applicant referred to by the Deputy was issued with a decision on the 4th July 2013 advising her that she was deemed ineligible to receive a grant. If the applicant considers that she has been unjustly refused a student grant, or that the rate of grant awarded is not the correct one, she may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down, in writing, by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board. The relevant appeal form will be available on request from SUSI.

Student Grant Scheme Applications

190. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position in regard to a student grant application to Student Universal Support Ireland in respect of a person (details supplied); when a decision may be expected following receipt of additional information; and if he will make a statement on the matter. [32919/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the applicant referred to by the Deputy has been awarded a grant and an award letter issued on 1st July, 2013. SUSI also confirmed that they are awaiting an invoice from the applicant's college for the fees. Regarding the payment of fees, where a student has informed the institution that a decision is awaited from the grants system, I understand that SUSI has a facility in place allowing institutions to liaise with it directly to confirm the status of an individual application, so that students can access their examination results.

Student Grant Scheme Appeals

191. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position in regard to an appeal to Student Universal Support Ireland in respect of a person (details supplied); when a decision may be expected; and if he will make a statement on the matter. [32921/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that, in the case of the student in question, her grant application was refused. The student appealed this decision to the appeals officer in SUSI and the original decision was upheld. A letter outlining the position issued to the student on the 27th June, 2013. Where an individual applicant has had an appeal turned down, in writing by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board. The relevant appeal form will be available on request from SUSI.

Student Grant Scheme Payments

192. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position in regard to a payment from Student Universal Support Ireland in respect of a person (details supplied); and if he will make a statement on the matter. [32922/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the student referred to by the Deputy was awarded the special rate of maintenance grant and all maintenance payments have issued to the student for the 2012/2013 academic year. SUSI have confirmed that an invoice for Student Contribution was received from Waterford Institute of Technology and a payment was made on the 28th January 2013 to the Institution. I have been informed by SUSI that it has been in contact with the college to clarify the situation and that confusion arose over the use of different forenames by the student. This has now been rectified and SUSI was informed that the student's results have been released.

Student Grant Scheme Applications

193. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position in regard to an application to Student Universal Support Ireland in respect of a person (details supplied) following receipt of requested information; and if he will make a statement on the matter. [32923/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the student referred to by the Deputy was issued a provisional award letter on the 5th July 2013.

Student Grant Scheme Appeals

194. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position in regards to an application to Student Universal Support Ireland in respect of a person (details supplied); and if he will make a statement on the matter. [32925/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that, in the case of the student referred to by the Deputy, her grant application was refused. The student appealed this decision to the appeals officer in SUSI and on review the original decision was upheld. A letter outlining the position was issued to the student on the 21st June 2013. Where an individual applicant has had an appeal turned down, in writing by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board. The relevant appeal form will be available on request from SUSI.

Education and Training Boards Funding

195. **Deputy Gerald Nash** asked the Minister for Education and Skills the support available from his Department to the Louth Meath Education and Training Board in its efforts to ensure the provision of playing pitches at the school campus in Laytown, County Meath; and if he will make a statement on the matter. [32938/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that my Department is currently considering the matter to which he refers and a response will be conveyed to the applicant as soon as this process has been completed. The matter will be considered in the context of the financial constraints within which my Department is operating and the priority to ensure that every child has access to a physical school place.

The Deputy will be aware that my Department has already provided significant P.E. facilities at the newly constructed primary and post primary schools in Laytown. Two General Purpose Rooms, three External Ball Courts and two Junior Play areas were provided at the new primary school. In addition, a P.E. Hall and six External Hard Court Play areas were provided at the post-primary school. Similar facilities will be provided at the remaining primary school due to be constructed in the area. I understand that the former VEC has previously developed a one acre pitch on the campus.

Physical Education

196. **Deputy Michael McCarthy** asked the Minister for Education and Skills if he will facilitate an application for funding for a school (details supplied) in County Cork; and if he will make a statement on the matter. [32944/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that my Department received correspondence in relation to funding for the provision of an all-weather pitch at the school referred to by the Deputy.

The Deputy will be aware that my Department's priority is to ensure that every child has access to a physical school place and that our school system is in a position to cope with increasing pupil numbers. In the circumstances, I wish to advise the Deputy that my Department is not in a position to provide funding for the works concerned.

Special Educational Needs Services Provision

197. **Deputy Pat Breen** asked the Minister for Education and Skills if he will provide an update on the provision of special needs assistants services in school in County Clare; if the level of service will be maintained for the 2013/14 academic year; and if he will make a statement on the matter. [32948/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

SNA allocations are made to schools by the NCSE annually taking into account the assessed care needs of children qualifying for SNA support each year.

All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013.

Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis.

Where schools have enrolled children who were not considered at the time that these allocations were made, or where schools are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year, they should contact the NCSE regarding this matter. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

School Management

198. **Deputy Simon Harris** asked the Minister for Education and Skills if a student (details

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supplied) in County Wicklow will be offered an opportunity to repeat fifth year in a secondary school as the board of management have already consented to this request, subject to the approval of his Department; and if he will make a statement on the matter. [32960/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The matter referred to by the Deputy is a matter for the school authorities. I set out a copy of the relevant circular for the Deputy's information.

Brainse na Iarbhuideochais
An Roinn Oideachais agus Eolaíochta,
Corn na Madadh,
Baile Átha Luain,
Co. na h Iarmhi.
Fón. 09064-83692

Post Primary Administration,
Department of Education and Science,
Cornamaddy,
Athlone,
Co. Westmeath
Ph: 09064-83692



Circular MO2/95

To the Authorities of Post-Primary schools

Repeat of a year of Post-Primary Level

1. Repeat Years - General Position

1.1 The circumstances in which an individual pupil may repeat a year at post-primary level, and the detailed arrangements for assessing, deciding, recording and reporting individual cases, have been set out in a number of Circulars — M57/87, M33/89 and M47/93.

In certain instances, delegated authority within defined limits has been given to schools to permit students to repeat a year. In other instances, individual applications have to be referred to the Department for decision.

Pupils permitted to repeat a year in accordance with the terms of these circulars are reckoned for the purposes of staffing and grant allocations.

The purpose of this circular is to clarify and consolidate these arrangements in the light of the extension and restructuring of the Senior Cycle. The arrangements set out in this Circular will apply for the 1995/96 and subsequent school years.

As indicated in paragraph 5 of Circular Letter M47/93, schools will require specific Departmental approval to provide a repeat Leaving Certificate Year 2 class in the 1996/97 and subsequent school years. Approval will be given only where there are compelling educational reasons for so doing, account being taken of the availability of this option in neighbouring post-primary schools. A separate Circular on this matter will issue shortly.

1.2 The following are the grounds on which consideration of requests or proposals for individual pupils repeating a year at post-primary level will be based:

(i) Prolonged absence from school for a valid reason such as ill-health. Prolonged absence may be taken as either

- (a) A continuous absence for at least eight weeks in the preceding school-year, or
- (b) intermittent absences over a period of at least 16 weeks, and for an average of 2½ days per week during that period, in the preceding school-year.

The absence and the reason for it must be certified by the school authority. If the reason is related to health, that reason must also be certified by a doctor.

(ii) Serious illness which does not necessitate prolonged absence from school but which has a seriously damaging effect on the pupil's academic performance at school. The illness and its effect must be certified by a doctor and by the school authorities.

(iii) Serious family trauma (e.g. death of a parent, separation of the parents, violence in the home etc.) which the school authorities can show has had a seriously damaging effect on the pupil's academic performance.

(iv) Very poor academic record which requires regular remedial treatment where there is sufficient evidence to establish that (a) the pupil's academic record is very poor (b) that the pupil is in real need of regular remedial treatment and (c) that the pupil can benefit from the extra year.

(v) Change of school in the following circumstances:-

(a) when necessitated by change of residence, provided that it is established that the pupil could not reasonably be expected to follow the curriculum in the new school without repeating a year of the post-primary course there;

(b) for the purpose of taking up a revised course of study, provided that (i) the course in question is not available in the pupil's former school, (ii) the pupil has a valid reason for taking up the revised course at this stage, (iii) the pupil has a reasonable prospect of completing the revised course of study satisfactorily, (iv) fulfilment of these conditions is certified by the school authority in the pupil's new school;

(c) for reasons other than (a) and (b) above, provided that there are valid reasons why the pupil might have been permitted to repeat the year in his/her former school. Details should be entered in the pupil's record.

1.3 For pupils entering post-primary cycle in or after September 1991, the standard maximum period of second-level education is six years. Except in very exceptional circumstances, a pupil will not be permitted to repeat more than one year of the post-primary cycle prior to first sitting the Leaving Certificate examination.

2. Junior Cycle

2.1 Authority will continue to be delegated on the following conditions to school authorities to permit a pupil to repeat a year of the Junior Cycle.

2.2 Permission to repeat may be granted only on the grounds set out in paragraph 1.2 above.

2.3 Documentary evidence bearing on the consideration of all requests or proposals for the

repeat of a year of the Junior Cycle Programme must be retained in the school records and made available for examination by officers of the Department if required.

2.4 Such documentation would include:-

- (i) medical or other certification, as appropriate;
- (ii) School attendance records for the year prior to the proposed repeat year;
- (iii) All school examination results, results of psychological tests (if any) and public examination results (if any), which are relevant to the case in question;
- (iv) The school authority's own evaluation of the case.

2.5 Medical certificates should clearly state:-

- (a) the nature of the pupil's illness;
- (b) the length of time which the pupil must be absent from school as a result of the illness;
- (c) the presumed effects of the illness upon the pupil's capacity for study;
- (d) the likelihood of future absences from school as a result of the illness.

2.6 Requests or proposals for repeating a year should normally be made and adjudicated on before the end of the previous school year but not, in any event, after the 29th September of the school year in question.

2.7 Where it has been decided to permit a student to repeat a year, this fact should be noted on the return for the purposes of the Post-Primary School Database.

2.8 In the case of permissions granted, a return certifying the fact of the permissions and the specific grounds on which they were granted must be forwarded to the Department. Form M2/95A is attached for the purpose and must be returned not later than the 29th September of the school year in which the repeats are taking place.

The incidence and circumstances of permissions granted will be monitored by the Department both from the Pupil Database data and from the Forms M2/95A.

2.9 The Minister reserves the right:-

- (a) to review any case and to obtain further information or clarification, including the production of documentation when appropriate, on decisions of school authorities;
- (b) to withdraw the delegated authority in the case of any individual school or schools if this is considered warranted;
- (c) to exclude from reckoning as a recognised pupil, for the purposes of staffing and grant allocations, pupils permitted to repeat other than in accordance with the terms of this circular.

3. Senior Cycle — General

3.1 All pupils entering Senior Cycle in September 1994 and after may spend up to three years in Senior Cycle in accordance with the structures outlined in Circular M47/93. The time spent in Senior Cycle will normally be comprised of:-

a two-year Leaving Certificate programme immediately after Junior Certificate or a Transition Year Programme followed by a two-year Leaving Certificate course.

3.2 From September 1995, the structure of the Leaving Certificate programme will have three main orientations viz.

the established Leaving Certificate programme,

the Leaving Certificate Applied,

the Leaving Certificate Vocational Programme.

Schools are not permitted to offer a three-year Leaving Certificate programme, i.e. a Leaving Certificate programme extending to three years.

3.3 The standard maximum period at Senior Cycle is three years for all pupils entering Senior Cycle in or after September 1994 and for those pupils who entered Senior Cycle prior to September 1994 in schools which had an approved six-year post-primary cycle of which they availed. For pupils who entered Senior Cycle prior to September 1994 in schools which did not have an approved six-year post-primary cycle, the standard maximum period at Senior Cycle is two years.

4. Transition Year Programme

Authority will continue to be delegated to school authorities to permit a pupil to repeat a Transition Year Programme in accordance with the same criteria, conditions and procedures set out for Junior Cycle pupils (paragraph 2 of this Circular). Details of permissions granted should be returned to the Department on Form M2/95A.

5. Leaving Certificate Programme — Year 1 and Year 2

5.1 Subject to the terms of paragraph 5.2, authority will continue to be delegated to school authorities to permit a pupil to repeat a year of the Leaving Certificate Programme (prior to first sitting the Leaving Certificate Examination) in accordance with the same criteria, conditions and procedures set out for Junior Cycle pupils (paragraph 2 of this Circular). Details of permissions granted should be returned to the Department on Form M2/95A.

5.2 Where a school proposes to allow more than 5% of a Leaving Certificate year-group (Year 1 or Year 2) to repeat, the prior approval of the Department must be obtained in the case of each individual pupil. In such a situation, permission for a pupil to repeat must be sought by the school on the formal application form attached, Form M2/95B, by the 31st of May preceding the school-year in which it is intended to repeat. The application form will set out particulars of the pupil in question and the circumstances in which the application to repeat is being made and will be accompanied by supporting documentation.

It is intended that decisions on the applications will be conveyed to schools without delay.

6. Repeat of Leaving Certificate

6.1 Pupils who have sat the Leaving Certificate Examination may be enrolled as recognised pupils to repeat Leaving Certificate Year 2 and the appropriate Leaving Certificate Examination on payment of the appropriate course and examination fees. The Repeat Course Fee is €126.97 per pupil. Pupils whose parents or guardians are the holders of current medical cards will be exempted from the payment of the course fee on production of the medical card for noting by the school authorities. In addition, only the ordinary examination fee will apply to these pupils.

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The current Repeat Examination fee is available from the State Examinations Commission on 09064-42700.

In respect of the 1995/96 and subsequent school years, school authorities should inform prospective repeat Leaving Certificate pupils accordingly, and arrange for the collection and transmission (where appropriate) to the Department of the course fee involved. Form M2/95C is attached for this purpose and should be forwarded to the Department not later than the 7th October of the school-year in which the pupils are repeating. (School authorities will be advised of future changes in fee rates).

Pupils in respect of whom the course fee is due but not received will not be reckoned as recognised pupils for the purposes of staffing and grant allocations.

Repeat Leaving Certificate course fees collected from pupils in voluntary Secondary schools and Community and Comprehensive schools must be returned to the Department. Course fees collected from pupils attending Vocational schools and Community Colleges are retained by the relevant Vocational Education Committee and a corresponding amount is deducted from the Department's grant to that VEC.

Don Thornhill,
Secretary
16 May, 1995

This Information Note should be read in Conjunction with Circular M2/95 (File Format Word 35KB)

Download Forms M2/95A, M2/95B, M2/95C

Student Grant Scheme Appeals

199. **Deputy John O'Mahony** asked the Minister for Education and Skills when a decision will be made on an appeal on an application to Student Universal Support Ireland in respect of a person (details supplied) in County Mayo; the reason for the delay in issuing a decision; and if he will make a statement on the matter. [32966/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the applicant referred to by the Deputy was awarded the Postgraduate Fee Contribution of €2,000. She appealed the rate of the award to SUSI and they requested additional documentation. This documentation was not received and SUSI were unable to consider the appeal for the higher rate of award.

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

Pension Provisions

200. **Deputy Martin Ferris** asked the Minister for Education and Skills if he will ensure that retired teachers can be paid their pension into post office savings accounts. [32984/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the Public Service Transformation Plan, which was published in November 2011, all payments by Government Departments will be made by electronic fund transfer from August 2013.

In order to ensure continued payment of pension when Payable Orders cease to issue in August this year, my Department is currently advising the small number of retired personnel who get paid by Payable Order to make arrangements to be paid by Electronic Fund Transfer.

All banks accept EFT payments and a number of credit unions now also accept them.

I understand that work is being done by another Government Department at present with An Post to determine if it is possible to facilitate payment by Electronic Fund Transfer to State Savings Accounts. If the outcome of this work is successful my Department will try and facilitate the introduction of a similar arrangement for retired personnel paid on our payroll.

Special Educational Needs Staffing

201. **Deputy John McGuinness** asked the Minister for Education and Skills if a special needs assistant will be approved in respect of a person (details supplied) in County Kilkenny; and if she will expedite the matter. [33021/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

SNA allocations are made to schools by the NCSE annually taking into account the assessed care needs of children qualifying for SNA support each year.

All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013.

Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis.

Where schools have enrolled children who were not considered at the time that these allocations were made, or where schools are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year, they should contact the NCSE regarding this matter. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils, or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

School Transport Eligibility

202. **Deputy Robert Troy** asked the Minister for Education and Skills if he will reconsider either the boundaries of the school transport scheme or the cost of the transport to a child's chosen school. [33034/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Under the terms of my Department's Post Primary School Transport Scheme children are eligible for transport where they reside not less than 4.8 kms from and are attending their nearest education centre as determined by my Department/Bus Éireann, having regard to ethos and language.

Bus Éireann, which operates the school transport scheme on behalf of my Department, has advised that the child referred to by the Deputy will not be attending her nearest education centre and is therefore not eligible for school transport.

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

The family in question should liaise with their local Bus Éireann office regarding the availability of transport on a concessionary basis for the 2013/14 school year. While it is the prerogative of parents to send their children to the school of their choice, eligibility for school transport at post primary level is to the nearest education centre/school.

Student Grant Scheme Eligibility

203. **Deputy Seamus Kirk** asked the Minister for Education and Skills the position regarding a student who is in receipt of a bursary and also in receipt of a maintenance grant who is midway through their studies; if the student is entitled to continue to be in receipt of the bursary and the grant as per the student grant scheme 2012; and if he will make a statement on the matter. [33047/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Article 14 of the Student Grant Scheme 2012 sets out clearly the eligibility exclusions for a student grant. It states that a student is not eligible for a grant if he or she has been awarded or holds any grant, scholarship, prize, allowance, bursary or award of similar description made from public funds, with the exception of the following awards:

- awards such as scholarships, prizes or bursaries, made by the institution being attended;
- postgraduate research awards where the stipend portion of the award does not exceed a specified amount, which for the relevant academic year, is specified to be €16,000;
- awards to applicants under the Student Assistance Fund or the Fund for Students with Disabilities;
- Easter Week Scholarship Scheme;
- Donogh O'Malley Scholarship Scheme;
- Department of Education and Skills Third Level Bursary Schemes;
- All Ireland Scholarship Scheme; and

- Science Foundation Ireland/Dell Scholarship for Young Women in Engineering.

The Deputy will appreciate that in the absence of all the details that would be included in an individual student's application, it would not be possible to determine which type of bursary the student is in receipt of and consequently whether the student is entitled to hold the bursary and student grant simultaneously.

Pupil-Teacher Ratio

204. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills if he will provide an assurance that class sizes will not be allowed to expand any further; and if he will make a statement on the matter. [33050/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The staffing schedule is the mechanism used for the allocation of classroom teachers to all primary schools. It operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location. The configuration of classes and the deployment of classroom teachers are done at local school level. My Department publishes annual statistics on class size data for each school. The most recent statistics are for the 2011/12 school year. The national average class size is 24.4 pupils. However, with over 20,700 classes in over 3,100 primary schools throughout the country there will always be variations in class sizes at individual school level. My Department's guidance to local school management is that such variations should be kept to the minimum.

Classroom teachers are allocated under the staffing schedule based on the pupil enrolments for the previous 30th September. However, the staffing schedule also includes provision for schools that have significant increases in their enrolment in rapidly developing areas to be allocated classroom teachers based on their projected enrolments for September 2013. The criteria for this are set out in the staffing schedule which is available on the Department website. Given the constraints on teacher numbers my Department has no capacity to put any other ameliorating measures in place.

The Deputy will be aware that the Government has protected frontline services in schools to the greatest extent possible in the recent budget and there will be no reduction in teacher numbers in primary schools and in free second level schools for the 2013/14 school year as a result of the budget. The DEIS scheme for disadvantaged schools is also fully protected with no overall changes to staffing levels or funding as a result of the budget.

Residential Institutions Issues

205. **Deputy Róisín Shortall** asked the Minister for Education and Skills if he will examine the possibility of bringing the pension entitlements of those who received redress from the Residential Institutions Redress Board in line with those included in the proposed redress scheme for survivors of the Magdalen laundries; and if he will make a statement on the matter. [33069/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Residential Institutions Redress Board provides compensation to those who suffered abuse as children in residential institutions. The independent Board makes awards in accordance with the framework set out in *Towards Redress and Recovery*, the report of the independent compensation advisory committee which advised on the appropriate levels of compensation. By the end of 2012, the Board had made 14,378 awards with an average award value of €62,860 and the largest being

€300,500, resulting in an overall cost of the Redress Scheme of €1.1 billion. These arrangements have provided survivors of institutional child abuse with a mechanism by which they could obtain fair and reasonable financial compensation for abuses suffered, without the necessity to pursue long and often traumatic cases via the court system. In addition survivors can avail of the national counselling service and the Origins family tracing service. Conscious that many survivors continue to suffer the effects of the abuse they suffered as innocent children and in keeping with the unanimous Dáil motion, the Government agreed to establish the Residential Institutions Statutory Fund to utilise the €110 million cash contributions, pledged by the congregations, to support the needs of survivors. Supports across a range of services, including mental health services, health and personal social services, education and housing services will be available. The Board of the Fund held its inaugural meeting on 27th March and has commenced work on the arrangements to be put in place for the operation of the Fund. I believe that these measures provide a comprehensive response to institutional child abuse and I have no plans to introduce any additional measures.

Special Educational Needs Staffing

206. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills in a case where a post-primary school is over quota, if the principal and Board of Management of that school have the discretion to decide the way learning support and resource teaching hours are allocated; his Department's circular/policy document that school boards of management must adhere to when allocating resource hours to mainstream teachers at post-primary level; the policy at post-primary level that informs principals and boards of management how to give hours allocated to pupils with special needs to mainstream teachers instead of resource teachers; and if his attention has been drawn to the fact that a qualified resource teacher can lose his or her job as a result of the hours he or she should be teaching being given to a mainstream teacher because the school is in an over-quota position. [33071/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. The staffing arrangements at post primary level for the 2013/14 school year have been published and are available on the Department website. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The recruitment and appointment of teachers to fill teaching posts is a matter for the individual school authority, subject to procedures agreed under Section 24(3) of the Education Act 1998 (as amended by the Education (Amendment) Act 2012).

The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities.

Special Educational Needs Staffing

207. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills in view of his decision to maintain the level of resource hours to those allocated in 2012/2013 the reason a college (details supplied) in Dublin 1 is receiving less resource hours for the new academic year starting in September 2013. [33072/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I assume the Deputy is refer-

ring to the allocation of additional Resource Teaching support for the school in question for the 2013/14 school year.

I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teaching support to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013 and the NCSE has published details of Resource Teaching allocations for all schools on its website www.ncse.ie, based on the number of valid applications received.

I have authorised the NCSE to restore the level of resource teaching allocations which can be provided for students with special educational needs to 2012/13 levels. It is important to note, however, that schools are allocated resource teaching support in respect of pupils enrolled in the school who meet the criteria for the allocation of additional teaching support. A school's resource teaching allocation is subject to change over time therefore as pupils with special educational needs enrol or leave a school. The NCSE can only allocate resources in respect of pupils enrolled in school and for whom applications meet the criteria for the allocation of additional support.

It is open to schools to contact their SENO to discuss their application for resource teaching support using the contact details available on www.ncse.ie.

Departmental Correspondence

208. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if he has received the outstanding information from a school (details supplied) in County Donegal; and if he will make a statement on the matter. [33102/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department wrote to the school to which the Deputy refers in February 2013 seeking clarification on a number of matters following a visit to the school by my Department's technical staff. A response from the school authorities is still awaited.

School Transport Provision

209. **Deputy Charlie McConalogue** asked the Minister for Education and Skills when a response will issue to a query (details supplied); and if he will make a statement on the matter. [33115/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Due to the increased volume of administration work in relation to school transport provision generally, regrettably, it was not possible to deal with all representations.

Bus Éireann, which operates the School Transport Scheme on behalf of my Department, has advised that the pupil in question is currently availing of a school transport service.

Special Educational Needs Services Provision

210. **Deputy Thomas Pringle** asked the Minister for Education and Skills when an application for the July education programme will be assessed in respect of a person (details supplied) in County Donegal. [33150/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to advise the Deputy that a full allocation of 40 hours under the Home Based July Provision scheme has been approved in this case. The applicant was informed of this allocation by letter dated 3 July 2013.

Special Educational Needs Services Provision

211. **Deputy John O'Mahony** asked the Minister for Education and Skills if Down's syndrome is recognised as a disability for resource hours; and if he will make a statement on the matter. [33162/13]

227. **Deputy Anthony Lawlor** asked the Minister for Education and Skills his position in regard to the recommendation of the National Council for Special Education, in its policy advice paper number four that children with Down's syndrome are allocated additional resources in line with their level of need rather than by disability category; and if he will make a statement on the matter. [33391/13]

239. **Deputy Finian McGrath** asked the Minister for Education and Skills the reason pupils with Down's syndrome have only general allocation hours in mainstream schools; and if he will make a statement on the matter. [33524/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 211, 227 and 239 together.

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

I wish to explain to the Deputies also that the National Council for Special Education (NCSE) has a formal role under the Education for Persons with Special Educational Needs (EPSEN) Act, 2004 in advising me in relation to any matter relating to the education of children and others with disabilities. My Department requested that the NCSE consider the issue of whether Down's syndrome should be reclassified as a low incidence disability in all instances, regardless of assessed cognitive ability, in the context of its preparation of comprehensive advice on how the educational system supports children with special educational needs in schools.

The NCSE report on Supporting Children with Special Educational Needs in Schools has now been published and is available on the NCSE website www.ncse.ie. The report recommends that under the new resource allocation model proposed by the NCSE in its report, children should be allocated additional resources in line with their level of need, rather than by

disability category. The NCSE has recommended that in the short-term, pupils with Down's Syndrome who are in the Mild General Learning Disability (Mild GLD) category should continue to be supported by schools' Learning Support allocation in the same way as other pupils with a Mild GLD. The NCSE policy advice did not recommend that an exception should be made for children with Down's syndrome who are in the Mild GLD range, over other children who are in the mild range and who also may have other co-morbid conditions.

However, the NCSE report states that it is confident that the introduction of a new allocation model will overcome the difficulty posed by all children with mild general learning disabilities, including children with Down's syndrome, who have additional difficulties and who can be supported according to their level of need and in line with their learning plan process. In the meantime, schools are reminded that they can differentiate the level of learning support granted to ensure that available resources are used to support children in line with their needs.

I have requested the NCSE to immediately proceed to establish a Working Group in order to develop a proposal for consideration for a new Allocation Model, which is set out as one of the principal recommendations of the report.

School Staffing

212. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if he will reverse the decision to reduce the permanent teaching staff at a school (details supplied) in County Monaghan; and if he will make a statement on the matter. [33287/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The criteria used for the allocation of teachers to schools is published annually on the Department's website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing arrangements for the 2013/14 school year are set out in Circular 0013/2013 which is available on the website. The staffing arrangements also include an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board. The appeal criteria are also set out in Circular 0013/2013. The school referred to by the Deputy submitted an appeal to the Primary Staffing Appeals Board. Having considered the school's application in the context of the published grounds, the Board refused the appeal. The school was notified accordingly. The Primary Staffing Appeals Board operates independently of the Department and its decision is final.

Special Educational Needs Staffing

213. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the number of special needs assistants that will be allocated in the autumn to a school (details supplied) in County Dublin. [33288/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOS), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

SNA allocations are made to schools by the NCSE annually taking into account the assessed care needs of children qualifying for SNA support each year. All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013. Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis.

Where schools have enrolled children who were not considered at the time that these allocations were made, or where schools are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year, they should contact the NCSE regarding this matter. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Student Grant Scheme Administration

214. **Deputy Gerald Nash** asked the Minister for Education and Skills his views on the administration of the Student Universal Support Ireland system, including the fact that the student payments system does not respond to inquiries other than to issue a standard email acknowledgement in view of the contrary evidence supplied in relation to his recent response to previous parliamentary questions (details supplied); and if he will make a statement on the matter. [33289/13]

231. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the reason Student Universal Support Ireland has still not issued a grant in respect of a person (details supplied); when payment will be made; and if he will make a statement on the matter. [33432/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 214 and 231 together.

Officials in my Department have been advised by SUSI that an award letter issued to the applicant referred to by the Deputy on 1st May 2013. SUSI further advised that fees for this application will be paid on the 25th July. While it is acknowledged that there were significant difficulties in the operation of the assessment processes last year, I am informed by Student Universal Support Ireland (SUSI) that, in preparation for the 2013/2014 academic year, both the on-line application system and the application assessment process are being further developed to enhance their effectiveness and efficiency and respond to experiences from year one.

For applicants applying through SUSI for the 2013/14 academic year, a number of new initiatives will make their application more efficient this year. The initiatives include direct information sharing between SUSI and Government bodies and agencies including the Revenue Commissioners, the Department of Social Protection, the General Register Office (GRO) and the Central Applications Office (CAO). These links should reduce significantly the number of documents required from applicants themselves. In addition the staff resources recommended by the review have already been sanctioned. The resources include three additional management posts and some 23 (whole time equivalent) additional processing staff. This will help to ensure that qualifying students have their applications assessed as quickly as possible. SUSI has also significantly developed its training programme to meet the training needs of new and

existing staff.

Special Educational Needs Services Provision

215. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if he will review the special needs assistance provision for a person (details provided) in County Leitrim; if he will ensure that the full-time 1:1 ratio is provided for the coming school year; and if he will make a statement on the matter. [33307/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

The NCSE allocates a quantum of SNA support for each school annually taking into account the assessed care needs of children qualifying for SNA support each year. The deployment of SNAs within schools is a matter for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised.

All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013. Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis.

Where schools have enrolled children who were not considered at the time that these allocations were made, or where schools are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year, they should contact the NCSE regarding this matter. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils, or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Schools Refurbishment

216. **Deputy Andrew Doyle** asked the Minister for Education and Skills further to Parliamentary Question No. 303 of 2 July 2013, the position in regard to all approvals for additional accommodation and emergency works in an area in County Wicklow to date in 2013 by his Department's school building unit; if he will include the school name, roll number, date approved, type of additional accommodation or emergency work approved; and if he will make a statement on the matter. [33308/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information for each of the schemes referred to by the Deputy is included for information.

I wish to advise the Deputy that in the interest of openness and transparency I have requested that information of this nature be available for all on my Department's website and that it be updated regularly. Making the information publicly available reduces the amount of time spent by my Department responding to queries on approvals under the various Capital schemes. This allows my Department to focus on the delivery of urgently needed projects outlined in the 5 year Construction Plan.

Emergency Works Approvals 1 January 2013 – 5 July 2013

County	Roll No	School	Project	Date approved
Wicklow	17304O	St Brigids NS, Annacurra	Electrical Works	07 January 2013
Wicklow	16573N	St. Brigids National School	Mechanical Works	30 January 2013
Wicklow	14972R	All Saints NS	Roof Repairs	19 February 2013
Wicklow	15676S	St. Patrick's NS, Wicklow	Facilities for Special Needs Pupils	12 March 2013
Wicklow	16872A	St, Cronan's, Bray	Mechanical Works	12 March 2013
Wicklow	16874E	St. Joseph's GNS, Rathnew	Health and Safety Works	28 March 2013
Wicklow	19573F	St. Laurence's NS, Greystones	Mechanical Works	08 May 2013
Wicklow	17304O	St. Brigid's NS, Annacurra, Tinahely	Mechanical Works	15 May 2013
Wicklow	70770V	St. Thomas' CC and Bray Institute of Further Education	Facilities for Special Needs Pupils	15 May 2013
Wicklow	18502A	Scoil Naomh Brid, Talbotstown, Kiltegan	Mechanical Works	04 July 2013

Additional Accommodation Approvals 1st January 2013 - 5th July 2013

County	Roll No	School	Project	Date approved
Wicklow	17810G	Scoil Nioclais Naofa	ASD Unit	09-Jan-13
Wicklow	17228B	Our Ladys School	3 x 80m2 Mainsteam Classrooms	30-Jan-13
Wicklow	19573F	St Laurences NS	2 x 80m2 Mainsteam Classrooms	30-Jan-13
Wicklow	18054W	Scoil Chaomhin Naofa	2 x 80m2 Mainsteam Classrooms	30-Jan-13
Wicklow	17720F	St Kevin's National School	1 x 80m2 Mainstream Classroom	27-Feb-13
Wicklow	20346B	Kilcoole Primary School	1 x 80m2 Mainstream Classroom	17-Apr-13
Wicklow	70790E	Colaiste Bhríde	3 x 49m2 Mainstream Classroom	01-May-13
Wicklow	17091A	St Mary's JNS	2 x 80m2 Mainstream Classrooms & 2 x 12m2 Universal Access Toilets	15-May-13
Wicklow	10683N	St Brigid's National School	1 x 80m2 Mainstream Classroom	22-May-13
Wicklow	16634H	Scoil Naomh Lorcan o Tuathail	1 x 80m2 Mainstream Classroom	05-Jun-13

Student Grant Scheme Applications

217. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills the position regarding an application made to Student Universal Support Ireland by a person (details supplied) in County Limerick; and if he will make a statement on the matter. [33311/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the applicant referred to by the Deputy previously had his application cancelled due to incomplete documentation. Additional documentation has now been received and the application is currently under review.

Special Educational Needs Services Provision

218. **Deputy John O'Mahony** asked the Minister for Education and Skills when a decision will issue on the July provision for a special needs child (details supplied) in County Mayo; the reason for the delay in replying to this request; and if he will make a statement on the matter. [33326/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The application in this case was received in the Department after the deadline for receipt of applications had passed. The application was dealt with promptly when the applications received within the deadline period had been processed. I am pleased to advise the Deputy that the full allocation of hours under the Home Based July Provision scheme has been approved in this case and the applicant was notified of the decision by letter dated 3 July 2013.

Redundancy Payments Waiting Times

219. **Deputy Luke 'Ming' Flanagan** asked the Minister for Education and Skills the reason special needs assistants have to wait up to nine months to receive their redundancy payments; his views on whether this delay is unacceptable and that it puts those who were already on low earnings in a very vulnerable position; and if he will make a statement on the matter. [33327/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is currently issuing redundancy payments to Special Needs Assistants whose applications were received in December 2012. A large volume of applications were received during the period June - September 2012. A lower number of applications were received in the period October 2012 - April 2013 and these are being worked on in date order of receipt. Every effort is being made, within the resources available, to process these applications as quickly as possible.

For information, in accordance with my Department's recently published Circular on Supplementary Assignment Arrangements for Special Needs Assistants (Circular 37/2013), all SNAs who received notification of the termination of their employment due to redundancy from 1st May 2013 are deemed to be members of a Supplementary Assignment Panel for SNAs. As a result, unless an SNA opts out of this Panel, the processing of applications for redundancy payments in relation to posts lost after that date will not commence until after 1st June 2014. To date, no applications to opt out of the Panel have been received by my Department.

Minor Works Scheme Suspension

220. **Deputy Timmy Dooley** asked the Minister for Education and Skills the plans in place to reinstate the minor works grant for schools; and if he will make a statement on the matter. [33354/13]

Minister for Education and Skills (Deputy Ruairí Quinn): When the Minor Works Grant last issued in November 2011 for the school year 2011/2012, I stated that given the need to focus on meeting the demand for additional school places, it was unlikely that funding would be available for the Minor Works Grant in the coming years. This is borne out by the fact that in 2012, 85% of the capital expenditure in the school sector was in respect of large scale projects, additional accommodation and prefab replacement. The balance was expended on site acquisition, emergency works, furniture and equipment provision and commitments arising from earlier years. The capital allocation that is available for the school sector in 2013 is expected to have a similar spend pattern as was the case in 2012 and at this time there are no plans to reinstate the Minor Works Grant.

Student Grant Scheme Applications

221. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a decision has been made in relation to a student grant application for a person (details supplied) in County Kerry; and if he will make a statement on the matter. [33355/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the applicant referred to by the Deputy initially applied as an Independent Mature student and following the appeals process was reassessed as a Dependent Mature student. Following the reassessment she was issued with a grant award letter on 6th June. The applicant appealed this decision on 1st July and is currently going through the appeals process.

Budget 2014 Issues

222. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will ensure that there are no further cuts to the schools/education budget and that all services are maintained and enhanced where possible; and if he will make a statement on the matter. [33362/13]

Minister for Education and Skills (Deputy Ruairí Quinn): This Government has sought, against a very challenging economic backdrop, to protect education spending and maintain frontline education services as far as possible. While Budget 2013 required the implementation of some difficult savings measures across areas of the Education Vote, my Department is working to provide high levels of services through efficient and effective use of the resources that have been allocated.

However, levels of educational expenditure cannot be determined in a matter that ignores the economic reality. This reality means that restoring this country's economic fortunes and adhering to agreed targets for levels of general Government debt will require further consolidation in the years immediately ahead. My Department has a requirement to identify net savings of €44 million to meet the 2014 expenditure ceiling set for the Education Vote. In addition, it will be necessary to manage upward pressures on expenditure from within the set allocations. The precise formulation of the expenditure envelope for Education for 2014 will be determined by Government in the context of agreeing the forthcoming Budget.

Emergency Works Scheme Applications

223. **Deputy Timmy Dooley** asked the Minister for Education and Skills the status of an

emergency works application for a school (details supplied) in County Clare; and if he will make a statement on the matter. [33368/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Following receipt of an application from the school authority I am pleased to inform the Deputy that my Department recently approved funding under the Emergency Works Scheme. The school authority have been informed of this decision.

Special Educational Needs Staffing

224. **Deputy Patrick Nulty** asked the Minister for Education and Skills if he intends to lift the cap on the number of special needs assistants within the education system to meet increased demand in the system. [33371/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the level of resources being devoted to supporting children with Special Educational Needs has been maintained at €1.3 billion this year. This includes provision for 10,575 Special Needs Assistants (SNAs) and nearly 10,000 Learning Support and Resource Teachers. These resources have been protected despite the ongoing severe financial position and a requirement to make expenditure savings across a range of areas.

I wish to clarify that there has been no reduction to the overall number of SNA posts being provided for schools for the coming school year. This provision remains at 10,575 posts, which will ensure that all children who qualify for access to SNA support for the coming school year will receive access to such support. It is important to note that the level of SNAs required to support children with special educational needs changes from year to year in line with the enrolment of different children with different care needs. The care needs of individual children can also change from year to year. The NCSE takes these factors into account when allocating SNAs to schools. Therefore, even if the number of students receiving SNA support rises, this does not necessarily mean that the required number of SNAs to support their care needs should rise by a similar percentage.

In June 2012 the NCSE reported that the number of children requiring support for the 2012/2013 school year was in the order of 20,000 and the most up-to-date current figures is that for December 2012 of 21,972. The initial allocation of SNAs for the coming school year will support about 22,000 pupils. This is at about the same level supported in December 2012, despite the passing of 6 months. To date the NCSE has allocated over 10,490 SNA posts to schools which leaves over 80 posts available for allocation during the school year. The NCSE has advised that they have processed all applications for SNA support this year and have allocated the level of SNA support to schools that it considers will meet the care needs of all qualifying pupils. These allocations have been made in line with DES policy and there has been no change in the policy or its application this year.

Details of the SNA allocations which have been made to schools by the NCSE for the 2013/2014 school year are now available on the NCSE website www.ncse.ie, which provides details of the SNA allocations for each school on a school by school and per county basis.

Third Level Participation

225. **Deputy Tom Fleming** asked the Minister for Education and Skills the number of students that have dropped out of third level education in each of the last three years and to

date in 2013; the number who have dropped out since Student Universal Support Ireland took over the processing of student grant applications; and if he will make a statement on the matter. [33382/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information sought by the Deputy is not currently available. The HEA, which is responsible for the collection of data on student progression, is currently working on an analysis of retention rates in the universities and institutes of technology. This has only recently become possible due to a full population of SRS (Student Record System) data becoming available for a period spanning five years. The HEA does not have information for the 2012/2013 or 2011/2012 academic years and is currently collating data for the 2010/11 academic year which it is hoped will be available in the autumn.

There are a range of factors that impact on participation and progression in higher education including economic, social and cultural issues, prior academic attainment and teacher and parental expectations. The most recent report by the HEA on retention entitled, 'A study of Progression in Higher Education', was published in 2010 and is available on the HEA website.

Special Educational Needs Services Provision

226. **Deputy Anthony Lawlor** asked the Minister for Education and Skills the reason, according to circular 07/2012, five years per week learning support is offered to pupils in all-boys mainstream classrooms while only four hours per week is offered to pupils attending all-girls mainstream classroom; his views on whether it is fair that a differentiation should be made between boys and girls; and if he will make a statement on the matter. [33390/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand the Deputy is referring to resources allocated to schools under the General Allocation Model (GAM) of additional teaching supports, which are allocated to all Primary schools to cater for children with high incidence special educational needs. I wish to advise the Deputy that differing pupil teacher ratios are applied under the GAM in relation to boys, girls and mixed schools in order to account for differentials of prevalence of learning difficulty between boys and girls. The objective of this differentiation is to ensure that resources provided to schools to support children who have additional learning needs are targeted to ensure that those children most in need benefit from these resources.

The rationale for the differing ratios is based on international literature on the incidence of disability as well as international and national surveys of literacy and numeracy which indicate that there is a greater incidence of disability/learning difficulty in boys than girls. The NCSE Report on the Implementation of the Education for Persons with Special Educational Needs Act, of 2006, also examined a range of sources to establish prevalence rates, including national databases, local and international studies and expert estimates, which indicated significantly higher rates of Mild General Learning Difficulty and Specific Learning Disability prevailing in boys, in comparison to girls. The criteria for the allocation of GAM hours is outlined in circular 13/2013 which is available on my Department's website www.education.ie.

Question No. 227 answered with Question No. 211.

Special Educational Needs Services Provision

228. **Deputy Anthony Lawlor** asked the Minister for Education and Skills if he will provide assurances that pupils with special needs, assessed late in the academic year as requiring resource hours or a special needs assistant, will have the necessary allocations granted at the commencement of the new academic year; if these allocations cannot be granted, the reason for this; and if he will make a statement on the matter. [33392/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports, including the allocation of resource teachers and Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department. All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March 2013. The NCSE has now published details of all of their allocations for resource teaching and SNA support for the 2013/2014 school year. These details are now available on the NCSE website, www.ncse.ie, and detail the allocations made for each school on a per county basis.

In relation to SNA support, schools should contact the NCSE if they have enrolled children who were not considered at the time that these allocations were made, or where they are seeking a revision to the quantum of SNA support which has been allocated to them for the coming school year. In general a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils, or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school. In relation to resource teaching support, I am committed to ensuring that the resources which will be required to ensure that the allocations can be made to schools at existing levels will be provided, including resources required to meet any late demand expected to arise between now and the start of the school year. I have requested the NCSE to advise me by the end of September on the level of additional demand arising from late or emergency applications for the remainder of the school year. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Special Educational Needs Staffing

229. **Deputy Olivia Mitchell** asked the Minister for Education and Skills if he will consider extending membership of the supplementary assignment panel for special needs assistants, SNAs, to those who were made redundant prior to 1 May 2013 and SNAs involved in service in 2012-2013 in a suitable capacity as the panel militates unfairly against such SNAs; and if he will make a statement on the matter. [33403/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, a new set of proposals for a public service agreement were put forward by the Labour Relations Commission which now form the Public Service Stability Agreement 2013-2016 (the Haddington Road Agreement). One aspect of this Agreement relates to supplementary assignment arrangements for Special Needs Assistants (SNAs) and as both Unions that represent SNAs namely, SIPTU and IMPACT, have signed up to the Haddington Road Agreement, the Department has now implemented supplementary assignment arrangements for SNAs for the 2013/2014 school year. The detailed arrangements are set out in Departmental Circular 0037/2013 which issued on 1 July 2013.

The first part of the LRC proposals for supplementary assignment arrangements for SNAs

outlines that the supplementary assignment arrangements only apply to current SNAs who are notified that they are to be made redundant. Accordingly, with effect from 1 May 2013 once an SNA with a minimum of one year's service is notified by his/her employer that he/she is to be made redundant then he/she shall be deemed to be a member of a Supplementary Assignment Panel for SNAs. I can inform the Deputy that the 1st of May date was set in Circular 0037/2013 in order to ensure that the overwhelming majority of SNAs who worked in schools during the past year would be eligible for the supplementary assignment arrangements, as agreed to in the LRC proposals. As the LRC proposals are part of a wider public-sector pay agreement that represent compromises by both employers and unions, I do not have the ability to alter the terms of that agreement.

Schools Building Projects Status

230. **Deputy Patrick Nulty** asked the Minister for Education and Skills when construction of the extension to Castleknock community college, Dublin 15, will commence. [33404/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The major building project for Castleknock Community College is at an advanced stage of architectural planning, stage 2b. Further clarification on the stage 2(b) submission was recently received by the Department from the school authority and this is currently under review. Authorisation has been given to commence the pre-qualification process for contractors. On satisfactory completion of stage 2 (b) and assuming no issues arise, authorisation will be given to commence the tender process.

Question No. 231 answered with Question No. 214.

Special Educational Needs Services Provision

232. **Deputy Regina Doherty** asked the Minister for Education and Skills the position regarding July provision application in respect of a person (details supplied); and if he will make a statement on the matter. [33436/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the July Education Programme is available to all special schools and mainstream primary schools with special classes catering for children with autism that choose to extend their education services through the month of July. My Department also provides for a July Programme for pupils with a severe/profound general learning disability. Where school based provision is not feasible, home based provision may be grant aided. The person referred to by the Deputy by virtue of his young age has not yet commenced his primary education and therefore by definition under the terms of the scheme is ineligible to partake in it. However, I can confirm that the person named has been sanctioned for tuition under the Home Tuition programme to an amount equivalent to the maximum available under the Home Based July Provision scheme.

Student Grant Scheme Eligibility

233. **Deputy Mattie McGrath** asked the Minister for Education and Skills the way a student who is living independently of his or her parents and earning his or her own income can be classed as a dependant when applying for Student Universal Support Ireland; the way a student who has no relationship with his or her parents can be refused a SUSI grant because he or she is unable to provide information on his or her parents' income due to the breakdown in or lack

of a relationship; if such students can be considered for a higher education grant; and if he will make a statement on the matter. [33438/13]

Minister for Education and Skills (Deputy Ruairí Quinn): For student grants purposes, a student may be assessed as an independent student if he/she has attained the age of 23 on the 1st of January of the year of first entry to an approved post leaving certificate course or an approved higher education course or of re-entry to an approved course following a break in studies of at least three years, and is not ordinarily resident with his/her parents from the previous 1 October. Otherwise he/she would continue to be assessed on the basis of his/her parents' income. In recognition of the fact that a student under 23 years of age can be estranged from his/her parents, it is possible under the student grant scheme, as an exceptional measure, for such a student to be assessed without reference to his/her parents/guardians income. However, compelling independent evidence of estrangement must be provided to the grant awarding authority to enable this. The type of independent evidence includes a letter from a social worker or other appropriate officer of the Health Service Executive explaining the circumstances of the estrangement. Confirmation that a student is living separately from his/her parents/guardians is not sufficient. I have no plans at present to change the eligibility arrangements in respect of students under the age of 23 who apply for a student grant.

Student Grant Scheme Appeals

234. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding a Student Universal Support Ireland grant in respect of a person (details supplied); and if he will make a statement on the matter. [33444/13]

Minister for Education and Skills (Deputy Ruairí Quinn): An appeal from the student referred to by the Deputy was considered by the independent Student Grants Appeals Board and the Appeals Board advised SUSI to reassess the application. Officials in my Department have been advised by SUSI that the application is currently awaiting review. Unfortunately, it is regretted that there has been a further delay in finalising the reassessment of this application. SUSI have confirmed that they will expedite the matter shortly and notification will issue directly to the student.

Third Level Admissions Entry Requirements

235. **Deputy Robert Troy** asked the Minister for Education and Skills the way a person who was born here, has Irish parents and studied here until the age of 15 is now not permitted to attend university here; this person had to travel to America for two years with their parents for work purposes, the family is now back here and would like their child to attend university here but are being charged non-EU citizen prices to study here, the rule that a student must have been resident in the State three out of the past five years is extremely unfair in certain circumstances and is prohibiting families and persons who were forced to leave here for a period of time for work; and if he will make a statement on the matter. [33447/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the terms of my Department's Free Fee Initiative the Exchequer meets the cost of tuition fees in respect of eligible students who are pursuing full-time undergraduate courses of study which are a minimum of two years duration in an approved higher education institution. The main conditions of the scheme are that students must be first-time undergraduates, hold inter alia EU/EEA/Swiss nationality in their own right, and have been ordinarily resident in an EU/EEA/Swiss state for at

least three of the five years preceding their entry to an approved third level course.

Higher education institutions are autonomous bodies and the criteria governing the level of tuition fees to be charged (EU or Non EU rate), in cases where undergraduate students do not qualify for free fees is a matter for the institutions to determine in accordance with their own criteria. Tax relief at the standard rate of tax may be claimed in respect of tuition fees paid for approved courses at approved colleges of higher education. Further information on this tax relief is available from the Revenue Commissioners on www.revenue.ie.

Special Educational Needs Services Provision

236. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he will explain the reason there is an ongoing dispute in relation to Health Service Executive specific speech and language services in Tallaght which have been provided to a school (details supplied) in Dublin 24 to cater for children with special educational needs; if he will indicate the steps being taken to resolve this dispute between his Department and the HSE; and if he will make a statement on the matter. [33448/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that my Department provides an extensive range of supports for pupils with Specific Speech and Language Disorder (SSLD), which includes provision for the establishment of special classes for pupils with SSLD in primary schools. Applications to establish such classes are considered by the school's assigned Special Educational Needs Organiser (SENO) and those meeting the criteria for establishment are approved by the National Council for Special Education (NCSE). A full-time teacher is assigned to each class, and classes operate with a reduced pupil-teacher ratio of 7:1. In addition, an enhanced capitation grant is provided to schools operating special classes for pupils with SSLD. Speech and Language Therapy services are provided to these classes by the Health Service Executive (HSE).

I can confirm that my Department has been in contact with the school in question in relation to matters raised regarding the provision of Speech and Language Therapy in the school. A meeting which has been scheduled to take place shortly between the parties concerned will be attended by an official from my Department's Inspectorate Division, with a view to resolving any outstanding matters.

School Staffing

237. **Deputy Seán Kyne** asked the Minister for Education and Skills if he will outline the reasons his Department has decided not to re-evaluate the base school status of schools this year; and if his attention has been drawn to the fact that this decision is negatively affecting certain schools (details supplied) in County Galway. [33485/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Some 85% of all NCSE approved resource teaching hours in the 2012/13 school year were allocated to schools that had resource base posts. There are some slight changes to the location of these base posts for the 2013/14 school year to further improve the efficiency of these arrangements. The schools that were affected by these changes were those where the posts were not fully utilised for NCSE approved resource hours or where the teacher in the post was predominantly based in a neighbouring school. The full criteria used is set out in the Department's Staffing Circular 0013/2013 and is available on the Department website. Base schools are required to co-operate with their neighbouring schools to ensure that any surplus capacity in the (25 hour) resource posts is made

available to neighbouring schools to meet their NCSE approved resource hour requirements. If the surplus capacity is fully utilised there are standard arrangements in place for the relevant schools to contact the Department for part-time resource teaching posts.

School Patronage

238. **Deputy Seán Kyne** asked the Minister for Education and Skills if, in the context of the move to bring plurality to educational patronage, parents seeking a school in the Steiner model will be accommodated in County Galway and elsewhere in the west. [33486/13]

Minister for Education and Skills (Deputy Ruairí Quinn): In June 2011, I announced that 20 new primary schools are to be established up to 2017 across a number of locations. I also put in place revised procedures and criteria for the establishment of new schools which provide a balanced approach to allow for applications to be made by all prospective patrons. Full details are available on my Department's website. Applications for patronage of the new primary schools to be established in 2014 were recently sought by my Department. The closing date for receipt of applications was Friday 14 June 2013. An application has been received from the patron referred to by the Deputy for the Galway Knocknacarra area. The application assessment process is underway. As part of this process, my Department will prepare a report for consideration by the New Schools Establishment Group who will submit a report to me for final consideration and decision in due course.

Question No. 239 answered with Question No. 211.

School Staffing

240. **Deputy Micheál Martin** asked the Minister for Education and Skills if his attention has been drawn to concerns regarding a teacher being reinstated in a school (details supplied) in County Clare; and if he will make a statement on the matter. [33546/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the provisions of the Education Act, 1998, the board of management is the body charged with the direct governance of a school. The Board of Management is the employer of teaching and other staff and has similar powers to any other employer. While my Department operates a payroll service in respect of teachers on behalf of Boards of Management and has statutory functions in the setting of terms and conditions for teachers, my Department is not their employer. Accordingly, my Department does not have any employer/employee relationship with the teachers or other staff in a school and it cannot perform functions which are proper to the Board in relation to the management of the teaching staff of the school. In that context, it would be inappropriate for me to comment on the case in question.

Pension Provisions

241. **Deputy Mattie McGrath** asked the Minister for Public Expenditure and Reform if he will outline and compare the levels of pension benefit and the rates of pension benefit accrual of Irish Government Ministers with those of government ministers in other EU countries; and if he will make a statement on the matter. [32967/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In Ireland the pensions of Ministers and Ministers of State are made up of two elements, (i) an Oireachtas

pension for service as a TD and/or Senator and (ii) an office-holder's pension for service as Minister and/or Minister of State. Details of the schemes will be forwarded directly to the Deputy. I have no information on the pension terms or entitlements of Ministers in other EU states.

Garda Stations Closures

242. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Public Expenditure and Reform with five Government-owned buildings in County Monaghan recently identified as being long-term vacant, if details will be provided as to the location of each of these buildings; the plans being considered for their future use; if the opinion of Monaghan County Council has been sought as to the way these potentially valuable resources may be used in providing business stimulus and or job creation opportunities for this country and the region; and if he will make a statement on the matter. [32979/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The five vacant State owned properties identified in County Monaghan are the following former Garda stations: Clontibret, Corrinshigach, Newbliss, Shantonagh and Smithborough. The OPW is currently assessing the property options arising in respect of all closed Garda Stations including those in County Monaghan. The stated policy is to identify if other State Bodies, including government departments and the wider public sector has a use for the property. If there is no other State use for a property the OPW will then consider disposing of the property on the open market, if and when conditions prevail, in order to generate much needed revenue for the Exchequer. If no State requirement is identified or if a decision is taken not to dispose of a particular property the OPW would consider, community involvement subject to the receipt of an appropriate business case which would indicate that the community/voluntary group has the means to insure, maintain and manage the property. The Office Of Public Works will engage with Monaghan County Council with regard to any interest the Local Authority may have in the above properties.

Office of Public Works Properties

243. **Deputy Eric Byrne** asked the Minister for Public Expenditure and Reform further to Question No. 124 of 26 June 2013 if he will outline the number of State-owned sites and buildings in the Dublin City Council area; their area and size; and if he will make a statement on the matter. [33061/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The information requested in respect of the number of State owned buildings has to be collated in the format requested, as the OPW database does not capture information by Local Authority area. The information will be made available to the Deputy in as soon as possible.

Office of Public Works Properties

244. **Deputy Eric Byrne** asked the Minister for Public Expenditure and Reform further to Question No. 124 of 26 June 2013 to set out the number of vacant State-owned sites and buildings in the Dublin City Council area, their area and size; and if he will make a statement on the matter. [33129/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian

Hayes): The following State owned properties in the Dublin City Council area are vacant:

17 Harcourt Terrace. This property has recently become vacant and the OPW is currently evaluating options including potential disposal. (261 sq. metres).

91 – 93 Merrion Square. This property is being prepared for State usage in 2014. (Size not available).

21 Fitzwilliam Square. This property has been examined by a number of potential State clients. (537 sq metres).

Former Whitehall Garda Station. This property has been allocated for other State usage. (935 sq metres).

Coláiste Mhuire. OPW is allocating this property to Dublin City Council for the new City Library.

Military road site, Heuston Gate. There is planning permission for development in place for this site and it is being retained for strategic purposes. (1.9 hectares).

Hammond lane site. This site and it is being retained for strategic purposes. (0.41 hectares).

Kevin Street/Bride Street site. This site is for the proposed new Kevin Street Garda station. (Size not available).

Site at rear of Spruce House, Leeson Lane. This site will be part of the proposed redevelopment of the former Nurse's Home in Leeson Lane. (1,845 sq metres).

Office of Public Works Properties

245. **Deputy Patrick Nulty** asked the Minister for Public Expenditure and Reform if his Department has received a request from Fingal County Council to waive its interest in land (details supplied) in Dublin 15; and, if so, when a decision on the request will be made. [33333/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The Commissioners of Public Works have not received a request from Fingal County Council to waive the Minister for Public Expenditure and Reform's interest under Section 31 of the State Property Act, 1954 in relation to lands at Huntstown Grove, Dublin 15.

Disposal of Assets

246. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the securitisation model which it is argued would allow the State to retain full ownership of companies while raising funds; and if he will make a statement on the matter. [32881/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Securitisation involves the packaging of groups of small and illiquid financial assets into financial instruments that can then be sold to investors. Therefore, securitisation still involves the sale of actual assets, but involves a more complicated sale structure. The securitisation market declined significantly in 2008 following the sub-prime crisis in the US and demand for new issues remains depressed. The use of securitisation to raise funds, as an alternative to direct asset sales under the State Asset Disposal Programme, is not considered to be appropriate by the Government at

this time.

Office of Public Works Expenditure

247. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform the total costs, including annual operational, maintenance and energy overheads, for Farmleigh each year since it opened in 2001. [32992/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The following table outlines the data requested.

Farmleigh expenditure from 2001

Year	Capital Works Operations and Maintenance	Energy	Total
2001	€5,927,229.00	€15,898.00	€5,943,127.00
2002	€4,080,878.00	€125,985.00	€4,206,863.00
2003	€3,010,477.00	€101,007.00	€3,111,484.00
2004	€3,242,517.00	€118,951.00	€3,361,468.00
2005	€3,057,685.00	€126,104.00	€3,183,789.00
2006	€2,526,351.00	€112,138.00	€2,638,489.00
2007	€3,057,961.00	€146,453.00	€3,204,414.00
2008	€2,984,187.00	€184,960.00	€3,169,147.00
2009	€2,656,806.00	€129,651.00	€2,786,457.00
2010	€2,805,515.00	€150,341.00	€2,955,856.00
2011	€2,610,729.00	€116,465.00	€2,727,194.00
2012	€2,798,623.00	€182,668.00	€2,981,291.00
-	€38,758,958.00	€1,510,621.00	€40,269,579.00

State Visits

248. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform if he will provide an annual breakdown of the Heads of State and other dignitaries who have stayed at Farmleigh each year since 2001. [32993/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The following State visits and visits by other dignitaries to Farmleigh have taken place since 2001:

2001 to 2003

State visit by the President of the Republic of Lithuania H.E. Valdas Adamkus

British Irish Inter Parliamentary Body

Mr. Halldor Blondal, M.P. President of the Altingi (Icelandic Parliamentary Delegation).

Visit by Mr. Jozef Migas, M.P., Chairman of the Slovak Parliament.

Visit of the Prime Minister of Ethiopia Meles Senawi

State Visit to Ireland by Their Royal Highnesses the Grand Duke and Grand Duchess of Luxembourg

Latvian State Visit – President of the Republic of Latvia

State Visit Nigerian Delegation HE Olusegun Obasanjo, President of the Federal Republic of Nigeria

British Delegation Overnight

2004

H.E. Mr. Wen Jiabao, Premier of the State Council of the People's Republic of China

The Secretary-General of the United Nations and Mrs Annan

2005

H.E. Mr. Georgi Parvanov President of the Republic of Bulgaria

The Right Honorable Paul Martin Prime Minister of Canada and Mrs. Sheila Martin

H.E. Mr. Ferenc Mádl President of the Republic of Hungary and Mrs. Dalma Mádl

Their Majesties, The Emperor and Empress of Japan

Mr. Svetozar Marovic, President of Serbia and Montenegro and Mrs. Djordjina Marovic

2006

The Hon. Mr. John Howard, M.P. Prime Minister of Australia and Mrs. Janette Howard

H.E. Dr. Ivo Sanader, Prime Minister of the Republic of Croatia

H.E. Mr. Stjepan Mesić President of the Republic of Croatia

H.E. Mr. Hosny Mubarak, President of the Arab Republic of Egypt and Mrs Suzanne Mubarak

Mr. Josep Borrell Fontelles President of the European Parliament

Their Majesties King Harald V and Queen Sonja of Norway

2007

H.E. Mr. Lech Kaczyński President of the Republic of Poland and Mrs. Maria Kaczyńska

H.E. Mr. Ivan Gašparovič President of the Slovak Republic and Mrs. Silvia Gašparovičová

President Jimmy Carter and Mrs. Rosalynn Carter

His Majesty Albert II, King of the Belgians and Her Majesty Queen Paola

The President of the Republic of Finland, Ms Tarja Halonen and Dr. Pentti Arajärvi

2008

H.E. Mr. Nguyen Tan Dung Prime Minister of the Socialist Republic of Vietnam and Mrs. Tran Thanh Kiem

9 July 2013

Mr. José Manuel Barroso, President of the European Commission

The President of the Republic of Estonia, H.E. Mr. Toomas Hendrik Ilves and Mrs. Evelin Ilves

H.E. Mahmoud Abbas, President of the Palestinian National Authority

H.E. Mr Václav Klaus, President of the Czech Republic and Mrs. Livia Klausová

2009

The Honourable Mr. Mizengo Peter Pinda, M.P., Prime Minister of the United Republic of Tanzania

H.E. Mr Nikola Gruevski, Prime Minister of the Republic of Macedonia

2010

H. E. Dr José Ramos-Horta President of the Democratic Republic of Timor-Leste

2011

State Visit to Ireland by His Serene Highness Prince Albert II of Monaco

State Visit to Ireland by Her Majesty Queen Elizabeth II and His Royal Highness The Duke of Edinburgh

Official Visit to Ireland by H.E. Mr. Jerzy Buzeck ,President of the European Parliament

2012

Official Visit to Ireland by His Majesty King Letsie III and Queen Masenate Mohato Seeiso of the Kingdom of Lesotho

2013

Official Visit to Ireland by The Right Honourable Stephen Harper, PC, MP Prime Minister of Canada.

Office of Public Works Properties

249. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform the revenues generated from the 39 high level events held at Farmleigh in 2012. [32994/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): No revenue was generated from these events.

Office of Public Works Staff

250. **Deputy John Deasy** asked the Minister for Public Expenditure and Reform the number of full-time and part-time staff employed at Farmleigh. [32995/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): There are 34 full time and 6 part time staff assigned to Farmleigh.

Public Sector Staff Remuneration

251. **Deputy Eric Byrne** asked the Minister for Public Expenditure and Reform his views regarding pay cuts (details supplied); and if he will make a statement on the matter. [33064/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In the course of ensuring that Ireland's General Government deficit is reduced to the 2015 target of below 3 per cent of GDP, difficult decisions have had to be taken to reduce public service pay and pensions as an appropriate contribution to achieving this target. The then Minister for Finance announced in Budget 2011 that a 10% reduction would apply to the pay rates of new entrant public servants with effect from 1 January 2011 and at the same time that new entrants must start at the first point of the relevant pay scale.

I have agreed to address the position regarding the new entrant salary scales as part of the discussions which lead to the Haddington Road Agreement. The Agreement provides at Section 2.31 that revised incremental salary scales shall be prepared for same grade entrants to bring their position into line with earlier appointments over time.

Office of Public Works Properties

252. **Deputy Derek Nolan** asked the Minister for Public Expenditure and Reform his plans for a closed public building located in a town (details supplied) in County Galway; if there is a plan for it to have a public amenity value; and if he will make a statement on the matter. [33114/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Negotiations with Galway County Council in relation to above building are at an advanced stage. It is proposed to accommodate the Department of Social Protection.

Haddington Road Agreement Issues

253. **Deputy John Paul Phelan** asked the Minister for Public Expenditure and Reform if under the terms of the recent Haddington Road agreement pension reductions imposed on public sector pensions in receipt of pensions of €32,500 and over will be reimbursed over the course of the agreement or subsequently; and if he will make a statement on the matter. [33139/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Haddington Road Agreement (HRA) does not contain any pension reduction measure. In drawing up the HRA, the Labour Relations Commission expressly recognised that Government plans for certain public service pension reductions did not form part of the proposals which comprise the HRA. The relevant paragraph in the HRA, headed "Public Service Pensions", reads as follows: "Separately to this Agreement, the Parties note that the Government intends to align the reductions in public service pensions in payment with the reductions applied to serving staff. The Parties note that this measure will apply to pensions in payment greater than €32,500 only."

Reductions in those public service pensions valued in excess of €32,500 duly took effect on 1 July 2013, on foot of provisions in the Financial Emergency Measures in the Public Interest Act 2013, and accomplished by recourse to the "Public Service Pension Reduction" (PSPR), which was originally introduced in 2011. It is important to emphasize that these July 2013 pension reductions only apply to higher-value public service pensions. The relevant legislation does not contain any provision for the reimbursement of those pension reductions. However

these latest pension reductions, representing as they do one of a series of legislated financial emergency measures affecting public service pay and pensions, fall to be reviewed annually by the Minister for Public Expenditure and Reform, as provided for in section 12 of the 2013 Act. The next such review, with written report to be provided to the Houses of the Oireachtas, is due to take place no later than 30 June 2014.

Revised Estimates Publication

254. **Deputy Jim Daly** asked the Minister for Public Expenditure and Reform the top ten headings of public expenditure and the total cost per annum for each of these headings (details supplied) for each of the past five years; and if he will make a statement on the matter. [33291/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The information the Deputy requires is contained in the *Revised Estimates Volume* (REV), which provides details in relation to all voted Government expenditure on both a Programme and Subhead level. Furthermore, the REV sets out key performance information regarding the outputs and impacts of Programme Expenditure. The Deputy might also be interested to know that my Department hosts a databank website which contains a comprehensive set of data on public expenditure in Ireland. The material can be accessed through the following web address; <http://databank.per.gov.ie/>. Similarly, the Department of Finance hosts a comparable website with details of Exchequer Tax receipts and can be accessed at <http://databank.finance.gov.ie/>. In addition, the Central Statistics Office holds a wide variety of statistical data on their website <http://www.cso.ie/en/>.

Protected Disclosures in the Public Interest

255. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform the key measures contained within the recently initiated Protected Disclosures Bill 2013; and if he will make a statement on the matter. [33305/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Protected Disclosures Bill 2013 provides a significant suite of employment and other protections to whistleblowers that are penalised by their employer or suffer a detriment from a third party as a consequence of having raised concerns regarding possible wrongdoing in their workplace. It provides for the first time comprehensive whistleblower protection across all sectors of the economy addressing what has been identified – both nationally and internationally - as a significant gap in Ireland’s legal framework for combating corruption.

The key measures outlined in the Bill are as follows:

- Compensation of up to a maximum of five years remuneration can be awarded in the case of an unfair dismissal for having made a protected disclosure.

- A wide definition of wrongdoings is included in the Bill and the safeguards provided in the legislation are extended in line with international best practice recommendations.

- The Bill contains a wide definition of ‘workers’ which, in addition to employees, includes contractors, agency staff and trainees.

- Whistleblowers will benefit from civil immunity from actions for damages and a qualified privilege under defamation law.

- Making a protected disclosure or reasonably believing a disclosure is protected is a defence to any offence prohibiting or restricting the disclosure of information.
- Where a whistleblower or, for example, a member of his family experiences coercion, intimidation harassment, discrimination at the hands of a third-party the legislation provides for a right of action in tort against that person.
- The legislation seeks to protect the identity of a whistleblower – the matter disclosed rather than the whistleblower should be the focus of attention.
- The Bill provides in any proceedings that a disclosure is assumed to be a protected disclosure unless the contrary can be proved.
- The legislation provides a number of distinct disclosure channels for potential whistleblowers.
- The protections remain available if the information disclosed on examination does not reveal wrongdoing. Deliberate false reporting will not meet the reasonable belief test and is not protected.
- Special arrangements are put in place for disclosures relating to law enforcement matters and to disclosures that could adversely affect Ireland’s security, defence or international relations.

Public Procurement Contracts Tenders

256. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform the safeguards in place to ensure contractors tendering for local authority contracts are not underpricing; if he will introduce minimum rates for machine work; and if he will make a statement on the matter. [33347/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): All policy, guidance and implementation measures relating to capital projects are published on the Construction Procurement Reform website www.constructionprocurement.gov.ie where the Capital Works Management Framework provides a suite of best practice guidance, standard contracts and generic template documents, which are available to download for all contracting authorities to provide a consistent approach to the management of public works projects.

Section 8.3 of the Instructions to Tenderers for Works Contractors sets out that where an exceptionally low tender, abnormally high or low rates or prices are received, the Contracting Authority may require the Tenderer to provide details of the constituent elements of the tendered Contract Sum or the tendered amounts. This may include (without limitation) the information listed in Regulation 69(1) of the European Communities (Award of Public Authorities’ Contracts) Regulations 2006. Any failure to provide such information, when requested, may exclude the tender from further consideration. If, having considered the information provided, the Contracting Authority is of the view that either the Contract Sum is abnormally low or any tendered amounts are abnormally low or abnormally high, the Contracting Authority may reject the Tender.

The management of the tendering process for a public contract is a matter for each Contracting Authority. It is the responsibility of each Contracting Authority to ensure that tenderers comply with all the requirements of the process. In relation to safeguards in place to ensure contractors tendering for local authority contracts are not underpricing, this is a matter for the

local authorities concerned having regard to the guidance referenced above.

Office of Public Works Properties

257. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform further to previous parliamentary questions, if he will expedite a decision on a business plan which proposes that a community use be established for a Garda barracks (details supplied) in County Kerry under the auspices of a council; and if he will make a statement on the matter. [33386/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I am considering the community use proposal in relation to the former Garda Station in Beaufort, Co Kerry and a decision will be conveyed to the group shortly.

National Monuments

258. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform if he will initiate a project to promote and protect the structure of Doe Castle, ancient home of Clann Mac Suibhne, considering the vastness and beauty of this ancient building; his views that the Office of Public Works has failed to upkeep the grounds and promote tourism at Doe Castle; his further views that a project should be undertaken to have this building promoted consider the history, heritage and culture this building provides; and if he will make a statement on the matter. [33475/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Doe Castle is a National Monument in State care and is maintained by the National Monuments Service of the Office of Public Works. The responsibility for the care and conservation of National Monuments in State care is defined in the various National Monuments Acts 1930 – 1994 and in this specific regard, it is noted that Doe Castle is in good physical condition, a significant conservation project having been carried out there in recent years. The National Monuments Service cares for both the building and grounds on an ongoing basis and my information is that this site has been visited recently for grasscutting and weed removal and the grounds are well maintained currently. I am not aware therefore that the site is in poor state as alleged and if the Deputy is aware of any issues currently in relation to the presentation of the building or the grounds, he might let me have details and I will have this addressed.

The National Monuments Service is anxious to promote visitors to its sites and, with this in mind, and having regard to the current difficult position in relation to resources, the Office of Public Works has since 2012 engaged in an initiative called “Friends of Irish Heritage” which is designed to facilitate the development of formal partnerships with local community-based groups who are interested in supporting opening of these facilities on a volunteer basis. I understand that contact has been established with interested individuals in the north Donegal area in relation to the potential tourism of Doe Castle and I would be hopeful that a viable project can be devised that the National Monuments Service can support.

In regard to marketing of this site, my officials have recently engaged with Fáilte Ireland in relation to Doe Castle and it will be prominently included in the context of the “Wild Atlantic Way” project being developed to promote and facilitate tourism in that region. It is expected that the National Monuments Service will engage in further awareness initiatives to support this in time.

Farm Safety

259. **Deputy Tom Fleming** asked the Minister for Jobs, Enterprise and Innovation the measures taken to improve farm safety and reduce the number of farm accidents throughout the country; and if he will make a statement on the matter. [33379/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Health and Safety Authority (HSA) is the national statutory body with responsibility for enforcing occupational safety and health law, promoting and encouraging accident prevention, and providing information and advice to all companies, organisations and individuals, including farmers.

The Authority's 2013 Programme of Work, approved by me earlier this year, was prepared against a background of the unacceptably high levels of work-related deaths and injuries in the agriculture sector and priority actions for the sector were identified in the Programme. For example, out of the 12,850 planned workplace inspections and investigations for 2013, 3,000 will be carried out in the high risk agriculture sector.

To emphasise the importance of workplace health and safety in the agriculture sector, in April this year, the Authority carried out a two-week farm safety campaign with a focus on joint involvement with farmer representative organisations. The campaign included actions such as farm walks and talks, with a particular emphasis on farmers in the 60+ age group. This age-group received particular attention as over half the 182 people killed over the last decade in agriculture were in this age-group. In an effort to focus attention on age as a risk factor, the Authority and the IFA have jointly produced a DVD entitled 'Older, Wiser, Safer – A Practical Guide to Safety for Older Farmers.'

Partnership remains central to the Authority's approach to improving farm safety. This approach involves the major stakeholders in the agriculture sector in the task of improving farm safety through the Farm Safety Partnership Advisory Committee - a sub-committee of the Board of the Authority. This approach is designed to better support the identification and development of broad based actions by the primary stakeholders to assist in developing and sustaining a safety and health culture within the sector. It seeks to emulate the approach that has worked well in the construction sector.

An important element of achieving improved farm safety outcomes will be the soon-to-be-published three-year (2013-15) Action Plan for the Farm Safety Partnership. This plan will aim to deliver coordinated initiatives on awareness raising, safety promotion, research and special projects. The Plan's key goals are:

- To establish and implement appropriate Safety and Health Training and Educational programmes for farmers and persons who are employed in the agriculture sector.
- To develop programmes to prevent accidents and injuries to vulnerable persons (children and older persons) in agriculture.
- To achieve cultural and behavioural changes related to risk taking in agriculture.
- To influence farmers to manage high risk work activities and to improve standards in the use and maintenance of Tractors, Machinery and Farm Vehicles.
- To implement programmes to assist in protecting the occupational health of persons working in agriculture.

The Farm Safety Committee's previous 2009-2012 Action Plan set ambitious targets in health and safety and identified specific activities to achieve these targets and much was achieved

during the course of this plan. In response to the serious challenges faced in agriculture, the Authority responded comprehensively with a number of initiatives including:

- On-line farm risk assessment tool www.farmsafely.com.

- A Code of Practice for Agriculture which includes a Risk Assessment Document and a Safe System of Work Plan (SWWP). The Code provides practical user-friendly guidance with respect to farmers, family members, employees, service providers, advisers, trainers and persons with a role related to safety and health. It sets out clearly the major risks in farming and provides a simple approach through the risk assessment document to managing safety at farm level.

- An extensive media campaign on national TV, national & local radio and in the print media.

In 2012 the Authority pursued an integrated farm safety media campaign, which included graphic TV advertisements, and hard-hitting radio and print ads, all with a strong focus on the shocking consequences of farm accidents for real farmers. The aim of this element of the Authority's campaign was to drive home the terrible consequences that result from accidents in the agriculture sector.

The Authority has 20 Inspectors who carry out proactive inspection work in the agriculture sector including 5 full time specialists in the Agriculture Inspection Group. The level of awareness among farmers in relation to their duty to ensure a safe farm - based on inspection - is now estimated at 80%. It continues to be the experience of the Health and Safety Authority Inspectors that while the standard of the individual Safety Statement/Code of Practice is, in general, adequate to control the risks on the farm, the implementation of the identified controls and allocation of resources required is lower.

The Authority has, this week, commenced a 'Farm Safety Survey' of 3,000 randomly selected, farm households. The overall aim of the proposed research is to identify the factors most likely to influence farmers in Ireland to make long-term behavioural changes with regard to their daily farm work, to improve knowledge of methods of farm accident prevention, to inform future Authority preventive activity and to make recommendations concerning how best to make farms safer places to work and live.

Ultimately, day-to-day responsibility for workplace safety rests with those in the workplace in the first instance. In that context, it is important that we all maintain a strong focus on workplace safety as safe workplaces can ultimately only be delivered by those who control and work in them. Agriculture, by its very nature, is one of the more hazardous occupations, especially as the workplace and family home are so often one-and-the-same. In such circumstances, I would urge all involved in the agriculture sector to re-double their efforts to improve health and safety standards in their sector.

Industrial Development

260. **Deputy Robert Troy** asked the Minister for Jobs, Enterprise and Innovation if he will outline the current efforts being made by his Department and other institutions to promote Longford as a region for enterprise; if he will provide some information regarding the resources and benefits Longford has to offer to potential investors; and if he will make a statement on the matter. [32867/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): IDA Ireland,

Enterprise Ireland and Longford County Enterprise Board are all working to promote enterprise development in County Longford. IDA Ireland is charged with the attraction of foreign direct investment (FDI) to Ireland and its regions while Enterprise Ireland has responsibility for the development and promotion of Ireland's indigenous business sector. The role of the Longford County Enterprise Board is to provide a source of support for micro-enterprise in the start-up and expansion phases, to promote and develop indigenous micro enterprise potential and to stimulate economic activity and entrepreneurship at local level.

As Ireland competes for high quality investments, the concept of scale is crucial. Leading global corporations require a significant population, a pool of qualified talent, world standard physical and digital infrastructure coupled with the availability of sophisticated professional and business support services. Against this backdrop, IDA Ireland has informed me that it prioritises the marketing of Gateway locations within each Region as the areas of critical mass. Longford is marketed as part of the Midland Region together with Laois, Offaly, Westmeath and Roscommon. In this region, IDA concentrates on the linked gateway of Athlone/Tullamore/Mullingar. The Agency also promotes the towns of Longford, Portlaoise and Roscommon as part of its wider marketing efforts and in response to specific client requirements.

At present, there are 6 IDA Ireland client companies in Longford employing 632 people. IDA Ireland has strong relationships with these companies and works closely with them in order to ensure their long term sustainability and to encourage their growth, development, a broadening of their mandates and continuing re-investment in their sites.

In 2012, just over 1,557 people were employed on a full time basis in Enterprise Ireland client companies in County Longford. The Agency has informed me that, in 2012, five Innovation Vouchers were awarded to companies in Longford. This initiative, which links start-up companies with knowledge providers such as the local Institutes of Technology, continues to play an important role in supporting the development of new and existing limited smaller companies as well as strengthening ties and collaborations with the research community. There has been one call for Innovation Vouchers so far in 2013 under which two Longford companies have been awarded funding. The Innovation Voucher initiative is just one of several initiatives that the Agency is implementing to further develop and support the creation of jobs and growth in the Midlands Region, of which Longford is part.

Subject to certain eligibility criteria, Longford County Enterprise Board (CEB) supports individuals, firms and community groups provided that the proposed projects have the capacity to achieve commercial viability. This support can be in the form of financial and non-financial assistance to a project promoter. In 2012, Longford CEB provided over €250,000 in grant assistance to 31 projects and 585 people participated in Longford CEB assisted training courses. To date in 2013 Longford CEB has facilitated the establishment of a business forum group where local business persons meet to discuss proposals on how to further enhance County Longford's business profile and promote the county as an investment location.

IDA Ireland, Enterprise Ireland and Longford CEB will continue to support enterprise development in Co Longford with a view to contributing to the achievement of the Government's job creation targets outlined in the 2013 Action Plan for Jobs.

Companies Statistics

261. **Deputy Maureen O'Sullivan** asked the Minister for Jobs, Enterprise and Innovation the number of registered companies here in the years 2010, 2011 and 2012; and if he will make a statement on the matter. [32882/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Companies Registration Office (CRO) is the statutory authority for registering companies in Ireland and is the central repository of public statutory information on Irish companies.

At the end of 2012, there were 184,549 companies on the companies register, 185,181 at end 2011 and 185,608 at end 2010. These figures do not include companies in the course of liquidation, of which there were 7,938 at end 2012, 6,680 at end 2011 and 6,287 at end 2010.

Details of the number of new companies registered with the CRO in the years 2010, 2011 and 2012 are set out below.

2010	2011	2012
14,013	14,615	14,009

Space-Related Enterprise Activities

262. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation if he will outline Ireland's financial contribution to the European Space Agency each year since 2002 inclusive. [32996/13]

263. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation the number of Irish companies or persons who have won contracts awarded by the European Space Agency each year since 2002 inclusive. [32997/13]

264. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation the proportion of Enterprise Ireland's annual budget, in percentage and actual terms, which is devoted to space related enterprise supports and activities. [32998/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I propose to take Questions Nos. 262 to 264, inclusive, together.

The following table attached at Appendix 1 sets out Ireland's contribution to the European Space Agency (ESA) each year from 2002 to 2012 together with the number of contracts awarded by ESA to Irish companies and other entities. The number of contracts is based on data provided by ESA.

Ireland's investment in ESA is channelled directly through my Department's Vote and, as such, Enterprise Ireland has no specific funding ring-fenced for space related enterprise supports and activities. However, all Enterprise Ireland R&D support programmes are available to space companies and third level institutions where any such applications meet the relevant programme criteria. Enterprise Ireland has 2.5 staff members devoted to space related enterprise supports and activities such as helping companies to secure international funding from Framework Programme 7 and European Space Agency contracts.

Appendix 1

Year	M€	Number of ESA Contracts - Companies	Number of ESA Contracts - 3rd Level	Number of ESA Contracts - Other
2002	9.3	18	2	0
2003	10.9	19	3	0
2004	10.8	17	5	2
2005	11.6	20	2	0
2006	12.3	25	5	0

Year	M€	Number of ESA Contracts - Companies	Number of ESA Contracts - 3rd Level	Number of ESA Contracts - Other
2007	13.2	13	5	0
2008	13.5	22	5	0
2009	14.5	20	6	1
2010	14.4	23	5	1
2011	14.0	27	8	1
2012	14.8	29	11	3

Industrial Development

265. **Deputy James Bannon** asked the Minister for Jobs, Enterprise and Innovation the number of business plans assessed by Enterprise Ireland for County Longford in the past two years; and if he will make a statement on the matter. [33131/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As the Deputy will appreciate, there are discussions going on all the time between companies and Enterprise Ireland. This activity only crystallizes once an application for support has been tabled. I understand from Enterprise Ireland that the Agency would need to carry out surveys across all of its departments given that such discussions can relate to applications for the various support programmes that Enterprise Ireland provides for entrepreneurs and businesses, such as New Frontiers, Innovation Vouchers, Competitive Start Fund, Competitive Feasibility, R&D and HPSU feasibility study. In this regard, EI client and potential client companies are required to complete a business plan as part of their application for most, but not all, of Enterprise Ireland's support programmes. In this context, I should point out, however, that such discussions have resulted in Enterprise Ireland making payments totalling €4,298,381, for 2011, 2012 and year to date in 2013, to nineteen of its client companies in County Longford.

Microenterprise Loan Fund Application Numbers

266. **Deputy James Bannon** asked the Minister for Jobs, Enterprise and Innovation the number of micro finance-loan guarantee applications assessed for County Longford; and if he will make a statement on the matter. [33132/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): A full progress report on the operation of the scheme from 1 October 2012 to 31 March 2013 can be found on my Department's website (www.enterprise.gov.ie) and the Microfinance Ireland (MFI) website (www.microfinanceireland.ie). I hope to publish the second quarter progress report shortly, which will include county based information. To date there have been 2 applications received from Longford, and both were declined. MFI conducts an independent credit assessment on each application and my Department has no function in the day to day decision making of the company.

County and City Enterprise Boards Abolition

267. **Deputy James Bannon** asked the Minister for Jobs, Enterprise and Innovation the number of County Longford clients transferred to Enterprise Ireland by the enterprise board, Longford Community Resources Limited; and if he will make a statement on the matter. [33133/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have been informed by Enterprise Ireland that there were no clients officially transferred to Enterprise Ireland by the Longford County Enterprise Board or by Longford Community Resources Limited.

EU Directives

268. **Deputy Michael Moynihan** asked the Minister for Jobs, Enterprise and Innovation the way the collective rights management directive will impact here; and if he will make a statement on the matter. [27864/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): A proposal for a Directive of the European Parliament and of the Council on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online uses in the internal market was published in July 2012. With Council, the European Parliament has a co-decision role on the Directive so that, until the final text of the Directive is adopted, which will occur following completion of the legislative procedure in both EU institutions, it is difficult to pin down the impact of the measure.

The main objectives of the Directive are to improve the standards of governance and transparency of collective management societies (CMOs) thereby ensuring improvements in their management efficiency for the benefit of Right holders whom they represent. The Directive also seeks to facilitate multi-territorial licensing by collecting societies of authors' rights in musical works when transmitted online.

In terms of governance, the Directive proposes to set down rules in relation to the conduct of CMOs in terms of structured management arrangements such as the need to provide for a general assembly of members with certain areas of responsibility and decision making ability, the establishment of fair criteria for membership eligibility, the imposition of obligations and duties on persons who manage the business of the CMO, the need to provide for a supervisory function in CMOs etc. Requirements are also set out in relation to the timeframe for distribution to Right holders of revenue received from the use of copyrights or related rights, the deductions that can be made therefrom and, the investment and distribution of such monies. Rules on disclosure of information to Right holders, members and the general public together with the need for the preparation of annual transparency reports are also proposed.

My Department carried out an initial general consultation on the directive at the time of publication and, submissions were received from a number of Irish CMOs. I should say that, while certain technical issues were raised by them in relation to some Articles of the Directive, overall the proposal was well received. It was pointed out that it is the case that some CMOs already have in place similar rules to some of those proposed under the Directive and that in some instances these are, in fact, more stringent than what is proposed under the Directive.

I am pleased to say that during the Irish Presidency, huge progress was made in terms of advancing this proposal through first reading examination in Council to the point of reaching agreement at political level to commence Trilogue discussions with the European Parliament on the dossier. It is expected that Trilogues with the Parliament will commence on the Directive under the Lithuanian Presidency in the Autumn of this year paving the way for adoption of the Directive.

Cross-Border Co-operation

269. **Deputy Brendan Smith** asked the Minister for Jobs, Enterprise and Innovation if he has engaged in any talks recently to advance cross-Border trade on this island; and if he will make a statement on the matter. [30792/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): North South economic co-operation is and will remain a priority of mine and of the Government. To this effect, there is on-going dialogue between relevant Ministers and officials, North and South, to promote economic development, job creation and innovation on a cross-Border basis. From my own perspective, I attend meetings in the Trade and Business development sectoral format of the North South Ministerial Council and, also, of the North South Plenary, which are hosted by either the Taoiseach or the First and Deputy First Ministers. At these meetings there is full engagement with Northern Ministers, and particularly at the sectoral meetings, where I have direct discussions with my N.I. counterpart, Ms Arlene Foster MLA, Minister for Enterprise, Trade and Investment, on a wide range of business issues of mutual interest.

In fact, I met with Minister Foster on 26 June last at a Trade and Business development meeting where we had a good exchange of views and information. We also had presentations from *InterTradeIreland*, the North/South Trade and Business Development Body, which were very informative, and an update on the EU Interreg Programme under which funding has been jointly provided to 28 micro enterprise projects in the border counties, North and South over the last number of years. In addition, I attended the North South Ministerial Council Plenary meeting held on 5 July last where a wide range of North/South co-operative measures were discussed between Irish Government Ministers and their N.I. counterparts.

My officials also engage in on-going dialogue with their counterparts in the Northern Ireland Department of Enterprise, Trade and Investment (D'ETI). A key area of such regular engagement is on the operation of *InterTradeIreland*, which is co-funded by my Department and D'ETI. *InterTradeIreland's* suite of programmes is designed to encourage trade and business growth across the island and create an environment where it is easier to do cross-border business. My Department, along with our enterprise development agencies, will continue to work diligently with our counterpart Department and relevant Northern Ireland Agencies to increase the economic benefits, especially on job creation, research and innovation, which can accrue from practical cross-Border co-operation.

Trade Agreements

270. **Deputy Brendan Smith** asked the Minister for Jobs, Enterprise and Innovation the progress made to date in the trade talks between the EU and the USA; if he will outline the potential benefits to Ireland of a successful conclusion to those talks; and if he will make a statement on the matter. [30789/13]

275. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation the position regarding talks between the EU and the US on a trade deal; and if he will make a statement on the matter. [30492/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 270 and 275 together.

Following considerable preparatory work by the Irish Presidency and intensive discussions at the EU's Trade Council that I chaired on 14 June, EU Trade ministers reached agreement on a mandate for the Commission to negotiate a comprehensive trade and investment agreement with the United States, the "transatlantic trade and investment partnership"(TTIP). The nego-

tiations are scheduled to start on 8 July 2013. While it is far too early to anticipate the eventual negotiated outcome of the Agreement, the scope of the Council's negotiating directives to the EU Commission is sufficiently wide to maximise the potential benefits of an Agreement for the EU and its Member States.

Studies by the EU Commission and other European bodies indicate that a comprehensive Trade and Investment Partnership could over time boost EU GDP by 0.5% per annum and help create approximately 400,000 jobs in the EU. Given the current very low level of economic growth in the EU and in Ireland, this will be a significant injection of economic activity and consequently of new job opportunities. Based on those assessments, if Ireland simply benefited in proportion to the size of our economy within the EU, a comprehensive trade and investment partnership could over time provide gains to Ireland in the order of €800million per annum in increased GDP, and 4,000 new jobs.

As formal negotiations have yet to begin, it is not possible to estimate in detail the impact on Ireland until there is greater clarity about any exchange of offers, the scale of the possible long term gains will have a positive impact on Ireland given our close trading and investment relationship with the U.S. In addition, many Irish exporters are part of European supply chains where their exports to the UK, Germany or elsewhere to the EU, feed into Europe's exports to the U.S. While tariffs are already low on trade across the Atlantic, the objective of abolishing even these will bring benefits to business in the short term. Tariffs that average about 3% on EU/U.S. Trade may appear insignificant but even at this low level they constitute an unnecessary tax on trade with the U.S. by both foreign and indigenous companies.

The major benefits of course will arise from reform of regulatory restrictions applied by both economies. Many of these, such as the cost of having to meet two sets of technical specifications for consumer and other products, add extensive costs to exporters. In the longer term, if the TTIP brings about a regime whereby exporters would only need to meet one set of product compliance rules, it would save significant costs for exporters of medical devices, pharmaceuticals and chemicals among others. Ireland's agribusiness sector would benefit if rules are changed that currently hold back our food exporters from being able to freely sell into the U.S. market, in the same way as they can into the EU.

International Surveys

271. **Deputy Andrew Doyle** asked the Minister for Jobs, Enterprise and Innovation his views on the recent ranking of Ireland in the top ten ranking on the Global Innovation Index 2013, a survey by the World Intellectual Property Organisation and Cornell University; and if he will make a statement on the matter. [33313/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): Ireland's recent ranking of 10th in the Global Innovation Index 2013 is encouraging and a positive affirmation of our capabilities in this area. This is the 6th edition of the Global Innovation Index and it evaluated 142 economies worldwide, using 84 indicators. Ireland had relative strengths in knowledge and technology outputs, including knowledge creation, impact and diffusion; business sophistication including knowledge workers; innovation linkages and knowledge absorption; human capital and research, including education and research and development and the capacity of our institutions, in particular the favourable regulatory and business environment.

Innovation policy is about helping companies to perform better and contributing to wider social objectives such as growth, jobs and sustainability. The overall objective of the recent

Action Plan for Jobs 2013 is to continue to get the economy back on the right path to sustainable, exporting, innovative and enterprise led growth and a key pillar of the Action Plan for Jobs 2013 is 'Using Research and Innovation to Drive Job Creation'. The importance of investment in science, technology and innovation to Ireland's on-going and future economic and social development and well-being has been well recognised by the Government. This investment in scientific excellence has, and continues to have, many positive impacts including powering an innovative and enterprising economy, creating high-value jobs, attracting, developing and nurturing business, scientists and talented people, and ensuring Ireland is connected and respected internationally.

Employment Data

272. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if base line employment data are provided by companies seeking support from the Industrial Development Authority, Enterprise Ireland and county enterprise boards; and if these companies are obliged to make annual employment returns to the agencies concerned as a condition of support. [33406/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Enterprise Ireland actively works with viable companies to help them to both sustain and create jobs. All clients provide base employment data when seeking support from Enterprise Ireland. Employment data for Enterprise Ireland is collected annually as part of the Forfás Annual Employment Survey which measures the number of jobs in agency assisted clients. Clients are not obliged to make annual employment returns as part of this process.

IDA Ireland client-companies seeking grant assistance submit a detailed business plan outlining details of the project activity to be carried out including functions and responsibilities of the Irish operation. As part of the business plan, companies provide:

- staff projections for a period of three to five years,
- including employment build up by year,
- broken down by job category and,
- salary level.

A description of skills required for the project and a percentage of staff with Third Level qualifications for each year of the projections, is also included in the business plan.

In the case of an Expansion Project, the above information is provided together with a current base jobs figure.

An annual performance review is carried out by IDA Ireland for all employment grants to ensure that posts for which grant aid has been paid to clients have been filled. The reviews continue until the contingent grant liability period expires.

The role of the County and City Enterprise Boards (CEBs) is to develop indigenous potential and stimulate economic activity at a local level primarily through the provision of financial and technical support for the development of small and micro-enterprises. The jobs created with CEB assistance contribute greatly to the development of local economies throughout the country. In addition, the CEBs work closely with their clients both in the early start-up stages of businesses and also to ensure the sustainability of those businesses through on-going support,

advice and mentoring.

In order to receive financial assistance from a CEB, a project promoter must indicate employment potential associated with the project. The CEBs ensure that all grant conditions are met and carry out employment surveys of CEB assisted companies in order to ascertain the jobs created for the period 1993 to the present day. Employment surveys are carried out on an annual basis by the CEBs and collated by the CEB Central Coordination Unit.

Europe 2020 Strategy

273. **Deputy Thomas P. Broughan** asked the Minister for Jobs, Enterprise and Innovation if he is satisfied with the results achieved by the State in 2012 in achieving its targets under the Europe 2020 Strategy; and if he will make a statement on the matter. [23667/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department is responsible for the research and development and the employment targets under the Europe 2020 Strategy. The position in respect of these targets is as follows.

Research and Development:

Ireland's Headline Target for R&D under the Europe 2020 Strategy is to improve the conditions for research and development, in particular with the aim of raising combined public and private investment levels in this sector to 2.5% of GNP (approximately equivalent to 2.0% of GDP) by 2020. The research intensity ratio relates to Gross Expenditure on R&D (GERD) as a percentage of GNP. GERD is an internationally recognised metric which measures the total amount of expenditure on R&D in an economy. It includes all expenditure by Government and private enterprise and it measures the total amount of expenditure on all research performed in the enterprise, higher education and government sectors.

The latest available data show that the research intensity rate for 2012 is estimated at 2.11% of GNP (1.71% of GDP). The estimated research intensity rate for 2013 is 2.16% of GNP (1.73% of GDP). At this point we are on track to achieve the research intensity target by 2020.

Employment:

Ireland's Europe 2020 Headline Target is to raise to 69%-71% the employment rate for women and men aged 20-64, including through the greater participation of young people, older workers and low-skilled workers, and the better integration of legal migrants.

The employment rate for women and men aged 20-64 was 64% in 2012, unchanged from 2011 suggesting a stabilisation in the labour market after a fall from 74% in 2007 to 71% in 2008 and 66% in 2009. Ireland has committed to review the target in 2014 in the context of a proposed mid-term review of the Europe 2020 Strategy.

Ireland's National Reform Programme (NRP) for 2013 submitted by the Government to the European Commission in April indicates that the Europe 2020 medium term goals may be attained. Assuming the current 20-64 year old population cohort holds constant, attaining the targets set in the *Action Plan for Jobs* should have a significant positive impact for Ireland's 2020 employment rate target, reaching 67.6% by 2016 and 70.1% by 2020, almost exactly the mid-point of Ireland's employment rate target range of 69%-71% for 2020.

Trade Agreements

274. **Deputy Andrew Doyle** asked the Minister for Jobs, Enterprise and Innovation his views on whether the opening of formal negotiations between the US and the EU on 8 July 2013 in Washington DC on the transatlantic trade and investment partnership will be hampered as a result of the recent disclosure of US surveillance activity on EU offices in both Washington and New York; and if he will make a statement on the matter. [33459/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As trade negotiations are a matter of European Union (EU) competence, Ireland's involvement in trade negotiations is as an active contributor to overall EU policy and consequently I attach great importance to promoting the EU's external trade agenda. Regarding the Transatlantic Trade and Investment Partnership (TTIP) both the European Union and the United States have a strong interest in successfully concluding this historic agreement that will contribute significantly to encouraging greater trade and investment across the Atlantic while stimulating economic growth and employment opportunities among exporters. As the TTIP opens a huge potential for both sides these negotiations will remain a top priority on our trade policy agenda. In parallel, it is important to address concerns that have been clearly expressed on the European side on some intelligence gathering activities and also on the implication for privacy and data protection at European level.

The President of the European Commission stated on 3 July that the Commission is committed to the Transatlantic Trade and Investment Partnership, but that in parallel, work will be undertaken in EU-US working groups that will analyse a range of intelligence matters that are of concern to the EU and its citizens, including the question of privacy and data protection. At the Trade Council that I chaired on 14 June, the European Commission received a unanimous mandate from Member States to start these negotiations. The Commission has confirmed that the talks will start on 8 July in Washington. I believe the talks have enormous significance and potential for our economy, but to be successful they have to take place in an atmosphere of confidence between the negotiating parties. This can be achieved if there is clarification on recent issues of serious concern at EU level.

Question No. 275 answered with Question No. 270.

Departmental Bodies

276. **Deputy Michael McGrath** asked the Minister for Jobs, Enterprise and Innovation the number of staff members currently working at the Office of the Director of Corporate Enforcement; the number of staff holding professional qualifications in the areas of forensic accounting, company law, money laundering, financial fraud and other areas relevant to the body's work; and if he will make a statement on the matter. [33489/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Office of the Director of Corporate Enforcement (ODCE) has a total staff complement of 36.3 Whole Time Equivalents (WTEs). In addition, there is 1 temporary Legal Secretary on contract and 6.6 members of An Garda Síochána seconded to the Office. The ODCE's staff complement comprises three distinct sub-categories, i.e.

- staff in professional grades (9 WTEs)

- staff in general civil service grades (28.3 WTEs including the temporary Legal Secretary on contract); and

- members of An Garda Síochána seconded to the Office from the Garda Bureau of Fraud Investigation (GBFI) (6.6 WTEs).

Professional Grades

A total of 9 staff occupy professional grades, as follows:

- 2 Accountants

- 6 Lawyers; and

- 1 Compliance Manager.

All 6 of the Lawyers are solicitors and, in addition, hold a range of other legal qualifications. Both Accountants hold professional accountancy qualifications and, in addition, hold a range of other qualifications relevant to their roles as Accountants in the Office.

Whilst the Compliance Manager does not, unlike the Accountants, work as an accountant in the Office, he holds a professional accountancy qualification and, in addition, holds other relevant qualifications. Whilst the Director does not, unlike the Accountants, work as an accountant in the Office, he holds professional accountancy qualifications.

General Service Grades

Staff occupying general service grade posts in the ODCE are not required to hold professional qualifications as a prerequisite. However, 10 staff members in general service grades hold third level qualifications. These qualifications include Degrees in Business, Public Administration and various branches of the Arts as well as Diplomas in various aspects of law.

Members of An Garda Síochána seconded to the Office

Gardaí seconded to the ODCE from the GBFI are not required to hold professional qualifications as a prerequisite. However, in addition to having completed Detective Training, Fraud Investigation and Crime & Technology Courses respectively, members of the GBFI seconded to the ODCE also hold other qualifications including Policing Studies, Psychology of Criminal Behaviour, Barrister at Law and Accountancy.

Unemployment Levels

277. **Deputy John Deasy** asked the Minister for Social Protection her views as to the reason Ireland has an unemployment rate of 30.3% in the 15 to 24 age group, almost double the OECD average of 16.2%. [32999/13]

Minister for Social Protection (Deputy Joan Burton): In Q4, 2012, OECD data show that Ireland had a youth unemployment rate of 29.2% and an unemployment rate of 14.3% for all persons in the labour force. This compares to an overall OECD youth unemployment rate of 16.4%, with 8% unemployment in the OECD labour force. In both instances, the rate of youth unemployment is slightly double the rate of unemployment in the overall economy. Young people, typically, suffer disproportionately from job losses in recessions as they tend to have entered employment more recently, are more likely to hold temporary contracts and to be employed in cyclically sensitive industries than older workers. The youth unemployment rate

in Ireland is higher than the OECD average as the overall level of unemployment is higher in Ireland than in the OECD.

Jobseeker's Allowance Applications

278. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare has been refused permission to sign on at their local employment exchange notwithstanding the fact that they are available for work; and if she will make a statement on the matter. [32866/13]

289. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare has been refused permission to sign on at their local employment exchange notwithstanding the fact that they are available for work; and if she will make a statement on the matter. [32931/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 278 and 289 together.

The person concerned will be contacted by an official of this Department to facilitate an application for a jobseeker's payment as required.

Departmental Schemes

279. **Deputy Pearse Doherty** asked the Minister for Social Protection the guidelines that apply to State bodies, such as vocational education committees, when hiring JobBridge applicants; the measures in place to ensure the system is not abused by, for example, a VEC re-hiring a different JobBridge applicant each term; and if she will make a statement on the matter. [32868/13]

Minister for Social Protection (Deputy Joan Burton): In order to protect the Intern and to ensure the integrity of the JobBridge Scheme a variety of control measures and criteria have been introduced. These are designed to try to ensure that the internship does not displace an existing position; that it provides appropriate training and development experience; and that appropriate mentoring and support is provided to the Intern. Under the current guidelines, upon the conclusion of an internship position a cooling off period of 6 months must elapse before a Host Organisation, including state bodies such as VECs, can re-advertise either this position or another placement in the same area of activity. This procedure is in place to prevent potential displacement arising. The cooling off period is longer than any vacation period in the VEC calendar.

Invalidity Pension Appeals

280. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will be made on an invalidity pension appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [32873/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to disallow the appeal of the person concerned by way of a summary decision. The person concerned has been notified of the Appeals Officer's decision. The Social Welfare

Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Carer's Allowance Applications

281. **Deputy Michael McCarthy** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Cork; and if she will expedite a decision on same. [32876/13]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance from the person in question on the 4th February 2013. The person concerned was refused carer's allowance on the grounds that the care recipient is not so disabled as to require full time care and attention as prescribed in regulations and that she was not providing full time care and attention as required. A letter issued on the 9th of April 2013 refusing the allowance. The person in question submitted further information and evidence on 23 May 2013 in support of her application. This further information and evidence has been reviewed and the deciding officer has confirmed the original decision to disallow the application. The person in question was notified of the outcome of the review on 3rd of July 2013 and of her right of appeal to the Social Welfare Appeals Office.

Jobseeker's Benefit Applications

282. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for jobseeker's benefit for a retained firefighter; the reason for the delay; and if she will make a statement on the matter. [32877/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned has been referred to an Appeals Officer, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Farm Assist Scheme Applications

283. **Deputy John O'Mahony** asked the Minister for Social Protection if she will provide a list of the expenses eligible to be claimed in respect of an applicant for farm assist to each applicant who applies for farm assist in advance of the examination of the claim by the local social welfare officer; and if she will make a statement on the matter. [32885/13]

Minister for Social Protection (Deputy Joan Burton): Farm assist is a weekly means tested payment that is paid to low income farmers. To qualify for a payment a farmer must be aged between 18 and 66 years, be engaged in farming, and satisfy a means test. The objective of the means assessment is to arrive at a figure which represents the normal net profit or loss from farming and includes an assessment of income from any other self-employment. This includes all income derived from farming (and other self-employment) less legitimate business-related expenses incurred in connection with the running of the farm. These costs may include rent,

the cost of inputs like animal feed and fertiliser, veterinary expenses, hire of machinery, interest paid on business-related borrowings, depreciation of farm equipment and business-related utility bills. Labour costs are taken into account, with the exception of the labour of the farmer and spouse, civil partner or cohabitant.

Information on the qualifying conditions for farm assist is available to the applicant and is also available on the department's website, www.welfare.ie. However, each application for farm assist is determined on the individual circumstances of that case and it is not, therefore, possible to supply an exhaustive list of allowed expenses. If any customer wishes to discuss the nature of expenses allowable in their case, they should contact their Social Welfare Local Office.

Employment Rights Issues

284. **Deputy John McGuinness** asked the Minister for Social Protection further to Question No. 407 of 30 April 2013, regarding unfair dismissal awards in respect of former employees of a nursing home (details supplied) in County Kilkenny, if she will confirm the progress that has been made in the context of her Department paying these claims; and if she will make a statement on the matter. [32888/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of the insolvency payments scheme, which operates under the Protection of Employees (Employers' Insolvency) Act, 1984, which, in turn, derives from EU Council Directive 987/80, is to protect certain outstanding pay-related entitlements due to employees in the event of the insolvency of their employer. These entitlements include wages, holiday pay, sick pay, payment in lieu of minimum notice due under the Minimum Notice & Terms of Employment Acts, 1973-2001, and certain pension contributions. Various other statutory awards made by the Employment Appeals Tribunal, Rights Commissioners, etc., are also covered by the Scheme.

Payments under the scheme are made from the Social Insurance Fund and the Minister becomes a preferential creditor against the assets of an employer in respect of most amounts paid under the scheme. Where a person's former employer was a limited company, the company should be in liquidation or receivership in order for the person to be eligible to claim under the insolvency payments scheme. In such circumstances, the liquidator or receiver becomes the relevant officer for submitting claims under the scheme as he or she has access to the company records and can certify that the amounts claimed are in order.

I am aware that there are some cases where employers have ceased trading without engaging in a formal winding-up process and that in some such cases, such as the one to which the Deputy refers, their former employees may have moneys owed to them. I am examining the legislative position with regard to these types of situations with a view to establishing what, if anything, can be done to progress payment of entitlements where no liquidator or receiver is appointed.

Youth Unemployment Measures

285. **Deputy Micheál Martin** asked the Minister for Social Protection if she is satisfied that there was enough progress made on youth unemployment during the Irish Presidency; and if she will make a statement on the matter. [31473/13]

Minister for Social Protection (Deputy Joan Burton): Youth unemployment continues

to present a major challenge for Ireland as it does for most Member States. Recognising the urgency required in tackling the challenge of youth joblessness, the EPSCO Council quickly agreed on the EU Council Recommendation on a Youth Guarantee in February. The Irish Presidency was at the forefront of securing agreement on the adoption of the Recommendation. The Recommendation is that Member States should: *Ensure that all young people under the age of 25 years receive a good-quality offer of employment, continued education, an apprenticeship or a traineeship within a period of four months of becoming unemployed or leaving formal education.*

As part of the European Council agreement on the 2014 – 2020 EU Budget earlier this year, it was decided, in association with the agreement on the Youth Guarantee, to provide €6 billion for a new Youth Employment Initiative (YEI) for regions with particularly high levels of youth unemployment. This funding will consist of €3 billion from the European Social Fund and an additional €3 billion from a new Youth Employment budget line.

Proposals supported by the Irish Presidency that payments of the Youth Employment Initiative be front-loaded and all monies provided for this purpose be used in 2014 and 2015 were approved last month. In addition, The European Council agreed last week that margins left available below the Multi-annual Financial Framework (MFF) budgetary ceilings for the years 2014-2017 will be used to constitute a “global margin for commitments” to fund in particular measures to fight youth unemployment. The flexibility means, in effect, that beyond the €6 billion that we reserved in February, there will be substantially more available for the Youth Employment Initiative - according to projections, at least €8 billion in total.

It is recognised, both in the Recommendation itself and more generally, that the pace of implementation must take account of the scale of the youth unemployment and inactivity challenge and consider the fiscal capacity of each Member State. At the same time, Member States should take all possible measures to ensure that the Recommendation is swiftly implemented. For our own part, the Government will now review the current range of youth employment policies in Ireland to assess what measures will need to be taken to commence the implementation of the Guarantee. It is intended to produce a concrete plan for the implementation of the Guarantee before the end of 2013. The Government intends to work with all relevant stakeholders to maximise the impact of a Youth Guarantee in Ireland.

The scale and nature of any additional measures required for the implementation of a Guarantee at national level will depend on the trend in youth unemployment, and in particular the number of young people likely to experience periods of unemployment of more than four months under current policies. Recent trends have been positive in this regard. The seasonally-adjusted unemployment rate for young people is now just over 26%, down from an average of over 30% last year. The seasonally-adjusted number of young people on the Live Register, at 67,000, is substantially down from the peak of 89,000 reached in late 2009. Even so, the implementation of a Guarantee will, almost certainly, require an expansion in the range of opportunities currently on offer to young people in the form of further education and training, internships, subsidised private-sector recruitment, and supports for self-employment.

To summarise, significant political progress was made on the issue of youth unemployment during the Irish Presidency. It now remains for the recommendation on the Youth Guarantee to be implemented by individual Member States.

Question No. 286 withdrawn.

Carer's Allowance Appeals

287. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding a carer's allowance appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32920/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 26 June 2013 who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Rent Supplement Scheme Payments

288. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct maximum rent level at which rent support will be offered in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [32930/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned currently has a lease agreement which expires on 31 July 2013. Therefore following the expiration of this agreement, she has an entitlement to the revised rent limit for a parent and two children in North Kildare which is €800.00 per month.

Question No. 289 answered with Question No. 278.

Community Employment Schemes Eligibility

290. **Deputy Sandra McLellan** asked the Minister for Social Protection if a person takes up temporary part-time work, whether this will disqualify them from being considered for a further 12 months from when they finish the temporary work; and if she will make a statement on the matter. [32941/13]

Minister for Social Protection (Deputy Joan Burton): Community Employment (CE) is an active labour market programme designed to provide eligible long term unemployed people and other disadvantaged persons with an opportunity to engage in useful work within their communities on a temporary, fixed term basis. CE helps unemployed people to re-enter the active workforce by breaking their experience of unemployment through a return to a work routine and to assist them to enhance/develop both their technical and personal skills.

Persons in receipt of jobseekers payments for 12 months or more are eligible for CE, but there is a maximum limit of 30 worked days allowed during the 12-month qualifying period, otherwise they become ineligible for CE. This is because persons who have gained work in excess of 30 days are considered not to be as far removed from the workforce as persons who have worked less than 30 days in the qualifying period and are therefore better suited to other interventions instead of CE. Provided the accumulated worked days do not exceed 30 at the time of application, the person will be eligible for CE. If they have exceeded 30 days, they will become eligible again provided they are still signing on and the cumulative total within the current 12-month qualifying period has dropped below 30 worked days.

Job Initiatives

291. **Deputy Robert Dowds** asked the Minister for Social Protection the position with regard to the national roll-out of Intreo offices; if she is satisfied with the progress the Office of Public Works is making on the programme; and if she will provide the general schedule for the roll-out covering 2013 and 2014. [32949/13]

Minister for Social Protection (Deputy Joan Burton): The Pathways to Work document states that the introduction of the new Intreo service is a multi-annual project with all Department local offices upgraded to full Intreo offices by the end of 2014. The delivery of the Intreo service comprises a number of elements. The main elements being:

i. The integration of the various welfare decision making processes to speed up decision making and minimise recourse to supplementary welfare payments.

ii. The introduction of a profiling process to capture the unique characteristics and service requirements of each jobseeker.

iii. The implementation of a systematic group activation engagement and one to one process based on clients' profiles.

iv. The delivery of a 'one-stop-shop' service from an integrated office location.

Elements (i) to (iii) are being rolled out, are already in place in most offices and will be in place in all offices by the end of the year.

The delivery of over 60 One-Stop-Shop Intreo Offices is a major logistical property project for the Department and the Office of Public Works which is responsible for the provision of the Department's property requirements, including refurbishment and fit out works. The Intreo Project requires the acquisition and development of some new properties and the re-modelling and refurbishment of others. All of this also entails the re-accommodation of staff including the transfer and set-up of IT, furniture and other utilities across multiple locations.

Notwithstanding the complexity of such a large property programme, twelve offices are now providing the full Intreo service. Preparations are underway in other offices and it is expected that a total of 43 offices will be delivering the full Intreo service by the end of 2013. A joint OPW/DSP Intreo Implementation Team meets every two weeks to drive the programme forward. Progress is reported to and monitored by the Cabinet Sub-Committee on Pathways to Work, chaired by the Taoiseach, every month. While I would like to see roll-out completed more quickly, I am satisfied that the project is being managed effectively and that the roll-out will be completed on target by the end of next year.

Departmental Websites

292. **Deputy John Lyons** asked the Minister for Social Protection if she will detail the usage of her Department's new website; if she will detail the schemes and services it offers to jobseekers and employers; if she will compare its services and cost effectiveness with that of the previous website; and if she will make a statement on the matter. [32950/13]

293. **Deputy John Lyons** asked the Minister for Social Protection the amount her Department's new website will cost; the amount the previous website cost between 2007 and 2012; and if she will make a statement on the matter. [32951/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 292 and 293 together.

The Department's website www.welfare.ie has been redesigned to more properly reflect the full range of services the Department now delivers. The new website represents the first phase of a multiple programme of planned activity in the website and online services area of the Department. It incorporates the major expansion of the Department in recent times and it aligns the site with the Department's priorities, including the activation of jobseekers and information and services for employers. It will also facilitate the delivery of more online services for customers.

The design of the new site includes improved navigation features for all users, as well as a dedicated Intreo area (www.intreo.ie), through which employers and jobseekers can access all existing information and services in relation to supports, training and entitlements. This includes links to existing content and services held on other sites such as JobBridge, FÁS and JobsIreland; providing jobseekers and employers with one central location for their information needs.

The new website includes a number of new online services for jobseekers including an Office Locator which provides users with immediate access to contact details for their local Intreo Centre or Social Welfare Office, as well as a Find a Job service, integrated with the Jobs Ireland website, which allows users search for jobs directly from the Department's website. Other online services for jobseekers include online claiming and "signing" for Jobseeker's payments and a "Close my claim" service through which jobseekers can notify the Department when they get a job. From July, jobseekers can also use the site to check their eligibility under the new JobsPlus incentive, which replaces the Revenue Job Assist and the Employer Job (PRSI) Incentive schemes.

Employers can access information on the range of recruitment services, financial supports and workplace supports available to them to help generate employment and retain employees. They can also now register online for the JobsPlus incentive, which provides a grant to employers who employ jobseekers who have spent twelve months or more on the Live Register.

Extensive information on all of the other schemes and services provided by my Department is carried on the website, as well as a range of online services, presented in a user-friendly format. These online services allow users to claim online for a number of payments, including Child Benefit and State Pension; request statements of payments they have received; request copies of their social insurance record; submit queries and comments, and also report suspected social welfare fraud.

1,010,780 people visited the new website from February to June 2013. As many people would visit the site more than once and look at more than one page per visit, this translates into over 1.78 million visits and almost 7 million page views. After the home page, the most popular pages on the website are those related to jobseekers and online services. The new online services developed as part of the website redesign project are proving popular with users; almost 104,000 people have used the new Office Locator and over 75,000 have used the Find a Job service.

The new technical infrastructure delivered under this project gives the Department greater flexibility in the way in which it can provide information and services to its online customers and will also facilitate the development and delivery of enhanced online services. In particular, the new infrastructure has delivered the online JobsPlus service for employers and jobseekers, launched earlier this week.

Following an open procurement process, Hewlett Packard (HP) Ireland Ltd was appointed as consultants on the website redesign project. The overall cost of the new website, including VAT, is €569,958. This figure includes the development of the desktop version of the site, a

mobile version of the site, the first year's maintenance fee and 21 days additional support in the event that specific development work is required to implement new online services.

The previous version of the website, in existence from September 2008 to January 2013, cost €485,451; this figure included the development of the desktop site (but not a mobile site), three year's maintenance fee and 30 days additional support. A strategic review of the Department's then website was undertaken in 2007 at a cost of €58,000 and recommended that a full redesign of the website be initiated. All the recommendations of this review were implemented in the 2008 website redesign project.

Given the extended range of information and services provided through the new welfare.ie site, and the greater flexibility and opportunities afforded by the site's new technical infrastructure, I believe the new website will prove more cost-effective than its predecessor and that the Department's investment in this area was justified.

Exceptional Needs Payments

294. **Deputy Robert Dowds** asked the Minister for Social Protection the circumstances in which an exceptional needs payment may be made and the amount of flexibility which a community welfare officer or other responsible person has in this regard. [32965/13]

Minister for Social Protection (Deputy Joan Burton): Under the supplementary welfare allowance (SWA) scheme, the Department may make a single exceptional needs payment (ENP) to help meet essential, once-off and unforeseen expenditure which a person could not reasonably be expected to meet out of their weekly income. The Government has provided €47.6m for the scheme in 2013. There is no automatic entitlement to a payment. ENPs are payable at the discretion of the officers administering the scheme taking into account the requirements of the legislation and all the relevant circumstances of the case in order to ensure that the payments target those most in need of assistance. Persons who consider that they have an entitlement to an ENP under the supplementary welfare allowance scheme should contact the local officials administering the scheme.

Free Travel Scheme Administration

295. **Deputy Seamus Kirk** asked the Minister for Social Protection her plans to amend or remove the free travel scheme; and if she will make a statement on the matter. [32973/13]

Minister for Social Protection (Deputy Joan Burton): There are currently in excess of 770,000 people in receipt of free travel from my Department and when spousal and companion passes are taken into account, there are over 1.1 million customers with some free travel eligibility. Expenditure on this scheme was frozen at 2010 levels by the previous Government. Expenditure for the free travel scheme in 2013 is set at €77 million.

Given the increasing number of recipients and the funding pressures, the Minister for Transport, Tourism and Sport and I established a working group with representatives from the two Departments, as well as the Department of Public Expenditure and Reform and the National Transport Authority to review the free travel scheme. The purpose of this review is to examine and report on the current operation and future development of the free travel scheme including how the scheme is funded. The work of this group is expected to conclude before the autumn, and the findings of the report will then be considered.

Consultancy Contracts Expenditure

296. **Deputy Mattie McGrath** asked the Minister for Social Protection her views on the individual costs of the KPMG report on the State pension, the PwC report on pension charges, the OECD review of the pensions system and the critical review of the Pensions Board and Pensions Ombudsman, broken down into amounts paid to the consultants and ancillary costs such as meetings, catering and departmental officials' time; if she will identify any of the recommendations that have already been or will be acted upon in 2013; and if she will make a statement on the matter. [32980/13]

Minister for Social Protection (Deputy Joan Burton): The costs of the various reviews referred to by the Deputy are as follows:

- The third Actuarial Review of the Social Insurance Fund was completed by consultants KPMG in June 2012 at a cost of €153,750 including VAT.

- The Department made a voluntary contribution of € 130,000 to the OECD for its very significant work in undertaking their Review of the Irish Pension System.

- €60,900 was paid to PWC for its support for the Report on Pension Charges 2012.

- In relation to costs for the Critical Reviews of the Pensions Board and the Office of the Pensions Ombudsman, the Steering Group was chaired by Mr. Richard Hinz of the World Bank who gave his time pro bono and who drafted the final report free of charge. Mr. Hinz undertook a number of trips to Ireland to Chair the meetings at no travel cost to the Exchequer with the exception of one flight for a consultation forum in September 2012 at a cost €1,445.78. Accommodation costs for all meetings were paid for my department at a total cost of €1,674.00.

The work undertaken for all of the above reports would have been supported by officials of the Department of Social Protection as part of their wider day to day duties and indeed by a range of other Departments and organisations (e.g. the Pensions Board, Central Bank, Pensions Ombudsman) and wider sectoral interests. In general meetings in relation to the various reports were held in Departmental accommodation or in the premises of the organisation undertaking the work and did not result in further costs arising.

A significant Consultation Forum was held in Farmleigh September 2012 with a catering cost of €1,980.97. To maximise cost efficiency, this was a joint consultation forum for both the OECD review and the Critical Reviews of the Pensions Board and the Office of the Pensions Ombudsman and involved representatives from over 50 sectoral interests.

Actions following Review & Report Recommendations in 2013

(i) In relation to the Actuarial Review of the Social Insurance Fund, the review covers a 55 year period from 2011–2066 and builds on the findings of the 2000 and 2005 actuarial reviews. The findings in the Review inform both short to medium and long term policy development in relation to the social insurance system generally. Projections contained with the report indicate that in the absence of any action to tackle the shortfall, the excess of expenditure over income of the Fund will increase significantly over the medium to long term.

(ii) Regarding the OECD Review of Irish Pensions System (completed in April 2013), the review examines all aspects of pensions in Ireland covering both State pension, private, occupational and public sector pensions. It is an extremely comprehensive report amounting to some 150 pages of analysis and commentary. The report provides for consideration, key findings and a wide choice of suggested measures for reform which would involve a number of Government

departments. The report is now being examined in detail with a view to bringing proposals to Government setting out the roadmap for pension reform.

(iii) The Public Service Reform Programme provided for a critical review of the integration of the regulatory functions of the Pensions Board with the Financial Regulator and the merging of the Pensions Ombudsman with the Financial Services Ombudsman. The recommendations of the review group were accepted by Government in April last. The key recommendation from the critical review in relation to the Pensions Board is that an amalgamation of the regulatory function of the Pensions Board with the Central Bank is not recommended at this time, but that the governance structure of the Pensions Board should be restructured with two distinct arms; oversight of the Pensions Board will be undertaken by a three man body called the Pensions Authority, and a separate unpaid Pensions Council, with a majority of members representing consumer interests, will advise the Minister on pensions policy. The relevant legislative measures to implement these changes have been provided for in the Social Welfare and Pension Bill, 2013. The new structure is expected to be operational by year end.

In relation to the Pensions Ombudsman, the key recommendation is to amalgamate the office with the Financial Services Ombudsman and arrangements will be put in place to provide for the implementation of this recommendation in the near future.

(iv) The Report on Pension Charges 2012 was undertaken by my Department with the Central Bank and Pensions Board, and with support from PWC. The primary objective of the report was to gather information on the level of pension charges levied, to assess whether these charges are reasonable and transparent, to report on the findings and to make recommendations. The report highlights a wide range of issues in relation to pension charges and identifies that there are major challenges to be addressed in the two main areas of reasonableness and transparency of charges. The launch of the Report on Pension Charges report was followed by a three month consultation with stakeholders. Following the consultation period, it was agreed by Government in April 2013 that the recommendations contained in the report will be implemented, and this work has commenced. The first task I will be giving the new Pensions Council is to monitor the implementation of the recommendations in the Report on Pension Charges and advise me if further actions are needed.

EU Directives

297. **Deputy Mattie McGrath** asked the Minister for Social Protection considering the recent definitive victory by the Waterford Crystal workers against the Government in the European Court of Justice and the potential costs that will now accrue to the State, if she has reviewed the advice to contest the case in the manner the Government did; and if she will make a statement on the matter. [32981/13]

Minister for Social Protection (Deputy Joan Burton): On 25 April last, the European Court of Justice issued a ruling which contained a number of clarifications regarding transposition EU Directive 2008/94EC which concerns the protection of employees in the event of the insolvency of their employer. This ruling was in response to a July 2011 referral from the High Court regarding proceedings brought by former workers at Waterford Crystal. The High Court had, in taking the view that interpretation of the provisions of the Directive 2008/94 was necessary in order for it to give its decision in this case, decided to stay the proceedings and to refer a number of questions to the Court of Justice for a preliminary ruling. Following the ECJ ruling, the matter will now revert to the High Court for consideration. Given this matter remains before the courts it would not be appropriate that I comment further on any matters which may relate to this case at this time.

Employment Support Services

298. **Deputy John O'Mahony** asked the Minister for Social Protection the reason a person (details supplied) in County Mayo has not received his extra €50 payment under the JobBridge scheme; and if she will make a statement on the matter. [32986/13]

Minister for Social Protection (Deputy Joan Burton): All payments of the internship allowance are made by the Department of Social Protection into the intern's bank account. This top-up will be paid for the duration of the internship. The allowance is paid in arrears and normally participants receive this top-up allowance approximately 2 weeks after commencing on the Scheme. I wish to advise the Deputy that the person referred to in his question commenced his internship on 12 June 2013. His JobBridge top-up allowance and all arrears were paid by the Department on 4 July.

Carer's Allowance Applications

299. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Waterford; and if she will expedite the matter. [33004/13]

Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance from the person in question on the 5th January 2011. The person concerned was refused carer's allowance on the grounds that the care recipient is not so disabled as to require full time care and attention as prescribed in regulations, that full time care and attention was not being provided by the person in question as required and that her means had not been fully disclosed. She was notified of this decision and the reasons for it on 14th of October 2011.

The person in question requested a review of this decision and submitted additional information and evidence in support of her application. Unfortunately, due to a clerical error for which the Department apologises, this review request was overlooked and was not dealt with at that time. The review is now being carried out and, to this end, an information request was made to the person in question on 8th July 2013 requesting statements from her financial institution(s). As soon as the information is received, the review will be completed as soon as possible and the person concerned will be notified directly of the outcome.

Domiciliary Care Allowance Appeals

300. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Kilkenny. [33010/13]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received from the person concerned on the 24th April 2012. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance. A letter issued on the 12th June 2012 advising of the decision. Following receipt of your representations together with additional information the case was forwarded to another of the Department's Medical Assessors for further consideration

on the 27th February 2013, who confirmed the opinion of the original Medical Assessor.

The person concerned subsequently lodged an appeal against this decision. As part of the appeal process, the case was reviewed by a third Medical Assessor on the 12th June 2013 who once again confirmed the opinion that the child was not medically eligible for the allowance. The file was forwarded to the Social Welfare Appeals Office on the 3rd July 2013 for the appeal to be processed.

National Internship Scheme Numbers

301. **Deputy Andrew Doyle** asked the Minister for Social Protection the number who benefit from the JobBridge scheme in County Wicklow; if she will list in tabular form the number who have taken up this benefit and the number of those who have gone on to full-time or part-time employment; and if she will make a statement on the matter. [33024/13]

Minister for Social Protection (Deputy Joan Burton): The JobBridge Scheme has made very significant progress since it came into operation on 1 July 2011. As at 27 June 2013, 18,587 internship placements have commenced to date with 5,934 participants currently on a JobBridge placement and 1,936 internship posts currently advertised on the JobBridge website. Please see tables below in respect of internships in County Wicklow.

Table 1: Placements in County Wicklow as at 4 July 2013

Placements	No.
Completed Placements	307
Currently on Programme	99
Total Placements	406

Table 2: Progression into Employment in County Wicklow as at 4 July 2013

Placements	No.
Progressed into employment with Host Organisation	68
Progressed into employment with another Employer	43
* Total Progressing into Employment	111

*111 of the 307 Finishers in County Wicklow have immediately progressed into employment.

Pension Provisions

302. **Deputy Seamus Kirk** asked the Minister for Social Protection if her attention has been drawn to any pension entitlements for supervisors and assistant supervisors in community employment schemes; and if she will make a statement on the matter. [33027/13]

Minister for Social Protection (Deputy Joan Burton): The Labour Court recommended in July 2008 (LCR19293) that an agreed pension scheme should be introduced for Community Employment (CE) scheme supervisors and assistant supervisors, and that such a scheme should be adequately funded by FÁS. Notwithstanding the position of the Department (which now has

responsibility for CE) in rejecting that liability for these costs to be met from public funds, this matter has been the subject of discussions with the Department of Public Expenditure and Reform and the unions representing CE supervisors. In the event that funding was required from the Department of Social Protection, the implementation of the claim is not considered sustainable in light of the current and ongoing fiscal environment and the requirement to contain and reduce public expenditure. The costs of the introduction of any scheme are likely to be of the order of €3m per annum with retrospective costs of the order of at least €30m.

It should also note that the Department of Social Protection is not the employer of CE supervisors and such employees are not public servants. Neither was FÁS or the Department of Social Protection a party to the Labour Court dispute on this matter. The responsibilities of the sponsoring organisations and the individuals concerned must also be recognised when considering pension provision arrangements.

Question No. 303 withdrawn.

Disability Allowance Appeals

304. **Deputy Willie Penrose** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [33070/13]

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 30 January 2013. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers have been received in the Social Welfare Appeals Office on 4 July 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 in relation to social welfare entitlements.

Rent Supplement Scheme Payments

305. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the basis on which it was calculated that €559.70 is the correct amount of rent supplement in the case of a person (details supplied) in County Dublin who has a wife and five dependent children; and if she will make a statement on the matter. [33094/13]

Minister for Social Protection (Deputy Joan Burton): According to the information available to this Department the person concerned pays a rent of €850 per month and has a qualified adult and four qualified children. The eldest child of the person concerned, who is in receipt of a payment from this Department, is not considered a qualified child and is liable for a minimum contribution of €30 per week towards the cost of the rent payable. The person concerned is also liable for a contribution of €37 per week. These contributions equate to €67 per week or €290.30 per month. Accordingly, an entitlement of €559.70 per month rent supplement is payable to the person concerned.

Jobseeker's Allowance Appeals

306. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for jobseeker's allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [33100/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of the appeal of the person concerned took place on 20 March 2013 and that the Appeals Officer is now considering the appeal in the light of all of the evidence submitted, including that adduced at the oral hearing. The Social Welfare Appeals Office has advised that a decision in this case will issue within the next week. 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 in relation to social welfare entitlements.

Social Welfare Appeals Status

307. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on an appeal for partial capacity benefit; and if she will make a statement on the matter. [33137/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to disallow the appeal of the person concerned by way of a summary decision. The person concerned has been notified of the Appeals Officer's decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Social Insurance Rates

308. **Deputy Patrick O'Donovan** asked the Minister for Social Protection when she expects publication of the report of the commission established to look at PRSI rates for the self-employed; her plans to bring forward legislation in the area; her further plans to assist by way of social welfare, those self-employed persons who cannot obtain employment; and if she will make a statement on the matter. [33157/13]

321. **Deputy Patrick O'Donovan** asked the Minister for Social Protection her plans to introduce a specific stamp rate for self-employed persons involved in the small and medium business sector; and if she will make a statement on the matter. [33372/13]

346. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which provision has been made to facilitate easier access to relevant social welfare payments for persons previously self-employed and currently long-term unemployed; and if she will make a statement on the matter. [33532/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 308, 321 and 346 together.

Self-employed persons are liable for PRSI at the Class S rate of 4% which entitles them to access long-term benefits such as State pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory). In 2011 I established the Advisory Group on Tax and Social Welfare to meet the commitment made in the Programme for Government.

The Advisory Group is charged with, inter alia, examining and reporting on issues involved in providing social insurance cover for self-employed persons in order to establish whether or not such cover is technically feasible and financially sustainable.

The Advisory Group's overall method of working is based on producing modular reports on the priority areas identified in the Terms of Reference. Where possible, the aim is to provide recommendations that can be acted upon in time for the annual budget, estimates and legislative cycle and to allow the Government to best address its commitments under the EU-IMF Programme of Financial Support. The Groups report on the issues involved in providing social insurance cover for self-employed persons so as to establish whether or not such cover is technically feasible and financially sustainable was submitted to me in May 2013. The report will be published in due course.

Any proposal to change the treatment of self-employed persons in relation to the PRSI contributions to be paid and benefit entitlements could only be considered in a Budgetary context.

Self-employed persons whose businesses fail or suffer from reduced demand may, however, access social welfare support by establishing entitlement to assistance-based payments such as jobseeker's allowance. They can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. In general, their means will take account of the level of earnings in the last twelve months in determining their expected income for the following year and, in the current climate, account is taken of the downward trend in the economy. As in the case of a non-self-employed claimant for jobseeker's allowance, the means of husband/wife, civil partner or co-habitant will be taken into account in deciding on entitlement to a payment.

Questions Nos. 309 and 310 withdrawn.

Departmental Functions

311. **Deputy Stephen S. Donnelly** asked the Minister for Social Protection if she has prepared for an increase in demand for services from her Department as a result of upcoming developments such as the Central Bank's updated CCMA, the Land and Conveyancing Law Reform Bill, the targets that have been set for the banks regarding sustainable solutions, or any other developments; the steps that have been taken to deal with any surge in demand; and if she will make a statement on the matter. [33182/13]

Minister for Social Protection (Deputy Joan Burton): To assist and support persons who are in mortgage difficulties, the Mortgage Arrears Information and Advice Service (MAIAS) was established in 2012. This service provides comprehensive information and advice to mortgage holders in arrears or pre-arrears in assessing their options. The service has three elements:

- Website: www.keepingyourhome.ie is the key online access portal for general mortgage arrears information and advice.

- Mortgage Arrears Information Helpline (phone 0761 074050): The Helpline provides general mortgage arrears information and signposting in relation to the Code of Conduct on Mortgage Arrears, and other supports available for those in mortgage arrears or pre-arrears. The Helpline operates Monday to Friday from 9am to 5 pm.

- Independent Financial Advice: 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 advice is provided by a panel of accountants drawn

from members of the main accountancy institutes in Ireland. To date, over 2,000 accountants have confirmed to their accounting body that they wish to be part of the panel and their details are available on www.keepingyourhome.ie. The lender will pay €250 to an accountant of the borrower's choice for the provision of this advice.

A protocol for the provision of independent financial advice has been agreed between the main accountancy bodies and the Irish Banking Federation. The protocol was agreed following discussions which were facilitated by the Department of Finance and involved the Department of Social Protection and the Central Bank. The protocol details the scope of financial advice and the operating procedures.

When a lender is proposing long term mortgage resolutions, the lender will advise the borrower to obtain independent financial advice on the proposed arrangement and that, if the borrower wishes to avail of this advice, that the lender will pay the consultation fee. The independent financial advice will be available to all mortgage holders in respect of a mortgage secured on a primary residence who are being offered long term forbearance options by their lenders. The borrower may select an accountant of their choice from a panel of practising accountants whose details are available on the website www.keepingyourhome.ie.

In addition to these supports, the Department also administers a mortgage interest supplement scheme which provides short term support to eligible people who are unable to meet their mortgage interest repayments. There are currently some 12,000 people in receipt of mortgage interest supplement for which almost €42 million has been provided by the Government in 2013.

The Central Bank has recently introduced a revised Code of Conduct on Mortgage Arrears (CCMA) which came into effect on 1 July 2013. Within this framework, mortgage interest supplement continues to provide suitable support with eligible persons having to engage with alternative payment options for a cumulative twelve month period under the Mortgage Arrears Resolution Process (MARP) prior to the supplement being granted. This process acknowledges that it is in the interest of both the lender and the borrower to address financial difficulties as speedily and effectively as circumstances allow.

Where a person has been assessed as having a housing need, the person concerned can apply for rent supplement administered by this Department which is available 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. There are currently approximately 84,000 customers in receipt of rent supplement for which the Government has provided over €403 million for the scheme in 2013.

I am satisfied that the Department has the appropriate services and supports in place to assist people experiencing financial difficulties. The development of housing solution responses for those who are required to vacate their homes is a matter for the Department of the Environment, Community and Local Government.

Supplementary Welfare Allowance Payments

312. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct level of supplementary welfare to be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [33319/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned made a claim for supplementary welfare allowance on 3 July 2013. This is a means tested payment

and the current prescribed supplementary welfare allowance rate for two adults is €310.80 per week. Based on his spouse's earnings from insurable employment, means has been assessed as €307.50 per week. Accordingly, his current entitlement is €3.30 per week.

Carer's Allowance Appeals

313. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for carer's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [33324/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 26 June 2013, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Carer's Allowance Appeals

314. **Deputy Andrew Doyle** asked the Minister for Social Protection the current waiting or delay period for a decision to be made by an appeals officer for the provision of carer's allowances that is administered by her Department; and if she will make a statement on the matter. [33350/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that the current average time taken to process carer's allowance appeals decided by summary decision is 28.2 weeks and 34.7 weeks for those requiring an oral hearing. These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent awaiting any clarification from the appellant, time in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process. While this process carries an inherent delay in terms of finalising an appeal, it also crystallises the flexibility and accessibility of the appeals system.

There has been a rapid and sustained increase in the number of appeals received in the Social Welfare Appeals Office since 2009 which has placed extraordinary pressure on the office. Up to 2009, the average number of appeals received was 15,000 per annum whereas in 2012, the office received 35,484 appeals. In order to manage this increasing workload, significant resources and efforts have been put into reducing backlogs and improving appeals processing times for appellants, including the assignment of 15 additional Appeals Officers, in addition to 10 former Community Welfare Service Appeals Officers who joined the appeals office in 2011, bringing the total number of serving Appeals Officers to 41; reviewing and improving business processes; and implementing a new operating model within the appeals office.

In addition, a major programme of process redesign and modernisation is currently underway in the Department in relation to many of its scheme areas, aimed at reducing backlogs and reducing the time taken by the Department to respond to requests from the appeals office for submissions in relation to appeals.

These measures have led to improvements in processing times and a significant increase in the number of appeals finalised from 17,787 in 2009 to 32,558 in 2012. The Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012. Good progress is also now being made in reducing the number of appeals on hand from 20,414 at 1 January 2013 to 16,542 at 1 July 2013.

The average waiting time for appeals peaked in 2011 when the average time for an oral hearing was 52.5 weeks and for a summary decision was 25.1 weeks. In 2012 these times improved by 10.3 weeks when the average time for an oral hearing dropped to 39.5 weeks while the time for a summary decision increased slightly to 27.8 weeks. This improvement has continued with the average processing time up to June 2013 reducing to 36.2 weeks for an oral hearing and 27.6 weeks for a summary decision. By its nature and because it is a quasi-judicial function, the processing of appeals takes time and reflects the fact that, by definition, the appeal process cannot be a quick one.

Carer's Allowance Appeals

315. **Deputy Michael McNamara** asked the Minister for Social Protection when a person (details supplied) in County Clare will receive a decision on an appeal in respect of an application for carer's allowance; and if she will make a statement on the matter. [33357/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that there is no record of a Carer's Allowance appeal by the person concerned having been received by that office. 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 in relation to social welfare entitlements.

Question No. 316 withdrawn.

Disability Allowance Appeals

317. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [33359/13]

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 8 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 these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal 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 in relation to social welfare entitlements.

Carer's Allowance Appeals

318. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding a carer's allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [33360/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 19 June 2013, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Personal Public Service Number Applications

319. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when a PPS number will issue to a person (details supplied); and if she will make a statement on the matter. [33363/13]

Minister for Social Protection (Deputy Joan Burton): Where a Personal Public Services Number is required to be allocated in respect of a deceased person, an application may be made to have one allocated under the exceptional registration process by submitting the required documentation to the Client Identity Services (CIS) Division of my Department. From the information provided to date, the CIS Division has been unable to trace an application in the case of the person concerned. I understand that further, more detailed information is awaited and will be acted on promptly by the CIS Division once received.

Domiciliary Care Allowance Appeals

320. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when a domiciliary care allowance application appeal will be heard in respect of a person (details supplied); and if she will make a statement on the matter. [33364/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned made an application for domiciliary care allowance (DCA) on the 9th June 2010. This application was not allowed and she was notified of the decision in writing on the 30th July 2010. She appealed this decision and was notified by the Social Welfare Appeals Office on 21st July 2011 that the appeal had not been allowed. There is no record of a more recent DCA application or appeal from the person concerned.

Question No. 321 answered with Question No. 308.

Jobseeker's Allowance Payments

322. **Deputy Robert Dowds** asked the Minister for Social Protection if there has been a change to the receipts issued by local offices to claimants; and if receipts still display the next date on which the person must attend the local office to sign on. [33374/13]

Minister for Social Protection (Deputy Joan Burton): As a standard part of the jobseekers claim process, customers are required to attend their local office to sign on at specified intervals. The customer is notified of their individual signing arrangements at the outset of their claim and are reminded each time they sign of their next signing day. To further assist the customer, a system is now in place whereby jobseeker customers who have consented to be contacted by mobile phone receive an SMS message to remind them that they are due to sign on in the coming days. The SMS reminder mechanism will be made available to all jobseeker customers over the coming months.

The signing day reminder was removed from jobseeker payment receipts in recent weeks. This is purely a temporary measure and the reminder facility will be re-instated on payment receipts at the earliest possible opportunity. In addition to the signing process, customers are occasionally required to attend their local office as part of the programme to assist them in their attempts to secure employment. They also may be required to attend their local office for an in-depth review of their jobseeker entitlements. Written requests to attend such meetings are issued in advance to customers in all such cases.

Social Welfare Appeals Status

323. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress made in respect of an appeal for jobseeker's allowance in the case of a person (details supplied) in Dublin 14; and if she will make a statement on the matter. [33388/13]

Minister for Social Protection (Deputy Joan Burton): Invalidity pension is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions. This Department received a claim for invalidity pension for the person concerned on 28 March 2013. The medical evidence provided by the claimant in support of his claim was examined by a medical assessor who was of the opinion, based on the evidence provided, that the person concerned is not eligible for invalidity pension as he does not satisfy the medical criteria. The application for invalidity pension was disallowed by a deciding officer. The person in question was notified of this decision and the reason for it on 15 May 2013.

Further medical evidence was subsequently submitted by the claimant. This additional evidence, along with the original information, was evaluated by a different medical assessor who expressed the opinion that the person concerned does not satisfy the medical criteria. The deciding officer confirmed the original decision and notified the claimant of the outcome on 04 July 2013, advising him of his right to appeal the decision to the independent Social Welfare Appeals Office.

Citizen Information Services

324. **Deputy Willie O'Dea** asked the Minister for Social Protection if she will outline the number of Money Advice and Budgeting Service companies that have concluded service level agreements with the Citizens Information Board; if she will provide in tabular form the number of staff employed by MABS by office and county; and if she will make a statement on the matter. [33393/13]

Minister for Social Protection (Deputy Joan Burton): The Money Advice and Budgeting Service (MABS), under the aegis of the Citizens Information Board, provides a high quality personal service to assist 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 some €47.4 million from the exchequer of which some €19 million has been assigned to MABS and €14.6 million has been assigned to the Citizens Information Services. The corresponding allocation to the Citizens Information Board in 2012 was €46.8 million of which some €18.3 million was allocated to MABS and €14.6 million for the Citizens Information Services.

The Citizens Information Board is responsible for ensuring that all appropriate governance arrangements are in place in relation to the expenditure of these public funds. It is essential

that this significant amount of public monies is carefully monitored and properly accounted for, in terms of financial accountability, effective performance and excellent delivery of quality services to the customer and taxpayer, who ultimately funds these services. The Board is responsible for ensuring that all appropriate governance arrangements are in place in relation to the expenditure of these public funds.

An important element of assessing accountability is through the formal arrangement of Service Level Agreements. These contracts are agreed by the governing board of the Citizens Information Board and cover standard items such as service delivery, governance, financial controls, HR practices, reporting, evaluation, monitoring etc. This enables the Board to ensure that excellent service and best value is achieved across the wide range of services it provides.

With regard to the 2013 Agreement 42 CIS companies, the Citizens Information Phone Service, the Sign Language Interpreting Service and 28 MABS companies have to date signed a Service Agreement with the Citizens Information Board. The Citizens Information Board is engaging with the remaining companies to resolve outstanding matters and following consultation with the MABS and CIS network is bringing forward a longer term contract to govern the period to end 2016. I am confident this will secure the agreement of all and would like to assure the Deputy that there is no risk to service delivery and all parties are fully engaged in ensuring that the excellent service to those most in need continues as required.

There are 205.29 whole time equivalent (WTE) staff in the local Money Advice and Budgeting Service with an additional 12 WTE temporary Resource Money Advisors assigned to MABS early 2012 for a 2 year contract. In addition to these, there are 16 temporary posts assigned to the Approved Intermediary Service, for the purposes of processing debt relief notices under the new Insolvency Service of Ireland, of which 15 have a one year contract and 1 has a two year contract. The following table outlines the WTE staff by office/county.

MABS COMPANY	Total WTE Staff	Resource Money Advisors
Arklow	3	0.5
Athlone	2.5	
Ballymun	5.42	0.5
Blanchardstown	4.5	0.5
Bray	4.5	0.5
Carlow	5.02	
Cavan	4	
Charleville	3	
Clare	4	
Clondalkin	5	
Cork	6.8	1
Drogheda	3	
Dublin 10 & 20	4.9	0.5
Dublin 12 Area	4.3	
Dublin North City	4	
Dublin North East	3.5	0.5
Dublin South East	3.6	
Dún Laoghaire	4	0.5
Dundalk/Oriel	3	
Dundrum/Rathfarnham	4.1	
Fingal (North County)	4.5	0.5
Finglas/Cabra	5	

MABS COMPANY	Total WTE Staff	Resource Money Advisors
Kerry	7	
Kildare	6.35	0.5
Kilkenny	4	
Laois	3	0.5
Leitrim	2.5	
Liffey South West	5.2	
Limerick	5	1
Longford	2.5	
Meath	4	
Monaghan	3	
Mullingar	2.5	
National Traveller	3	
North Cork	4.4	
North Donegal	5	
North Galway	3	0.5
North Mayo	3	
North Tipperary	3	0.5
Offaly	3	
Roscommon	3	
Sligo	3	0.5
South Donegal	2	
South Galway	7	0.5
South Mayo	3	0.5
South Tipperary	5.6	
Tallaght	4	1
Waterford	4.9	1
West Cork	3	0.5
West Donegal	2	
West Waterford	2.2	
Wexford	4.5	
Total WTE Staff	205.29	12

* The 12 temporary Resource Money Advisors (RMAs) were assigned to MABS early 2012 for a 2 year contract.

For clarification, RMAs are not included in the total wte staff in the middle column, but are separately identified in the third column.

Note: The above figures do not include MABS NDL(18) or National Traveller MABS(8)

Citizen Information Services

325. **Deputy Willie O’Dea** asked the Minister for Social Protection if she will outline the role of the Money Advice and Budgeting Service in relation to the Personal Insolvency Act; if she will provide MABS with any further resources to deal with the increased demand on its services as a result of the new legislation; and if she will make a statement on the matter. [33394/13]

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.

I am very pleased that 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. Over 100 Money Advisers have been trained and accredited by the University of Ulster, and all MABS staff have been trained on the core elements of the Personal Insolvency legislation. An Approved intermediary Service Transition Unit has been established to provide a flexible national resource across services. CIB and MABS are also engaging proactively with the Insolvency Service to ensure that the Approved Intermediary Service is fully operational in time for the commencement of 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.

Pension Provisions

326. **Deputy Willie Penrose** asked the Minister for Social Protection if she will outline the entitlements available to a person who will be 66 years of age in January 2015 and who would normally qualify for an old age pension; if she will state what payment system will now be implemented to fill this gap year arising from the new system of pension payments; and if she will make a statement on the matter. [33397/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare and Pensions Act, 2011 provides that State pension age will be increased gradually to 68 years. This will begin in 2014 with the abolition of the State pension (transition) thereby standardising State pension age for all at 66 years. The State pension age will be further increased to 67 years in 2021 and to 68 years in 2028. These changes apply to all fully insured employees. For anyone who is age 66 in January 2015 and provided they meet the qualifying conditions for State pension, the State pension will be available to them.

There will be no gap year, as described by the Deputy, for anyone who is aged 66 in 2015 provided they meet the qualifying criteria for the State pension. Social welfare payments are made up to the age of 66. The main social welfare payment available to those who leave employment before pension age is jobseekers benefit. Persons who qualify for a job seekers payment who are aged between 65 and 66 years are generally entitled to receive payment up to the date on which they reach pensionable age (66 years).

Raising State pension age and the abolition of the State pension (transition) is a necessary step in ensuring the sustainability of pensions into the future. The recently published OECD report on the Review of the Irish Pension System confirms that reforms are necessary if we are to continue to put pension provision on a sustainable footing given the changes in demographics, the deficit in the Social Insurance Fund, and the difficult fiscal situation.

Carer's Allowance Eligibility

327. **Deputy Willie Penrose** asked the Minister for Social Protection if she will consider removing the habitual residence condition as a requirement for eligibility for carer's allowance for persons returning here to provide full-time care; and if she will make a statement on the matter. [33398/13]

Minister for Social Protection (Deputy Joan Burton): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1 May 2004. This qualifying condition is applied to all applicants, regardless of their nationality.

The effect of the condition is that a person whose habitual residence is elsewhere would not normally be entitled to social welfare assistance or child benefit payments on arrival in Ireland. The habitual residence condition (HRC), as provided for in section 246 of the Social Welfare (Consolidation) Act, 2005 (as amended), applies to claims for jobseeker's allowance, non-contributory State pension, blind pension, non-contributory widow's and widower's pensions and guardian's payment, one-parent family payment, carer's allowance, disability allowance, supplementary welfare allowance including rent supplement, and child benefit. A person who does not have a right to reside in the State shall not be regarded as being habitually resident in the State. HRC does not apply to exceptional needs or urgent needs payments under the supplementary welfare allowance scheme.

Each case received for a determination on HRC is dealt with in its own right and a decision is based on application of the legislation and guidelines to the particular individual circumstances of each case. I have no plans to make any changes in relation to the habitual residence condition in relation to carer's allowance.

Social Welfare Appeals Data

328. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will confirm that the process for medical reviews of appeals for benefits such as invalidity pension and disability allowance is a desk exercise in which a medical assessor may not have detailed knowledge of the medical conditions of the person seeking the review; and if she will confirm that a person seeking an appeal has the right to access all medical reports used in the appeals process. [33405/13]

Minister for Social Protection (Deputy Joan Burton): Appeals cases for schemes such as

invalidity pension and disability allowance are also normally medically assessed at desk level on the basis of assessment of medical evidence submitted by the customer and with reference to the Department's evidence based medical guidelines and protocols. However the option is available to assess someone by in person assessment in special circumstances, if considered necessary. Prior to an appeal, the customer is encouraged to submit any fresh medical evidence. All Appeals assessments are carried out by a different Medical Assessor to the one who completed the original medical assessment.

Medical Assessors are fully qualified and experienced medical practitioners who provide an opinion for the guidance of the Department's Deciding Officers. Their medical assessments conform to the ethical conduct and behaviour guidelines of the Medical Council. Medical Assessors are required to be medical practitioners who are on the general register of medical practitioners while holding an appointment. It is a necessary requirement that, on appointment, they have at least six years satisfactory experience in the practice of medicine since registration. Many of the Medical Assessors have specialist post-graduate qualifications including Occupational Medicine, Psychiatry, Surgery and General Medicine. All Medical Assessors have received special training in Human Disability Evaluation. The Medical Assessors have an on-going commitment to continuing medical education to ensure that standards are maintained and enhanced.

Any person seeking an appeal is entitled to make a written request for copies of all medical reports pertaining to their own personal records or seek access to this information under the Freedom of Information Act 1997 and 2003.

Social Welfare Appeals Status

329. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding an appeal regarding an invalidity pension in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [33419/13]

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 7 May 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 these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal 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 in relation to social welfare entitlements.

Carer's Allowance Applications

330. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application for carer's allowance; and if she will make a statement on the matter. [33420/13]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department received an application for carer's allowance from the person in question on 1 February 2013 in respect of the care of two people. The person concerned was refused carer's allowance for one of the care recipients on the grounds that the care recipient was not so disabled as to require full time care and attention as prescribed in regulations. The application in respect of the other care

recipient was approved.

She was notified of these decisions on 25 May 2013, and of her right of review or appeal in relation to the disallowed application. The person concerned appealed this decision to the Social Welfare Appeals Office and submitted further medical evidence in support of the appeal. This additional evidence is being reviewed and the application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Social Welfare Overpayments

331. **Deputy Sean Fleming** asked the Minister for Social Protection if she will review the decision to withhold the respite care grant of €1,375 in respect of a person (details supplied) in County Laois as this is basically for the benefit of their child and that there is an agreement in place regarding the previous overpayment of amounts from her Department; and if she will make a statement on the matter. [33422/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned has a substantial overpayment of almost €59,000, most of which remains to be recovered, and it is in this context that it was decided to offset arrears due to her against the overpayment. The person concerned was communicated with and given an opportunity to comment on the proposal before the decision to withhold the moneys was made. Her comments were considered and a decision made to withhold this amount.

The person concerned was awarded domiciliary care allowance (DCA) on appeal recently and the arrears of DCA due for the months February to June 2013 along with the respite care grant (RCG) amounting to over €2,900 have now been withheld to reduce the amount outstanding to be repaid to the Department. Under the current repayment agreement in place, it will take over 20 years to repay the amount overpaid. The RCG payable in respect of two other children in the family, who are also in receipt of DCA and amounting to €2,750, was paid in June 2013.

Supplementary Welfare Allowance Eligibility

332. **Deputy Sean Fleming** asked the Minister for Social Protection if a supplementary welfare allowance-rent supplement may be paid to a person (details supplied); and if she will make a statement on the matter. [33423/13]

337. **Deputy Seán Kyne** asked the Minister for Social Protection if rent supplement may be paid to a person in respect of a dwelling which was bequeathed to that person and several other siblings in equal shares; and if her Department officials are empowered to demonstrate a degree of flexibility in respect of the different circumstances of each case while also remaining within the general qualifying parameters of a departmental scheme. [33479/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 332 and 337 together.

The purpose of rent supplement is to provide short term income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources and who do not have accommodation available to them from another source. Under the rules governing entitlement to rent supplement, the Department must establish that the applicant is a bona fide tenant. In determining whether the applicant is a bona fide tenant the Department will generally require

documentary evidence including: details of the lease agreement, proof of ownership of the property, documentation that the tenancy has been registered with the PRTB, where necessary.

In addition, there a number of other qualifying conditions for the scheme including at the time of the application, the claimant must: have been residing in private rented accommodation (where at the commencement of the tenancy the person could have reasonably afforded the rent and has experienced a substantial change in his or her circumstances where they are now unable to pay the rent) or accommodation for homeless persons or in an institution (or any combination of these) for a period of 183 days within the preceding 12 months of the date of claim for rent supplement, or have had an assessment of housing need carried out within the 12 months preceding the date of claim and have been deemed by a housing authority to be eligible for and in need of social housing support. If these conditions are met, a customer's entitlement to rent supplement will be considered.

One-Parent Family Payment Appeals

333. **Deputy James Bannon** asked the Minister for Social Protection the scheduled date for an oral hearing for a person (details supplied) in relation to their one parent family payment in view of the fact that their previous hearing was adjourned due to insufficient information; if she accepts that this is not a new hearing but a relisting of a previous hearing; that this person is now waiting in excess of 12 months to have their claim decided on; if she will indicate when the date will be scheduled and when this claim will be decided in view of the fact that this person is now experiencing serious financial hardship; and if she will make a statement on the matter. [33433/13]

Minister for Social Protection (Deputy Joan Burton): Further to my response to Parliamentary Question No. 131 on 19 June 2013, I am advised by the Social Welfare Appeals Office that an oral hearing of this case, which was scheduled to be heard on 19 February 2013, was postponed at the hearing at the request of the person concerned through his solicitor. The Appeals Officer granted the adjournment and returned the file to the Social Welfare Appeals Office to deal with a Freedom of Information request dated 5 April 2013. This information was provided to the solicitor of the person concerned on 24 April 2013.

I have been advised that the case has now been re-listed for an oral hearing and that the Social Welfare Appeals Office will endeavour to hold the oral hearing at the earliest possible date. It is not possible to confirm the date of the oral hearing at this time, however, the appellant will be informed as soon as arrangements have been finalised. 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 in relation to social welfare entitlements.

Domiciliary Care Allowance Applications

334. **Deputy Regina Doherty** asked the Minister for Social Protection the position regarding a domiciliary care allowance application in respect of a person (details supplied); and if she will make a statement on the matter. [33437/13]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received in respect of the person concerned on the 24th May 2013. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Upon receipt of this opinion, a decision will issue to the person concerned. It can take up to 8 weeks to process an application for DCA.

Invalidity Pension Eligibility

335. **Deputy Arthur Spring** asked the Minister for Social Protection the social benefit entitlements a person who entered the workforce prior to 1995 is entitled to, with special reference to invalidity pension, following the awarding of a change of status credits to that person and considering that the change of status credits are awarded back to the beginning of the contribution year during which that person's status changed and for the previous contribution year; and if she will make a statement on the matter. [33446/13]

Minister for Social Protection (Deputy Joan Burton): Change of Status credits may be awarded when an insured person, following a period during which s/he was insured at a modified rate of contribution (e.g. PRSI Class B, C or D), commences employment that is insurable for State Pension (Transition) or State Pension (Contributory) purposes. These credits are reckonable only for the State Pension (Transition), the State Pension (Contributory) and the Bereavement Grant. The credits are awarded for the period between the beginning of the contribution year last preceding that in which s/he commenced such employment and the date of commencement of such employment. These credited contributions may be awarded on one occasion only.

Social Welfare Appeals Status

336. **Deputy Michelle Mulherin** asked the Minister for Social Protection when a decision will be made on an appeal in respect of a person (details supplied) in County Mayo; if she will expedite same due to the hardship the person is suffering due to limited income; and if she will make a statement on the matter. [33462/13]

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 11 June 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 these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

It is not possible to give an approximate date when a decision will be issued to the person concerned. In order to be fair to all appellants, appeals are dealt with in strict chronological order. However it is open to the person concerned to contact their local Community Welfare Service concerning their possible eligibility for Supplementary Welfare Allowance if their income is insufficient to meet their needs while their appeal is pending. 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 in relation to social welfare entitlements.

Question No. 337 answered with Question No. 332.

Carer's Allowance Appeals

338. **Deputy Noel Coonan** asked the Minister for Social Protection when an appeal for carer's allowance will issue in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [33483/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare

Appeals Office that an oral hearing of the appeal of the person concerned took place on 26th June 2013 and that the Appeals Officer is now considering the appeal in the light of all of the evidence submitted, including that adduced at the oral hearing. The person concerned will be notified of the Appeals Officer's decision when the appeal has been determined. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Employment Support Services

339. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number and variety of training or youth unemployment or long-term unemployment alleviation schemes likely to be operated by her Department in the coming year; the total cost and duration; and if she will make a statement on the matter. [33525/13]

Minister for Social Protection (Deputy Joan Burton): The Department operates a wide range of working age employment support schemes. Details of the individual schemes, the provisional expenditure outcome for 2012 and the estimate for 2013 are outlined in the table that follows this reply. The Estimate for 2013 provides for an increase of €102 million or close to 11% in the overall allocation for these schemes. The 2014 allocation will be considered later this year in the context of the 2014 Budget.

Expenditure Breakdown	2012 Provisional Outturn (€'000)	2013 REV (€'000)	Change from 2012 Outturn (%)
WORKING AGE - EMPLOYMENT SUPPORTS	-	-	-
Community Employment Programme	330,399	351,550	6.4%
Rural Social Scheme	45,242	45,000	-0.5%
Tús - Community Work Placement	67,055	96,200	43.5%
Job Initiative	25,794	25,100	-2.7%
Community Services Programme	45,391	46,060	1.5%
Back to Work Allowance	127,156	126,400	-0.6%
National Internship Scheme - Job-Bridge	54,739	81,760	49.4%
Back to Education Allowance	199,565	189,300	-5.1%
Other Employment Supports	-	-	-
Assistance towards training for BTW participants	3,459	4,500	30.1%
Technical Employment Support Grant (funded from National Training Fund)	4,348	6,000	38.0%
Credit Union loan guarantee scheme	0	20	□
Part Time Job Incentive	1,370	1,300	-5.1%
Centres of Support for the Unemployed Special Projects	0	200	□
Activation and Family Support Programme (AFSP)	2,543	3,400	33.7%
Special payments to long term unemployed and lone parents	27	120	344.4%
Jobstart	0	15,740	□
JobsPlus	0	2,070	□
Special initiatives for Travellers programme	187	750	301.1%

Expenditure Breakdown	2012 Provisional Outturn (€'000)	2013 REV (€'000)	Change from 2012 Outturn (%)
WORKING AGE - EMPLOYMENT SUPPORTS	-	-	-
Drugs Task Force	1,861	2,000	7.5%
EURES Job Mobility Funded Training Initiatives	100	400	300.0%
Local Employment Service	17,854	19,100	7.0%
Local Employment Service Jobs Clubs	5,719	6,000	4.9%
Wage Subsidy Scheme	10,566	10,850	2.7%
Supported Employment programme	8,104	8,840	9.1%
Disability Activation and Employment Supports	383	5,190	1255.1%
Employment Support Unit (ESU) policy initiatives	13	0	-100.0%
Total Other Employment supports	56,534	86,480	53.0%
Partial Capacity Benefit	2,107	8,500	303.4%
TOTAL WORKING AGE - EMPLOYMENT SUPPORTS	953,983	1,056,350	10.7%

Employment Support Services

340. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she expects current or proposed temporary unemployment alleviation or training schemes to result in permanent positions; and if she will make a statement on the matter. [33526/13]

Minister for Social Protection (Deputy Joan Burton): The aim of JobBridge is to assist individuals to bridge the gap between unemployment and the world of work. The scheme has made very significant progress since it came into operation in July 2011. As at 27 June 2013, some 18,587 internship placements have commenced to date with 5,934 participants currently undertaking internships and 1,936 internship posts available on the JobBridge website. The independent evaluation conducted by Indecon Economic Consultants, which I published recently, found that 61% of interns who finish placements secure employment within five months. These progression outcomes are exceptionally positive and compare very favourably with European averages in this area. The following table provides further information on the status of employment secured since completion of JobBridge:

Table 3.28: Status of Employment Secured since Completion of JobBridge

Status of Employment	%
Full-time, Permanent	45.2%
Part-time, Permanent	9.3%
Full-time, Temporary	35.0%
Part-time, Temporary	10.5%
Total	100%

Source: Indecon Evaluation of JobBridge, Final Evaluation Report, April 2013

Unemployment Statistics

341. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she and her Department has examined the unemployment situation throughout the coun-

try with a view to identification of particular areas or blackspots indicating higher than average levels of unemployment; the extent to which she expects to be in a position to address issues arising; and if she will make a statement on the matter. [33527/13]

Minister for Social Protection (Deputy Joan Burton): My Department has local offices in all areas of the country and maintains records of jobseekers on a local office basis. Statistics relating to the number of job seekers at each local office are monitored on a continuous basis and are available on the CSO website. A regional distribution of live register statistics is also provided at Table 5 of the monthly CSO live register statement. Resources are allocated to and through our local offices based on the number of unemployed people in each area. By definition, therefore, this will result in the resources of the Department being concentrated in areas of high unemployment.

Live Register Statistics

342. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which she and her Department has examined the age profile of those on the live register long term with a view to initiating measures to address the issue; and if she will make a statement on the matter. [33528/13]

Minister for Social Protection (Deputy Joan Burton): The age profile of long-term live registrants is being constantly monitored. The broad age distribution (under and over 25 years) of the Register is published each month by the Central Statistics Office, and more detailed breakdowns are also published at regular intervals. Given the focus of Government policy on the activation of job-seeker claimants, the allocation of my Department's resources follows the distribution of the Live Register. The allocation of resources across age groups will therefore tend to change in line with changes in the age distribution of the Register.

Rent Supplement Scheme Administration

343. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the degree to which she and her Department have entered into negotiations with other relevant Government Departments with a view to transferring the responsibility for local authority housing thus alleviating the burden of rent support on her Department and facilitating local authority housing applicants in their efforts to obtain employment which they cannot do without loss of income under the system of rent support; and if she will make a statement on the matter. [33529/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. There are approximately 84,000 rent supplement recipients, of which over 53,000 have been in receipt of the payment for over 18 months. The Government has provided over €403 million for the scheme in 2013. In 2012, the Government approved in principle the transfer of responsibility for the provision of rental assistance to persons with a long-term housing need from the Department of Social Protection to housing authorities using a new Housing Assistance Payment (HAP).

Officials in my Department are working closely with those in the Department of the Environment, Community and Local Government to assist with the necessary work required to progress HAP in terms of enabling the priority drafting of the required legislation, initiating the business planning process, examining the possibilities for providing for direct deduction

from social welfare payments - including an amendment to the household budgeting facility, completing the economic assessment and initiating piloting of HAP. The Department of the Environment, Community and Local Government has recently commenced a business processing development exercise to determine the business processes required to support the implementation of HAP and ensure its successful roll-out. Officials from the Department of the Environment, Community and Local Government are fully engaged in this process.

Social Welfare Appeals Waiting Times

344. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the steps she has taken or intends to take to streamline the appeals system in respect of all payments issuing from her Department with a view to minimising hardship on those awaiting the outcome of appeal; and if she will make a statement on the matter. [33530/13]

345. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the number of cases referred to appeal in respect of each category of welfare payment for which her Department is responsible in each of the past four years to date in 2013; the areas experiencing most referrals to appeal; and if she will make a statement on the matter. [33531/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 344 and 345 together.

The number of cases referred to appeal in respect of each category of welfare payment from 2009 to 2013 (to date) are given in the table that follows this reply. It is noted that the areas experiencing most referrals to appeal are those areas experiencing the highest volumes of claim applications. There has been a rapid and sustained increase in the number of appeals received in the Social Welfare Appeals Office since 2009 which has placed extraordinary pressure on the office. Up to 2009, the average number of appeals received was 15,000 per annum whereas in 2012, the office received 35,484 appeals. To manage this increasing workload, significant resources and efforts have been put into reducing backlogs and improving appeals processing times for appellants, including the assignment of 15 additional Appeals Officers, in addition to 10 former Community Welfare Service Appeals Officers who joined the appeals office in 2011, bringing the total number of serving Appeals Officers to 41; reviewing and improving business processes; and implementing a new operating model within the appeals office.

In addition, a major programme of process redesign and modernisation is under way in the Department in relation to many of its scheme areas, aimed at reducing backlogs and reducing the time taken by the Department to respond to requests from the appeals office for submissions in relation to appeals. These measures have led to improvements in processing times and a significant increase in the number of appeals finalised from 17,787 in 2009 to 32,558 in 2012. The Chief Appeals Officer expects to finalise 6,000 more cases in 2013 than in 2012. Good progress is also now being made in reducing the number of appeals on hand from 20,414 at 1 January 2013 to 16,542 at 1 July 2013. The average waiting time for appeals peaked in 2011 when the average time for an oral hearing was 52.5 weeks and for a summary decision was 25.1 weeks. In 2012, these times improved by 10.3 weeks when the average time for an oral hearing dropped to 39.5 weeks while the time for a summary decision increased slightly to 27.8 weeks. This improvement has continued with the average processing time up to June 2013 reducing to 36.2 weeks for an oral hearing and 27.6 weeks for a summary decision.

These processing times are calculated from the registration date of the appeal to the date of its finalisation. They include all activities during this period including time spent awaiting any clarification from the appellant, time in the Department for comments by the Deciding Of-

ficer on the grounds of appeal put forward by the appellant, and any further investigation, examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. For example, in cases of schemes which include medical criteria such as disability allowance or invalidity pension, the time taken by the Department may include a review by a different medical assessor to the one who initially examined the case, and there may even be a third review by a medical assessor if additional medical evidence is submitted. A considerable period of time is added when an oral hearing is required because of the logistics involved in this process. While this process carries an inherent delay in terms of finalising an appeal, it also crystallises the flexibility and accessibility of the appeals system. By its nature and because it is a quasi-judicial function, the processing of appeals takes time and reflects the fact that, by definition, the appeal process cannot be a quick one. However, if an appellant's means are insufficient to meet their needs, it is open to them to contact their local Community Welfare Services concerning their eligibility for Supplementary Welfare Allowance while their appeal is pending.

Appeals Receipts 01/01/2013 – 30/06/2013

-	2009	2010	2011	2012	2013 (to 30/6/2013)
Adoptive Benefit	2	2	2	6	0
Blind Pension	21	14	21	27	17
Carers Allowance	1,977	3,025	2,199	2,676	2,171
Carers Benefit	121	182	160	183	56
Child Benefit	1,361	1,051	824	675	329
Disability Allowance	4,696	4,840	5,472	6,223	3,006
Illness Benefit	4,945	5,471	3,657	2,647	887
Invalidity Pension	642	1,024	2,285	4,765	2,344
Domiciliary Care	836	1,858	2,401	2,186	688
Deserted Wives Allowance	-	-	4	1	1
Deserted Wives Benefit	5	14	20	8	10
Farm Assist	137	244	220	271	157
Bereavement Grant	46	58	66	71	34
Family Income Supplement	170	227	258	301	187
Liable Relatives	25	16	26	39	9
One Parent Family Payment	805	1,109	1,055	938	294
Maternity Benefit	11	29	42	29	11
Homemakers	-	1	-	1	1
Partial Capacity Benefit	-	-	-	67	41
State Pension (Contributory)	88	256	106	128	73
State Pension (Non-Contributory)	319	356	317	231	114
State Pension (Transition)	22	7	29	43	19
Occupational Injury Benefit	37	23	16	13	8
Occupational Injury (Medical)	42	21	5	6	2
Disablement Pension	263	342	263	409	172
Incapacity Supplement	8	15	6	21	3
Guardian's Payment (Contributory)	23	28	31	46	16
Guardian's Payment (Non-Contributory)	11	6	13	14	4
Pre-Retirement Allowance	3	2	1	-	-

-	2009	2010	2011	2012	2013 (to 30/6/2013)
Jobseeker's Allowance (Means)	3,615	4,050	3,465	3,240	1,496
Jobseeker's Allowance	3,179	5,503	3,399	3,049	1,344
Jobseeker's Benefit	1,354	1,307	1,286	1,289	457
Jobseeker's Fraud Control	-	3	5	1	2
Respite Care Grant	262	162	303	278	84
Insurability of Employment	102	123	99	79	40
Supplementary Welfare Allowance	789	1,020	3,129	5,445	2,270
Treatment Benefits	10	8	3	3	1
Survivor's Pension (Contributory)	15	20	17	30	17
Survivor's Pension (Non-Contributory)	19	12	29	39	11
Widows Parent Grant	1	3	7	6	3
Death Benefit	1	-	-	-	-
All Appeals	25,963	32,432	31,241	35,484	16,379

Question No. 346 answered with Question No. 308.

Social Welfare Payments Waiting Times

347. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which various forms for social welfare payments may be simplified to reduce administrative backlogs and excessive time-consuming procedures; and if she will make a statement on the matter. [33534/13]

Minister for Social Protection (Deputy Joan Burton): The Department has a continuous programme of process improvement initiatives underway aimed at streamlining the processing of claims, supported by modern technology. The simplification and reduction of application forms complements the introduction of more streamlined processes.

The key principles underpinning the design of the Department's application forms are the use of clear and simple language, with consistent layout and presentation across both online and paper forms. All primary application forms are designed to facilitate the use of scanning and automated processing. This ensures that the application is processed as efficiently as possible and that customers receive their entitlement in a timely manner. Primary application forms are regularly reviewed to ensure they request only the information required to establish the customer's entitlement, in a clear and easy to understand manner.

Staff in the Department's local and branch offices and Intreo centres provide information and guidance to customers on the completion of application forms when required. In addition, the Citizens Information Board, through its network of offices around the State provides information, advice and advocacy services to members of the public on a wide range of public and social services, including assistance in completing application forms.

All primary application forms are also available on the Department's website, www.welfare.ie. Applications for a number of schemes, including the new JobsPlus incentive, child benefit, State pension (contributory), widow(er)'s or surviving civil partner's contributory pension, household benefits and, in certain cases, jobseeker's payments, can be completed and submitted

online.

The use of online application forms reduces the administrative burden for the customer and facilitates efficient processing of claims by the Department. I am satisfied that the ongoing initiatives underway in the Department, the improvements to processes and procedures supported by the redesign of application forms, and the Department's use of modern technology will continue to deliver an improved and efficient service to customers.

Social Welfare Overpayments

348. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the steps she continues to take to ensure against the occurrence of overpayments which result in recovery and consequent hardship with particular reference to cases where the overpayment was not as a result of an oversight or negligence on the part of the applicant; and if she will make a statement on the matter. [33535/13]

Minister for Social Protection (Deputy Joan Burton): Ensuring that the right person is paid the right amount of money at the right time is an integral part of the day-to-day work of the Department. It is the Department's policy that every effort is made to prevent overpayments but, where they occur, they should be regarded as a debt to the Exchequer and every effort must be made to recover the amounts through all available means.

Those clients who are aware that they are being - or have been - overpaid by my Department should contact their local social welfare office immediately. An overpayment recovery plan, acceptable both to the customer and to the Department, will then be agreed. The general approach is that the recovery amount proposed will be the maximum repayment that the debtor can afford in order to recover the overpayment as quickly as possible.

My Department is fully committed to recovering 100% of overpayments. Debt holders should be aware that a departmental debt will remain on their records until fully recovered and will result in a reduction of all future entitlements up to and including state pension. Following the death of a customer who owes a debt, the Department will have a claim on any estate remaining.

In the context of the Fraud Initiative 2011 – 2013, the Department is reviewing its overall approach to debt recovery. Effective debt recovery is seen as an integral part of the deterrent to fraudulent claiming.

In this regard, section 13 of the Social Welfare Act, 2012, allows for a deduction of up to 15% from a person's weekly personal rate to be deducted for the purposes of recovering an overpayment. It is not the Department's intention to make deductions that are likely to visit hardship on beneficiaries. The new provisions preserve a minimum entitlement of up to 85% of a beneficiary's personal payment in all cases of overpayment, leaving increases for dependants intact.

It is envisaged that this measure, along with a range of other options that are currently being considered by the Department, will serve to minimise overpayments in the future, as well as increasing the rate of recoveries where overpayments arise.

Community Employment Schemes Places

349. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to

which she expects to continue to be in position to provide the necessary resources to retain the maximum number of places on a community employment or related schemes throughout County Kildare having particular regard to the ongoing success of the programme; and if she will make a statement on the matter. [33536/13]

Minister for Social Protection (Deputy Joan Burton): The Department is continuing its commitment to getting people back to work as set out in the Programme for Government and the Pathways to Work documents. Following my announcement at budget time, the number of Community Employment and Tús programmes are being expanded in 2013 by 2,000 and 2,500 places respectively on a national basis. Applications from Schemes in Kildare for these additional places will be considered in the normal manner. These places will be filled throughout 2013.

Invalidity Pension Application Numbers

350. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the total number of applications for invalidity pension currently on hand, the likely timescale within which it is expected that a decision will be made, the degree, if any, to which she can speed up the processing of such cases; and if she will make a statement on the matter. [33537/13]

Minister for Social Protection (Deputy Joan Burton): I am pleased to confirm that the backlog of claims awaiting action and decision, which stood at just over 7,000 in May 2012, has been cleared.

As at the end of June 2013 there are 1973 Invalidity Pension (IP) claims registered, actioned and awaiting information to finalise a decision. This includes approximately 579 cases which are being investigated under EU regulations or bilateral agreements. These cases are more complex and take longer to decide.

Where a claim is disallowed and the customer requests a review of the decision or appeals the decision to the Social Welfare Appeals Office, this requires an additional amount of time to finalise.

Following such a high volume of claim clearance in the second half of 2012, the resulting volume of appeals is similarly high. The time these appeal claims take to clear negatively affects the overall average time taken to award a claim. The average time taken to award claims in these schemes will continue to improve as appeals are worked through the system and cleared.

Excluding the current effect of the increased level of appeals in the system, the average time to decide a new invalidity pension claim is now 6 weeks.

Community Employment Schemes Eligibility

351. **Deputy Joan Collins** asked the Minister for Social Protection her views that the criteria that eligibility for community employment schemes is only based on receiving a jobseeker's payment for 12 months at the time of making his or her application and that persons who signing on for credits due to the fact that their partner is working is discriminatory on family grounds; and if she will consider changing the eligibility to include those persons signing on for credits. [33548/13]

Minister for Social Protection (Deputy Joan Burton): The core eligibility criterion for CE is that the person is in receipt of a qualifying social welfare payment, as defined on the

Department's website. This requirement is based on Government policy and Departmental guidelines and has been the rule since CE commenced in 1994.

At present persons signing for credits or otherwise ineligible for a social welfare payment, do not meet the current eligibility requirements for participation on the CE Scheme. They may, however, be eligible for participation on other programmes, although they may not qualify for payment of an allowance e.g. FÁS training courses.

Such persons are advised to contact their local Employment Services Office or Intreo office (where available) where an Employment Services Officer will be happy to discuss the employment and training options that are open to them.

There are no proposals currently under consideration in regard to making changes to the national operation of the Community Employment Programme. Within the current very difficult budgetary constraints, the number of places on Community Employment is being increased up to 25,300 by year-end 2013. In delivering these places, the Department will continue to operate flexibly in the management of this allocation in order to maximise progression to the labour market, while at the same time facilitating the support of community services.

Departmental Expenditure

352. **Deputy John Deasy** asked the Minister for Arts, Heritage and the Gaeltacht the total spend on artworks in each of the past seven years by his Department and bodies under his aegis. [33000/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The three main collecting institutions under the auspices of my Department are the National Gallery of Ireland, the Irish Museum of Modern Art and the Crawford Art Gallery.

Whilst my Department provides funding to the National Cultural Institutions, the Board of each institution is responsible for all operational matters, including acquisitions of artworks, and I do not have a statutory function in respect of such day-to-day matters.

However, I am having the position regarding the total spend on artworks by my Department directly over the last seven years clarified and a reply will issue directly to the Deputy in relation to this matter.

State Artwork

353. **Deputy John Deasy** asked the Minister for Arts, Heritage and the Gaeltacht the estimated value of artworks owned by the State, under the aegis of his Department, that are currently in storage. [33001/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The three main collecting institutions under the auspices of my Department are the National Gallery of Ireland, the Irish Museum of Modern Art and the Crawford Art Gallery.

Whilst my Department provides funding to the National Cultural Institutions, the Board of each institution is responsible for all operational matters, including storage of artworks, and I do not have a statutory function in respect of such day-to-day matters.

I am having the position regarding the estimated value of artworks owned by the State under

the aegis of this Department clarified and a reply will issue directly to the Deputy in relation to this matter.

Turf Cutting Compensation Scheme Issues

354. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding a sale of bog and turbary rights in respect of a person (details supplied) in County Roscommon; the reason for the delay; and if he will make a statement on the matter. [33054/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The land referred to by the Deputy is located in a natural heritage area designated in 2004.

In 2010, the then Government decided that turf-cutting should come to an end on raised bog natural heritage areas at the end of 2013. However, the current Programme for Government contains an undertaking to review the situation with regard to turf cutting on natural heritage areas.

On 15 April 2011, the Government made a number of decisions in relation to turf cutting, including the putting in place of a compensation package for those who have been required to cease cutting, the establishment of a Peatlands Council and the drawing up of a national strategy on peatland conservation and management. In the context of the national strategy, the position regarding raised bog natural heritage areas, which are designated under national legislation, is being examined in advance of the 2014 cutting season in accordance with the Programme for Government.

My Department is giving priority to the compensation requirements in relation to the cessation of cutting on the 53 raised bog special areas of conservation. In the circumstances, and in light of the decision to review the approach to these areas more generally, the issue of any further purchase of land/rights in natural heritage area bogs, including the land referred to, is being kept under review.

Warmer Homes Scheme Eligibility

355. **Deputy Kevin Humphreys** asked the Minister for Communications, Energy and Natural Resources if a person in receipt of UK fuel allowance through a UK pension is entitled to apply for a better energy warmer homes scheme; and if he will make a statement on the matter. [32940/13]

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

Eligibility for the scheme is determined with reference to the following criteria:

- Owner occupied, non-Local Authority homes;

- Constructed before 2002.

The owner is in receipt of one of the following:

- Fuel Allowance as part of the National Fuel Scheme (means tested);
- Job Seekers Allowance for over six months and with a child under seven years of age;
- Family Income Supplement.

The UK Winter Fuel Payment is available to pensioners who currently or previously resided in the UK. This payment is available to all over 60s regardless of their means. The Department of Social Protection (DSP) has confirmed that persons in receipt of the UK Winter Fuel Payment are not precluded from applying for the Fuel Allowance. However, as the Fuel Allowance is a means tested payment, receipt of the UK Fuel Payment would have to be taken into account in assessing eligibility. Assuming an applicant who was in receipt of the UK Winter Fuel Payment was deemed eligible for the Fuel Allowance, there should be no impediment to them making an application for the Better Energy Warmer Homes scheme, subject to the other eligibility criteria being met.

Broadband Services Provision

356. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural Resources if he will provide a progress report on the roll-out of broadband and high speed broadband in the various areas (details supplied) of counties Wicklow and Carlow; and if he will make a statement on the matter. [33025/13]

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, providing services over a diverse range of technology platforms. Details of broadband services available in each county, including Counties Wicklow and Carlow, can be found on ComReg's website at www.callcosts.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. Broadband services under the NBS are available since October 2010 from the NBS service provider, "3", to persons with a fixed residence or fixed business in all of the designated NBS Electoral Divisions. In County Carlow, 6 of the 54 EDs are covered under the NBS while in County Wicklow, 37 of the 82 EDs are included in the NBS, details of which are shown in the tables below. The combination of private investment and State interventions means that Ireland has met the EU Commission's Digital Agenda for Europe target of having a basic broadband service available to all areas by 2013.

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 30Mbps are available to all of our citizens and businesses, 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 op-

erators 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.

In tandem with these commercial developments, intensive work is underway in my Department to progress a State-led investment to secure the countrywide introduction of next generation broadband access.

In order to progress the State-led investment, a full procurement process must be designed and EU State Aids approval must be obtained. My officials have just commenced a comprehensive mapping exercise of the current and anticipated investment by the commercial sector to identify where the market is expected to succeed and fail in the delivery of high speed broadband services over the coming years.

The results of this mapping exercise will inform the level of Government interaction that may be required and the areas that need to be targeted in the State-led investment so as to deliver on the targets for high speed broadband contained in the National Broadband Plan.

Intensive technical, financial and legal preparations including stakeholder engagement will be ongoing 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.

National Broadband Scheme (NBS) - Electoral Divisions (ED) covered by the NBS in County Carlow

ED Name	ED Reference No.
CLONMORE ED	17014
COONOGUE ED	17015
HACKETSTOWN ED	17022
HAROLDSTOWN ED	17023
RIDGE ED	17043
TIKNOCK ED	17048

National Broadband Scheme (NBS) - Electoral Divisions (ED) covered by the NBS in County Wicklow

ED Name	ED Reference No.
ARKLOW RURAL ED	257003
BALLINACOR ED	257007
BALLINDERRY ED	257008
BALLINGLEN ED	257010
BALLINGUILE ED	257011
BALLYARTHUR ED	257012
BALLYBEG ED	257013
COOLBALLINTAGGART ED	257023
COOLBOY ED	257024
CRONELEA ED	257026
DONAGHMORE ED	257028
DUNGANSTOWN EAST ED	257030

ED Name	ED Reference No.
DUNGANSTOWN SOUTH ED	257031
DUNGANSTOWN WEST ED	257032
EADESTOWN ED	257034
ENNEREILLY ED	257035
GLENDALOUGH ED	257037
GLENEALY ED	257038
HARTSTOWN ED	257040
HOLLYWOOD ED	257041
HUMEWOOD ED	257042
IMAEEL NORTH ED	257043
IMAEEL SOUTH ED	257044
KILBALLYOWEN ED	257045
KILBRIDE ED	257046
KILLINURE ED	257049
KILPIPE ED	257052
KNOCKRATH ED	257053
LUGGLASS ED	257055
MONEYSTOWN ED	257057
OLDTOWN ED	257060
RATH ED	257063
RATHDANGAN ED	257064
TALBOTSTOWN ED	257069
THE GRANGE ED	257070
TOGHER ED	257073
TROOPERSTOWN ED	257075

Money Laundering

357. **Deputy Olivia Mitchell** asked the Minister for Communications, Energy and Natural Resources his views on representations from the Irish Postmasters' Union seeking an increase in the threshold where anti-money laundering identification is needed in order to facilitate the sale of low value prize bonds; and if he will make a statement on the matter. [33101/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I understand my colleague the Minister for Finance is exploring with the National Treasury Management Agency (NTMA) and the Minister for Justice and Equality whether or not exemptions available under the EU Directives may be applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company. I am supportive of this course of action.

Electricity Generation

358. **Deputy Charles Flanagan** asked the Minister for Communications, Energy and Natural Resources if a comprehensive economic and technical analysis of all costs and subsidies has been or will be undertaken in respect of the export of electricity to Britain generated by means of wind; and if he will make a statement on the matter. [33127/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): On 24 January 2013, I signed a Memorandum of Understanding on energy co-operation with the

United Kingdom Secretary of State for Energy and Climate Change, Edward Davey. Detailed work is now underway to consider how Ireland's renewable energy resources, both onshore and offshore, might be developed to the mutual benefit of Ireland and the United Kingdom. This will determine whether it is beneficial for both countries to enter into an Inter-Governmental Agreement under the Renewable Energy Directive to provide for renewable energy trading. This work includes analysis of the economic and technical aspects of the proposal. The mechanism for remunerating any wind farms that may in the future export renewable energy from Ireland to the United Kingdom has yet to be decided but will not involve any subsidy costs being imposed on the Irish State or consumer. Any Inter-Governmental Agreement will also have to ensure an adequate return to the Irish Exchequer.

Warmer Homes Scheme Data

359. **Deputy James Bannon** asked the Minister for Communications, Energy and Natural Resources the progress report for counties that were selected to participate in the better energy warmer homes scheme by the Sustainable Energy Authority, Longford County Council being one of them; and if he will make a statement on the matter. [33135/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Better Energy Warmer Homes scheme is delivered by the Sustainable Energy Authority of Ireland (SEAI) to homes in private ownership experiencing energy poverty. As part of the implementation of the Affordable Energy Strategy, the SEAI is undertaking a pilot programme of delivering energy efficiency upgrades to local authority owned homes, where the tenants are experiencing energy poverty.

The Department and the SEAI met with the County and City Managers Association (CCMA) Housing Sub Committee and it was agreed that a pilot programme should be undertaken in 2013. Longford County Council and South Dublin County Council volunteered to participate in the proposed pilot. Each of the Local Authorities submitted a batch of 20-30 homes to the SEAI in the period May to June 2013.

The expected number of homes to be addressed in the pilot is approximately 50, and these will be surveyed and upgraded by the SEAI over the coming months. The measures that will be provided include attic insulation, draught proofing, low energy light bulbs, lagging jackets for hot water tanks and cavity wall insulation, where appropriate. A Building Energy Rating (BER) will also be undertaken after the works are completed in each home.

Post Office Network

360. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources his views on correspondence regarding cost saving and the post office network (details supplied); and if he will make a statement on the matter. [33330/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Operational matters including cost savings in relation to the post office network are a matter for the Board and management of An Post and not one in which I have a statutory function.

I am, however, conscious that An Post faces a difficult financial position and cost containment is part of its strategy to operate in a financially sustainable manner. I fully support all measures taken by the Company to place it on a sustainable long-term financial footing. This includes the identification of new business opportunities which can make a commercial return

as well as necessary cost containment.

Broadband Services Provision

361. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources his plans to upgrade broadband connectivity throughout County Monaghan with particular reference to the need to extend the national broadband scheme to those electoral divisions in the county where such service is not available at present; the likely timescale for the proposed roll-out of this particular scheme to the remaining electoral divisions; and if he will make a statement on the matter. [33470/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The objective of the National Broadband Scheme (NBS), which was launched in 2008 following a competitive tendering process, was to provide access to affordable, scalable broadband services to rural areas, where operators had been unable to offer services on a commercial basis.

In designing the Scheme, which was approved under EU State Aid rules, my Department undertook a comprehensive mapping exercise to assess the extent of broadband coverage available in the State in 2008. Following completion of the exercise a separate map based on electoral divisions (EDs), which are the smallest administrative areas used for statistical purposes in the country, was developed. Where an ED was completely or substantially served by existing service providers it was excluded from the NBS. Broadband services under the NBS are available since October 2010 from the NBS service provider, “3”, to persons with a fixed residence or fixed business in all of the designated NBS Electoral Divisions. In County Monaghan 29 out of the 70 EDs were identified as eligible for inclusion in the NBS, which are shown in the table below.

In May 2011, the Government launched a separate broadband initiative, namely the Rural Broadband Scheme (RBS). The RBS was established to enable a basic broadband service to be provided to individual rural premises, which were not capable of obtaining a broadband service from existing Internet service providers. 119 applicants from County Monaghan received offers from service providers participating in this Scheme of which 25 accepted an offer of service.

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 30Mbps are available to all of our citizens and businesses, 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.

In tandem with these commercial developments, intensive work is underway in my Department to progress a State-led investment to secure the countrywide introduction of next generation broadband access.

In order to progress the State-led investment, a full procurement process must be designed and EU State Aids approval must be obtained. My officials have just commenced a comprehensive mapping exercise of the current and anticipated investment by the commercial sector

to identify where the market is expected to succeed and fail in the delivery of high speed broadband services over the coming years.

The results of this mapping exercise will inform the level of Government interaction that may be required and the areas that need to be targeted in the State-led investment so as to deliver on the targets for high speed broadband contained in the National Broadband Plan.

Intensive technical, financial and legal preparations including stakeholder engagement will be ongoing 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.

National Broadband Scheme (NBS) - Electoral Divisions (ED) covered by the NBS in County Monaghan

ED Name	ED Reference No.
AGHABOG	ED 177001
ANNAYALLA	ED 177003
BELLATRIN	ED 177009
BOCKS	ED 177010
BROOMFIELD	ED 177012
CARRICKASLANE	ED 177014
CARRICKATEE	ED 177015
CHURCH HILL	ED 177021
CORMEEN	ED 177026
CREEVE	ED 177028
CREMARTIN	ED 177029
CROSSALARE	ED 177030
CURRIN	ED 177031
DERRYGORRY	ED 177033
DRUM	ED 177035
DRUMCARROW	ED 177037
DRUMGURRA	ED 177038
DRUMMULLY	ED 177040
GLASLOUGH	ED 177046
GREAGH	ED 177047
KILLEEVAN	ED 177049
KILLYNENAGH	ED 177051
KILMURRY	ED 177053
LARAGH	ED 177055
MULLYASH	ED 177060
NEWBLISS	ED 177061
SHANMULLAGH	ED 177065
SHESKIN	ED 177066
TEHALLEN	ED 177069

362. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government if he will consider rectifying the substantial additional cost which motorists who tax their vehicles on a quarterly basis must pay as opposed to those who tax their car annually, particularly in view of the fact that many persons find themselves not in a financial position to pay the full amount in one lump sum and the fact that administrative costs in relation to motor taxation are lessened in view of the fact that motorists now apply for their tax disk online; and if he will make a statement on the matter. [32982/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I have no plans to change the basis for the charging of motor tax for three or six month discs. Tax rates for these discs are set at a higher rate than the annual fee to take account of the extra workload for the National Vehicle and Driver File (NVDF) and motor tax offices, and the resultant higher administrative and printing costs. In addition, reminders are issued on each renewal. While costs have reduced in respect of those paying on-line, they are not negligible.

The annual income from the increased charges for three and six month discs in 2012 was over €50m. Were changes to be introduced to charge for these discs on a pro-rata basis, the loss in income would have to be compensated for elsewhere in the motor tax system, or through the taxation system generally.

Flood Prevention Measures

363. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government having regard to previous parliamentary questions in the matter, the extent to which it is expected that outstanding completion works at the development in the Waterways, Sallins, County Kildare, is contemplated as per previous indications; if it is expected that agreement can be reached with all interested parties with a view to permanent resolution in respect of any outstanding flooding issues; and if he will make a statement on the matter. [33058/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department understands from Kildare County Council that following the completion of significant works, undertaken by the Council, the matter is now largely resolved at catchment level. Within the development, other drainage works which are the responsibility of the developer, remain to be completed. The Council is continuing to work with the relevant parties to ensure a permanent resolution of the remaining flooding issues within the development.

Planning Issues

364. **Deputy James Bannon** asked the Minister for the Environment, Community and Local Government if he will review the development contribution scheme in county towns that do not have gateway or hub status to make it more attractive for business to locate; and if he will make a statement on the matter. [33136/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): As Minister my role is to provide the necessary statutory and policy framework within which individual development contribution schemes are adopted by each local authority. The adoption of these schemes is a reserved function of the locally elected members of each planning authority. It is a matter for the members to determine the level of contribution and the types of development to which they will apply. Copies of individual schemes are available for consultation on the local authorities' websites. My Department recently issued updated guidance for local authorities on the issue of development contributions

which recommends, *inter alia*, that development contribution schemes facilitate job creation through targeted support for specific development types. As part of the new guidance, planning authorities are asked to consider whether there are any measures open to them to support new or existing enterprises in their areas by, for example, reduced development contribution rates, deferral of payments, etc. The guidelines have been issued under section 28 of the Planning and Development Acts 2000 - 2012. This means that planning authorities and An Bord Pleanála are required to have regard to them in performance of their functions under the Planning Acts.

Local Authority Members' Remuneration

365. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government the amount of money set aside for gratuity payments for retiring councillors in 2014; and the criteria for qualification. [32916/13]

398. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government his plans to provide for a gratuity for councillors who will not contest local elections in 2014; the conditions he proposes applying to this gratuity; and if he will make a statement on the matter. [33451/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 365 and 398 together.

Section 142 of the Local Government Act 2001 and the Local Authority Members (Gratuity) Regulations 2002 to 2006 provide that, subject to certain conditions, a councillor who ceases to be a member of a local authority is entitled to receive a gratuity at, or after, the age of 50. Where a person ceases to be a member before age 50, whether voluntarily or as a result of failure to be re-elected, the gratuity will be paid when the person reaches age 50 and will be based on the representational payment applicable at that point. The Local Authority Members (Gratuity) (Amendment) Regulations, 2006 allows the gratuity to be paid before age 50 where retirement is due to permanent infirmity or where the member dies in office.

The amount of the gratuity is calculated on the basis of 4/20ths of a Councillor's Representational Payment for each year of service from 4 May 2000, subject to a maximum twenty years' service (i.e. four times the amount of the Representational Payment at the time of retirement).

An additional *ex-gratia* payment may be made to Councillors serving on or after the date of the making of the 2006 Regulations in respect of service before 4 May 2000. The rates to be applied are dependent on the number of years' service and the category of local authority in which the Councillor served. Circular Letter S.3/2007 of 22 January 2007, issued by my Department, set the rate of payment of the *ex-gratia* payment at €714.23 for each year of service up to 20 years' service with a County Council or what was at the time a County Borough Corporation, at ½ this rate for service with what was at the time a Borough Corporation or an Urban District Council, and at ¼ this rate for service as a Town Commissioner. For service in excess of 20 years prior to 4 May 2000, the foregoing rates are reduced by 1/3rd for each additional year of service up to 20 years. There is an overall limit of 40 years' service for the gratuity and *ex-gratia* payment combined, with the service reckoned for the purposes of a gratuity calculated first and the residual number of years being used to calculate any *ex-gratia* payment.

Having regard to the democratic process, it is not possible for local authorities to forecast the number of current elected members who will retire or fail to retain their seats following the forthcoming local elections. In this context, local authorities are expected to be prudent in making a provision for potential gratuity payments in their annual budgets as part of the normal

budgetary process.

Motor Tax Collection

366. **Deputy Robert Dowds** asked the Minister for the Environment, Community and Local Government the use being made of car tax receipts in 2013; and the use which will be made of it in subsequent years. [32954/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The principal source of revenue for the Local Government Fund in 2013 is the proceeds of motor tax which are being re-distributed on an equalised basis to local authorities within the context of the annual allocations of General Purpose Grants. A sum of up to €150 million will be transferred from the Local Government Fund to the Exchequer during 2013, as a necessary measure towards the reduction of the national debt. The payment, which will not be made until the end of the year, will have regard to the balance in the Fund when all commitments to local authorities have been met.

Housing Adaptation Grants Expenditure

367. **Deputy Dan Neville** asked the Minister for the Environment, Community and Local Government his views regarding a resolution adopted at the June 2013 meeting of Limerick County Council regarding a request by Limerick County Council to allocate further funds for housing adaptation grants and housing aids for older people grants. [33017/13]

369. **Deputy Willie O’Dea** asked the Minister for the Environment, Community and Local Government if he has received the resolution adopted by Limerick County Council requesting further funds for housing adaptation grants and housing aid for older persons grants; if he will award same; if he will discuss with the Department of Health a combined approach to dealing with grant applications which would enable the infirm and elderly to remain in their homes rather than entering the fair deal nursing scheme; and if he will make a statement on the matter. [33056/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 367 and 369 together.

On 22 February 2013 I announced capital allocations to local authorities under the suite of Grants for Older People and People with a Disability amounting to €42.750 million. This year I allocated local authorities the full amount of their contractual commitments, and the balance of the available funding was allocated on the basis of each authority’s share of the new applications on hand in January 2013. A small capital reserve was set aside to deal with any acute or particular difficulty which might arise in the operation of the schemes over the course of the year. Following requests from 13 local authorities for supplementary funding, I subsequently approved additional allocations totalling €1.2 million. I am continuing to keep the position in regard to funding under active review.

My Department is currently reviewing the operation of the grant schemes in consultation with the local authorities and groups representing older people and people with disabilities. I acknowledge the supports provided by other public bodies and agencies in facilitating older people and people with disabilities to continue living independently in their own homes. My Department will continue to explore all opportunities to stretch the available resources, including through co-operation with the Health Service Executive, in order to extend the benefits of

the grant schemes to as many households as possible.

Animal Welfare Issues

368. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will outline the way the ISPCA pounds are tended and pay particular reference to the large numbers of dogs which are killed despite being healthy and potentially having the ability to be re-housed. [33055/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Control of Dogs Acts 1986 and 1992 place statutory responsibility for dog control on local authorities. It is a matter for each local authority to establish and maintain shelters for their particular areas, which may involve arrangements with other organisations for the provision of this service. In general, local authorities co-operate very beneficially with dog welfare organisations and, together, they work to reduce the number of dogs that are put to sleep having been taken into the shelters. Nationally, the total number of dogs being put to sleep has reduced significantly over the years from 27,570 in 1998 to 4,904 in 2012. Dog control statistics are available on my Department's website: <http://www.environ.ie/en/Publications/Statisticsand-RegularPublications/DogControl/>.

Question No. 369 answered with Question No. 367.

Water and Sewerage Schemes Funding

370. **Deputy Thomas Pringle** asked the Minister for the Environment, Community and Local Government the amount allocated to Donegal County Council under the rural water programme for the construction of new group water schemes in each of the past five years; and if he will make a statement on the matter. [33068/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Responsibility for the administration of the Rural Water Programme, which includes group water schemes, has been devolved to local authorities since 1997. The selection and approval of individual scheme proposals for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocations provided, is therefore a matter for the water services authorities.

The following table sets out the payments made to Donegal County Council in respect of new group water schemes under the Rural Water Programme in each of the past five years and the current year's allocation:

Year	Payments in respect of New Group Water Schemes to Donegal County Council (million)
2008	€ 0.360
2009	€ 0.400
2010	€ 0.250
2011	€ 0.891
2012	-
2013 (allocation)	€ 0.080

Septic Tank Inspections

371. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009 when those who live on land with poor draining soils, the options they have if they need to update their septic tank systems; and if he will make a statement on the matter. [33073/13]

372. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009 if a house was built before septic tanks were required and is therefore without a septic tank system; and if he will make a statement on the matter. [33074/13]

373. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009, if homeowners must have their septic tank systems inspected because of the legislation; the standards in place for the inspectors; if there are set guidelines that inspectors must follow; if the inspectors will be from the local authority or will the homeowners have to spend the money to hire a private contractor to do the inspections; and if he will make a statement on the matter. [33075/13]

374. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009 where rural dwellers will have the inconvenience of not only paying for property tax and household charge but also septic tank system inspections and possibly upgrades; the way this is fair to rural dwellers; if there is a grant for those needing to upgrade their septic tank system; and if he will make a statement on the matter. [33076/13]

375. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the position regarding the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009 where it was stated that existing dwellings or septic tank systems will not be forced to comply with the most up-to-date standard EPA code of practice 2009; and if he will make a statement on the matter. [33077/13]

376. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government in regard to the Water Services (Amendment) Act 2012 and the EPA's code of practice 2009, when those who fail inspections on their septic tank system but cannot upgrade their systems to meet standards, due to land restrictions, the standard that will be applied if they are near a lake or foreshore they may not have the land and space to upgrade their system according to standards; the steps that those homeowners can take; and if he will make a statement on the matter. [33078/13]

381. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government when persons may apply for grants for septic tanks; and if he will make a statement on the matter. [33161/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 371 to 376, inclusive, and 381 together.

The Water Services (Amendment) Act 2012 requires owners of premises connected to domestic waste water treatment systems to operate and maintain their systems so as to ensure that those systems do not create a risk to human health or the environment. Domestic waste water treatment systems are defined in the Act and include all drains associated with the discharge of domestic waste water, whether or not they discharge to a septic tank or waste water tank. Irrespective of the age or type of system in place, if there is no evidence of risk to human health or the environment, no action will be necessary.

The Act also assigns responsibility to the Environmental Protection Agency to make a National Inspection Plan for domestic wastewater treatment systems. The National Inspection Plan 2013: Domestic Waste Water Treatment Systems was published by the EPA in February 2013. Details of the minimum number of inspections for each county are included in the Plan. It is the responsibility of the water services authorities to implement the Inspection Plan in their functional areas. There will be no charge for inspections.

The Local Authority Services National Training Group, in consultation with my Department, the EPA and the water services authorities, has overseen the development and delivery of a training course for the local authority officials who will carry out inspections under the 2012 Act. The EPA is responsible for appointing as inspectors the officials who have satisfactorily completed the training course and meet other qualification criteria regarding professional or technical qualifications and indemnity insurance cover.

Inspections will be objective, evidence-based and aimed at identifying systems which are a risk to public health or the environment. There is no question of applying new standards, for example those of the EPA's 2009 Code of Practice, to older on-site systems, nor is there any question of a householder being directed to acquire additional land to facilitate remediation works. Where an inspection reveals a problem with a domestic waste water treatment system, issues such as existing site size, hydrological and geological conditions etc. will be considered so as to identify the most appropriate, pragmatic and cost-effective remediation works required. With regard to the grants scheme for remediation of domestic waste water treatment systems, I refer to the reply to Questions Nos. 175 and 176 of 3 July 2013 which sets out the position.

Private Residential Tenancies Board Enforcement

377. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the recourse available to landlords who are unhappy with a ruling by the Private Residential Tenancies Board; and if he will make a statement on the matter. [33123/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Residential Tenancies Act 2004 sets out the rights and obligations of landlords and tenants in the private rented residential sector. The Private Residential Tenancies Board (PRTB) was established as an independent statutory body under the Act to operate a national tenancy registration system and to resolve disputes between landlords and tenants in the sector.

The PRTB replaces the Courts for the vast majority of landlord and tenant disputes. For a fee of €25, parties to a dispute can apply to the PRTB for adjudication or mediation services. If either of the parties to the dispute is unhappy with the decision of an adjudicator, they can appeal that decision to the tenancy Tribunal within 21 days of the date of receiving the decision. Tribunals are heard by a panel of three members of the Dispute Resolution Committee of the PRTB. An adjudication decision that is not appealed to the Tribunal within 21 days will become a binding Determination Order of the PRTB. In instances of non-compliance parties can request enforcement of this Order through the Courts.

Section 123 of the Residential Tenancies Act provides that a determination of the Tribunal may be appealed to the High Court on a point of law and that the decision of the High Court on that appeal is final and conclusive.

Mortgage to Rent Scheme Funding

378. **Deputy James Bannon** asked the Minister for the Environment, Community and Local Government if he will provide the up-to-date report approved by his Department regarding two councils, Westmeath County Council and Dublin City Council, approved for mortgage to rent projects; his views as to when it will be rolled out to a full national scheme; the funds available to each local authority; and if he will make a statement on the matter. [33134/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): On foot of the recommendations of the Keane Report on mortgage arrears the Government launched a mortgage to rent scheme on a pilot basis in February 2012. This scheme was extended nationally in June 2012, targeting those low income families whose mortgage situation is unsustainable and where there is little or no prospect of a significant change in circumstances in the foreseeable future. The scheme ensures that the family remains in their home, while ownership is transferred to an approved housing body who in turn rent it to the original owners. Eligibility requirements are in line with other forms of social housing support. To date, over 1,217 cases have been submitted by lenders. Of these, 415 borrowers have been engaged with or are in the process of being engaged with by the lender. A total of 47 sales have now been completed. A pilot mortgage to rent scheme for the most acute cases of local authority mortgage arrears is currently being operated by Westmeath County and Dublin City Councils. This scheme is currently being evaluated ahead of a national roll-out in the coming months.

Non-Principal Private Residence Charge Administration

379. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government if he will clarify if payment of the principal owing on the non-principal private residence charge will result in no further accruals of penalties; and if he will make a statement on the matter. [33151/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009, as amended, broadened the revenue base of local authorities by introducing a charge on non-principal private residences. The Charge is set at €200 and liability for it falls, in the main, on owners of rental, holiday and vacant properties. Section 6 of the 2009 Act, as amended, provides that the owner of a liable property who fails to pay the Charge is, in addition to his or her being liable to pay the Charge, liable to pay to the relevant local authority a €20 late payment fee in respect of each month or part of a month in which the Charge, any late payment fee, or any part of such Charge or fee, remains unpaid.

Under the Act, it is a function of a local authority to collect Non-principal Private Residence Charges and late payment fees due to it and all Charges and late payment fees imposed and payable to a local authority are under the care and management of the local authority concerned. In this regard, application of the legislation in particular circumstances is a matter for the relevant local authority. Interpretation of the legislation is a matter for legal advice in individual cases and ultimately a matter for the Courts. I have issued guidelines to local authorities in relation to the operation of the “care and management” provisions of the legislation in instances in which genuine hardship in having to discharge a liability in a single payment can be demonstrated. In such cases, local authorities may enter into payment arrangements for the discharge of outstanding liabilities in instalments over a specified period.

Leader Programmes Funding

380. **Deputy John O'Mahony** asked the Minister for the Environment, Community and Local Government when a decision will be made on an application (details supplied) for LEADER funding; and if he will make a statement on the matter. [33160/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Mayo North East Leader Partnership (MNELP) is the Local Action Group contracted by my Department to deliver both the Rural Development Programme (RDP) to the North Mayo area including the area of Brackloon in Co. Mayo. My Department has been in contact with MNELP and I understand that no formal application has been received from the group in question and that the project is still at the expression of interest stage. Once a formal application is submitted MNELP will be in a position to assess the application.

Question No. 381 answered with Question No. 371.

Social and Affordable Housing Expenditure

382. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the funding his Department allocated for a particular site refurbishment (details supplied) in County Wicklow during 2013; the amount of this funding that has been drawn down to date and by whom; and if he will make a statement on the matter. [33167/13]

383. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the applications or expressions of interest he has received for the provision of services at a particular housing site (details supplied) in County Wicklow; if any of these approaches has involved the provision of funding from his Department; the amount of funding set aside for 2013 for the provision of services at the said site; and if he will make a statement on the matter. [33168/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 382 and 383 together.

Under my Department's Social Housing Investment Programme, funding is provided to local authorities for the construction or acquisition and refurbishment of dwellings to meet social housing need. On 1 March, I announced details of the capital allocations to local authorities in respect of the Social Housing Investment Programme for 2013. The allocation to Wicklow County Council included some €306,495 in respect of the project in question. So far, none of this allocation has been drawn down by the Council. No funding under Section 10 of the Housing Act 1988 has been approved or agreed by my Department for the operation of a homeless service at this location.

Local Authority Services

384. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government his plans to publish legislation empowering local authorities to take housing estates in charge after three years if there are no significant financial implications; and if he will make a statement on the matter. [33175/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Section 180 of the Planning and Development Act, 2000 applies to estates which have been granted planning permission and includes the construction of two or more houses (which as defined in the Act includes apartments) and the provision of new

roads, open spaces, car parks, sewers, watermains or drains. In relation to estates which have been completed to the satisfaction of the planning authority in accordance with the permission, section 180 provides that the planning authority must if requested to do so by the developer or by the majority of the qualified electors who are owners of the houses involved, initiate the procedures in section 11 of the Roads Act 1993 for declaring the road(s) to be public roads, for whose maintenance the local authority will then be responsible. Section 11 of the Roads Act empowers a local authority, by order, to declare any road over which a public right of way exists to be a public road. Before making an order the local authority must be satisfied the road is of general public utility, consider the financial implications of taking the road in charge and consult with the public/consider any objections received. The consideration of the objections and the making of the order declaring the road to be a public road is a reserved function, so that the decision whether to take the road in charge is ultimately one for the discretion of the elected members. In relation to estates which have not been completed to the satisfaction of the planning authority, and enforcement proceedings have not been commenced within the relevant period, section 180 also provides that the planning authority must, if requested to do so by the majority of the owners, initiate the procedures in section 11 of the Roads Act. However, in this case the section provides that the provision in section 11 of the Roads Act requiring the authority to consider the financial implications of taking the road in charge is to be disregarded. Section 180 also provides that where a planning authority, in complying with section 180, makes an order under section 11 of the Roads Act, it must also take in charge any open spaces, car parks, sewers, watermains, or drains within the attendant grounds of the development. Section 180 was amended in the Planning and Development (Amendment) Act 2010 to provide that a planning authority may take in charge an unfinished estate, at the request of the owners of the housing units, at any time after the expiration of the planning permission, in situations where enforcement actions have commenced or where the planning authority consider that enforcement action will not result in the satisfactory completion of the estate by the developer. Planning authorities have also been empowered to take in charge part of an estate or some, but not all, of the facilities in an estate.

Planning Issues

385. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government further to Questions Nos. 360 and 361 of 20 March 2013, when the circular letter referred to in the reply will be issued to planning authorities, in view of the fact that a number of applications are in limbo due to the ambiguity surrounding the five year grant of permission time limit; and the clarification proposed in relation to sections 41 and 42 of the Planning and Development Act 2000. [33290/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Under section 41 of the Planning and Development Act 2000, as amended, the duration of a planning permission (referred to as “the appropriate period”) is the period specified in the permission, or 5 years, whichever is longer. Section 42 provides that an application to extend the duration of the appropriate period must be made prior to the expiration of that period. The decision of the High Court in the case of Patrick Browne and Kerry County Council referred to in Question No. 361 would appear to mean that all time limits and periods referred to in the Planning and Development Acts 2000 - 2012 are extended by 9 days: the period between 24 December and 1 January, both days inclusive. My Department is preparing a Circular Letter for issue in the coming weeks to planning authorities on this matter, and, in the context of further legislation, will consider whether the provisions of the Act require any clarification.

Rural Development Programme Projects

386. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government if he will apply to the appropriate national and European bodies to amend the rural development programme so that the Irish Landmark Trust and other organisations which similarly aim to promote culture and heritage conservation are no longer subjected to the de minimis rule when this is not required by Article 107(3)(d) of the Treaty on the Functioning of the European Union; and if he will make a statement on the matter. [33293/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 173 of 3 July 2013.

There are 35 Local Action Groups contracted, on my Department's behalf, to deliver the LEADER elements of the Rural Development Programme 2007-2013 (RDP) throughout the country and these groups are the principal decision-makers in relation to the allocation of project funding. Projects funded under the Conservation and Upgrading measure of the RDP are also subject to the EU State Aid framework and in accordance with the State Aid rules/'de minimis' (Commission Regulation (EC) No. 1998/2006) the overall limit of 'de minimis' aid cannot exceed €200,000 over any three year period under the Conservation and Upgrading of the Rural Heritage measure of the RDP. This applies to any promoter/organisation that applies for funding under the conservation measure of the RDP including the Irish Landmark Trust.

It is possible to seek derogation in relation to the Conservation and Upgrading of the Rural Heritage measure. However, the Programme amendment process, as stipulated in the regulatory framework, is quite complex and can take some time to complete with no guarantee that the amendment submitted would be approved by the European Commission. As funding commitments under the current Programme are closing at the end of the 2013 there would not be enough time remaining to facilitate the programme change process for the current programming period. My Department will consider this issue when developing the framework for the Rural Development Programme for the 2014-2020 programming period.

Register of Electors Administration

387. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the reason the Electoral, Local Government and Planning and Development Bill 2013, in Part 4, means the applications for inclusion in the supplement to the postal and special voters lists in advance of the 21st day before polling day at presidential, European, local elections or referendums can be included on the postal and special voters lists, but not for general elections or Dáil by-elections; if there is an explicit reason extending this period to allow more time for the receipt of applications for inclusion on postal and special voters lists has not been included for elections to Dáil Éireann; and if he will make a statement on the matter. [33299/13]

388. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government the rationale for the decision to repeal the requirement in the Referendum Act 1994 for An Post to make copies of referendum Bills available for inspection and purchase by members of the public at post offices in the run-up to referendums, contained within the Electoral, Local Government and Planning and Development Bill 2013; the amount this mechanism has cost the State in each referendum between 2006 and to date in 2013; and if he will make a statement on the matter. [33304/13]

Minister for the Environment, Community and Local Government (Deputy Phil Ho-

gan): I propose to take Questions Nos. 387 and 388 together.

These matters are dealt with in the Regulatory Impact Assessment that was published on my Department's website* following the publication of the Electoral, Local Government and Planning and Development Bill 2013 on 27 June 2013.

*<http://www.environ.ie/en/Legislation/LocalGovernment/Voting/FileDownload,33583,en.pdf>.

Local Authority Finances

389. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local Government bearing in mind the conditions set out in Circular 03/2009, Control and Monitoring of Local Authorities Contribution to the General Government Balance, the way in which moneys which had been put aside by town councils for a specific capital project within the town but which had not commenced once the councils have been abolished will be used; and if he will make a statement on the matter. [33315/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): 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. 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.

The Action Programme for Effective Local Government - Putting People First sets out Government decisions for a range of local government reform measures, including the decision to replace town councils with a new comprehensive model of municipal governance to strengthen local government within counties and address weaknesses and anomalies in the current system. Definitive details, arrangements and procedures in relation to the financial relationships between district and county levels, will be developed in the context of the new local government funding arrangements generally, implementation of the new sub-county system and preparation of the legislation in relation to the reform programme.

Environmental Policy

390. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government the current status of progress towards implementing the recommendations

outlined in the review of the Environmental Protection Agency report of May 2011 including statutory immunity and human health impacts; and if he will make a statement on the matter. [33322/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Environmental Protection Agency (EPA) Review Implementation Plan was published on 31 January 2012 and is available on my Department's website, www.environ.ie. The plan contains a list of 58 actions arising from the review, some of which are a matter for my Department and others which are the responsibility of the EPA and others.

In the plan, I prioritised a number of actions for implementation in 2012, with others to be considered over a longer period as they will require detailed consultation and possibly primary legislation. Details of the expected timeframes for the implementation of individual recommendations were set out in the implementation plan. Implementation of the majority of recommendations is progressing in a satisfactory manner. However, delays have arisen in some areas, particularly those requiring legal advice and/or legislative change. My Department and the Agency have continued to liaise on implementation and I expect to publish a review of progress made in the near future.

The review recommended that immunity from prosecution, as applicable to the EPA in carrying out its functions, be reconsidered. As set out in the implementation plan, I propose to consider this issue, which is likely to require primary legislation if it is decided to progress it, in the latter half of 2013. I note that the EPA is not the only Agency that currently has statutory immunity and it will be particularly important to examine the potential impact of any change in this provision on the ability of the EPA effectively to discharge its statutory functions. Specifically in regard to health impacts, the review recommended the establishment of an additional specialist Advisory Committee to address the interface between the environment and human health. I understand that the Agency has since established an EPA Health Advisory Committee including representation from the Health Service Executive, Health and Safety Authority and the Department of Health, among others.

Non-Principal Private Residence Charge Collection

391. **Deputy Mattie McGrath** asked the Minister for the Environment, Community and Local Government the reason there is a handling charge of €10 when a person tries to pay the non-principal private residence tax when such a handling charge does not apply for payment with cheque, postal order, debit or credit card; and if he will make a statement on the matter. [33328/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Subsection 4 of section 5 of the Local Government (Charges) Act 2009, as amended, enabled the Minister for the Environment, Community and Local Government to prescribe a fee for the payment of a charge by a person attending at the offices of a local authority providing such payment services. Article 4 of the Local Government (Charges) Regulations 2011 prescribes the fee for the purposes of subsection 4 of section 5 of the 2009 Act as €10. The purpose of the fee is to meet the cost of providing such a service.

Motor Tax Collection

392. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on recent proposals by the Irish Postmasters' Union; if these

proposals will be included in his list of priorities; and if he will make a statement on the matter. [33329/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 526 of 2 July, 2013. Any proposal to provide additional payment channels for motor tax will be considered in the context of the outcome of the assessment to which I referred to in that reply.

Wind Energy Guidelines

393. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government if he will indicate whether his Department has studied comprehensively the recent decision of An Bord Pleanála in the Straboy Wind Energy Limited application; the decision made therein; and in particular the comments which indicated that the wind energy guidelines are totally inadequate in respect of the issuance of guidance concerning noise generated by such turbines and they fail to comply with European law in relation to NEIA to assess the issue in the context of the impact on human beings and their failure to carry out the appropriate assessment in relation to the impact on lives and public health and the clear and fundamental failure to analyse sensitivity, actual health effects and the potential effects of infrasound and any necessity for greater constraint relevant to vulnerable receptors; if he will indicate the steps his Department is taking to address these serious shortcomings as outlined in the said decision; and if he will make a statement on the matter. [33342/13]

394. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government if he will indicate the person who has been appointed to undertake the review of the wind energy guidelines 2006, which pertain to the erection of industrial wind turbines, and who would task the job of reviewing the submissions made in respect thereof in February 2013; if he will indicate when a draft review of the said guidelines will be published; and if he will make a statement on the matter. [33343/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 393 and 394 together.

While, as Minister, I am specifically precluded under the Planning and Development Acts, as amended, from involvement in any particular matter with which a planning authority or the Board may be concerned, I am aware of the decision in this case and of the comments of the Board Inspector on the guidelines. My Department is studying the report and will consider it in the context of the on-going review of aspects of the Wind Energy Guidelines 2006. The Planning Section of my Department is carrying out this review in conjunction with the Department of Communications, Energy and Natural Resources to ensure that Ireland continues to meet its renewable energy targets and, at the same time, that wind energy does not have negative impacts on local communities. The review is examining the manner in which the Guidelines address key issues of community concern such as noise, proximity and visual amenity and any other potential impacts, as considered appropriate, as well as ways of building community support for wind energy development. All statutory planning guidelines issue first in draft form for a public consultation over a period of a couple of months. Once the consultation period is closed the submissions received on the draft guidelines are considered and taken into account in the final form of the guidelines. The draft guidelines will – like all other new or revised guidelines – go out for extensive public consultation for a period of 6 weeks to 2 months. The indicative timetable for the publication of the draft guidelines is Quarter 4 2013.

Water and Sewerage Schemes Status

395. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government if he will confirm that the Doolin sewage treatment plant will be included in the current water services investment programme; and if he will make a statement on the matter. [33349/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010 – 2013 provides for the development of a comprehensive range of new water services infrastructure in County Clare. The Programme includes contracts under construction and to commence to the value of some €41 million in County Clare during the period of the Programme.

The Programme aims to prioritise projects that target environmental compliance issues and support economic and employment growth. A key input to the development of the Programme was the assessment of needs prepared by local authorities, including Clare County Council, in response to my Department's request to the authorities in 2009 to review and prioritise their proposals for new capital works in their areas. These were subsequently appraised in my Department in the context of the funds available and key criteria that complemented those used by the authorities. Inevitably, through this process, certain projects that had been proposed had to give way to others that were more strategically important at that time.

In May 2013, Clare County Council submitted an application to my Department to have the Doolin Sewerage Scheme included in the Programme. My Department is currently assessing this application against the relevant selection criteria under the Programme and a decision will issue to the Council as soon as possible.

Housing Adaptation Grants Funding

396. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will review Kerry County Council's 2013 housing grant allocation that has been reduced by a massive 56% on the 2012 allocation; if he will allocate additional funding to County Kerry and take into consideration the huge volume of priority one applications that cannot now be processed due to the cuts in funding; and if he will make a statement on the matter. [33384/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): On 22 February 2013 I announced capital allocations to local authorities under the suite of Grants for Older People and People with a Disability amounting to €42.750 million. This year I allocated local authorities the full amount of their contractual commitments, and the balance of the available funding was allocated on the basis of each authority's share of the new applications on hand in January 2013. Kerry County Council was allocated €1,445,971.

A small capital reserve was set aside to deal with any acute or particular difficulty which might arise in the operation of the schemes over the course of the year. Following requests from 13 local authorities for supplementary funding, I subsequently approved additional allocations totalling €1.2 million. Kerry County Council applied for additional funding from this reserve and was notified on 22 April 2013 of a supplementary allocation of €114,693, bringing the Council's overall allocation for 2013 to € 1,560,664. I am continuing to keep the position in regard to funding under active review.

Rural Development Programme Funding

397. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if funding has been released for a festival (details supplied) in County Kildare; if not, when it is expected that funding will be released; if the release of funding is prioritised with particular reference to the fact that certain events are expected to shortly take place; and if he will make a statement on the matter. [33396/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department recently completed a full review of expenditure under the LEADER elements of the Rural Development Programme 2007-2013 in order to apportion the remaining funding among all the Local Development Companies (LDCs) contracted to deliver the Programme. The Programme had been reduced in size due to a change in the EU co-funding rate. County Kildare LEADER Partnership (CKLP), the LDC charged with the delivery of the LEADER elements of the RDP in Co Kildare, was notified in May 2013 of its revised allocation of €10,642,073 under the Programme. At that time €8.5 million had been spent/committed and it was a matter for the Board of CKLP to allocate the remaining funding.

Question No. 398 answered with Question No. 365.

Property Management Company Issues

399. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government his views on the operation of management companies effectively weakening local democracy and the ability of locally elected public representatives assisting persons owing to the fact that in some areas large amounts of public space, roadways, drainage, sewage and so on may not be taken in charge by the council and are left in charge of a private management company; and if he will make a statement on the matter. [33471/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department has no function in relation to the operation of property management companies. The Multi Unit Developments Act 2011, which falls under the remit of my colleague the Minister for Justice and Equality, regulates the management and operation of such companies. Section 180 of the Planning and Development Act 2000 requires that where a development for which permission is granted under the planning Acts includes the construction of two or more houses and the provision of new roads, open spaces, car parks, sewers, water mains or service connections, and the development has been completed to the satisfaction of the planning authority in accordance with the planning permission and any conditions to which the development is subject, the authority shall, where requested by the developer or the majority of house owners, initiate the procedures to take the development in charge.

Section 180 was amended in the Planning and Development (Amendment) Act 2010 to provide that a planning authority may take in charge an unfinished estate, at the request of the owners of the housing units, at any time after the expiration of the planning permission, in situations where enforcement actions have commenced or where the planning authority consider that enforcement action will not result in the satisfactory completion of the estate by the developer. Planning authorities have also been empowered to take in charge part of an estate or some, but not all, of the facilities in an estate.

Motor Tax Collection

400. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the circumstances (details supplied) where the motor tax liability based on CO₂ emissions can be reviewed; and if he will make a statement on the matter. [33472/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): An emissions-based motor tax system was introduced for private vehicles registered from 1 July 2008. Private vehicles registered before that date pay motor tax on the basis of engine capacity. I have no plans at present to review the basis of taxation for either category of vehicle.

Property Management Company Issues

401. **Deputy Simon Harris** asked the Minister for the Environment, Community and Local Government the rules of law in place governing the operation of management companies; and if he will make a statement on the matter. [33473/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): My Department has no function in relation to the operation of property management companies. The Multi-Unit Developments Act 2011, which falls under the remit of my colleague the Minister for Justice and Equality, regulates the management and operation of such companies.

Prison Accommodation

402. **Deputy Thomas Pringle** asked the Minister for Justice and Equality his views on the transfer of all current inmates of St. Patrick's Institution to Wheatfield Prison, Dublin; and if he will make a statement on the matter. [33409/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that last week I announced Government approval for my plan regarding the future accommodation of prisoners currently detained at St Patrick's Institution. In line with the recommendation of the Inspector of Prisons and in order to effect the changes necessary in regime and culture and to ensure the safe and secure custody, I am satisfied that the complete closure of St. Patrick's and the dispersal of all prisoners and staff is now required. Pending the development of new facilities in Oberstown in mid 2014, for which the Minister for Children and Youth Affairs has responsibility, this will in the interim involve the transfer of all 17 year olds currently serving a sentence in St. Patrick's Institution to a dedicated Unit in Wheatfield Prison and the transfer of the 18 to 20 year old population to Wheatfield also.

With the full co-operation and support of everyone involved, it is anticipated that this can be achieved within six months. A dedicated Project Board has been established by the Irish Prison Service to oversee this transition. It is proposed that prisoners will continue to be committed for a period of detention to St. Patrick's Institution. They will be accommodated in a dedicated committal and assessment unit for up to 24 hours (B Wing). From here, prisoners will be dispersed to Wheatfield Prison where 150 young offender spaces will be provided. Staff assigned to this unit will receive specific training on working with young-adult prisoners.

Road Safety Issues

403. **Deputy Seán Kyne** asked the Minister for Justice and Equality his plans for enforcing speed limits in view of the clear disregard for speed limits on certain roads as evidenced on

National Slow Down Day; and if he will make a statement on the matter. [33477/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Policing Priorities I have set for 2013 include an emphasis on continuing to reduce the number of deaths and serious injuries on our roads and An Garda Síochána has my full support in this regard. The Deputy will appreciate that we have seen very positive sustained improvements in the attitudes and behaviour of all road users which underpinned another record year in terms of road safety in Ireland in 2012 and enforcement by the Garda authorities continues to focus on high risk behaviour, including speeding, and on identified vulnerable road users with the key objective of reducing the number of serious injury collisions and fatalities on our roads.

I can assure the Deputy that An Garda Síochána is committed to working closely with all road safety agencies and continues to conduct further specific targeted visible enforcement initiatives, in addition to the recent Operation Slowdown and related enforcement activity, in areas where fatal and serious injury collisions are likely to occur. The introduction of the safety camera network has seen sustained improvements in driver behaviour across the speed enforcement zones, and earlier this year An Garda Síochána announced extensions to these zones, based on an analysis and speed and collision data. Awareness and education campaigns with a focus in speeding are also conducted as part of An Garda Síochána's ongoing commitment to work with all road safety partners and contribute fully to the effective implementation of the Road Safety Strategy 2013 - 2020.

Road Safety Issues

404. **Deputy Seán Kyne** asked the Minister for Justice and Equality if he will provide further financial assistance to enable the installation of speed cameras. [33478/13]

Minister for Justice and Equality (Deputy Alan Shatter): In November, 2009 a contract was concluded for the provision of an outsourced safety camera network to An Garda Síochána. The outsourced safety camera network commenced operations in November 2010. The service provider, Go Safe, provides 6,000 speed monitoring hours and 1,475 traffic survey hours per month across the country and is contracted to provide the service for five years (from November 2010) with an option to extend provision of the service for one further year.

There are no current proposals to provide additional funding for the installation of safety cameras, other than that already provided for in accordance with the existing contract. In this regard I am advised that speed enforcement zones are continually reviewed in light of survey data, collision history and local feedback to ensure that enforcement activity is properly targeted. An Garda Síochána recently announced that a review of the existing zones has been undertaken using collision data from 2006 to 2012 and speed surveys. It was further announced that, as of March, 2013, an additional 243 stretches of road have been identified as having a collision history suitable for inclusion as a speed enforcement zone and that there are now a total of 727 sections of road identified as speed enforcement zones. The locations of these speed enforcement zones are in the public domain and are available on the Garda website www.garda.ie

Citizenship Applications

405. **Deputy John O'Mahony** asked the Minister for Justice and Equality the reason a decision has not been reached in the application submitted in 2010 for citizenship in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [32884/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation was received from the person referred to by the Deputy in October, 2010.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. While good progress continues to be made in reducing the large volume of cases on hands, the nature of the naturalisation process is such that for a broad range of reasons some cases will take longer than others to process. It is a statutory requirement that, inter alia, applicants for naturalisation be of good character. In some instances that can be established relatively quickly and in other cases completing the necessary checks can take a considerable period of time. I can, however, inform the Deputy that enormous progress has been made in dealing with the backlog and steps are being taken to process all outstanding applications as quickly as possible.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Prison Accommodation

406. **Deputy Andrew Doyle** asked the Minister for Justice and Equality his views on the recent examination of the feasibility of Wi-Fi Internet, wireless telecommunications systems and communications infrastructure in a prison environment by the Irish Prison Service; and if he will make a statement on the matter. [32887/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, an online notice was recently posted which outlined that the Irish Prison Service intends to examine the feasibility of using Wi-Fi in a prison environment. The purpose of this trial, which will be conducted in a non-live environment, is to ascertain if Wi-Fi may represent a suitable alternative to wired cabling, which is expensive and time consuming to deploy.

This investigation will examine technical issues surrounding the use of Wi-Fi in a prison, including especially whether the signal could be restricted to meet the security requirements of the Irish Prison Service. In particular, there could be no question of Wi-Fi being used to give prisoners open access to the internet. I am advised that this is a feasibility study only, and no decision has been made on the future deployment of Wi-Fi in prisons.

Asylum Applications

407. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will outline the means whereby regularisation of residency or possible entitlement to naturalisation may be considered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32902/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned arrived in the State in March, 2011. Given that she did not have any legal basis to remain in the State, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), she was notified, by letter dated 26th November, 2012, that the Minister proposed to make a De-

portation Order in respect of her. She 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 written representations to the Minister setting out the reasons why she should not have a Deportation Order made against her. Representations have been submitted by and on behalf of the person concerned.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned. The Deputy should note that as the person concerned has no current right of residency in the State, she would not be in a position to meet the lawful residency criteria applicable to persons applying to my Department for a Certificate of Naturalisation.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

408. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Question No. 177 of 20 June 2013, in the matter of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [32903/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to thank the Deputy for the documentation which has been supplied on behalf of the person concerned. Her case is currently being examined and a decision will be conveyed to her in writing in the very near future.

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.

Asylum Applications

409. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if all information relative to an application for review and appeal in respect of appeal against refoulement has been received in the case of a person (details supplied) in County Waterford having particular regard to the extent to which circumstances have changed since the making of the original order; and if he will make a statement on the matter. [32932/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person concerned has no current application outstanding for review/appeal. I wish to refer the Deputy to previous replies to Parliamentary Questions numbers 536 and 470 of 19 February, 2013 and 23 April, 2013 respectively.

The status of the person concerned is as set out in those replies.

The person concerned is the subject of a Deportation Order signed on 11 September 2003. His application for asylum was fairly and comprehensively examined as was his application to have his Deportation Order revoked under Section 3(11) of the Immigration Act, 1999 (as amended). The outcome of the latter examination was that the Deportation Order was affirmed.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Vetting Applications

410. **Deputy John O'Mahony** asked the Minister for Justice and Equality the reason a person (details supplied) in County Mayo has not received Garda clearance; the reason for the delay in processing this application; and if he will make a statement on the matter. [32936/13]

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 11 April 2013. The application is currently being processed and once completed will be returned to the registered authority.

I am informed by the Garda authorities that the processing of vetting applications may fluctuate for seasonal reasons and that the necessity to seek additional information on particular applications can result in this processing time being exceeded on occasion. All organisations registered for Garda Vetting are aware of the processing time-frames for the receipt of Garda vetting and have been advised to factor this into their recruitment and selection process.

Family Reunification Applications

411. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Question No. 372 of 18 June 2013 in the case of a person (details supplied) in County Kildare in respect of an application for family reunification, if previous applications may be reconsidered on the basis that both children in respect of whom the application was made are family members and grandchildren; and if he will make a statement on the matter. [32963/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Question No. 372 on Tuesday, 18th June 2013. The position remains unchanged.

Reply to PQ Number 372 of the 18 June 2013

I am informed by my officials in the Visa Unit of my Department that the person referred to by the Deputy made an application in 2009 on behalf of a child whom she had adopted in Ghana.

All inter-country adoptions must be carried out in accordance with the terms and conditions of the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-Country Adoption 1993. Ghana is not a signatory to this Convention nor is there any administrative arrangement between the Adoption Authority of Ireland and the Ghanaian authorities.

A visa will only be granted in respect of a child adopted in another State where that adoption will be legally recognised in this State. That was not the case in relation to this application. Therefore, there was no possibility of this application succeeding. The person in question was contacted by an official in my Department and advised of this fact and invited to withdraw the application, which she subsequently did, thus preventing the creation of a visa refusal record which could have negatively impacted on any future visa applications made or sponsored by her.

At all times, the protection of children is paramount to INIS. I am extremely mindful of the potential risks associated with the irregular cross-border movement of children, and therefore my officials must always abide by the law in relation to inter-country adoptions and err on the side of caution in cases such as this.

Garda Vetting Application Numbers

412. **Deputy John O'Mahony** asked the Minister for Justice and Equality the number of applications received in the Garda vetting unit from March 2012 to June 2013 in tabular form; and if he will make a statement on the matter. [32970/13]

414. **Deputy John O'Mahony** asked the Minister for Justice and Equality the number of applications currently waiting to be processed in the Garda central vetting unit; and if he will make a statement on the matter. [32974/13]

415. **Deputy John O'Mahony** asked the Minister for Justice and Equality the length of time currently taken to process applications in the Garda central vetting unit; and if he will make a statement on the matter. [32975/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 412, 414 and 415 together.

I am informed by the Garda authorities that the number of applications received at the Garda Central Vetting Unit (GCVU) between March 2012 and June 2013 is as set out in the following table.

Month	No.
March 2012	24,264
April 2012	21,183
May 2012	26,393
June 2012	24,284
July 2012	23,105
August 2012	17,807
September 2012	25,935
October 2012	33,713
November 2012	28,317
December 2012	21,366
January 2013	21,670
February 2013	25,446
March 2013	25,953
April 2013	27,777
May 2013	28,805
June 2013	27,442

I am further informed that Garda records indicate that there are 67,319 applications currently waiting to be processed at the GCVU. This number fluctuates on an ongoing basis, depending on the numbers of applications received.

I am informed by the Garda authorities that the current average processing time for applications is approximately 14 weeks from date of receipt. However, seasonal fluctuations and the necessity to seek additional information on particular applications can result in this average processing time being exceeded on occasion. All organisations registered for Garda Vetting are aware of the processing time-frames for the receipt of Garda vetting and have been advised to factor this into their recruitment and selection process.

Garda Deployment

413. **Deputy John O'Mahony** asked the Minister for Justice and Equality the number of staff working in the Garda central vetting unit for each month from September 2012 to June 2013 in tabular form; and if he will make a statement on the matter. [32971/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested the information sought by the Deputy from the Garda Commissioner and as soon as it is to hand I will pass it on to the Deputy.

Questions Nos. 414 and 415 answered with Question No. 412.

Data Protection

416. **Deputy Clare Daly** asked the Minister for Justice and Equality if his attention has been drawn to any instances in which the American National Security Agency and-or the British use of National Security Agency records has compromised any Irish citizens and-or their lawyers; if he will raise the issuance of the second subpoena of the Boston College oral history archives, as a result of electronic eavesdropping on Irish citizens and their lawyers, with his counterparts in the United States and the United Kingdom. [33046/13]

Minister for Justice and Equality (Deputy Alan Shatter): As I have indicated to the House previously I, of course, fully understand the concerns which have arisen in the wake of recent media reports about the PRISM programme. These concerns mainly centre on data privacy rights not being adequately respected. I raised these concerns with the US Attorney General Eric Holder at my recent meetings with him in Dublin. At these meetings, the US Attorney General provided clarity on a number of issues, in particular with regard to the nature of the information collected and processed, i.e. phone numbers, duration of calls etc - but not the content of calls. He also advised that the data was collected under judicial authority and only where there was a reasonable suspicion of serious crime, such as terrorism or cybersecurity/cybercrime.

We cannot ignore the very important fact that there is a recognised need to protect our citizens from terrorist threats and dealing with that does require access to certain data. In doing so, however, it is necessary to ensure that the information used is properly obtained and subject to appropriate safeguards. The importance of protecting individual rights to privacy and ensuring respect for individual human rights contained in the European Convention on Human Rights was emphasised to the US side, as was the crucial need to ensure that any security surveillance undertaken is balanced and proportionate. The US authorities have indicated that their practices are proportionate to the threat they are trying to deal with.

In this country we have data protection legislation to protect individuals against unwarranted invasion into their privacy. Access to telephone call content is governed by the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 and may only take place under Ministerial warrant. Access to retained telecommunications data in this jurisdiction is governed by the Communications (Retention of Data) Act 2011. Under the Act access may only be granted following a request to the particular mobile phone company or internet provider in connection with the prevention, detection, investigation or prosecution of a serious offence, the safeguarding of the security of the State or the saving of human life.

The operation of both Acts this is subject to judicial oversight and there is also a complaints procedure which individuals can avail of if there is a concern that the Acts have been breached in relation to their calls or their data. There are also procedures in place under Mutual Assistance legislation to cover requests to and from other countries for this type of information. I am not aware of any instances of the kind referred to by the Deputy. My Department has no function in relation to the Boston College oral history archive.

Private Security Authority Membership

417. **Deputy Finian McGrath** asked the Minister for Justice and Equality the reason small contractors are being squeezed out by the Private Security Authority; and if he will act on this matter. [33085/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, the Private Security Authority (PSA), an independent agency under the remit of my Department, is the regulatory body with responsibility for regulating and licensing the private security industry in the State. Contractors operating in the Cash-In-Transit, Door Supervisor, Security Guarding and Installer of Security Equipment sectors of the private security industry are currently subject to licensing and are therefore required to pay a licence fee to the Authority. I am aware of the concerns of smaller contractors within the private security industry and I expect measures to ameliorate their position to be introduced shortly.

Banking Sector Investigations

418. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he is satisfied with the length of time it is taking to bring Anglo Irish Bank officials to trial; the reason for the delay in compiling and analysing evidence in the Anglo Irish Bank case; if at any stage the investigating team faced obstruction or delay in the delivery of evidence from either Anglo Irish Bank or witnesses; and if he will set out the date he now believes the trial will be initiated. [33087/13]

Minister for Justice and Equality (Deputy Alan Shatter): As I have stated previously in this House I share the widespread concern that the criminal investigations into the former Anglo-Irish Bank be resolved as soon as possible. However, my overriding concern is that nothing be said which would in any way risk the possibility of prejudicing any criminal proceedings.

I am informed by the Garda Commissioner that the investigation into the former Anglo-Irish Bank has been one of the most complex investigations of its kind ever undertaken in the State, as part of which the Gardaí have obtained an enormous range of documents and recordings which required analysis. Immediately upon taking up office I sought and was given assurances that there were sufficient resources available to these investigations and have made it clear to the Commissioner that if at any stage he believed that additional resources were required I

would respond immediately. While I have no role in relation to the management of the investigations and cannot comment on any specific challenges faced, shortly after taking up office I moved to introduce additional powers contained in the Criminal Justice Act 2011, to assist the Gardaí in obtaining information in complex investigations such as these.

The Deputy will be aware that a number of Garda investigation files have been submitted to the Director of Public Prosecutions as have several files from the parallel investigation taking place under the Office of the Director of Corporate Enforcement. Three persons are currently charged with offences under the Companies Acts and a number of files remain with the DPP awaiting her independent directions. I understand that trial dates have been set by the courts in respect of the persons charged and the question of any further charges is a matter for the DPP.

Garda Investigations

419. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if any criminal investigation is ongoing into events at Irish Nationwide Building Society, including the activity of the former head of the institution. [33088/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Garda authorities that the Garda Bureau of Fraud Investigation is not at present conducting a criminal investigation into the institution referred to by the Deputy, but the Deputy will appreciate that any investigations being carried out by regulatory bodies would not be a matter for my Department. The Deputy will also appreciate that it would not be normal practice to confirm whether a particular individual is currently the subject of a Garda investigation.

Crime Data

420. **Deputy Seán Kenny** asked the Minister for Justice and Equality the crime statistics for the Garda J and R districts for 2010, 2011 and 2012; and if he will make a statement on the matter. [33105/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose. I have requested the CSO to provide statistics directly to the Deputy.

Referendum on Marriage Equality

421. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will support marriage equality and a date for a referendum. [33130/13]

422. **Deputy Nicky McFadden** asked the Minister for Justice and Equality when a referendum on the issue of marriage equality will take place; and if he will make a statement on the matter. [33144/13]

430. **Deputy Clare Daly** asked the Minister for Justice and Equality when he proposes to bring forward a referendum to deal with marriage equality. [33367/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 421, 422 and 430 together.

I am aware that the Convention on the Constitution published its third report, on its recommendation in relation to amending the Constitution to provide for same-sex marriage, on 2 July 2013. Following receipt of the Convention's reports by the Oireachtas, the Government has four months in which to respond to any recommendations in them, including saying whether it intends to hold a referendum on the matter, and, if so, giving a timeframe for the referendum. The referendum and its timing will be considered as part of the overall consideration by the Government of the third report.

Prosecution of Sexual Offences

423. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality how he intends to address the issue of access to therapy notes relating to children who have been sexually abused and the use of information contained therein in the context of criminal prosecutions; and if he will make a statement on the matter. [32597/13]

Minister for Justice and Equality (Deputy Alan Shatter): It is my intention that this issue will be addressed in the forthcoming Sexual Offences Bill, which is at an advanced stage of preparation in my Department.

Naturalisation Applications

424. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will expedite an application for naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [33156/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation were received from the person referred to by the Deputy in January 2013. The application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible. As well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation as provided for in law is also a major step for the State which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Garda Operations

425. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will report on Garda Operation Wallet; the number of persons charged and arrested under this operation to date; and the number of successful convictions obtained to date. [33178/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested a report from

the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy directly as soon as the report is to hand.

Garda Operations

426. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will report on Garda Operation Momentum; the amount of drugs seized under the operation to date; the number of persons arrested to date; and the number of successful convictions obtained to date. [33179/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested a report from the Garda authorities in relation to this matter and I will further advise the Deputy in this regard when the report is to hand.

Judicial Appointments

427. **Deputy Andrew Doyle** asked the Minister for Justice and Equality if he will outline every judicial appointment made in 2013 to date; and if he will make a statement on the matter. [33186/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that, under the Constitution, judges are appointed by the President on the advice of the Government. Applications are dealt with by the Judicial Appointments Advisory Board established pursuant to the Courts and Court Officers Act 1995. Details of the nominations made in each Court in 2013 are set out in the following table. These nominees will be formally appointed by the President before the end of July.

Name	Position
Mary N. Enright	Specialist Judge of the Circuit Court
Verona Lambe	Specialist Judge of the Circuit Court
William G. Lyster	Specialist Judge of the Circuit Court
Patrick Meghen	Specialist Judge of the Circuit Court
Mary O'Malley Costello	Specialist Judge of the Circuit Court
Susan Ryan	Specialist Judge of the Circuit Court
Anthony Barr	Judge of the High Court
David Keane	Judge of the High Court
Sinéad Ní Chúlacháin	Judge of the District Court
James Faughnan	Judge of the District Court

In addition, in 2013 the Government nominated Mr. Anthony Collins, SC for appointment as Ireland's representative on the European General Court. Appointments to the European General Court are made by common accord of the Governments of the Member States for a term of six years.

Traveller Community Issues

428. **Deputy Ciara Conway** asked the Minister for Justice and Equality his plans to introduce legislation that will provide for the recognition of Traveller ethnicity; if he will provide an update and a timeline for same; and if he will make a statement on the matter. [33317/13]

Minister for Justice and Equality (Deputy Alan Shatter): I would like to inform the Deputy that serious consideration is being given to this issue which remains ongoing, with a view to ensuring that full analysis of all aspects of the granting of ethnic status to Travellers is available to Government when coming to a decision on the matter. I would like to remind the house that Travellers in Ireland have the same civil and political rights as other citizens under the Constitution. The key anti-discrimination measures, the Prohibition of Incitement to Hatred Act 1989, the Unfair Dismissals Acts 1977, the Employment Equality Acts and the Equal Status Acts specifically identify Travellers by name as a group protected. The Equality Act 2004, which transposed the EU Racial Equality Directive, applied all the protections of that Directive across all of the nine grounds contained in the legislation, including the Traveller community ground.

All the protections afforded to ethnic minorities in EU directives and international conventions apply to Travellers because the Irish legislation giving effect to those international instruments explicitly protects Travellers.

Asylum Policy

429. **Deputy Derek Nolan** asked the Minister for Justice and Equality when and why the decision was taken for Ireland not to participate in the recast asylum procedures directive, which was successfully negotiated under his chairmanship; and if he will make a statement on the matter. [33321/13]

Minister for Justice and Equality (Deputy Alan Shatter): The decision not to participate in the recast Asylum Procedures Directive was taken in September 2011. That decision was informed by the fact that, had we decided to opt in to the measure, we could have faced the very real possibility of being bound by an outcome which would have been contrary to our fundamental interests in relation to the national asylum system. Several elements of the recast Asylum Procedures Directive were identified as being particularly problematic aspects for the national asylum system at the time.

Article 20 of the 2005 Asylum Procedures Directive, which Ireland participates in, provides for the procedure in the case of implicit withdrawal or abandonment of the application. At present, the Article provides that such an application be subject to a decision to discontinue the examination or to reject the application on the basis that the applicant has not established an entitlement to protection. It is the latter option which is applied under the Irish system, with a recommendation that the Minister refuse to give the applicant a declaration that he or she is a refugee and with no appeal to the Refugee Appeals Tribunal. In the proposal to recast the Procedures Directive, the Commission proposed that the option to refuse the application could only be taken on the basis of an adequate examination of its substance and further to a personal interview. The amended proposal did provide for the possibility of a time limit of at least one year after which the case can no longer be reopened or a new application may be treated as a subsequent application. However, the opinion at the time was that this amended Article would be unacceptable from an asylum policy perspective as it could result in a carousel of applications.

Additionally, Article 23 of the 2005 Asylum Procedures Directive obliges Member States to ensure that the examination procedure is concluded as soon as possible. In its proposed recast, the Commission proposed that Member States would ensure that the examination procedure was concluded within 6 months after the date the application is lodged, with a possible extension of a further 6 months in certain circumstances. The opinion at the time was that these time limits could impose additional burdens on the national asylum system if there was a large

increase in the number of applications to be examined in the State, especially considering previous increases in the period 2001 to 2003.

It should be noted that the provisions of the Protocol on the position of Ireland and the United Kingdom in respect of the Area of Freedom, Security and Justice, annexed to the TEU and the TFEU apply. In accordance with Article 1, 2 and Article 4a(1) of the Protocol, Ireland did not participate in the adoption of the recast Asylum Procedures Directive and is not subject to its application. However, this is without prejudice to Article 4 of the Protocol under which Ireland may at any time after the adoption of a measure by the Council notify its intention to the Council and the Commission that it wishes to opt-in to the measure.

As the instruments comprising the second phase of the Common European Asylum System have recently been adopted by the European Parliament and the Council, the question of opting-in to the recast Procedures Directive and the other measures that comprise the CEAS can be kept under ongoing review having regard to the possibilities I refer to under the Protocol on the position of Ireland and the United Kingdom. I might add that any decision in this regard would have to take into consideration the operation of the Common Travel Area which we share with the United Kingdom.

Question No. 430 answered with Question No. 421.

UN Conventions Ratification

431. **Deputy Patrick Nulty** asked the Minister for Justice and Equality when he will sign the UN Convention on the Rights of Persons with Disabilities. [33370/13]

Minister for Justice and Equality (Deputy Alan Shatter): It is the Government's intention to ratify the UN Convention on the Rights of Persons with Disabilities as quickly as possible, taking into account the need to ensure that all necessary legislative and administrative requirements under the Convention are being met. As the Deputy may be aware, Ireland does not become party to treaties until it is first in a position to comply with the obligations imposed by the treaty in question, including by amending domestic law as necessary.

The ongoing implementation of our National Disability Strategy in many respects comprehends many of the provisions of the Convention. In addition, the Inter-Departmental Committee on the Convention monitors the remaining legislative and administrative actions required to enable ratification. The Committee has identified as part of its work programme, issues to be considered by various Government Departments. It is a matter for those Departments to determine whether any actions are required in relation to these issues in advance of ratification and report back to the Committee. This work is ongoing in all Departments. At the Committee's request, the National Disability Authority, the lead statutory agency for the sector, is in the process of assisting it to assess the remaining requirements for ratification so as to ensure conclusively that all such issues will be addressed.

As regards my Department one of the key requirements is the enactment of capacity legislation. The Programme for Government contains a commitment to introduce a Bill that is in line with the UN Convention on the Rights of Persons with Disabilities. The Assisted Decision - Making (Capacity) Bill will provide a series of options to support people with impaired capacity to make decisions and to exercise their basic rights, in line with the principles of the UN Convention. It will undertake a comprehensive reform of existing legislation governing legal capacity. Subject to approval of Government, the Assisted Decision - Making (Capacity) Bill is expected to be published in the coming weeks.

Disabilities Services Funding

432. **Deputy Brendan Griffin** asked the Minister for Justice and Equality if funding will be provided for disability service (details supplied) in County Kerry; and if he will make a statement on the matter. [33429/13]

Minister for Justice and Equality (Deputy Alan Shatter): The role of my Department is to provide a focal point for co-ordination of disability policy, it does not have a role in the provision of funding for services for people with disabilities. It is my understanding that the Deputy has also raised this matter with the Department of Health and that they have referred the matter to the Health Service Executive for direct reply.

Asylum Policy

433. **Deputy Derek Nolan** asked the Minister for Justice and Equality the number of persons who have been detained following a refusal of leave to land here in 2011, 2012 and the first six months of 2013; their length of detention, place of detention, their nationality and if they were subsequently removed from the State; and if he will make a statement on the matter. [33440/13]

Minister for Justice and Equality (Deputy Alan Shatter): In the time available it has not been possible to obtain the information requested by the Deputy. I will write to the Deputy in due course on the matters raised.

Asylum Policy

434. **Deputy Derek Nolan** asked the Minister for Justice and Equality the number of persons, and the nationality of those persons, who, in 2011, 2012 and the first six months of 2013, after attempting to enter here, have been transferred or returned to the UK by the Irish authorities; and if he will make a statement on the matter. [33441/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am assuming that the Deputy is referring to persons who applied for asylum in this State and were subsequently returned to the UK in accordance with the relevant Regulations. Applications for asylum are examined by the Office of the Refugee Applications Commissioner (ORAC). In some cases, following ORAC's examination it transpires that individuals have previously made asylum applications or have been granted visas in the United Kingdom. Therefore, in accordance with the provisions of the Dublin II Regulation the individuals concerned should be transferred to the United Kingdom to have their asylum applications fully examined in that country. Consequently, a Transfer Order is made in respect of those individuals and this places an obligation on them to 'present' him/her self at the Offices of the Garda National Immigration Bureau where arrangements are made for their formal transfer to the United Kingdom.

Persons from over forty nationalities are represented in the overall figures. In 2011 a total of 125 Transfer Orders were made with the top nationalities being Pakistan, Nigeria, DR Congo, Iraq, Iran and Afghanistan. In 2012, a total of 60 persons were transferred with Pakistan, Afghanistan, Zimbabwe, Nigeria, Ghana, Somalia and Sudan representing the highest number of persons by nationality. Up to 30 June this year, a total of 40 persons were transferred to the UK with Nigeria, Afghanistan, Pakistan, Somalia, Kenya and Libya comprising the top nationalities.

The Dublin II Regulation, (Council Regulation (EC) No. 343/2003), is intended to prevent the phenomenon of ‘asylum shopping’ across Europe and sets out criteria for determining which Regulation State is responsible for examining an asylum application where applications have been lodged in more than one Regulation State or whereby an asylum seeker has been granted a visa to enter another Regulation State and has entered that other State before entering Ireland and making an asylum application here. At the same time, it guarantees applicants that one State will process their application, thereby preventing the creation of ‘refugees in orbit’, a situation which had previously pertained in Europe.

Garda Operations

435. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if there is a minimum age requirement for persons whose details are entered into the Garda PULSE system and the age of the youngest person whose details have been entered into the Garda PULSE system. [33482/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested the information sought by the Deputy from the Garda Commissioner and as soon as it is to hand I will pass it on to the Deputy.

Garda Deployment

436. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he will provide details of the number of staff members currently working at the Garda Bureau of Fraud Investigation; the number of staff holding professional qualifications in the areas of forensic accounting, criminal law and other areas relevant to the body’s work; and if he will make a statement on the matter. [33488/13]

Minister for Justice and Equality (Deputy Alan Shatter): The allocation of all resources, including personnel, within the Force rests with the Garda Commissioner, in consultation with his senior management team and I have no direct function in that matter. The Commissioner has informed me that the current personnel strength of the Garda Bureau of Fraud Investigation (GBFI) is 86. Of these, 70 are members of the Garda Síochána, 2 are Professional Accountants and there are 14 administrative staff. 12 members of staff hold professional qualifications in a mixture of Accounting and Finance, Professional Accountancy, Economics and Finance, Legal Studies, Business and Legal Studies and Criminology. In addition to the foregoing, as recently as 30th May, 2013, I received sanction from the Minister for Public Expenditure and Reform for the recruitment of two additional forensic accountants for the GBFI.

Garda Investigations

437. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will support proposals in investigating into the banking fraudulent practices and crime by establishing a special task force similar to CAB (details supplied); and if he will make a statement on the matter. [33539/13]

Minister for Justice and Equality (Deputy Alan Shatter): A specialist Bureau with An Garda Síochána, the Garda Bureau of Fraud Investigation (GBFI), is charged with investigating serious and complex fraud matters and has the resources and expertise to carry out this function.

In light of this I have no plans to establish a task force or other agency with responsibilities in this field. The Bureau is staffed by specialist Garda and civilian personnel including two full-time forensic accountants and works closely with other bodies which relevant enforcement functions including the Criminal Assets Bureau, Revenue Commissioners, the Office of the Director of Corporate Enforcement, the Competition Authority and the Financial Regulator. I am in regular contact with the Garda Commissioner concerning all aspects of serious crime, and he has assured me that there are sufficient resources available to the GBFI, particularly with respect to the major banking investigations. Notwithstanding this, I have made it clear to the Commissioner that if at any stage he believed that additional resources were required for these investigations I would respond immediately, to ensure that the GBFI can continue to carry out its functions effectively.

Anti-Social Behaviour

438. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will advise a family who are being intimidated by a teenage gang in the Dublin 13 area in securing their person and home safely. [33540/13]

Minister for Justice and Equality (Deputy Alan Shatter): The issues raised by the Deputy are ones which are appropriately dealt with by An Garda Síochána. In this regard I am informed by the Garda authorities that it is the policy of An Garda Síochána to deploy personnel to establish a highly visible and accessible service to communities to tackle crime, the fear of crime and anti-social behaviour.

In the absence of specific details as to the nature of the intimidation referred to, it is not possible to provide a specific response from the Garda authorities on this matter. However, if a person feels that a crime has been committed they should contact their local Garda station. All crimes that are reported to Gardaí are fully and thoroughly investigated and offenders brought to justice wherever possible. As well as contacting the Gardaí directly, information can be provided to An Garda Síochána by way of the Garda confidential line, 1800 666 111, which is a monitored freephone line that allows members of the public to contact An Garda Síochána with information of a confidential nature.

Insofar as the use of intimidation in local communities as a result of drug-related debt is concerned, under the National Drugs Strategy 2009-2016 a framework for tackling this problem has been put in place by An Garda Síochána. Under this framework a 'Drug-Related Intimidation Programme' has been established by the Garda National Drugs Unit in conjunction with the community based National Family Support Network (FSN) with the support of the HSE Social Inclusion Unit. The purpose of this programme is to respond to the needs of drug users, their family members and/or friends who experience drug-related intimidation to repay drug debts.

Under the programme, nominated Garda Inspectors have been selected by the Garda Commissioner across the country to deal to the issue of drug related intimidation. These Inspectors act as a point of contact for any individuals (or for representatives of the FSN acting on individuals' behalf) in responding to any issues of drug related intimidation being experienced.

Naval Service Vessels

439. **Deputy Andrew Doyle** asked the Minister for Defence further to Parliamentary Question No. 181 of 23 May 2013, the process he in conjunction with the Irish Naval Service, will

use for the naming of the two new vessels to be delivered in early 2014 and 2015 to replace the LE Emer and LE Aoife; if a decision has been made on the matter yet; when he expects a decision to be made; and if he will make a statement on the matter. [33185/13]

Minister for Defence (Deputy Alan Shatter): A decision has been made to name the two new ships. The first of the two ships scheduled for delivery in January 2014 will be named *L.E. Samuel Beckett*. The second ship scheduled for delivery in early 2015 will be named *L.E. James Joyce*. The naming of the new ships after world renowned Irish literary figures will facilitate greater recognition of the ships when they visit foreign ports and when they are operating in the international maritime domain. It is my view that these names portray a very strong sovereign link between the State and the Naval Service and sets the tone both domestically and abroad in reflecting on a more modern Ireland and Naval Service organisation.

Forestry Premium Payments

440. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a legal matter pertaining to the forestry plantation of a person (details supplied) in County Kerry will be finalised; and if he will make a statement on the matter. [32905/13]

441. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a forestry payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [32906/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 440 and 441 together.

The legal issues that arose in relation to the application by the person named under the afforestation grant and premium scheme have now been resolved. His application has now been approved and payment will issue very shortly.

Departmental Schemes

442. **Deputy Pat Deering** asked the Minister for Agriculture, Food and the Marine if there will be a neighbour wood scheme in 2013; and if so, when it will be announced. [32915/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are no plans to re-open the Neighbour Wood Scheme in 2013. The position will be reviewed in 2014 having regard to the allocation of funding for the Forestry Programme in the 2014 budget.

Agri-Environment Options Scheme Payments

443. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Cavan will receive an agri-environment options scheme payment; and if he will make a statement on the matter. [32924/13]

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 1 November 2010 and full payments issued in respect of 2010 and 2011 respectively. The file was selected for a ground inspection which took place on 16 October 2012. During this inspection, issues of non compliance with the terms and conditions of the scheme were noted in

relation to the Wild Bird Cover, Planting of New Hedgerow and Tree Planting – Whips actions, which resulted in a penalty being imposed. A letter issued to the person named informing him of this penalty and giving him the option to appeal the decision. There is no record on the file of any appeal having been lodged and my officials are finalising the processing of the application on the basis of the inspection findings and payment will issue shortly.

Suckler Welfare Scheme Eligibility

444. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Kerry applied for 11 calves at €40 per calf and was refused; and if he will make a statement on the matter. [32935/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named registered 12 beef breed animals under the 2012 Suckler Welfare Scheme. A letter issued on 25 June 2013 to the participant setting out the issues which prevented payment (failure to observe the Terms and Conditions in regard to phased weaning and also, notification of measures taken). The participant was also notified of the available appeal processes.

Beef Technology Adoption Programme Payments

445. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 203 of 21 February 2012, the reason the person has not received payment; when this payment will be made; and if he will make a statement on the matter. [32937/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following my reply of 21 February 2013 in this case, unfortunately, a number of technical issues have delayed payment. However, I can now confirm that payment under the 2012 Beef Technology Adoption Programme issued on 8 July to the nominated bank account.

Agri-Environment Options Scheme Payments

446. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine when an agri-environment options scheme payment will be made to a person (details supplied) in County Galway; and if he will make a statement on the matter. [33011/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1 September 2011 and full payment totalling €1,333.30 issued in respect of 2011. The administrative checks for the 2012 payment year established that the person named did not proceed with the Tree Planting – Standard, Tree Planting – Whips, Conservation of Genetic Resources, Water Trough Installation and Planting of New Hedgerows measures in the approved plan which will result in a 40% penalty being applied. The file was also selected for a ground inspection which took place on 25 April 2013. This inspection found areas of non-compliance with the terms and conditions in relation to the Laying of Hedgerow and Coppicing of Hedgerow actions which will result in further penalties being applied. The application will now be processed for payment on this basis with the intention of issuing payment in respect of 2012 at the earliest opportunity.

Agri-Environment Options Scheme Applications

447. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the position regarding an application under the agri-environment options scheme 3 in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [33030/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Agri-Environment Options Scheme from the person named was received in my Department on 20 November 2012. The person named was admitted to the scheme and on 27 May 2013 a letter issued informing him that his application to join the AEOS Scheme was successful and notified him of his contract commencement date of 1 May 2013. During the checking process on the application a query was identified. My Officials are working to resolve this issue and in the event that further information is required they will be in direct contact with the person named.

Afforestation Programme

448. **Deputy Michael Colreavy** asked the Minister for Agriculture, Food and the Marine if there is a limit on afforestation within a particular area; if such limits should be introduced; and if he will make a statement on the matter. [33086/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): While there are no specific limits on afforestation within a particular area, in some parts of the country silvicultural and/or environmental constraints will limit the suitability of the area for forestry. All applications submitted to my Department for approval to undertake afforestation are examined to determine the suitability of the site from a silvicultural and environmental perspective. The range of issues considered includes an examination of silvicultural issues such as soil type; soil fertility; exposure and access; and an assessment of any potential environmental impact of the project on, inter alia, the human population, water quality, designated conservation areas, archaeology and landscape.

My Department also has a legal responsibility to ensure that every hectare approved for afforestation complies with requirements set out under the various European environmental Directives such as the Birds and Habitats Directives, the EIA Directive and the Water Framework Directive, and with corresponding national legislation. This will ensure that the ongoing expansion of the national forest resource is compatible with the protection of Ireland's environment. My Department is in regular communications with the National Parks and Wildlife Service (NPWS), the Environmental Protection Agency (EPA) and with other bodies, to ensure an ongoing streamlining of procedures to ensure the afforestation programme is compliant with the legislation outlined above.

Forestry Premium Payments

449. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a forestry premium payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [33126/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Remedial works on the applicant's plantation were requested by the Forest Service in March 2013. The

works have been reported as completed and the Forest Service inspector has confirmed the plantation is now up to standard. It is expected that the applicant should receive payment of the outstanding premium in the week beginning 15 July 2013.

Animal Breeding Regulations

450. **Deputy Ciara Conway** asked the Minister for Agriculture, Food and the Marine the position regarding recent policy changes pertaining to meat-feeding licences for greyhound owners with respect to what now constitutes a breeding establishment for the purposes of the meat-feeding licence; if the obligation to hold a meat-feeding licence has now been broadened in any way to include more greyhound owners compared with previous rules and conditions; and if he will make a statement on the matter. [33153/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The current proposed measures in relation to the feeding of animal by-products (ABP) to dogs are intended to improve the implementation of the relevant provisions of the EU ABP Regulations (EC) No. 1069/2009, to reduce potential risk to public and animal health and to protect the human food chain. This policy has no impact on the definition of a breeding establishment nor on the obligation to hold a Meat Feeder Licence (MFL) as such a licence is required where a dog owner uses raw ABP under regulatory derogation as a source of feed, irrespective of the type of dog involved.

The EU ABP Regulation allows the possibility of feeding raw ABP to dogs under a number of headings. In particular the derogation under Article 18(1)(f) allows specified categories (Category 2 and Category 3) of ABP to be fed to “dogs from recognised kennels and packs of hounds”; and the derogation under Article 18(1)(g) allows the same for dogs in shelters. Raw ABP is potentially a valuable source of feed for dogs in kennels, shelters and for packs of hounds. However, it can also represent a potential risk to both public and animal health, particularly the Category 2 material which is derived from fallen animals. In light of the foregoing, it is proposed to introduce measures to facilitate an extension of the supply chain for the lower risk Category 3 material and over time to confine the availability of the higher risk Category 2 material. It is proposed that the restriction of supply of Category 2 material will be introduced on a gradual basis, as current MFLs expire over a three year period. The proposal will be the subject of a consultation process before being finalised.

Agri-Environment Options Scheme Applications

451. **Deputy John O’Mahony** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Mayo was turned down for agri-environment option scheme 3; and if he will make a statement on the matter. [33159/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Agri-Environment Options Scheme from the person named was received in my Department on 29 November 2012. The process of ranking and selecting all AEOS applicants was clearly set out in the scheme documentation. Acceptance into the scheme was established using the pre-determined selection criteria as follows:

1. farmers in the Boora region of Co. Offaly who chose Wild Bird Cover Option B (Grey Partridge) as one of their selected options,
2. farmers with a minimum of 0.5 hectares of designated land,

4. farmers who previously participated in REPS commencing with smallest farms, and
5. others based on farm size (again favouring smaller holdings).

The person named was a previous participant in REPS. Based on the funding available farmers in category 4 with 22.06 hectares of utilisable agricultural area and below were successful. As the farm size of the person named is 33.74, the application was unsuccessful. On 27 May 2013, a letter issued to the person named informing him that he was not successful and setting out the reasons.

Fish Exports

452. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine the position regarding Irish seafood exports to the United States of America and the current value of this industry to the Irish economy; and his plans for expanding the size of Ireland's market share in this industry. [33180/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The US is a growing market for Irish seafood exports, dominated by sales of fresh and smoked salmon and more recently processed shellfish. In 2012, the total value of exports was in the region of €4.3 million, representing significant growth from 2011, with some exporters more than doubling their exports during this period. Bord Bia is working on a range of initiatives to increase the penetration of Irish seafood in this market. It organised a market study visit to Boston in March of this year which gave Irish companies an opportunity for one to one meetings with 3 of the largest foodservice distributors in the US market.

Following on from this initiative, Bord Bia coordinated the showcasing of seafood product samples from Irish suppliers in Phoenix on 25 June. Bord Bia will coordinate an Irish Pavilion at the Boston Seafood Show to be held in March 2014. This show is North America's largest seafood trade exposition featuring the leading buyers and decision makers from the retail, wholesale and foodservice channels. On 26 September, Bord Bia will be hosting a select group of some 300 international visitors, including from the US, for a one day International Conference entitled "Our Food, Our Future. Sustainability: The Bottom Line". During the course of this event, a dedicated seafood itinerary will be organised for US buyers, with visits to seafood processing sites and fish farms.

Bord Bia supports export development into the US market through its Fellowship Programme which runs annually and provides seafood clients with access to a dedicated sales and marketing resource for a 10 month period based in the market. A range of seafood processors have benefitted from this particular programme over the last 4 years. Bord Bia, through its New York office, also works on a one to one basis with seafood clients assisting them with identifying potential importers and brokers, coordinating market itineraries and undertaking store audits.

Agri-Environment Options Scheme Applications

453. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [33187/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An applica-

tion under the Agri-Environment Options Scheme from the person named was received in my Department on 5 December 2012. The process of ranking and selecting all AEOS applicants was clearly set out in the scheme documentation. Acceptance into the scheme was established using the pre-determined selection criteria as follows: 1. farmers in the Boora region of Co. Offaly who chose Wild Bird Cover Option B (Grey Partridge) as one of their selected options, 2. farmers with a minimum of 0.5 hectares of designated land, 3. farm partnerships, 4. farmers who previously participated in REPS commencing with smallest farm, and 5. others based on farm size (again favouring smaller holdings).

The person named was a previous participant in REPS. Based on the funding available farmers in category 4 with 22.06 hectares of utilisable agricultural area and below were successful. As the farm size of the person named is 25.88, the application was unsuccessful. On 27 May 2013, a letter issued to the person named informing him that he was not successful and setting out the reasons. The person was also informed of right of appeal to AEOS Section. An appeal was received from the person named and it is currently being considered. The person named will be notified in writing of the outcome of this appeal once a decision has been made.

Horse Slaughter Statistics

454. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the breakdown of the average cost of disposal of an abandoned horse; the cost of picking up the horse and thereafter the cost of keeping and feeding the animal, putting it down and the removal and disposal of the remains; and if he will make a statement on the matter. [33298/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Abandoned horses come under the scope of the Control of Horses Act 1996 which contains a comprehensive range of measures aimed at addressing problems caused by wandering and abandoned horses. Local authorities have extensive powers under the Act and my Department makes grants available to them towards expenses incurred by them in implementing the provisions of the Act. In view of the fact that some local authorities operate their own Pounds and others engage private contractors to carry out operations under the Act, it is not possible to determine an exact cost incurred per seized horse as seizure, livery and disposal costs vary between local authority areas. However based on funding paid in recent years to local authorities, my Department's contribution towards the removal of horses under the Act has been reducing with average cost per horse seized/disposed for first quarter of 2013 amounting to €685 whereas the average costs for the previous three years was €890. My Department agreed a protocol with local authorities in 2012 with a view to them achieving savings and efficiencies in implementation of the Act and this has resulted in a number of local authorities making significant efforts towards controlling their costs. My officials are continuing to work with all local authorities in achieving further savings and in reducing reliance on funding from my Department towards the implementation of their responsibilities under the Act.

Single Payment Scheme Appeals

455. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine when an appeal by a person (details supplied) in County Westmeath against the non-payment of single farm payment which is due to them will take place; if same will be expedited; and if he will make a statement on the matter. [33345/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Agricul-

ture Appeals Office received an appeal from the person named on 8 May 2013. Once the file has been received, the appeal will be assigned to an Appeals Officer for consideration.

Milk Quota Applications

456. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 210 of 26 June 2013, if he will confirm if the following application for new entrants milk quota for a person (details supplied) in County Cork has been received by his Department; the reference number that has been allocated to this file; and if he will make a statement on the matter. [33348/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that an application in respect of the named person, for an allocation of milk quota under Category A of the 2013 Scheme for New Entrants to Dairying, has been received in my Department. The reference number assigned to this application is 13/NEA/0116. All applications are currently being processed and will be forwarded in due course to the Assessment Group. The Group is scheduled to convene in early August to examine all eligible applications. I intend to announce the results of the Scheme towards the end of that month.

Forestry Management

457. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if there are requirements for alkalinity testing for hardwood forestry plantations; and if he will make a statement on the matter. [33356/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Forest Service and the Environmental Protection Agency (EPA) have an agreed protocol for the determination of the acid sensitivity of surface water in the context of afforestation. Applications submitted for afforestation in areas described as being potentially acid sensitive must be accompanied by the results of water sampling taken from the receiving watercourse in the months of February, March, April and May. These results present a measure of alkalinity, reflecting the capacity of the surface water to buffer against acidification that may be connected to afforestation, and which may otherwise affect fish and other forms of aquatic life. Under the protocol, afforestation is not permitted if any one of the four samples falls below a threshold level of alkalinity, which indicates that the sampled watercourse is sensitive to acidification. As a result of this protocol, afforestation has been generally restricted within these Acid Sensitive Areas.

Up to recently, the agreed acid sensitivity protocol applied to all afforestation projects under the various support schemes available from my Department, including the planting of hardwoods (or broadleaves) under the general Afforestation Scheme. However, in February of this year, my Department secured the agreement of the EPA to amend the protocol to allow applications under the Native Woodland Establishment Scheme, without the requirement for water sampling. This amendment, supported by Inland Fisheries Ireland, the National Parks and Wildlife Service, the Heritage Council and the Woodlands of Ireland, was based on the ecological focus and the unique approach to establishment and management underpinning the Native Woodland Scheme, and the wide range of eco-system services new native woodlands can deliver, including the protection of water quality and aquatic life.

It is important to highlight that quality hardwood production is strongly encouraged under the Native Woodland Establishment Scheme, where ecologically compatible and where realized using various 'close-to-nature' forest management systems. Wood production is a stated

objective of many of the new native woodland projects funded under the scheme to date, and specific guidelines on establishing and management native woodlands for timber are available. The Native Woodland Establishment Scheme offers farmers and other landowners located within Acid Sensitive Areas – and within other ecologically sensitive locations – an opportunity to avail of an afforestation scheme and associated grants and premiums, and to create a woodland resource compatible with various environmental sensitivities and capable of providing future revenue through the realization of quality hardwood. In partnership with Woodlands of Ireland, the Forest Service will be holding training days for professional foresters over the coming weeks and months, aimed at promoting this use of the scheme as an option for farmers and other landowners within Acid Sensitive Areas and other sensitive locations.

Animal Welfare Issues

458. **Deputy Maureen O’Sullivan** asked the Minister for Agriculture, Food and the Marine in view of the fact that world travelling circuses in Ireland are unable to provide adequately for the animals in their care, if he will consider backing a ban on the use of animals in Irish circuses in favour of a circus industry without animals, putting Ireland in line with dozens of countries around the world that have banned animal-act circuses, the most recent being Colombia and the UK; and if he will make a statement on the matter. [33454/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Concerns relating to conditions under which circus animals are kept and managed come under the scope of the Protection of Animals Act 1911 and the Protection of Animals (Amendment) Act 1965. These are the main statutes governing issues of cruelty to all animals. This legislation is enforced by An Garda Síochána and will be replaced by the Animal Health and Welfare Act 2013 in due course. Any complaints relating to the treatment of circus animals should be made to the Garda Síochána. There are no plans at this juncture to ban animals from performing in circuses in this country.

Juvenile Offenders

459. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs if she will provide a time frame for the completion of the young offenders’ facility in Oberstown in north County Dublin, including the transfer of all minors to this facility; and if she will consider expediting its completion in view of the decision to transfer all current inmates to Wheatfield Prison, Dublin. [33352/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Oberstown capital project is required in order to give effect to the Programme for Government commitment to end the practice of detaining children in adult prison facilities. I have outlined my commitment to this project on many different occasions and it remains at the top of my agenda. The Deputy will be aware that shortly after taking responsibility for the children’s detention schools last year, I introduced the legislative changes to transfer responsibility for 16 year old boys from St. Patrick’s Institution to Oberstown. I also put in place the required funding package for the major capital development of the Oberstown facilities. My officials have, in conjunction with the Office of Public Works, completed the design process and secured planning permission for the capital development. The tender process is ongoing at present and this is being overseen by a steering group of officials from my Department and the Office of Public Works. A further announcement on the outcome of the tendering process will be made shortly.

Youth Services Provision

460. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs if she will commit to securing the necessary funding to ensure that the Big Brother Big Sister Programme will continue to provide a vital service to the 3,200 young persons who benefit from the programme each year; and if she will make a statement on the matter. [32872/13]

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 €53.498 million 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. In 2013, funding amounting to €5,930,009 was allocated to Foróige to support the wide range of activities including educational projects, leadership programmes and other support services for some 56,000 young people throughout the country. The funding includes an amount of some €300,000 in respect of Foróige's Big Brother Big Sister youth mentoring programme which is also funded by Foróige's philanthropic partners.

The savings required under the Comprehensive Review of Expenditure in respect of 2013 amounted to €5.393 million on 2012 funding available for the provision of youth services and in 2014 a further savings of €2.97 million is required in the youth budget. My Department has tried to be as equitable as possible in achieving these savings and 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 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. Officials from my Department have recently met with Foróige about the organisations plans for the future of the Big Brother, Big Sister programme having regard to the challenging funding situation that the programme faces from 2014 onwards on account of the cessation of philanthropic funding. My Department is committed to continue working with Foróige to assist in devising our expenditure and funding strategy that can secure the long term sustainability of this worthwhile programme which has been proven to improve outcomes for vulnerable young people.

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.

Early Child Care Education Issues

461. **Deputy Shane Ross** asked the Minister for Children and Youth Affairs if there will be

a recognition in her plans for reform of child care and pre-school care facilities for staff members and creche owners whose child care qualifications are prior to FETAC and whose montessori diploma have been granted a FETAC 5 equivalent; and if she will make a statement on the matter. [32908/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Early Childhood Care and Education (ECCE) programme introduced the first-ever requirement for minimum qualifications for staff working in the childcare sector. Under the programme, the pre-school leader must currently hold a qualification in childcare/early education at a minimum of Level 5 on the National Framework of Qualifications of Ireland (NFQ), or a nationally-recognised qualification equivalent to FETAC Level 5 or a higher award in the childcare/early education field. A higher capitation rate is payable under the ECCE programme to services where all of the pre-school leaders hold a bachelor degree in childhood/early education (minimum of Level 7 on the NFQ) and have three years experience working in the sector, and where all of the pre-school assistants hold a relevant major award in childcare/early education at Level 5 on the NFQ.

I have indicated my intention to increase the qualification requirements for all staff working in pre-school services. The minimum requirement of Level 5 or equivalent for pre-school leaders delivering the pre-school year will be increased to Level 6 or equivalent. In addition, all pre-school assistants, and all other staff caring for children in a pre-school service, will be subject to a minimum requirement of Level 5. This requirement will be effective from September 2014 for new services, and from September 2015 for existing services. While I recognise the valuable experience which many childcare staff may have accrued, it is now essential that all staff have qualifications on a formal recognised basis. My Department is currently examining measures to support training for childcare staff in line with the increased qualification requirements.

Child Care Services Funding

462. **Deputy John O'Mahony** asked the Minister for Children and Youth Affairs when a person (details supplied) in County Mayo will receive a decision on their application for child care subvention; the reason for the delay in issuing a decision; and if she will make a statement on the matter. [32911/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department implements the Community Childcare Subvention (CCS) programme which provides funding to community childcare services to enable them to charge reduced childcare rates to low income and disadvantaged families. Community childcare services qualify for grant aid on the basis of the level of service they provide and the profile of the parents benefiting from their service. Parental declaration forms are submitted in the Autumn of each year to my Department and the PPS numbers of those parents are transmitted to the Department of Social Protection (DPS) and the HSE for verification. Information supplied by the DSP and HSE is used to determine the level of subvention which applies to each individual parent. Following verification, letters issue to participating services confirming the total annual CCS subvention amount approved for that service together with a list of qualifying parents and confirmation of the subvention level applied to each parent. Services are also advised that if any parent disagrees with the level of subvention applied to them, they have a right of appeal. The deadline for the submission of appeals was 1st February last. In the region of 5,000 appeals were received and were examined by officials in my Department. I understand that the appeal against the initial determination of subvention submitted by this person has been successful. The service has been advised of this

outcome.

Aftercare Services

463. **Deputy Róisín Shortall** asked the Minister for Children and Youth Affairs in view of her Department's willingness to fund a FETAC level 6 course for a person (details supplied) in Dublin 13 the reason they are unwilling to provide the same funding to this person during the first two years of a degree course in the same discipline; if this is in line with the national aftercare policy's commitment to provide aftercare services to young persons in education up to the age of 23; and if she will make a statement on the matter. [32977/13]

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

Child Care Services Inspections

464. **Deputy Michael Lowry** asked the Minister for Children and Youth Affairs if she will detail the reasons that inspection reports for child care facilities have not been published online to date, despite promises to the contrary; the reasons for the delay in publishing these important reports; her views on whether such a delay is acceptable; if she will provide an update on the creation of a register of child care facilities; and if she will make a statement on the matter. [32989/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): Pre-school services are governed by the Child Care (Pre-School Services) (No 2) Regulations 2006 as provided for under the Child Care Act 1991. Pre-school inspections, which are the responsibility of the Health Service Executive (HSE), are necessary to ensure compliance with the Regulations and the delivery of quality childcare services. In relation to the publication of pre-school service inspection reports, the HSE Pre-School Inspectorate is working to put these online. In the first instance the reports will be available from the Pobal website via a direct link on the HSE website. The commitment which I gave recently was to have new reports, once completed, put online from 1 July 2013 and this is being adhered to. I understand that the first of these will be placed online shortly. Work is ongoing to have reports on all services online by the end of the year and my Department is supporting the HSE and Pobal in this work. A new registration system will be introduced in September of this year and new services wishing to open will be required to register with the HSE. The HSE will determine whether the childcare service is compliant in terms suitability and service design before the service will be permitted to operate. Following commencement of the service, actual care and welfare practices will be inspected.

Child Care Services Regulation

465. **Deputy Michael Healy-Rae** asked the Minister for Children and Youth Affairs the reason there is a delay in publishing the regulations for stronger control in pre-schools and crèches; when the report will be printed; and if she will make a statement on the matter. [33052/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Child Care (Pre-School Services) (No. 2) Regulations 2006, which provide the regulatory framework for pre-school services in the State, were brought into effect in September 2007. New National

Quality Standards for full daycare services have been prepared. Standards for the other child-care models, i.e. part-time, sessional, drop-in services, and childminders, will be available later this year. These standards will replace all current guidelines and will be implemented and inspected in line with the new registration system and improved inspection systems. To further strengthen the regulatory system, my Department is undertaking a review of the penalties currently in place for breach of the Child Care (Pre-School) Regulations, as provided for under the Child Care Act 1991. The review will look at increasing the range and severity of the existing penalties including the actions which can be taken by Inspectors without recourse to court prosecution, as is currently the case. In addition, my Department is working with the Pre-School Inspectorate to develop new protocols on regulatory compliance so that there is greater clarity and consistency of approach as to how inspection reports deal with findings of serious non-compliance vis a vis minor breaches and full compliance. The protocols will also inform the future suspension or termination of funding in the case of serious non-compliance.

Adoption Legislation

466. **Deputy John Paul Phelan** asked the Minister for Children and Youth Affairs the current status of the proposed new Adoption Bill; if she will outline the principal areas that it is intended to deal with; and if she will make a statement on the matter. [33402/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The General Scheme and Heads of Bill of the proposed Adoption (Amendment) Bill was published in September 2012 in conjunction with the publication of the referendum proposal to inform the public of proposed changes to adoption law if the Constitutional amendment was approved. The draft Bill provides for changing the criteria, under section 54 of the 2010 Act, where the High Court may authorise the making of an adoption order without parental consent, in the case of a child who is in the care of prospective adopters and where that child's parents have failed in their parental duty to the child. The draft Bill will also provide for the voluntary placement for adoption of any child irrespective of the marital status of his or her parents. In the case of a child of married parents, both parents must place the child for adoption, and before doing so will be counselled and given information in accordance with the provisions of section 14 of the Adoption Act 2010. It is my intention to bring the Adoption (Amendment) Bill 2013 before the Houses of the Oireachtas as soon as possible, following conclusion of all proceedings and processes relevant to the Referendum.

Work is also 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. 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 the Adoption Authority, the HSE or an accredited body may hold adoption records, with the Authority having overall charge of those records.

It is also intended that the Bill will provide for placing the National Contact Preference Register on a statutory basis. The purpose of the Register is to allow a person affected by adoption to enter his or her name on the Register with a view to receiving information about another person from whom he or she has been separated as a result of adoption and also to indicate a preference as to whether or not contact is being sought with that person. A National Tracing Service

will be established under the provisions of the Bill. It is intended that the Tracing Service is to be made available to an adopted person, a birth parent and a relative of either an adopted person or a birth parent, and that the Adoption Authority is to have overall responsibility for providing the tracing service. It is also intended that prior to the release of adoption information, counselling will be offered by the Adoption Authority, the HSE or by an accredited body to an adopted person, a birth parent or to an adoptive parent.

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 within my Department and in the Office of the Attorney General. I am anxious to bring the Heads of Bill before Government at the earliest possible date. However, there are undoubtedly challenges remaining in developing a workable framework which respects the Constitutional rights of all parties.

Child Protection Issues

467. **Deputy Micheál Martin** asked the Minister for Children and Youth Affairs if her attention has been drawn to concerns regarding child safety in a school (details supplied) in County Clare; and if she will make a statement on the matter. [33547/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I am aware of the case referred to by the Deputy. It is also my understanding that the particular case is currently the subject of ongoing legal proceedings. The employment of a teacher is primarily a matter for the management of the school concerned. Under the provisions of the Education Act 1998, the board of management is the body charged with the direct governance of a school. In the event that a school is made aware of a child protection concern it is a matter for the Board of Management to decide if there is a child protection risk that warrants the taking of action, such as placing an employee on administrative leave. The HSE will also have a role in assisting the Board of Management to come to a determination in such matters.

Schools are required to take all reasonable precautions to ensure the safety of pupils and welfare of their pupils. From a child protection perspective, all schools are required to adhere to the "Child Protection Procedures for Primary and Post-Primary Schools" which are based on the "Children First – National Guidance for the Protection and Welfare of Children 2011". The HSE and An Garda Síochána also have roles in such matters as the statutory bodies responsible for the welfare and protection of vulnerable children in Ireland. The principles underlying this responsibility are outlined in *Children First: National Guidance for the Protection and Welfare of Children*. While I cannot comment on a specific case which is before the Courts it would be prudent for Boards of Management to seek independent legal advice on all such matters and to maintain lines of communication with the statutory authorities.

Medical Card Applications

468. **Deputy Martin Ferris** asked the Minister for Health when a decision will be made on a medical card application in respect of a person (details supplied) in County Kerry. [32985/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established

a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Services for People with Disabilities

469. **Deputy Willie O’Dea** asked the Minister for Health if his attention has been drawn to the hardship caused by the reduction of preschool assistant support hours to children with disabilities, compounded by the staff moratorium which is preventing the recruitment of temporary staff for speech therapy purposes; if he will state whether discretion can be exercised; if so, who holds the authority in this regard; and if he will make a statement on the matter. [33063/13]

Minister for Health (Deputy James Reilly): The Government is fully committed to protecting front-line services, including services for children with disabilities, to the greatest extent possible, notwithstanding the financial constraints which the health sector must operate within. Significant resources have been invested by the health sector in recent years in services for children with disabilities. In particular, there is now an increased awareness of the importance of early intervention for these children in terms of ensuring they get the best start in life and are supported as much as possible to reach their full potential.

As the Deputy will be aware, the Health Service Executive has operational responsibility for the provision of health and personal social services, including disability services for children. Within this context, it has a responsibility to ensure that the health-related needs of children with special needs are addressed and that these children are appropriately supported in preschool and school settings. This is done in a number of ways such as by providing grant-aid to support preschool provision in community preschools and by funding special preschools that cater specifically for children with disabilities. It also facilitates children with special needs to attend mainstream preschool by providing the necessary assistant supports. The HSE’s role in supporting children with special needs involves it working in close co-operation with the disability service providers that it funds, with the education sector and with the parents and families of the children in question.

All service developments have to be addressed in the light of the current economic and budgetary pressures, and Government policy to reduce the numbers employed in the public sector. This policy requires that by the end of 2013, the health service achieves a workforce of 98,955 whole-time equivalents. Staff appointments may be made only where an inescapable service need has been identified and which cannot be addressed by other means, such as the redeployment of staff or reorganisation of services. The recently concluded Haddington Road Agreement has increased the working week of staff employed in the public sector. This will have the effect of increasing the overall staff capacity available to management to deploy in service delivery. My Department has asked the HSE to look at the specific case referred to by the Deputy and to respond to him directly on the matter.

Medical Card Applications

470. **Deputy John McGuinness** asked the Minister for Health if a medical card will be approved in respect of a person (details supplied) in County Kilkenny. [33173/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes

medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Hospital Waiting Lists

471. **Deputy John McGuinness** asked the Minister for Health if an operation will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [33174/13]

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 been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists. In relation to this particular query raised by the Deputy, I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Regulation of Sunbed Use

472. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the issues raised in correspondence relating to sunbeds (details supplied); and if he will make a statement on the matter. [33443/13]

473. **Deputy Billy Timmins** asked the Minister for Health the position in relation to sunbed regulations (details supplied); and if he will make a statement on the matter. [33923/13]

474. **Deputy Bernard J. Durkan** asked the Minister for Health his future plans, if any, to regulate the use of sunbeds with particular reference to the alarming number of persons under the age of 25 who continue to use sunbeds despite significant health risks; and if he will make a statement on the matter. [33602/13]

475. **Deputy Derek Nolan** asked the Minister for Health when he intends to introduce legislation for the regulation of sunbeds; the reason there has been a delay in introducing this legislation; if he will provide a time line for the introduction of this legislation; and if he will make a statement on the matter. [33603/13]

476. **Deputy Finian McGrath** asked the Minister for Health if he will support the Irish Cancer Society's action on sunbeds campaign; if he will legislate for regulation on sunbed usage; and if he will make a statement on the matter. [33614/13]

493. **Deputy Dominic Hannigan** asked the Minister for Health if his attention has been drawn to the Irish Cancer Society's action on sunbeds campaign; his plans for legislation for sunbed regulation; and if he will make a statement on the matter. [32978/13]

512. **Deputy John Paul Phelan** asked the Minister for Health the position regarding proposals to regulate sunbed facilities here; and if he will make a statement on the matter. [33140/13]

521. **Deputy Paudie Coffey** asked the Minister for Health his plans to introduce legislation to regulate sunbed use here to reduce the risk of skin cancer in younger persons; and if he will

make a statement on the matter. [33284/13]

522. **Deputy Patrick O'Donovan** asked the Minister for Health his plans to bring forward legislation to regulate the sunbed sector; and if he will make a statement on the matter. [33285/13]

525. **Deputy Andrew Doyle** asked the Minister for Health the pending legislation and regulations that he intends to put in place for the regulation of sunbeds; if his plans include the restriction of sale of private sunbeds in addition to sunbeds available for public use; and if he will make a statement on the matter. [33300/13]

529. **Deputy Michael Healy-Rae** asked the Minister for Health his views on research conducted by the Irish Cancer Society (details supplied) in relation to sunbed use among young persons; and if he will make a statement on the matter. [33331/13]

531. **Deputy Robert Dowds** asked the Minister for Health if he will provide an update on his work on the public health (sunbeds) Bill; and when this Bill will be introduced. [33334/13]

532. **Deputy Róisín Shortall** asked the Minister for Health his plans to introduce legislation to regulate the use of sunbeds; and if he will make a statement on the matter. [33335/13]

557. **Deputy Seán Kyne** asked the Minister for Health in view of the dramatic 138% increase between 1994 and 2010 of skin cancer cases, if legislation regulating the use of sunbeds will be introduced with particular reference to younger persons and those with at-risk skin types. [33481/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 472 to 476, inclusive, 493, 512, 521, 522, 525, 529, 531, 532 and 557 together.

I am aware that the Irish Cancer Society (ICS) has recently launched a campaign to highlight the need to protect young people from cancer-causing sunbeds. This campaign is focussed on the cancer risk associated with sunbed use and builds on earlier work undertaken by the ICS in this regard. On a broader front, the Irish public has also, over recent years, benefitted from the Society's "SunSmart Code" highlighting the danger of overexposure to the sun and measures the public can take to minimise such exposure. There is now a much greater public awareness and understanding of the health risks associated with both exposure to the sun and the use of tanning devices.

The apparent contradiction between the increase in skin cancers over the period from 1994 to 2010 on the one hand and the reduction in sunbed use indicated by the ICS research on the other hand can most probably be explained by the long latency period often associated with skin cancers - which can take many years to develop and present. The Chief Medical Officer in the Department of Health has advised me that cohorts of the adult population who are at increased risk from UV radiation can best be dealt with by way of regulation rather than a prohibition. My Department has also been advised that prohibition on certain skin types would, in all likelihood, be incompatible with equality legislation.

I can confirm that the forthcoming Public Health (Sunbeds) Bill will make it an offence to sell or hire a sunbed to a person under 18 years of age or allow such a person to use a sunbed on a sunbed premises. A test purchasing provision will also be set out in the Bill to support enforcement of the prohibition on the sale or hire of a sunbed to a person under 18 years of age or to allow such a person to use a sunbed on a sunbed premises. Breaches of this core provision will result in prosecution and very significant penalties will be available to the courts in cases of non-compliance.

In addition to this prohibition on sunbed businesses from permitting persons under 18 years of age from using or hiring a sunbed, the legislation will also set out a comprehensive range of measures to promote a greater public awareness across all age groups of the dangers of developing skin cancer, premature aging and eye damage from exposure to ultraviolet radiation (UVR). Key provisions in the Bill will include:-

- (i) a prohibition on anyone under 18 years of age using a sunbed on a sunbed premises;
- (ii) a prohibition on the sale to or hire of sunbeds to anyone under 18 years of age;
- (iii) a prohibition on the unsupervised use of sunbeds in a sunbed premises;
- (iv) an exemption for medical purposes;
- (v) control on the remote sale or hire of sunbeds (internet transactions);
- (vi) sunbed operators, sellers and hirers will be required to notify the HSE;
- (vii) a requirement that sunbed operators provide training for staff;
- (viii) an enforcement regime and the imposition of penalties for non-compliance;
- (ix) an obligation on all sunbed operators to provide protective eye wear to users;
- (x) a requirement that warning signs be displayed in all sunbed premises;
- (xi) a prohibition on certain promotional marketing practices;
- (xii) a requirement on operators to ensure that sunbed users are made fully aware of the potential dangers of sunbed use; and a related provision whereby sunbed users are required to sign to confirm that they have been made so aware.

On the matter of the research commissioned by the ICS, this survey indicated that, at most, 7 people in a sample of 1,000 aged between 15 and 24 had used a sunbed in 2010. From this, an estimated national figure of 28,000 was indicated for sunbed use in the 15-24 age category. While it is difficult to conclusively estimate a national usage figure from such a sample, it is important to point out that the 4% of respondents who used a sunbed in 2010 represents a reduction from 9% in 2003 (a 55% reduction on the 2003 figure). The percentage of the 15-24 age category who use sunbeds is 5% and this has reduced from 10% in 2007 (a 50% decrease on the 2007 figure).

In summary, the research indicates that significant reductions in the use of sunbeds have been recorded over the past number of years. Greater public awareness of the risks of sunbed use has been an important factor in this regard and the ICS is to be complimented for their work in promoting public awareness of the dangers associated with over-exposure to the sun and from sunbed use. The forthcoming sunbed legislation will build on this process and I am delighted to be in a position to confirm that my Department expects to complete the drafting of this legislation within the next 6-8 weeks. The legislation has been accorded priority drafting status and officials of my Department are working closely with the Office of the Parliamentary Counsel to complete the necessary drafting work. Once the drafting is completed, the legislation must be notified to the EU Commission under the EU Transparency Directive prior to its publication and initiation of the Bill in the Oireachtas. This EU notification requirement will necessitate a minimum of three months to complete.

477. **Deputy Gerald Nash** asked the Minister for Health if he will provide an update in relation to the proposed development of a primary care centre in north Drogheda; when he anticipates that such a facility will be open to the public; and if he will make a statement on the matter. [32879/13]

478. **Deputy Gerald Nash** asked the Minister for Health the position in relation to the proposed development of a primary care centre (details supplied) in County Meath; when he anticipates that such a facility will be open to the public; and if he will make a statement on the matter. [32880/13]

Minister of State at the Department of Health (Deputy Alex White): I propose to take Questions Nos. 477 and 478 together.

The delivery of primary care infrastructure is a dynamic process and must take account of changing circumstances including the feasibility of implementing the delivery of the centres by means of lease, direct-build or PPP. GP engagement and agreement to deliver services from primary care centres is central to the delivery of the necessary infrastructure. Laytown-Bettystown, Co. Meath and North Drogheda, Co. Louth are two of the 35 potential locations for primary care centres for development by way of PPP as announced in the July 2012 Infrastructure Stimulus Package. The HSE is currently finalising sites and assessing GP engagement at each location to determine their interest in participating in the primary care centre development. While it is not possible, at this time, to give start and completion dates for any of the individual 20 potential locations, the best estimate is that these primary care centres will be completed by late 2016.

Mobility Allowance Decision

479. **Deputy Denis Naughten** asked the Minister for Health his plans to publish legislation on the reform of the mobility allowance scheme; if this new legislation will ensure that current recipients continue to receive the payment; and if he will make a statement on the matter. [32909/13]

502. **Deputy Finian McGrath** asked the Minister for Health the position regarding the mobility allowance and the concerns many disabled persons still have regarding this allowance. [33083/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 479 and 502 together.

The Government decided on 12 June last, to extend payments of Mobility Allowance to those currently in receipt for a further number of months, pending establishment of new statutory provisions to support the mobility needs of people with severe disabilities. The Government is very conscious of the needs of people with a disability who have relied on individual payments of Mobility Allowance to support their independence and will take all of this into consideration when making a decision on future arrangements.

Following detailed consideration of the Interim Report of the Review Group, which was 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 Government has decided that new statutory provisions will be established to provide individual payments to people with severe disabilities who require additional income to address the costs of their mobility needs. The Government has agreed that an inter-departmental group, chaired by the Department of the Taoiseach, will now be asked to develop detailed proposals for the operation of the new scheme

or schemes, including eligibility criteria and administrative arrangements, and should report back to Government by October. The Final Report of the Review Group, which will include consideration of the wider issue of general transport for people with disabilities, will be submitted to Government in the coming weeks.

The Government has agreed that payments should temporarily continue to be made by the HSE to those persons currently in receipt of the Mobility Allowance for a further number of months, pending the commencement of new statutory provisions, on the basis that this would prevent hardship, and, on an interim basis, alleviate stress, anxiety and uncertainty among a vulnerable group in society. The existing position regarding the Motorised Transport Grant remains as before, i.e. the scheme remains closed. The inter-departmental group will examine this issue as part of its considerations of how future statutory arrangements should operate.

National Drug-Related Deaths Index

480. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of persons who have died in the past three years from overdoses of non-prescription use of painkillers; and if he will make a statement on the matter. [32913/13]

Minister for Health (Deputy James Reilly): The Irish National Drug-Related Deaths Index (NDRDI), which is maintained by the Health Research Board, is an epidemiological database which records deaths in Ireland due to drug and alcohol poisoning, and deaths among drug users and those who are alcohol dependent. I have been advised by the Health Research Board that information on 2010 deaths is the most recent data available. Data on 2011 deaths will not be ready until late 2013. I am further advised by the Health Research Board that while the NDRDI records all drugs or substances implicated in an individual’s death, including both over the counter and prescription medications, data is not available as to whether the prescription medication was prescribed to the deceased or if it was obtained by other means.

In 2010, there were 323 poisoning deaths recorded. Poisoning Deaths are defined as deaths directly due to the toxic effect of the presence in the body of a drug or drugs and/or other substance(s). Other terms used to describe such deaths include overdose, directly drug-related death and acute drug death. Deaths arising from adverse reactions to prescribed medication are not included in the NDRDI. In 2010, analgesic (pain killers) alone (eg paracetamol, solpadine, tramadol, tylex) including an analgesic containing an opiate compound accounted for 2% (7 deaths) of all poisoning deaths.

National Drug-Related Deaths Index

481. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of deaths that occurred in the past three years where benzodiazepines played a role; his Department’s role in counteracting the multi-prescription of benzodiazepines with persons claiming one prescription on their medical cards and paying in cash for others; and if he will make a statement on the matter. [32914/13]

Minister of State at the Department of Health (Deputy Alex White): The National Drug-Related Deaths Index maintained by the Health Research Board shows that benzodiazepines were implicated, either alone or with other drugs or substances in 310 deaths between 2008 and 2010, of which 103 occurred in 2008, 113 in 2009 and 94 in 2010. Data relating to 2011 will be available later this year.

The supply of prescription medicines, including benzodiazepines, is controlled in a number of ways. Under the Medicinal Products (Prescription and Control of Supply) Regulations, it is prohibited for a person to supply a prescription medicine except in accordance with a prescription, and the supply must be made from a registered pharmacy by or under the personal supervision of a registered pharmacist. A person who contravenes these Regulations is guilty of an offence. In addition, medicines which have a high potential to be misused are controlled under the Misuse of Drugs Acts. A person who has in his possession a prescription medicine containing a controlled drug under the Misuse of Drugs legislation for the purpose of selling or supplying it, is guilty of an offence under that legislation.

As a result of consultations with key stakeholders, draft Misuse of Drugs (Amendment) Regulations are currently being prepared to introduce stricter prescribing and dispensing controls on benzodiazepines. It is planned to finalise the draft Statutory Instruments shortly and publish these on the Department's website as part of a written consultation process. This will be followed by a 3 month EU notification period required under the Technical Standards Directive because of the implications of the proposed regulatory changes on trade in pharmaceutical products. Government approval will then be sought to amend the legislation.

Orthodontic Services Waiting Lists

482. **Deputy Gerry Adams** asked the Minister for Health if he will provide an update on an appointment for Health Service Executive orthodontic services in respect of a person (details supplied) in County Louth; and if he will make a statement on the matter. [32927/13]

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.

Parent Held Record

483. **Deputy Regina Doherty** asked the Minister for Health when the parent held record will be rolled out to all local health authorities here; and if he will make a statement on the matter. [32928/13]

Minister for Health (Deputy James Reilly): The Parent Held Record (PHR) was first piloted in Ireland in the former Midwest area in 2000-2012. Evaluation of the pilot project has demonstrated an improvement in service quality – through provision of accurate, timely information and the empowerment of parents in the care of their child. The PHR is now in use in the former mid-west, north east and north-west areas. A process is underway to enable roll out to other regions.

Public Health Nursing Service

484. **Deputy Regina Doherty** asked the Minister for Health if there are key performance indicators for public health nurse visits to pre-school children and to national school children; the responses he will take to those indicators; and if he will make a statement on the matter. [32929/13]

Minister for Health (Deputy James Reilly): The HSE Public Health Nursing service is responsible for child health monitoring, which involves a programme of screening interventions and supports for parents, starting at birth and extending through the pre-school years. In total there are nine timed age-related visits offered to children under the Child Health Surveillance Programme (CHSS). There are three associated KPIs regarding this service. The percentage of newborn babies visited by a PHN within 48 and 72 hours of birth and the percentage of children who have received their first developmental screening visit prior to their reaching ten months of age. The first two indicators are reported quarterly in arrears and the third is reported monthly in arrears. Latest national data indicate that 84% of newborns are visited by a Public Health Nurse within 48 hours of birth which rises to 96% for visits within 72 hours of birth.

Regarding developmental screening, although many individual areas have exceeded the 95% performance level, latest data available from the HSE indicates that the national performance level is 86.9%. The HSE has put a plan in place to address backlogs during the summer months. The situation is monitored carefully through the HSE's monthly performance monitoring system.

Public Health Nursing Service

485. **Deputy Regina Doherty** asked the Minister for Health the number of public health nurses who have or are caring for patients in excess of the recommended number of 2,500 patients; the geographical spread of same; the reasons for same; and if he will make a statement on the matter. [32933/13]

Minister of State at the Department of Health (Deputy Alex White): While the ratio of one Public Health Nurse (PHN) to 2,500 of the population was recommended in a number of reviews of the PHN service, the provision of community services is ideally based on assessed health needs, rather than crude population ratios. In recent years the delivery of services in the community has been reconfigured to meet population health needs. This has involved the development of Primary Care Teams (PCTs) to ensure the delivery of services by multidisciplinary teams. Furthermore, the numbers of Registered General Nurses (RGNs) working in the community has increased.

There are currently 418 PCTs in place across the country and it is planned that 484 PCTs will be developed nationally by the end of 2013. At the end of May 2013, the average number of PHNs per PCT in place is 2.94 and the average number of RGNs is 0.87. There are a further 450 wholtime equivalent RGNs working in primary care services who are not attached to PCTs. The ratio of PHNs and RGNs combined in the community is 4.3 per 10,000 population.

In 2012, the HSE completed a detailed analysis of the numbers and distribution of public health nurses, registered general nurses, occupational therapists, physiotherapists and speech and language therapists. The analysis revealed considerable variation across the HSE's 17 Integrated Service Areas in ratios of health care professionals to population, and to population numbers in areas of high deprivation. Based on this exercise, in 2013, Primary Care funding of €20 million, nationally, will be invested to support the recruitment of prioritised front-line primary care team posts and enhance the capacity of the primary care sector.

I issued approval to the HSE on the 27th March 2013 to commence recruitment to Primary Care Teams with immediate effect of the following additional 251 Primary Care posts:

- 70 Public Health Nurses;
- 37 Registered General Nurses;

- 51 Occupational Therapists;
- 46 Physiotherapists; and
- 47 Speech & Language Therapists.

The allocation and distribution of the above posts is based on bringing each Integrated Service Area, where staffing is below the national average, towards the national average.

Domiciliary Care Allowance Eligibility

486. **Deputy Denis Naughten** asked the Minister for Health the details of the Health Service Executive's scheme to review applications to have domiciliary care allowance backdated which were previously refused under a new national standardised approach by community care offices; the guidelines for this scheme; the information which applicants must submit; who will carry out the reviews; how far such applications for backdating will be considered; and if he will make a statement on the matter. [32934/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The issue raised by the Deputy is a matter for the Health Service Executive. Accordingly the Department has asked the HSE to reply to you directly. I would also refer the Deputy to the HSE's website where details are published of the HSE's policy and procedures in respect of requests for arrears for the domiciliary care allowance relating to the period when the HSE had responsibility for the scheme i.e. before 1st April 2009 - <http://www.hse.ie/dca/>.

Primary Medical Certificates Eligibility

487. **Deputy Heather Humphreys** asked the Minister for Health the reason a child (details supplied) in County Cavan has not been provided with a primary medical certificate; the position regarding the granting of primary medical certificates for children with Rett syndrome; and if he will make a statement on the matter. [32942/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Waiting Lists

488. **Deputy Robert Troy** asked the Minister for Health if he will ensure that a person (details supplied) in County Westmeath is given a date for a knee replacement operation. [32943/13]

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 been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists. In relation to this particular query raised by the Deputy, I have asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Nursing Homes Support Scheme Eligibility

489. **Deputy Robert Dowds** asked the Minister for Health if he will provide an update on the fair deal scheme, including means testing and the fair deal scheme, and the difference in relation to the fair deal scheme if private or public nursing homes are involved. [32957/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Nursing Homes Support Scheme is a system of financial support for people who require long-term nursing home care. Under the Scheme, nursing home residents contribute towards the cost of their nursing home care based on their means, and the HSE pays the balance. The Scheme applies to public, private and voluntary nursing homes.

The person's contribution towards the cost of their care is calculated based on 80% of their income and 5% of their assets per annum. If the person is a member of a couple, the assessment is based on half of the couple's combined income and assets. It should be noted that it was announced in Budget 2013 that the asset contribution would be increased from 5% to 7.5% per annum. The legislation underpinning the Scheme must be amended before this change can take effect. This is being progressed in the Health (Amendment) Bill 2013.

The Scheme contains several important safeguards which ensure that both the person in the nursing home and their spouse/partner, if applicable, are adequately provided for:

1. Nobody will pay more than the actual cost of care.
2. The first €36,000 for a person's assets, or €72,000 for a couple, is not taken into account during the financial assessment.
3. The principal residence is only included in the financial assessment for the first three years of a person's time in care. This three year cap can also apply to family farms/businesses in certain circumstances.
4. Where an individual's assets include land and property in the State, the contribution based on such assets may be deferred and collected from their estate. This is the optional Nursing Home Loan element of the scheme.
5. Individuals keep a personal allowance of 20% of their income, or 20% of the maximum rate of the State Pension (Non-Contributory), whichever is the greater.
6. If there is a spouse/partner remaining at home, s/he will retain 50% of the couple's income, or the maximum rate of the State Pension (Non-Contributory), whichever is the greater.
7. Certain items of expenditure, called allowable deductions, can be taken into account during the financial assessment. These allowable deductions include health expenses.
8. There is a financial review mechanism which takes account of the fluctuating value of assets and the fact that cash assets will naturally deplete over time as payments are made to the nursing home etc.

At end-May there were 21,979 people in receipt of financial support towards the cost of long-term residential care. This figure includes both people in receipt of support under the Nursing Homes Support Scheme, and people who have been in nursing home care since before the Scheme commenced and are in receipt of support under systems that pre-date the Scheme. An additional 727 people had been approved for funding, but were not yet in payment. This would be for a variety of reasons, e.g. the nursing home had not yet invoiced the HSE for payment or the individual waiting for a bed to become available in their nursing home of choice.

A further 777 people were on the national placement list awaiting funding, with a waiting time of about 6 weeks.

Generic Drugs Substitution

490. **Deputy Regina Doherty** asked the Minister for Health the number of patients with epilepsy who have been switched to generic epilepsy medication; if he will provide the information by county in tabular form; and if he will make a statement on the matter. [32959/13]

Minister of State at the Department of Health (Deputy Alex White): The Health (Pricing and Supply of Medical Goods) Act 2013, which came into operation on the 24th of June, will introduce a system of generic substitution and reference pricing. Under the Act, the Irish Medicines Board (IMB) is responsible for the assessment for interchangeability of medicines. The IMB will review an initial 20 active substances, which equates to approximately 1,500 individual medicines. They include statins, proton pump inhibitors, angiotensin-converting-enzyme (ACE) inhibitors and angiotensin II receptor blockers.

It is expected that the first List of Interchangeable Medicines, containing groups of atorvastatin products, will be published in mid-August. The IMB will publish subsequent lists for other groups of medicines on an ongoing basis. It is worth noting that there are no Anti-Epilepsy Drugs (AEDs) in the initial 20 active substances to be assessed for interchangeability by the IMB. Under the legislation, generic substitution is not permitted until the products have been assessed for interchangeability in accordance with the criteria set out in the legislation and the IMB has decided to add the products to the List of Interchangeable Medicines. At present, therefore, pharmacists are not permitted to substitute AEDs and must dispense the products as prescribed.

Health Services Access

491. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which diagnostic and support services are available to a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [32964/13]

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.

Hospital Waiting Lists

492. **Deputy Pat Deering** asked the Minister for Health when a person (details supplied) in County Carlow will be given an appointment for a knee operation following a consultation in Cappagh Hospital, Dublin, some time ago. [32969/13]

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 been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists. In relation to this particular query raised by the Deputy, I have asked the Health Service Executive to

investigate the situation and respond directly to the Deputy in this matter.

Question No. 493 answered with Question No. 472.

Health Services Access

494. **Deputy Dan Neville** asked the Minister for Health the position regarding optical services in respect of persons (details supplied) in County Limerick; and if he will make a statement on the matter. [33012/13]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the HSE for direct reply.

Medical Aids and Appliances Provision

495. **Deputy Dan Neville** asked the Minister for Health the position regarding specialised shoes in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [33013/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Services for People with Disabilities

496. **Deputy John McGuinness** asked the Minister for Health the reason there are no psychology services for children with autism in County Kilkenny; his plans in this area and the timeframe for services to be established; if he will confirm the waiting list time for this service; and if he will make a statement on the matter. [33015/13]

Minister for Health (Deputy James Reilly): My Department is having enquiries made of the Health Service Executive in relation to the matter raised by the Deputy. I will be in further communication with the Deputy.

Health Services Issues

497. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the role his Department and the Health Service Executive have in ensuring appropriate corporate governance for contracted service providers; if his attention has been drawn to an internal audit at a company (details supplied) in County Dublin which receives substantial HSE funds; if his attention has been further drawn to the findings of that audit; his views on the outcome of the audit and the measures he will take to address the findings and to prevent similar occurrences elsewhere; and if he will make a statement on the matter. [33032/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive, under Section 39 of the Health Act 2004 may assist bodies providing services similar or ancillary to those the Executive itself may provide. Such bodies operate services under Service Level Agreements with the HSE, and as such have clear responsibilities and are subject to regular audit under the HSE's financial governance process. The Deputy's questions

in relation to a particular provider are a matter for answer by the Health Service Executive and have been referred to it for direct reply.

Hospital Waiting Lists

498. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when a person (details supplied) in County Sligo will receive an appointment in Beaumont Hospital. [33033/13]

Minister for Health (Deputy James Reilly): Improving access to outpatient services is a key priority for the Government. Collaborating with individual hospitals, the SDU, together with the National Treatment Purchase Fund (NTPF) and the HSE, has developed the outpatient waiting list minimum dataset. This allows data to be submitted to the NTPF from hospitals on a weekly basis and, for the first time, outpatient data is available on www.ntpf.ie. For 2013, a maximum waiting time target has been set of 12 months for a first time consultant-led outpatient appointment and this is reflected in the HSE service plan. The SDU and the NTPF will work closely with hospitals towards achievement of the maximum waiting time. In relation to the particular query raised by the Deputy, regarding an appointment in Beaumont Hospital, as this is a service issue, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Health Services Provision

499. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will review the case of a person (details supplied) in County Cavan; and if he will make a statement on the matter. [33049/13]

Minister for Health (Deputy James Reilly): In relation to the query raised by the Deputy, as this is a service issue, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Medical Card Eligibility

500. **Deputy Patrick O'Donovan** asked the Minister for Health the reason persons (details supplied) in County Mayo have had their full medical cards revoked and have been issued with general practitioner visit cards despite the fact that following the renewal of these cards 18 months ago, they were provided with full GMS cards which have a valid date until November 2013; and if he will make a statement on the matter. [33057/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Medical Card Applications

501. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied); and if he will make a statement on the matter. [33079/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Question No. 502 answered with Question No. 479.

Hospital Waiting Lists

503. **Deputy Billy Timmins** asked the Minister for Health further to Parliamentary Question No. 559 of 18 June 2013, the position regarding an operation in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [33093/13]

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 been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists. In relation to this particular query raised by the Deputy, I have again asked the Health Service Executive to investigate the situation and respond directly to the Deputy in this matter.

Hospital Appointment Delays

504. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a hospital appointment will be offered to a person (details supplied) in County Kildare who is epileptic and currently waiting to see a specialist; and if he will make a statement on the matter. [33095/13]

Minister for Health (Deputy James Reilly): Improving access to outpatient services is a key priority for the Government. Collaborating with individual hospitals, the SDU, together with the National Treatment Purchase Fund (NTPF) and the HSE, has developed the outpatient waiting list minimum dataset. This allows data to be submitted to the NTPF from hospitals on a weekly basis and, for the first time, outpatient data is available on www.ntpf.ie. For 2013, a maximum waiting time target has been set of 12 months for a first time consultant-led outpatient appointment and this is reflected in the HSE service plan. The SDU and the NTPF will work closely with hospitals towards achievement of the maximum waiting time.

In relation to the particular query raised by the Deputy, regarding an appointment at Tallaght Hospital, as this is a service issue, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Hospital Waiting Lists

505. **Deputy Seán Kenny** asked the Minister for Health the number of persons on each waiting list to see each speciality at Temple Street Children's Hospital, Dublin 1; the average waiting time to see each speciality; the active steps being taken to reduce the waiting times; and if he will make a statement on the matter. [33106/13]

Minister for Health (Deputy James Reilly): Improving access to outpatient services is a key priority for the Government. Collaborating with individual hospitals, the SDU, together with the National Treatment Purchase Fund (NTPF) and the HSE, has developed the outpatient waiting list minimum dataset. This allows data to be submitted to the NTPF from hospitals on a weekly basis and, for the first time, outpatient data is available on www.ntpf.ie. For 2013, a maximum waiting time target has been set of 12 months for a first time consultant-led outpatient appointment and this is reflected in the HSE service plan. The SDU and the NTPF will work closely with hospitals towards achievement of the maximum waiting time.

In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Hospital Waiting Lists

506. **Deputy Billy Kelleher** asked the Minister for Health with regard to the change in outpatient waiting lists between the end of March 2013 and the end of May 2013, if he will supply in tabular format for each reporting hospital the total numbers waiting at 28 March 2013; the numbers on the 28 March waiting list who received an appointment; the numbers on the 28 March waiting list who were offered an appointment but declined it; the numbers on the 28 March waiting list who were no longer available for an appointment; the number of new entrants to the list between 28 March and 31 May 2013; and if he will make a statement on the matter. [33110/13]

Minister for Health (Deputy James Reilly): In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Hospital Admissions

507. **Deputy Arthur Spring** asked the Minister for Health if the Health Service Executive has a record of a person (details supplied) in County Kerry being admitted to casualty in Kerry General Hospital in August or September 2012; if there is a record of an ambulance being called to their residence; if a follow up visit, an appointment for an MRI or referral to a consultant was advised by medical staff in the hospital at the time of admission; and if he will make a statement on the matter. [33122/13]

Minister for Health (Deputy James Reilly): In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Medical Card Applications

508. **Deputy Brendan Griffin** asked the Minister for Health when a person changes doctor who has the responsibility of seeking the person's medical records; and the recourse available to them if they are having difficulty in obtaining these records; and if he will make a statement

on the matter. [33124/13]

Minister of State at the Department of Health (Deputy Alex White): Under the General Medical Services (GMS) General Practitioner (GP) Capitation Contract, when a patient transfers from one GP's list to another, Clause 22 states that "*the former medical practitioner shall, subject to the written consent of the person (or in the case of a child, his parent) give to the second medical practitioner a summary of the medical history and condition of the patient.*" If a patient's files have not yet been received by their new GP and they are having difficulty in obtaining these records, they should contact their HSE Local Health Office.

Under the Data Protection Acts, where an individual is a private patient of a GP, the GP is the Data Controller in respect of his/her medical records and not the HSE. The private patient has a right, under Section 4 of the Data Protection Acts, to access their data, but does not have a right to obtain the actual file. If a private patient wishes to transfer to another GP, they could request a copy of their medical records to be sent to their new GP. However, the former GP is entitled to retain custody of the file for medico-legal and other professional requirements.

Medical Aids and Appliances Provision

509. **Deputy Brendan Griffin** asked the Minister for Health if he will reinstate the free provision of overnight blood pressure monitors for medical card holders; and if he will make a statement on the matter. [33125/13]

Minister of State at the Department of Health (Deputy Alex White): The current GMS capitation contract is based on a contract agreement first introduced in 1989. It sets out the duties and obligations of the contracted registered medical practitioner in broad terms. While the contract would not have envisaged the deployment of 24 hour blood pressure (BP) monitoring technology as a standard feature of the range of services available in the primary care setting, it did become more commonly available in the years subsequent to the introduction of the capitation contract. Some GPs did not charge for supplying a 24 hour BP monitor to medical card patients whilst others charged a fee of €40-€50. In comparison, the charge for BP monitoring in one of Dublin's private hospitals is €165.

Consultation fees charged by general practitioners outside the terms of the GMS contract are a matter of private contract between the clinicians and the patients. While I have no role in relation to such fees, I would expect clinicians to have regard to the overall economic situation in setting their fees.

Home Help Service Provision

510. **Deputy Michael Lowry** asked the Minister for Health the maximum number of hours available to a person requiring round the clock care under the home care package in each Health Service Executive area; the reason for the discrepancy in this figure; his views on whether this is fair; and if he will make a statement on the matter. [33128/13]

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.

Home Help Service Provision

511. **Deputy Noel Harrington** asked the Minister for Health the total number of hours provided in the home help service in each of the last three years and the projected number of hours to be provided this year in west Cork; and if he will make a statement on the matter. [33138/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Question No. 512 answered with Question No. 472.

Primary Care Centres Provision

513. **Deputy Maureen O'Sullivan** asked the Minister for Health his plans for a primary care centre for Dublin's inner city in view of the fact that the site has been secured; and if he will make a statement on the matter. [33141/13]

Minister of State at the Department of Health (Deputy Alex White): The delivery of primary care infrastructure is a dynamic process and must take account of changing circumstances including the feasibility of implementing the delivery of the centres by means of lease, direct-build or PPP. GP engagement and agreement to deliver services from primary care centres is central to the delivery of the necessary infrastructure. The location in question in Dublin's inner city is one of the 35 potential locations for primary care centres for development by way of PPP as announced in the July 2012 Infrastructure Stimulus Package. The HSE is currently finalising suitable sites including agreements to purchase where necessary and assessing GP engagement at each location to determine their interest in participating in the primary care centre development. While it is not possible, at this time, to give start and completion dates for any of the individual 20 potential locations, the best estimate is that these primary care centres will be completed by late 2016.

Mental Health Services Provision

514. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the efforts he is making to address the shortage of acute child psychiatric services; and if he will make a statement on the matter. [32595/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): When *A Vision for Change* was published in 2006, there were 49 Child and Adolescent Community Mental Health (CAMH) Teams and 12 dedicated Acute In-Patient beds for children. Today, there are 61 Community based (CAMH) teams and 39 Acute In-Patient beds nationally. A further 8 beds will be commissioned in Cork and a further 5 beds will re-open in Galway by year end. The second phase of the Child and Adolescent Unit at St. Vincent's Hospital, Fairview will increase capacity from 12 to 18 beds in Dublin by the end of 2013. Increased bed capacity reflects an almost 60% decrease in admissions of children to adult units since 2008.

Mental health service delivery for children or adolescents is based on Community Mental Health Teams. In this regard, 150 additional posts were allocated to Child and Adolescent Mental Health Teams in 2012, and a further 80 posts were allocated for this specific service area in 2013. Such initiatives are underpinned by the special allocation of €70 million to develop mental health over this, and last, year and do not therefore reflect, in reality, a wind down of mental health provision overall. I understand that 109 of these posts have either been filled, or have a start date shortly, and that recruitment of the balance of the new posts remains a priority within the HSE. The Deputy will appreciate that the Executive has responsibility for the

delivery of services at local level, including the need to address evolving services pressures in the context of overall resources. I will, obviously, continue to closely monitor implementation of this important initiative over the remainder of this year.

Health Services Staff Issues

515. **Deputy Dan Neville** asked the Minister for Health the position requiring those advertising psychotherapy and counselling services to alert the public to the fact that psychotherapists and counsellors are not currently regulated under the Health and Social Care Professionals Act 2005. [33165/13]

516. **Deputy Dan Neville** asked the Minister for Health the position regarding the registration of psychotherapists and counsellors under the Health and Social Care Professionals Act 2005 as promised by him during the committee debate on the Health and Social Care (Amendment) Bill 2012 on 9 November 2012 [33166/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 515 and 516 together.

Under the Health and Social Care Professionals Act 2005, the Minister for Health may designate a health and social care profession if he or she considers that it is in the public interest to do so and if specified criteria have been met. The 12 professions to be regulated under the Act are clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers and speech and language therapists. Five registration boards have been established to date and a sixth will be established shortly. The registration boards and their registers for the remaining designated professions should be established by 2015.

Whilst the immediate priority is to proceed with the establishment of the registration boards for the twelve professions currently designated under the Act, as I indicated back in November 2012, I am committed to bringing counsellors and psychotherapists within the ambit of the Act as soon as possible.

In relation to advertising, I feel that, given the timing and legal complexity of the issues involved, we should be focussing on achieving the regulation of counsellors and psychotherapists rather than bringing forward primary legislation to require them to include a notification that they are not yet subject to statutory regulation. Notwithstanding that a number of counsellor and psychotherapist national groups have come together as the Psychological Therapies Forum to advise as a single voice for the professions in so far as is possible, a number of issues are still being clarified.

These include decisions on whether one or two professions are to be regulated, on the title or titles of the profession or professions, and on the minimum qualifications to be required of counsellors and psychotherapists. In relation to the latter, Quality and Qualifications Ireland (QQI), the successor to HETAC, has established a Standards Development Group for Counselling and Psychotherapy which aims to establish standards of knowledge, skills and competence to be acquired by candidates for educational qualifications that will be required for careers in counselling and/or psychotherapy. This is an essential prerequisite to regulation of the profession. The QQI Report is expected to be completed later this year or early in 2014. In addition, the standards of proficiency to be required of existing practitioners for registration will need to be established and the necessary qualifications prescribed.

The Department will be engaging with the Psychological Therapies Forum and other rel-

evant stakeholders as soon as the QQI report is available and will work through the outstanding issues with a view to achieving regulation of counsellors and psychotherapists as soon as possible in the best interests of the protection of the public.

Medical Card Reviews

517. **Deputy John McGuinness** asked the Minister for Health if an application for a medical card now under review/appeal in respect of persons (details supplied) in County Kilkenny will be expedited and approved based on the medical evidence provided and the fact that the couple cannot afford the medication and care needed. [33170/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Health Services Staff Recruitment

518. **Deputy Thomas P. Broughan** asked the Minister for Health if the post of national lead on obesity management in the Health Service Executive will be filled as a matter of urgency. [33176/13]

Minister for Health (Deputy James Reilly): Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. I have asked the Executive to investigate the matter raised by the Deputy and to reply to him directly.

Mental Health Services Provision

519. **Deputy Thomas P. Broughan** asked the Minister for Health the mental health services that are available in north Dublin for children aged 16 years and under in evenings after the hours of 5 p.m. and at weekends. [33177/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter this question has been referred to the HSE for direct reply.

Services for People with Disabilities

520. **Deputy Finian McGrath** asked the Minister for Health the impact the Health (Amendment) Bill 2013 will have on the lives and economic resources of persons with intellectual disabilities and specifically the impact on persons with intellectual disabilities in State residential care; the impact for persons with intellectual disabilities and their families who avail of life saving respite care; and if he will make a statement on the matter. [33272/13]

528. **Deputy Finian McGrath** asked the Minister for Health the consultations held, if any,

or attempts to explain the impact of the proposed Health (Amendment) Bill 2013 legislation his Department has undertaken with the disability community, in particular those persons with intellectual disabilities directly affected in terms of their residential arrangements and personal economic resources; and if he will make a statement on the matter. [33323/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 520 and 528 together.

I want to reassure people with disabilities in residential care that there is nothing in the new legislation which will involve moving people with disabilities in residential care to the Nursing Homes Support Scheme or which aims to increase the amounts they now contribute towards accommodation and maintenance costs. In fact, the new legislation in this area is largely a set of technical changes which aim to continue existing contribution levels within an updated statutory framework.

It should be noted that this is a very technical piece of legislation and contains provisions that affect many parts of the health service. However it is important that people in residential settings know that:

- The Bill essentially continues existing arrangements for people in a range of residential settings who contribute towards the cost of their maintenance. The Bill is putting this arrangement into a modernised and simplified legal framework which is not designed to generate any additional revenue.

- These contributions will apply to all those provided with residential care by or on behalf of the HSE, other than those covered by the Nursing Homes Support Scheme and those in acute hospital care.

- A Fair Deal type arrangement is not planned for extension to the Disability or Mental Health Sectors at present, but is being considered within the context of the current review of the Fair Deal Scheme. There would be full consultation before any such move is contemplated.

- There will be a continuing requirement to pay an appropriate and affordable contribution, which will be in line with current long-stay charges, towards the maintenance and accommodation costs to the State of providing such services.

- The maximum level of the current long stay charge is just below 80% of the non-contributory State pension. The maximum contribution will remain at this level.

- The actual contribution will depend, as now, on the individual's income level.

- The exemptions which currently apply to long-stay charges will continue to apply to residential support services maintenance and accommodation contributions.

- The HSE will continue to have discretion to reduce the level of contribution required to avoid undue financial hardship, depending on individuals' circumstances, the extent to which they provide for their own maintenance and their assessed needs.

Questions Nos. 521 and 522 answered with Question No. 472.

Health Services Staff Recruitment

523. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if a person (details supplied) in County Monaghan will take up a position with the Health Service Executive in July

2013; the duration of the contract; and if he will make a statement on the matter. [33286/13]

Minister for Health (Deputy James Reilly): Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. I have asked the Executive to investigate the matter raised by the Deputy and to reply to him directly.

Medicinal Products Availability

524. **Deputy Billy Kelleher** asked the Minister for Health the reason there is currently no national funding allocated for the life-changing asthma medication Omalizumab, Xolair, when currently there are only 200 eligible patients in the country who do not have access; and if he will make a statement on the matter. [33292/13]

Minister for Health (Deputy James Reilly): In relation to the query raised by the Deputy, as this is a service issue, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Question No. 525 answered with Question No. 472.

Health Care Infrastructure

526. **Deputy Gerald Nash** asked the Minister for Health when work on the extension to the emergency department at Our Lady of Lourdes Hospital will commence; when it will be completed; and if he will make a statement on the matter. [33303/13]

Minister for Health (Deputy James Reilly): Delivery of health care infrastructure is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Long-Term Illness Scheme Coverage

527. **Deputy Billy Timmins** asked the Minister for Health the reason gestational diabetes is no longer covered on the long-term illness scheme and the primary care reimbursement service no longer pay for items prescribed for gestational diabetes even if the local Health Service Executive office has issued approval; and if he will make a statement on the matter. [33316/13]

Minister of State at the Department of Health (Deputy Alex White): The Long Term Illness (LTI) Scheme was established under Section 59(3) of the Health Act, 1970, which has been amended and now reads as follows - *“The Health Service Executive may make arrangements for the supply without charge of drugs, medicines or medical and surgical appliances, for the time being on the Reimbursement List within the meaning of section 2(1) of the Health (Pricing and Supply of Medical Goods) Act 2013, to persons suffering from a prescribed disease or disability of a permanent or long-term nature.”* Gestational diabetes is not of a permanent or long-term nature and is, therefore, not covered by the Long Term Illness (LTI) Scheme.

Question No. 528 answered with Question No. 520.

Question No. 529 answered with Question No. 472.

Health Services Provision

530. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if additional supports are available for a person (details supplied) in County Meath who has to travel to England for urgent medical treatment; and if he will make a statement on the matter. [33332/13]

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.

Questions Nos. 531 and 532 answered with Question No. 472.

Vaccination Programme

533. **Deputy Simon Harris** asked the Minister for Health following the vaccine named Bexvero being approved for use by the European Commission in January 2013, if there are any plans to approve and introduce the use of this vaccine here in the near future; and if he will make a statement on the matter. [33336/13]

534. **Deputy Simon Harris** asked the Minister for Health if the level of infection of meningitis B here, being the highest in Europe, has been taken into account in respect of the decision on the use of the vaccine named Bexvero for the treatment of meningitis B here; and if he will make a statement on the matter. [33337/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 533 and 534 together.

The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. The committee's recommendations are informed by public health advice, international best practice and by the National Centre for Pharmacoeconomics (NCPE). A Health Technology Assessment which includes a cost benefit analysis is carried out prior to any new vaccine being considered. This has a vital role in ensuring that care technologies, including vaccines, are used in a manner appropriate to their ability to maximise health gain and achieve value for money. Should NIAC advice recommend the inclusion of a new vaccine into the primary childhood immunisation programme in Ireland, my Department, in association with the Health Service Executive's National Immunisation Office will examine the issue.

Medical Card Applications

535. **Deputy Tom Fleming** asked the Minister for Health If he will expedite a medical card application in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [33338/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to

medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Tobacco Control Measures

536. **Deputy Willie Penrose** asked the Minister for Health his plans to publish the results of the consultation process which ended on the 16 January 2013 and which sought the views of the public and stakeholders into proposals from the European Commission on a new Tobacco Directive; if he will confirm the reason these results have not been published to date, as the overwhelming majority of submissions received were opposed to a number of specific measures proposed therein; and if he will make a statement on the matter. [33339/13]

Minister for Health (Deputy James Reilly): Smoking is the greatest single cause of preventable illness and premature death in Ireland - killing over 5,200 people a year. This represents approximately 19% of all deaths. Tobacco is the leading cause of preventable mortality in Ireland. Smokers lose on average 10 to 15 years of quality life. Smokers have higher levels of life long morbidity than non-smokers. Smoking is the main cause of chronic obstructive pulmonary disease (COPD). An analysis of the results of the consultation process is being actively worked on at present and it is expected to be completed in the coming weeks. I am delighted by the progress made to date in the negotiations on the new Tobacco Products Directive at a European level. The main objective of this proposal is to reduce the attractiveness of tobacco products, particularly to children and young people. This Directive will have a very positive impact on the health of Europeans.

Disability Support Services Provision

537. **Deputy Joe McHugh** asked the Minister for Health if his Department is engaging in pre-budget discussions with a view to protecting existing services for personal assistance services to persons with disabilities. [33351/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The level of funding available for the health budget and the extent of the savings required in the health sector are being considered as part of the Estimates and budgetary process for 2014 which is currently underway. Deliberations by the Government on the expenditure allocations for next year are likely to continue up until Budget time and it would not be appropriate for me to comment further at this stage pending the outcome of those deliberations. The very difficult financial position facing the Exchequer will obviously require very careful management across all areas of expenditure.

The level of funding which the HSE will allocate to specific services in 2014 will have to be determined by the Executive in the context of the overall level of resources which will be made available to it next year, and priorities identified in the National Service Plan.

Compensation Awards

538. **Deputy Gerald Nash** asked the Minister for Health when he will take definitive action in relation to the extension of the Neary redress scheme as committed to under the programme for Government; and if he will make a statement on the matter. [33353/13]

Minister for Health (Deputy James Reilly): A commitment was made in the Programme

for Government to seek a mechanism to compensate those women who were excluded on age grounds alone from the Lourdes Hospital Redress Scheme. The Scheme of Redress approved by Government in 2007 was a non-statutory, *ex-gratia* scheme. Awards were determined by an independent Redress Board in 2007 and 2008. My Department has been engaged in a review to identify the most appropriate mechanism to compensate these women. This review has included taking instructions and legal advice, including advice from the Office of the Attorney General, with a view to bringing proposals to Government for a decision. I intend to bring these proposals to Government shortly.

Medical Card Applications

539. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [33361/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Medicinal Products Availability

540. **Deputy Noel Coonan** asked the Minister for Health the position regarding the inclusion of Pirfenidone in the GMS and community drug schemes; the current status of the application; the timeframe for decision; and if he will make a statement on the matter. [33369/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE has completed the consideration of the pricing and reimbursement application for Pirfenidone (Esbriet). The pricing and reimbursement application and associated commercially confidential offer made by Intermune has been accepted. The HSE has been in contact with Intermune (the market authorisation holder) and has confirmed that it will be in a position to commence reimbursement from 1st of August 2013, subject to Intermune being in a position to launch the product. The HSE expects that Intermune will be in a position to launch on the 1st of August. The administrative processes to allow reimbursement to happen are ongoing and will be completed over the next few weeks.

Cancer Screening Programmes

541. **Deputy Tom Fleming** asked the Minister for Health if he will provide a detailed report on the BreastCheck programme; the number of women who have had their first mammogram in 2010, 2011, 2012 and to date in 2013; the amount of women who should have been called and have now missed out on the programme for the same period; the figures for County Kerry; and if he will make a statement on the matter. [33383/13]

Minister for Health (Deputy James Reilly): The Deputy's questions relate to service delivery matters and accordingly I have asked the HSE to respond directly to him.

Medical Card Reviews

542. **Deputy Tom Fleming** asked the Minister for Health if he will urgently review the medical card downgrading in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [33385/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Medical Card Reviews

543. **Deputy Bernard J. Durkan** asked the Minister for Health if he will review an entitlement to a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [33387/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Medical Card Reviews

544. **Deputy Bernard J. Durkan** asked the Minister for Health if he will review the recent refusal of a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [33389/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Hospital Services

545. **Deputy Róisín Shortall** asked the Minister for Health if he will ensure that access for general practitioners to lung function tests at the Mater Hospital, Dublin, is restored immediately in the interests of early diagnosis of asthma and emphysema and other lung diseases and the better health outcomes that result; and if he will request information from the hospital as to the short, medium and long-term cost increases that will result because patients have to wait far

longer for diagnosis. [33407/13]

553. **Deputy Paschal Donohoe** asked the Minister for Health the reason the Mater Hospital, Dublin, is no longer able to provide lung function tests if required by general practitioners; if there is another hospital where GPs can refer directly; and if he will make a statement on the matter. [33465/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 545 and 553 together.

In relation to the particular queries raised by the Deputy, as these are service issues, I have asked the Health Service Executive to respond directly to the Deputy in these matters.

Medical Card Eligibility

546. **Deputy Tom Fleming** asked the Minister for Health when persons who are on the long term illness scheme will be allowed to automatically qualify for a medical card; and if he will make a statement on the matter. [33410/13]

Minister of State at the Department of Health (Deputy Alex White): Under the provisions of the Health Act 1970, eligibility for health services in Ireland is based primarily on residency and means. There are currently two categories of eligibility for all persons ordinarily resident in Ireland i.e. full eligibility (medical card) and limited eligibility (all others). Full eligibility is determined mainly by reference to income limits and is granted to persons who, in the opinion of the Health Service Executive, are unable to provide general practitioner, medical and surgical services to themselves and their dependents without undue hardship. There is no automatic entitlement to a medical card for persons with any specific illness.

The Long Term Illness Scheme provides those persons, suffering from prescribed conditions, who are not already medical card holders, with free drugs, medicines and medical and surgical appliances for the treatment of that condition. Medical card holders are required to pay prescription charges. Prescription charges are not payable in respect of items supplied under the Long Term Illness Scheme. The Government has no plans to provide an automatic entitlement to a medical card to patients with specific long term illnesses.

However, the Government is committed to introducing, on a phased basis, a universal GP service without fees within its first term of office, as set out in the Programme for Government and the Future Health strategy framework. This policy constitutes a fundamental element in the Government's health reform programme. The current Government is the first in the history of this State to have committed itself to implementing a universal GP service for the entire population.

Hospital Appointment Delays

547. **Deputy Anne Ferris** asked the Minister for Health the waiting times for non-emergency routine MRI scans; if he will provide a breakdown by hospital; and if he will make a statement on the matter. [33412/13]

Minister for Health (Deputy James Reilly): In relation to the particular issue of waiting times for non - emergency routine MRI scans, I have asked the Health Service Executive to respond directly to the Deputy in this matter.

Disability Support Services Provision

548. **Deputy Brendan Griffin** asked the Minister for Health if funding will be provided for disability services (details supplied) in County Kerry; and if he will make a statement on the matter. [33430/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Health Services Issues

549. **Deputy Michael Colreavy** asked the Minister for Health the policies, protocols and procedures used by the Health Service Executive and his Department to safeguard the financial interests of persons with intellectual disabilities who are in HSE supported care, including protocols for engaging solicitors and or advocates to advise and engage in legal action relating to bequests; and if he will make a statement on the matter. [33439/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Nursing Education

550. **Deputy Arthur Spring** asked the Minister for Health when the result of the re-check of the verbal assessment examination as part of the process for application to pre-registration of the Nursing/Midwifery Degree Programmes (Mature Code Nursing 2013) requested by a person (details supplied) in County Kerry will be released. [33445/13]

Minister for Health (Deputy James Reilly): The information sought by the Deputy is a matter for the Nursing and Midwifery Board of Ireland (NMBI). I have forwarded your request to NMBI for direct response.

Speech and Language Therapy

551. **Deputy Catherine Murphy** asked the Minister for Health if he will explain the reason there is an ongoing dispute in relation to Health Service Executive specific speech and language services in Tallaght, Dublin, which have been provided to a school (details supplied) in Dublin 24 to cater for children with special educational needs; if he will indicate the steps being taken to resolve this dispute between his Department and the HSE; and if he will make a statement on the matter. [33449/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): 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.

Medicinal Products Availability

552. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if his attention has been drawn to plans to introduce tamoxifen and raloxifene in England and Wales as preventative therapies for certain breast cancer (details supplied); if such a move is being considered here; and if he will make a statement on the matter. [33464/13]

Minister for Health (Deputy James Reilly): Breast cancer is the most common invasive cancer diagnosed in women in Ireland. A comprehensive symptomatic breast service is available for women in the eight designated cancer centres. Most cases of breast cancer arise in women with no apparent close family history. The majority of people with a family history of breast cancer will not be at substantially increased risk.

Women at increased risk of breast cancer due to their family history have a specific range of strategies currently available to reduce their risk. For those for whom risk-reducing surgery is unsuitable or unacceptable, chemoprevention using drugs such as tamoxifen and raloxifene may represent a more acceptable means of risk reduction.

Tamoxifen and raloxifene reduce the risk of breast cancer for women without a personal history but who have an increased risk of the disease. As they are not currently licensed for chemoprevention in well women with a family history of breast cancer in Ireland, they can only be prescribed by a doctor following professional guidance, taking full responsibility for the decision and documenting informed consent from the patient. It is not appropriate to offer them to all women aged over 35 years with a family history of breast and related cancers. Drug licensing in Ireland is the responsibility of the Irish Medicines Board.

All drugs have side effects and risks which are particularly important when they are being used to prevent other diseases. Discussion and information should include the side effects of drugs, the extent of risk reduction, and the risks and benefits of alternative approaches, such as risk-reducing surgery and surveillance. Discussions in relation to risk of cancer of the lining of the womb, or blood clotting and in relation to bone health are of particular importance for tamoxifen and raloxifene.

The communication of information on cancer risk and carrier probability is complex. There is a degree of uncertainty with respect to the probability of inheriting a predisposing genetic mutation, of gene penetrance and hence of developing cancer. People who are concerned about a family history of breast cancer may require information to help them deal with the complex medical and social choices linked with different levels of breast cancer risk management options, and support to cope with the associated uncertainty and anxiety.

The National Cancer Control Programme will be examining the most recent guidance, published this month, on Familial Breast Cancer from the National Institute for Health and Care Excellence in the UK in relation to the management of chemoprevention and other aspects of the care of patients with a family history of breast cancer.

Question No. 553 answered with Question No. 545.

Dental Services Provision

554. **Deputy Tom Fleming** asked the Minister for Health his views on correspondence regarding the plight of an orthodontic patient (details supplied) in County Kerry; and if he will make a statement on the matter. [33467/13]

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.

HSE Properties

555. **Deputy Bernard J. Durkan** asked the Minister for Health the full extent to which land and property including buildings in the ownership of the Health Service Executive is held in freehold, fee simple or otherwise in respect of St. Brigid's Nursing Home, Crooksling; the history of the title as derived from the original benefactor Verschoyle Campbell; the manner and status of the title on transfer to the local health authority, to the Eastern Health Board and subsequently to the HSE; if any changes to the status of the title took place in the intervening years; and if he will make a statement on the matter. [33476/13]

Minister for Health (Deputy James Reilly): Management of the health care property estate is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Primary Care Strategy

556. **Deputy Seán Kyne** asked the Minister for Health if he will report on the progress made to date on meeting the primary health strategy commitment of establishing between 400 and 600 functioning primary care teams by the end of 2014. [33480/13]

Minister of State at the Department of Health (Deputy Alex White): The implementation of the Primary Care Strategy is a priority for this Government. The objective is to develop services in the community which will give people direct access to integrated multi-disciplinary teams of general practitioners (GPs), nurses, physiotherapists, occupational therapists and others. At the end of May 2013, there were 418 Primary Care Teams operating, i.e. holding clinical team meetings, involving GPs and HSE staff. The 418 Teams provide services for almost 4 million of the population with 2,472 HSE staff members and over 1,567 GPs participating. The HSE's 2013 National Service Plan commits to having 484 operational Teams in place by the end of this year.

Question No. 557 answered with Question No. 472.

Prescription Charges

558. **Deputy Seán Kyne** asked the Minister for Health if his attention has been drawn to the presumably unintended anomaly whereby medical card holders are charged the prescription charge twice where a single prescription item is dispensed at different strengths to make up the prescribed strength and if action will be taken to address same. [33487/13]

Minister of State at the Department of Health (Deputy Alex White): Medical card holders are required to pay a €1.50 charge per item for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €19.50 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. Where a drug or medicine is required to be dispensed in different strengths and different containers, a prescription charge applies to each item.

HSE Staffing

559. **Deputy David Stanton** asked the Minister for Health the total number of psychotherapists employed by his Department and the Health Service Executive; and if he will provide a breakdown of the locations of these psychotherapists by HSE area. [33549/13]

560. **Deputy David Stanton** asked the Minister for Health the necessary qualifications psychotherapists must hold to be eligible for employment by the Health Service Executive; the manner in which these psychotherapists are recruited; and if he will make a statement on the matter. [33550/13]

561. **Deputy David Stanton** asked the Minister for Health the total expenditure on psychotherapy services by the Health Service Executive in 2010, 2011 and 2012 respectively; if he will provide a breakdown of this expenditure by hours and HSE area; and if he will make a statement on the matter. [33551/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 559 to 561, inclusive, together.

As this is a service matter the Deputy's questions have been referred to the HSE for direct reply.

Air Navigation Order

562. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport the procedure of notification that is required to be given to Ireland when aircraft enter and pass through Irish airspace carrying Heads of State or Heads of Government from other nations; and if he will make a statement on the matter. [33181/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): If the Head of State or Government from another nation enters or passes through Irish airspace on military or State aircraft, it is a matter for the Department of Foreign Affairs and Trade. In the case of civilian aircraft it is a matter for my Department.

For such carriage on board civilian aircraft engaged in fuel/technical stops or over-flights, no permission is required aside from technical notifications such as for air traffic control. Under the provisions of the Chicago Convention on International Aviation, non-scheduled flights, i.e. non-regular, non-commercial flights, non-traffic stops can be made into or across Irish territory without any requirement for prior permission. If the Head of State or Government is visiting Ireland and is travelling on a non-EU commercial/civilian flight the airline involved may have to apply for an authorisation for traffic rights to my Department. For such carriage on board military or State aircraft, the provisions of the Air Navigation (Foreign Military Aircraft) Order 1952 apply. In this context, permission must be obtained from the Minister for Foreign Affairs for the overflight/landing.

State Airports

563. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will outline the proposals the Dublin Airport Authority has for the relocation of the headquarters of Aer Rianta International; and if he will make a statement on the matter. [32907/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised by the Deputy about any proposals the Dublin Airport Authority (DAA) may have for relocating the headquarters for Aer Rianta International falls within the operational responsibilities of the DAA and I have referred the question to the company for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten working days.

National Car Test

564. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the reason persons have to wait so long for an NCT to be carried out on their vehicles; the average time for waiting; the number of cars in the system waiting for a test to be carried out; and if he will make a statement on the matter. [33051/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The subject matter of this question is the responsibility of the Road Safety Authority and I have referred the question to them for direct reply. I would ask the Deputy to contact my Office if a reply has not been received within ten days.

Semi-State Bodies Remuneration

565. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of persons including management working for Dublin Airport Authority who earned over €100,000 in each of the past five years; the number of staff including management who received a bonus in each of the past five years; and if he will make a statement on the matter. [33103/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Other than the Chief Executive Officer, the salary levels of employees of the Dublin Airport Authority (DAA), a commercial semi-State body, are a matter for the DAA. I have no function in such matters. Therefore, this question has been referred to the DAA for direct reply to the Deputy. If no answer has been received in ten working days, the Deputy should contact my private office.

Bus Éireann Services

566. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will request Bus Éireann to have at least one bus stopping during the day at a location (details supplied) in County Leitrim; and if he will make a statement on the matter. [33104/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The scheduling and time tabling of buses is an operational matter for Bus Éireann in conjunction with the National Transport Authority (NTA) and not one in which my Department has any role. I have forwarded your question to the company for direct reply and to the NTA for information. Please advise my private office if you do not receive a reply within ten working days.

Rural Transport Services Provision

567. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if the issue of rural hackneys as detailed in action 46 of the taxi review report and his Department's plans

has been discussed by the taxi advisory group; and if not when it will be discussed. [33112/13]

568. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport his plans to introduce a new plan for rural hackneys as detailed in action 46 of the taxi review report; and the advice he has sought on this new plan from experts and stakeholders. [33113/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I propose to take Questions Nos. 567 and 568 together.

The aim of the rural hackney licence, as proposed under Action 46 of the Taxi Regulation Review Report 2011, is to facilitate the low cost entry to the hackney market for transport provision in rural areas that, otherwise, would be unlikely to have such services. The licensing requirement would be based on certain specified criteria in particular the validation of transport needs in the area of operation.

The recommendations of the Taxi Review Group were informed by the economic analysis of the independent consultants, Indecon, which concluded that there should be a different regulatory approach for rural areas focusing on ways of assisting entry into rural markets where there is a shortage of supply. The Taxi Review Group itself comprised of representatives of the taxi Industry and consumers, representing the concerns and interests of urban and rural communities.

The National Transport Authority (NTA) has responsibility for the regulation of the taxi industry under the provisions of the Public Transport Regulation Act, 2009, and is also the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report. The NTA has prepared a proposal for the introduction of the local area hackney licence which is currently being considered by the Taxi Advisory Committee. I have forwarded your Question to the NTA for direct reply. If you do not receive a response within 10 working days, please notify my private Office.

Light Rail Projects Status

569. **Deputy Olivia Mitchell** asked the Minister for Transport, Tourism and Sport the number of new trams that will be purchased to serve on the Luas cross-city service and their expected date of delivery; and if he will make a statement on the matter. [33145/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as Luas Cross City, comes under the remit of the NTA. However for the Deputy's information the advance enabling works for the project have recently commenced. Procurement for the project's main contract will commence in 2014 with main construction works targeted to start in early 2015. The target date for commencement of services is end-2017.

The procurement process for the purchase of trams is currently at an early stage. The trams are programmed to arrive to facilitate testing and commissioning in advance of the scheduled opening of the line in late 2017. A provision for the cost of the new trams has been included in the business case. In light of the NTA's responsibility in the matter I have referred the Deputy's question to the NTA for direct reply in relation to the specific queries raised. Please advise my private office if you do not receive a reply within 10 working days.

Air Services Provision

570. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that no current direct flight exists between Ireland and any city in the People's Republic of China; his views on whether such a direct air link would provide additional benefit for Ireland, in view of the current level of trade between the two countries; the discussions he has held on this matter in the past two years; his views on whether such a route would be beneficial for Ireland in view of the visit here last year of the then Vice President and now President of the People's Republic of China, Xi Jinping; and if he will make a statement on the matter. [33184/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Ireland has a bilateral air transport agreement with China since 1998. The agreement provides the legal framework for scheduled air services between the two countries. However, the establishment of such a service is a commercial decision for the airlines. Enhanced air access to key tourism and business markets such as China has always been a key element of Ireland's aviation policy. I would very much welcome the prospect of direct services to China and have no doubt that such a service would be of benefit to trade relations between both countries. The Irish airports and Tourism Ireland have attractive incentive and marketing programmes available to help support new services and I am aware the DAA have had discussions with Chinese airlines about the possibility of a service.

In the meantime, Ireland does have extensive one-stop connectivity with many Chinese cities through the established European hubs such as Heathrow, Amsterdam, Paris and Frankfurt. In addition connectivity with China has improved considerably since the commencement of Etihad's services to/from Abu Dhabi in 2007 and more recently Emirates services to/from Dubai in 2012.

Road Projects Status

571. **Deputy Gerald Nash** asked the Minister for Transport, Tourism and Sport the position in relation to progress regarding the provision of a bypass for Ardee, County Louth; and if he will make a statement on the matter. [33302/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Driving Test Regulations

572. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport the number of agent network locations that he is seeking to establish in County Wicklow through SGS Ireland for the national driving licence service centres; the locations that have been agreed; if all locations in the county will open by the September 2013 deadline, if job creation will be an element of the decision; and if he will make a statement on the matter. [33306/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The subject matter of this question, which is the operation of the driver licensing service, is a matter for the Road Safety Authority, and I have therefore passed the question to the Authority for direct response. I would ask the Deputy to contact my office if a reply has not been received within ten days.

EU Regulations

573. **Deputy Andrew Doyle** asked the Minister for Transport, Tourism and Sport if he will outline the implications for Ireland if caravans, trailers and motorcycles may have to carry separate number plates from 2016 onwards as a result of a recent vote by the European Parliament; if he believes licence plates should remain in Ireland's competence or should be part of an overall EU policy; and if he will make a statement on the matter. [33314/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Enhanced EU roadworthiness proposals published by the Commission in July 2012 proposed the addition of heretofore excluded classes of vehicles such as towed caravans, trailers and motorcycles within the established roadworthiness testing regime. Under the Irish Presidency, amendments to those proposals were agreed by the Land Transport Working Group, and the June 2013 Ministerial Transport Council reached a General Agreement on the suggested amendments. The European Parliament has separately submitted a range of possible amendments to the Commission and negotiations to reach/seek an agreed tripartite solution will be initiated shortly under the Lithuanian Presidency. Ireland will await the final outcome of these negotiations and will carefully consider any implications that may arise.

Bus Éireann Services

574. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the level of financial assistance that has been provided by either his Department or the National Transport Authority to Bus Éireann towards the roll-out of on-street real time information systems; and if he will make a statement on the matter. [33365/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as Real Time Passenger Information (RTPI), comes under the remit of the NTA. The Authority's functions were subsequently extended by Ministerial Order to include provision of RTPI to the four major regional cities of Cork, Galway, Limerick and Waterford and the contiguous areas of those counties. Noting this I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Bus Éireann Services

575. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport the position regarding the provision of a facility (details supplied) in County Kerry; and if he will make a statement on the matter. [33431/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue of bus stop improvement is a matter for the National Transport Authority (NTA) in conjunction with

the relevant transport provider. I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Archaeological Sites

576. **Deputy John McGuinness** asked the Minister for Transport, Tourism and Sport the cost of the final reports post excavation relative to the archaeological dig in the Boyne Valley, County Meath, as part of the construction of the M1 (details supplied); if these final reports on the discoveries which formed part of the conditions under which the excavation licences were issued by the national monuments service have been submitted to the appropriate Department or agency; if the consultants have been paid in full for the reports; and if he will make a statement on the matter. [33434/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Taxi Regulations

577. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport his plans in regards to taxi drivers currently using the prime location rank near the Gresham Hotel, O'Connell Street, Dublin 1 who will not have the use of those ranks during forthcoming LUAS works; and if he will make a statement on the matter. [33455/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Decisions regarding the location and operation of taxi ranks on public roads are primarily matters for consideration by the relevant local authority. Under section 84 of the Road Traffic Act 1961, as amended by Section 15 of the Road Traffic Act, 2002, Dublin City Council, in consultation with the Commissioner of An Garda Síochána, is responsible for the making of bye-laws in respect of the area comprising of the city of Dublin, including bye-laws regarding the location and number of taxi ranks.

I understand that the National Transport Authority (NTA) is in on-going discussions with Dublin City Council concerning the identification of potential locations for rank space within Dublin City Centre. I have forwarded your Question to the NTA for direct reply. If you do not receive a response within 10 working days please notify my private Office.

Road Safety Issues

578. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will provide for anti-speeding measures with particular reference to roads identified by groups in the national slow down day speed surveys (details supplied), as they are proven to reduce risk and save lives. [33478/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads, in its area, is a statutory function of each road

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authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the relevant councils. It is open to Galway County Council to fund these works from its Discretionary Grant or alternatively prioritise these works and submit them among their applications for funding in 2014 under the Low Cost Safety Improvement Grants Scheme when applications are sought in due course. It is also important to reiterate that the role of Exchequer grants for regional and local roads is to supplement Councils like Galway County Council in their spending in this area and the Council may fund traffic calming works from its own resources.