

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].

UN Guiding Principles

1. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade if a national implementation plan for the United Nations Guiding Principles for business and human rights is currently being prepared, as requested by the European Commission in October 2011; and if there will be an opportunity for interested parties to participate in the formulation of such a plan. [43763/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): On 16 June 2011, the UN Human Rights Council endorsed “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework”. The Commission Communication of October 2011, entitled “A renewed EU strategy 2011-14 for Corporate Social Responsibility” invited EU member States to develop national plans for the implementation of the UN Guiding Principles by the end of 2012. The EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council of the European Union in June 2012, asked Member States to develop national plans on the implementation of the UN Guiding Principles in 2013. The Guiding Principles cover a range of issues which, in this State, span the policy responsibilities of a number of Government Departments and agencies. Consideration is being given as to how to address the Guiding Principles and how best to go about formulating our national action plan for their implementation. Government Departments will be examining how to take this forward in the coming period.

UN Guiding Principles

2. **Deputy Seán Crowe** asked the Tánaiste and Minister for Foreign Affairs and Trade the way in which he will ensure his commitment to the United Nations Guiding Principles on business and human rights, as set out in Irish Aid’s One World, One Future, with regard to Irish companies operating outside of Ireland; and if the legal and policy guidance will be provided to companies regarding their human rights responsibilities when operating overseas. [43764/13]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe Costello): In May, the Tánaiste and I launched the Government’s new policy for international development, ‘One World, One Future’. It delivers on the commitment in the Programme for Government to review the 2006 White Paper on Irish Aid and sets out the framework for Ireland’s engagement in international development over the coming years. I believe this new framework which will help bring greater coherence to our work, and enable us to better plan for and measure more comprehensively the results which our development efforts are achieving. The fight against global poverty and hunger remain at the heart of Ireland’s aid programme and our policies on international development. However, we are also placing a strong emphasis on

responding to situations of fragility and conflict, on inclusive and equitable economic growth, and on the promotion and protection of human rights. Importantly, the new policy also promotes more rounded relationships with our Key Partner Countries stressing the need to bring economic and political relations further into our dialogue and work with them.

In this context, One World, One Future makes a commitment to ensuring that economic development, including engagement by Irish companies, is compatible with Ireland's commitment to human rights. It states that we will be guided by the United Nations Guiding Principles on Business and Human Rights, which were endorsed by the UN Human Rights Council on 16 June 2011. These principles highlight the duty of states to protect against human rights abuses by third parties, the corporate responsibility to respect human rights and the need for victims to have access an appropriate remedy when violations take place. The Department of Foreign Affairs and Trade, which manages the Government's development programme, is now preparing an implementation plan which will set out the steps to be taken to give effect to the commitments made in One World, One Future, including those on business and human rights. These steps will also inform the broader considerations by Government Departments on how best to develop a National Action Plan on the implementation of the UN Guiding Principles on Business and Human Rights.

Legislative Programme

3. **Deputy Barry Cowen** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43816/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I sponsored two items of legislation in 2012 - the European Communities (Amendment) Bill 2012 and the Thirtieth Amendment of the Constitution (Treaty on Stability, Coordination and Governance in the Economic and Monetary Union) Bill 2012. Regulatory Impact Assessments are carried out on all legislation as necessary. However, most of the legislation brought forward by my Department does not impact significantly on the regulatory environment and since March 2011 no Regulatory Impact Assessments have been carried out by my Department.

Property Taxation Administration

4. **Deputy Niall Collins** asked the Minister for Finance if he will confirm that he has instructed South Dublin County Council to ensure that all property tax moneys raised in the county this year will be spent in the county; and if he will make a statement on the matter. [43774/13]

Minister for Finance (Deputy Michael Noonan): Section 157 of the Finance (Local Property Tax) Act 2012, as amended, provides that, in each financial year commencing with 2014, the Minister shall pay from the Central Fund or the growing produce thereof into the Local Government Fund an amount equivalent to the Local Property Tax, including any interest paid thereon, paid into the Central Fund during that year. Accordingly, receipts from the Local Property Tax received in 2013 will remain in the Exchequer and will be used to meet the many expenditure obligations faced by the State. The allocation to the Local Government Fund for 2013 had already been decided before the Local Property Tax commenced.

I can assure the Deputy that I have not been in correspondence with South Dublin County Council regarding the disbursement of Local Property Tax receipts and I am not empowered by

the Act to instruct any local authority on how local property tax receipts should be spent.

NAMA Portfolio Issues

5. **Deputy Patrick Nulty** asked the Minister for Finance if he will consider amending the National Assets Management Agency legislation to allow all urban green space that has been left idle for five or more years to be given over for community use and turned into allotments that could be made available to persons out of work and people living on low incomes; and if he will make a statement on the matter. [43705/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, given the independence afforded to NAMA by the NAMA Act, and having established NAMA's mandate through legislation, I have no role as Minister for Finance in relation to strategies applied by NAMA in fulfilling that mandate. NAMA's role is that of a secured lender, like any bank they own the debt while the debtor or appointed liquidator still owns and controls the assets and is ultimately responsible for these assets, the Agency is therefore not in a position to compel its debtors and receivers to cede property either free of charge or at less than market value.

Decisions relating to the disposal of properties securing NAMA loans are an operational matter for the Board of NAMA which is guided by its commercial mandate under the NAMA Act 2009. Section 10 of the NAMA Act statutorily obliges NAMA to 'obtain the best achievable return for the State' from the management or its acquired loan portfolio. NAMA is obliged to carry out its functions in the context of the overriding commercial objective provided for by Section 10 of the Act and to recover the greatest amount possible for the taxpayer from the sale of loans and properties securing its loans.

NAMA fulfils its social obligation remit by facilitating a dialogue between NAMA debtors and 3rd parties so as to enable the latter to acquire suitable property for social, sporting and other public purposes. Importantly, the NAMA Board has committed to giving first refusal to any public authority, including Government departments, State agencies and local authorities, in respect of the purchase of property from NAMA debtors and receivers which may be suitable for their purposes. In line with this commitment, NAMA has accommodated the release of lands and property for schools, health care facilities, community and recreational amenities and other uses. Examples include:

- The identification of 4,350 houses and apartments for social housing
- The identification of more than 70 sites as potentially suitable for new schools
- The sale of sites to University College Dublin and University College Cork
- The sale of the Opera Centre site in Limerick to Limerick City Council
- The release of lands in Baldoyle, north Co. Dublin to Fingal County Council for parkland
- Co-funding, with Fingal County Council, of an N2-N3 link road through lands in west Dublin to facilitate identified development requirements

NAMA is also engaging with the Department of Health and the Health Service Executive in relation to possible sites and buildings for primary health care centres and other step-down and community health care facilities.

The Agency, therefore, whilst working to obtain the best achievable financial return for the taxpayer, is very open to realistic proposals that achieve desirable social objectives and there

are numerous examples of this. In addition to NAMA's on-going engagement with public bodies in relation to specific initiatives, such as social housing, it is open to any public body to identify its interest in lands and property securing the Agency's loans.

I believe the approach determined by NAMA's Board is contributing in terms of its primary commercial objective, while at the same time contributing to the achievement of wider public policy objectives. In light of this I do not intend to intervene, through legislative amendment or otherwise, in NAMA's positive work in this area.

Social Insurance Rates

6. **Deputy Tom Fleming** asked the Minister for Finance if he will give consideration to reducing employer PRSI in view of the fact that it will greatly assist in maintaining existing jobs and in creating thousands of new jobs throughout the country; and if he will make a statement on the matter. [43726/13]

Minister for Finance (Deputy Michael Noonan): The position is that it is the standard practice for the Minister for Finance to review all tax expenditures and reliefs including PRSI in the run up to annual Budget. On foot of the reviews carried out by my Department, yesterday I announced in my Budget Speech a package of 25 measures costing over €500m to promote jobs and growth. I believe that these measures will assist new business and small business and provide support for employers in almost every sector.

VAT Rate Application

7. **Deputy Tom Fleming** asked the Minister for Finance in view of the decision to reduce the VAT rate from 13.5% to 9% and the significance of this reduction to the tourism sector in County Kerry and throughout the country and the very positive implications it has had on the industry in creating and maintaining jobs, giving value for money, if he will support the calls to keep the VAT rate at 9% and ensure that Ireland has a strong and competitive tourism industry going forward; and if he will make a statement on the matter. [43730/13]

Minister for Finance (Deputy Michael Noonan): As I announced in the Budget, the 9% VAT rate on tourism related activity will be retained.

IBRC Liquidation

8. **Deputy Alan Farrell** asked the Minister for Finance his views on the recent revelations that Anglo overcharged customers by €1.2bn; the amount overcharged to Irish customers between January 1990 and July 2004; and if he will make a statement on the matter. [43767/13]

Minister for Finance (Deputy Michael Noonan): The Special Liquidators have confirmed that Irish Bank Resolution Corporation Limited (the "Bank") identified in June 2010 that it had a customer overcharging issue (i.e. there had been a difference between the interest rate charged to customers and the interest rate documented in the corresponding loan facility agreements) on customer loan accounts in the Republic of Ireland, US, Isle of Man and UK jurisdictions. I have been advised by the Special Liquidators that in July 2010 the Bank established an internal steering committee to oversee a forensic investigation into the circumstances surrounding this overcharging issue and to ensure that affected customers were fully refunded the overcharge amount together with appropriate compensation.

The Steering Committee informed the appropriate Regulatory Authorities of the issue and these Authorities were updated on the progress of the internal investigation.

A report on the forensic investigation was delivered to the Board of the Bank, and the Regulatory Authorities in December 2010. It identified overcharging affecting the majority of variable rate customer loan accounts in ROI, the Isle of Man and the US in the period from 1st of January 1990 to 31st July 2004. It further identified that approximately 25% of variable rate customer loan accounts in the UK were overcharged in the period from 1st September 1991 to 30th June 2005.

Project teams within the Bank calculated the amount of interest overcharge and compensation for every affected customer. Refunds plus compensation cheques were made available to affected customers in ROI, the US, the Isle of Man and the UK by the end of Q1, 2012.

The Special Liquidators can confirm that the total amount overcharged to customers was €45m.

VAT Rate Reductions

9. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will reduce the 23% VAT rate on smoothie drinks as raw fruit and vegetables incur 0% VAT yet when processed into a smoothie drink they incur 23% VAT; and if he will make a statement on the matter. [43783/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. The EU VAT Directive (Council Directive 2006/112/EC) generally provides that supplies of goods and services be chargeable to VAT at the standard rate but that lower rates are permitted in very limited circumstances. Food products can only benefit from the zero rating in accordance with Article 110 of the VAT Directive which permits the retention of the zero rate for “clearly defined social reasons” where the products were liable to VAT at the zero rate on 1 January 1991. This does not apply in the case of smoothies, and accordingly they are liable to VAT at the standard rate.

Insurance Coverage

10. **Deputy Seamus Healy** asked the Minister for Finance if he will clarify the position whereby insurance companies are refusing to give insurance cover to customers who live in or near flood plains, or in places the Office of Public Works have put flood relief schemes in place at significant cost, for example Clonmel, County Tipperary; and if he will make a statement on the matter. [43803/13]

Minister for Finance (Deputy Michael Noonan): It should be noted at the outset that neither I nor the Central Bank can compel insurers to quote for business. The decision to provide any specific form of insurance cover and the price at which it is offered is a commercial matter based on the assessment an insurer will make of the risks involved. I understand that insurance companies as a matter of course carry out reviews of the risks that they are prepared to insure against and sometimes make a decision to discontinue certain types of cover which they consider high risk such as homes close to a river which has previously flooded. These types of decisions are made sometimes on the basis of their broad past experience rather than looking at the individual circumstances of householders.

The idea of making flood insurance compulsory has been considered. However, since it would never be possible to prevent insurance companies quoting based on the underlying risk, it would mean that in areas where there was likely to be regular flooding, the cost of insurance would almost certainly be prohibitive and could make premiums unaffordable for policyholders in general.

What the Government can do, however, is try to address the underlying flooding problem through appropriate remedial works where this is economically feasible. The Office of Public Works is committed to doing all it can to alleviate the impact of flooding through the provision of defences and by taking steps to manage and reduce flood risk in the future through a strategic and sustainable approach under the National Catchment Flood Risk Assessment & Management (CFRAM) Programme. This commitment is underpinned by a very significant capital works investment programme which, along with expenditure on maintenance of arterial drainage schemes, will see up to €250 million being spent on flood relief measures over a five year period.

The OPW aims at all times to ensure that any major flood relief works it carries out, either directly or which it funds local authorities to carry out on its behalf, are executed to a very high standard and, insofar as possible, offer protection against a 1 in 100 year flood event. The OPW has carried out extensive flood relief works in urban areas throughout the country since 1995 and it is satisfied that those works have been effective in protecting a significant number of properties from flood damage. The OPW inform me that works on the Clonmel flood relief schemes 2 main phases (West and North/East) are now completed and the properties previously at risk of flooding are now protected to a 1 in 100 year standard.

I am also informed that the OPW and the Irish Insurance Federation have been engaged in discussions to agree a system of information sharing in relation to completed flood alleviation schemes and works undertaken by the OPW or, in certain instances, by local authorities with OPW funding, and where the standard of protection afforded by these works could be verified.

These discussions are aimed at putting in place a process which will provide the necessary reassurance to insurance companies that remedial works have been carried out to a sufficiently high level to enable them re-commence the provision of flood cover in areas which previously have been vulnerable to flooding.

Agreement on the format of that information has been reached and the OPW has supplied an initial batch of information to Insurance Ireland, including the design standard and extent of benefitting properties and lands in a number of locations where capital flood protection works have been completed by OPW in recent years. The State has made a very significant investment in ensuring that households and businesses in Clonmel are protected from flooding and detailed information on the completed scheme/works has been provided in the agreed format to Insurance Ireland for dissemination to its member companies.

The OPW met with Insurance Ireland recently to review the arrangements and timelines for Insurance Ireland's constituent member companies to incorporate that information into their IT platforms and risk assessment systems. This work will take time but it is hoped that the insurance companies will be in a position to have their systems updated and operational before year end.

Legislative Programme

11. **Deputy Barry Cowen** asked the Minister for Finance the number of bills his Depart-

ment has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43815/13]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy's question my Department has published 15 bills and 3 impact assessments since March 2011. Details of the bills and impact assessments are as follows:

Bills

Finance (No. 2) Bill 2011

Finance (No. 3) Bill 2011

Insurance (Amendment) Act 2011

Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011

Central Bank (Supervision and Enforcement) Bill 2011

Fiscal Responsibility Act 2012

Finance (Local Property Tax) Bill 2012

Betting (Amendment) Bill 2012

Finance Bill 2012

Credit Union Bill 2012 – Credit Union and Co-operation with Overseas Regulators Act 2012

The Credit Reporting Bill, 2012

Betting (Amendment) Bill 2013

Finance (Local Property Tax) (Amendment) Bill 2013

Finance Bill 2013

Irish Bank Resolution Corporation Bill 2013

Impact Assessments published

Central Bank (Supervision and Enforcement) Bill 2011

Screening Regulatory Impact Assessment (RIA), Fiscal Responsibility Act 2012.

Credit Union Bill 2012 – Credit Union and Co-operation with Overseas Regulators Act 2012

Tax Rebates

12. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on correspondence (details supplied) regarding a tax rebate; and if he will make a statement on the matter. [43823/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commis-

sioners that on 20th December 2012 the Taxpayer's agent submitted a claim for Incapacitated Child Tax Credit for the four years covering 2008 to 2011 inclusive. Additional information requested in support of the claims was submitted to Revenue on 24th April 2013. The Incapacitated Child Tax Credit claimed was granted on 11th May 2013 and the Income Tax refunds arising for all four years were allowed in full, as the claims were received within the prescribed time limits. Section 865 Taxes Consolidation Act 1997, sets out the time limit for claiming Income Tax repayments. Generally speaking it provides that claims for repayment of tax must be made within four years of the end of the tax year to which the claim relates.

In this case the claims for repayment made by the Taxpayer, for the four years covering from 2008 to 2011 inclusive, were made within the four year time limit set out in Section 865 Taxes Consolidation Act 1997 and were allowed in full.

Credit Unions Regulation

13. **Deputy Dominic Hannigan** asked the Minister for Finance if his attention has been drawn to the regulations for credit unions when a new customer wants to open an account or transfer one from a different credit union who is over 18 years old but has no proof of address as they are still living at home and in secondary school; if he is aware of the proof of address would be accepted; and if he will make a statement on the matter. [43862/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Central Bank that where proof of identity is required, the industry standard is to adopt a "One plus One" approach meaning that one item should be sought from a list of official photographic identification documents such as a passport to verify the name and date of birth of a prospective customer, while a second item should be sought from a list of non-photographic identification documents in order to verify the prospective customer's address. Depending on the Credit Union's own risk assessment of the customer, additional ID verification may be required. The relevant statutory provision is set out in section 33(2)(a) of the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010–2013. While it is up to each institution to decide on a risk based approach whether they will accept other forms of customer ID, the documentation set out above should be considered the standard expected to be applied in most cases to meet the obligation in section 33 of the Acts to confirm the identity of the customer.

However, guidelines which were devised by the Irish League of Credit Unions in January 2013 provide assistance to credit unions with younger prospective customers. These guidelines state that in exceptional circumstances and only in cases where the standard approach to customer identification and verification could not reasonably be expected, consideration may be given to (*inter alia*) address verification in writing, signed and on headed paper from a reputable third party. A third party could be an employer, school, college, money advisor, solicitor, priest, care-home or shelter manager, probation officer, government office or local authority official.

Tax Compliance

14. **Deputy Michael Conaghan** asked the Minister for Finance if he will provide a breakdown of the revenue lost through tax fraud by category in 2012 and every year since 2007. [43864/13]

Minister for Finance (Deputy Michael Noonan): It is not clear what the Deputy has in mind when he refers to tax fraud by category, but it is widely accepted that there is no absolute

and comprehensive way to measure the potential State revenues lost through tax non-compliance. However, that which can be measured is the tax, together with associated interest and penalties, recovered by the Revenue Commissioners from the compliance interventions carried out by their officials. I must emphasise, however, Revenue's compliance interventions target all forms of tax non-compliance, which can include innocent error, technical misinterpretations as well as fraudulent behaviours like deliberate overstatement of expenses and suppression of income. The yield, incorporating tax, interest and penalties, derived from Revenue's compliance interventions since 2007 may be summarised as follows –

Table 1: Audit & Compliance Interventions 2007 – 2012

Year	Number of Compliance Interventions	Compliance Yield
2007	251,934 (Audits 14,308)	€733.82m (€687.6m)
2008	360,859 (Audits 13,414)	€632.3m (€569.2m)
2009	373,899 (Audits 12,419)	€668.0m (€602.m)
2010	465,804 (Audits 11,088)	€492.7m (€434.7m)
2011	557,568 (Audits 11,066)	€521.8m (€440.5m)
2012	537,821 (Audits 9,066)	€492.4m (€359.1m)

I am informed by the Revenue Commissioners that Revenue compliance interventions in 2012 gave rise to a total yield of €492.4m of which €359.1m derived from Revenue audits and €133.3m from cases that did not require a Revenue audit. Table 2 below sets out a breakdown of the various types of compliance interventions undertaken by Revenue in 2012 (with 2011 comparables).

Table 2: Extract from Revenue's 2012 Annual Report which sets out the classification of compliance interventions currently in use in Revenue.

Type of Intervention	Completed 2012*	Yield €m	Completed 2011*	Yield €m
Comprehensive (All taxheads) Audits	4,687	182	4,717	183.6
Multi Tax/Duty Audits	985	34	1,236	61.6
Single Tax/Duty Audits	2,624	100	3,345	126.9
Single Issues/Transaction Audits	770	43	1,768	68.4
Total Audit Intervention	9,066	359	11,066	440.5
Risk Management Interventions	125,073	88	-	-
Assurance Checks	373,803	22	546,502	81
PAYE Compliance Checks	29,879	23	-	-
Total Interventions	537,821	492	557,568	521.5

*As to the various categories of business or income types that gave rise to the yield successfully recovered during Revenue audits carried out in 2012, the following table provides the relevant details.

Table 3: Categories of Business/Income Type where tax recovered from Revenue audits conducted in 2012

Description	No. Audits	Tax €000	Interest €000	Penalties €000	Total Yield €000
Agriculture, forestry and fishing	737	€11,859	€4,430	€2,189	€20,651
Mining and Quarrying	18	€1,456	€14	€10	€1,546
Manufacturing	390	€14,223	€1,880	€988	€17,590
Electricity, gas, steam and air conditioning supply	7	€71	€7	€19	€97
Water supply; Sewerage, Waste management and remediation activities	44	€2,297	€504	€182	€2,983
Construction	1,306	€21,267	€4,694	€2,956	€39,346
Wholesale and retail trade	1,583	€37,740	€4,914	€3,311	€55,566
Transportation and Storage	360	€5,137	€862	€934	€8,432
Accommodation and food service activities	645	€9,457	€1,834	€1,605	€16,769
Information and Communication	191	€5,111	€788	€418	€6,729
Financial and Insurance Activities	227	€38,493	€3,667	€1,966	€44,214
Real estate activities	829	€28,093	€11,140	€3,150	€45,544
Professional, scientific and technical activities	698	€10,625	€2,483	€1,505	€19,046
Administrative and support service activities	258	€4,321	€959	€968	€6,963
Public administration and defence; compulsory social security	851	€26,892	€7,844	€2,524	€41,926
Education	75	€1,386	€211	€317	€1,945

Description	No. Audits	Tax €000	Interest €000	Penalties €000	Total Yield €000
Human health and Social Work activities	372	€8,031	€1,623	€1,463	€11,659
Arts, entertainment and recreation	138	€4,895	€818	€963	€10,168
Other services activities	187	€2,807	€615	€499	€5,551
Activities of households for own use or as employers of domestic personnel	12	€127	€59	€9	€195
Activities of extraterritorial organisations and bodies	0	€-	€-	€-	€-
Other	138	€460	€291	€235	€2,476
Overall	9,066	€234,748	€49,636	€26,211	€359,396

In the time available, it has not been possible for Revenue to provide a similar Table to that set out at Table 3 above to show a breakdown by business/income type of Revenue's risk management interventions undertaken in 2012. However, I am informed that the Revenue Commissioners will write to the Deputy separately and will supply such a Table as soon as possible.

I am further informed by the Revenue Commissioners that a detailed breakdown per category similar to that for 2012 is not centrally captured or maintained as a matter of course and a breakdown by category for 2007 to 2011 is not feasible without an extensive investigation of Revenue records.

As the Deputy may be aware, I have also previously advised the House that based on a survey in respect of 2012 carried out for the Revenue Commissioners and the Health Services Executive found that the level of consumption of illicit cigarettes would indicate a notional loss of the order of €240 million in excise duty and VAT in that year, if the consumption of illegal cigarettes were replaced fully by taxed consumption.

Tax Reliefs Application

15. **Deputy Patrick O'Donovan** asked the Minister for Finance if a person were to sell two parcels of land to buy one parcel of land would they qualify for land consolidation; and if he will make a statement on the matter. [43888/13]

Minister for Finance (Deputy Michael Noonan): As I pointed out in previous replies to PQs tabled by the Deputy in June of this year and earlier this month, I made provision in Budget 2013 for the following measure designed to assist farmers with consolidation of farm land. This measure followed on from measures in the previous year's Budget which also supported farm

expansion and the transfer of land. Section 48 of Finance Act 2013 provides for relief from capital gains tax on disposals of farm land for farm restructuring, subject to a Commencement Order, which I made on 6 June 2013. The terms of the relief are set out in Section 604B, Taxes Consolidation Act 1997.

The relief applies to a sale, purchase or exchange of agricultural land in the period from 1 January 2013 to 31 December 2015 where Teagasc has certified that a sale and purchase or an exchange of agricultural land was made for farm restructuring purposes. The initial sale or purchase, or the exchange, must occur in the relevant period and the subsequent sale or purchase must occur within 24 months of that sale or purchase.

Full relief from capital gains tax will be given where the consideration for the purchase or the exchange is equal to or exceeds the consideration for the sale or the other land that is exchanged. Where the consideration for the purchase or the exchange is less than the consideration for the land that is sold or the other land that is exchanged, relief will be given in the same proportion that the consideration for the land that is purchased or exchanged bears to the consideration for the land that is sold or the other land that is exchanged.

Provision is made for the clawback of the relief where qualifying land in respect of which relief has been given is disposed of within 5 years of the date of the purchase or exchange of that land. A clawback does not apply where the disposal arises under a compulsory purchase order.

A prerequisite to any disposal and acquisition of farm land qualifying for this relief is that an application for a farm restructuring certificate is made to Teagasc and that Teagasc grants such a certificate (that has not been withdrawn). Guidelines relating to the application for, and the issue of, a Farm Restructuring Certificate are available on the Department of Agriculture, Food and the Marine's website.

Based on the limited facts presented, it is not possible to say definitively whether all conditions governing the relief are satisfied – in particular:

- Whether the lands are qualifying lands
- Whether or not the sales are as a result of a compulsory purchase order
- Whether the full proceeds of the sales are invested in the purchase of the new land
- Whether the person in question is an individual who spends not less than 50% of his or her normal working time farming.

School Transport Provision

16. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills if he will clarify comments relating to school transport and Bus Éireann that Bus Éireann makes a profit but it is not a profit in a commercial sense; if he will reveal these non-commercial profits in tabular form annually from 2005 to date in 2013. [43747/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The position in relation to the school transport scheme has been repeatedly set out. As I advised the Deputy yesterday, Bus Éireann, which operates school transport services on behalf of my Department, maintains a separate account for the School Transport Scheme. This account is audited each year by independent auditors and accounts in respect of the last number of years are available on my Department's website. More recently, the school transport scheme has been the

subject of a Commercial High Court case taken by Student Transport Scheme Ltd against the Minister for Education and Skills. This is currently the subject of a potential appeal by Student Transport Scheme Ltd to the Supreme Court. Bus Éireann has confirmed that it does not make a profit from the school transport scheme.

Student Grant Scheme Eligibility

17. **Deputy Charles Flanagan** asked the Minister for Education and Skills if a third level student, who is in receipt of the back to education allowance will receive a full maintenance grant if the household income falls below that of the income limits for a special rate of maintenance grant; and if he will make a statement on the matter. [43751/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Students who qualify for the Back to Education Allowance (BTEA), may be considered for support for the student contribution under the student grant scheme provided they satisfy the conditions of the relevant Student Grant Scheme and Student Support Regulations including those relating to, residence, nationality, approved course, previous academic attainment and means. To determine eligibility for the 2013/14 academic year it will be necessary for the student to submit a fully completed online grant application to Student Universal Support Ireland (SUSI) via www.susi.ie in respect of the cost of the student contribution and where applicable tuition fees.

From September 2010, all new applicants in receipt of the BTEA are no longer eligible for maintenance support under the student grant scheme. Students in third-level institutions experiencing exceptional financial need can apply for support under the Student Assistance Fund. This Fund assists students, in a sensitive and compassionate manner, who might otherwise be unable to continue their third level studies due to their financial circumstances. Information on the fund is available through the Access Officer in the third level institution attended. The fund is administered on a confidential, discretionary basis. In addition to the student grant, 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

Haddington Road Agreement Implementation

18. **Deputy Peter Mathews** asked the Minister for Education and Skills his views on a matter (details supplied) regarding the Haddington Road Agreement; and if he will make a statement on the matter. [43710/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Department Circular 49/2013 sets out the position in relation to the Haddington Road Agreement and the Financial Emergency Measures in the Public Interest Act 2013 for teachers in post-primary schools and is available at the following address:http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0049_2013.pdf.

The Agreement applies to teachers employed in Education and Training Board schools (apart from Designated Community Colleges). In general, the FEMPI Act continues to apply to teachers employed in Voluntary Secondary schools. In dual-union schools (Designated Community Colleges and Community and Comprehensive Schools), the FEMPI Act continues to apply to teachers who are not members of TUI.

While certain issues of dual representation require further consideration, the position set out

above provides an initial basis for the implementation of the Haddington Road Agreement. It is stressed however, that the application of the Agreement is entirely conditional upon adherence to its terms by the teachers to whom it is applied. As is the norm with public service collective agreements, the Haddington Road Agreement was negotiated with trade unions which are recognised as representing staff in the public service (including teachers). It is normal practice in the public service that the decision of the trade union recognised as holding representative rights for a particular grade or sector will determine the position for all relevant staff in that grade/sector.

Special Educational Needs Staffing

19. **Deputy Dan Neville** asked the Minister for Education and Skills if an application for a special needs assistant will be considered in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [43746/13]

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 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 published details of all of their allocations for resource teaching and SNA support for the 2013/2014 school year in June. 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. The NCSE subsequently requested all schools to submit outstanding applications for resource teaching and SNA support to the NCSE by 20th September, 2013. These applications are being processed by the NCSE.

Schools can contact the NCSE if they have enrolled children who were not considered at the time that the SNA allocations were made to schools, or where they are seeking a revision to the quantum of SNA support which has been allocated to them. 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.

Special Educational Needs Staffing

20. **Deputy Robert Troy** asked the Minister for Education and Skills the change in criteria for allocating resource teachers; if his attention has been drawn to the fact that these changes have resulted in resource teachers being split between schools and spending considerable time travelling from place to place instead of working. [43756/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Shared full-time posts and travel between schools is a long standing feature of the primary system. There were a plethora of long-standing clustering arrangements in place which were not the most practical, efficient or cost effective way to allocate resources. In September 2012 new arrangements were introduced

designed to address the limitations of the previous arrangements. Under the reforms to the teacher allocation process, schools were empowered to cluster and arrange their General Allocation Model resources in a manner that best suits their local needs, including in a manner that reduces travel between schools. This school led process has resulted in over 97% of the overall GAM/EAL allocation being in full-time stand-alone or shared posts.

The new arrangements relating to resource hours for individual pupils involved the allocation of a network of permanent posts in base schools and again are designed to make the system work more smoothly at school level. 85% of all NCSE approved resource teaching hours in the 2012/13 school year were allocated to schools that had resource base posts.

The staffing arrangements for the current school year 2013/14 are outlined in Circular 0013/2013 which is available on the Department website. Schools that have complied with the arrangements outlined in the circular will be given some discretion to operate, where possible, their own temporary local arrangements in relation to the day to day work arrangements of teachers in full-time shared posts. These arrangements are aimed at minimising any time lost in travelling between schools.

Literacy Levels

21. **Deputy Alan Farrell** asked the Minister for Education and Skills his views on the recent study published by the OECD that showed 17.9% of adults were at or below level one for literacy, compared to a European average of 16.7%; his plans on the way to how we can improve the literacy rates of Irish adults; and if he will make a statement on the matter. [43766/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): By way of clarification on average across the countries that participated in PIAAC 16.7% of adults score at or below Level 1 for literary proficiency. This is not a European average. While Ireland has 17.9% at this level, this proportion is not considered to be statistically different from the survey average and is in line with nine other countries including Germany, England and Poland. I am also pleased to see that Ireland is one of only five countries that improved its performance at level one or below. It is important to note that a person scoring at or below level one on the PIAAC survey should not be characterised as being illiterate. In fact, the reading component tests administered as part of PIAAC show that even at the lowest levels of literacy proficiency there are significant levels of reading skill. For example, persons scoring at level one show knowledge and skill in recognising basic vocabulary, evaluating the meaning of sentences and reading paragraph text. This Government is committed to assisting people improve their life chances through improving their literacy. The results of the PIAAC survey has reinforced my view that we need to work hard on core skills. A major review of the adult literacy service has just been published and work has begun on implementing its recommendations. In addition, SOLAS will be producing a strategy on literacy and numeracy provision as part of its development of an overall Further Education and Training Strategy. This will build on the National Literacy and Numeracy Strategy which is being implemented in our schools.

Special Educational Needs Staffing

22. **Deputy Terence Flanagan** asked the Minister for Education and Skills if more special needs assistants are being employed to assist with the increase in the number of children with a disability enrolling in mainstream and special schools; and if he will make a statement on the

matter. [43800/13]

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) for allocation in the 2013/14 school year.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for processing applications from schools for special educational needs supports including Special Needs Assistant (SNA) support, to support children with special educational needs. The NCSE operates within my Department's established criteria for the allocation of such supports and the staffing resources available to my Department. There are 10,575 Whole Time Equivalent (WTE) SNA posts available for allocation in the 2013/14 school year which is the same number of posts which were available for allocation for the 2012/13 school year. The NCSE has notified schools of their SNA allocation for 2013/14, based on the number of valid applications received and the extent of the care needs of qualifying children.

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.

To date the NCSE has allocated 10,490 WTE SNA posts to schools. Every child who meets the criteria for access to SNA support in the current school year is in receipt of this support. The remaining 85 posts are available for allocation throughout the school year for new assessments of disability, new entrants, or emergency or late applications, in accordance with the terms of the SNA scheme. Based on discussions with the NCSE, it may be the case that additional SNA posts above the figure of 10,575, may be required to respond to need for the current school year. This issue will be dealt with if and when it arises. The NCSE is still processing SNA applications for the current school year.

Schools can contact the NCSE if they have enrolled children who were not considered at the time that the SNA allocations were made, or where they are seeking a revision to the quantum of SNA support which has been allocated to them for the current 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. 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.

Psychological Assessments

23. **Deputy Terence Flanagan** asked the Minister for Education and Skills the steps he is taking to ensure that more educational psychological assessments are available for children to help them access educational supports (details supplied); and if he will make a statement on the matter. [43806/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department's National Educational Psychological Service (NEPS) provides service to all primary or post-primary school countrywide and operates an early intervention continuum of assessment for students with the broad range of special educational needs. The continuum of assessment allows for the

identification of pupils with special educational needs, their nature and severity by harnessing the experience of class teachers and support teachers, in consultation with parents, and with the support of the psychologist. It also provides for the development of immediate responses and interventions designed to ameliorate the particular needs identified at the appropriate level, either in the classroom or with the assistance of the support teacher. This allows for a response to be put in place at the earliest possible juncture for students before their difficulties can become intractable. Assessment of needs at this stage of the continuum involves information gathering, testing and observation by the various school personnel involved and support from the NEPS psychologist, as required.

Where the pupil does not make adequate progress following the interventions, or where the nature of the child's special educational needs are significant, severe and complex, the school may agree with the psychologist that a psycho-educational assessment be conducted to identify the specific nature of the needs and the appropriate response necessary. Students, so identified, are scheduled for assessment within that school year.

I can inform the Deputy that the number of psychologists employed by my Department's NEPS service has increased annually in the lifetime of this Government from 154 (148 w.t.e.) to its current level of 177 (168 w.t.e) and that I am satisfied at the level of service it is providing to school communities nationwide. It is the responsibility of the school Principal in the first instance to identify and prioritise pupils for assessment under the process described above. I would advise that the school Principal, in the first instance, should be contacted in relation to concerns for any pupil which requires intervention from the NEPS service.

Legislative Programme

24. **Deputy Barry Cowen** asked the Minister for Education and Skills the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43813/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that since March 2011, my Department has published six bills and has carried out four regulatory impact assessments.

Student Grant Scheme Administration

25. **Deputy Niall Collins** asked the Minister for Education and Skills the number of renewed students that have their completed documents with Student Universal Support Ireland awaiting final review, noting that these students provided their information by the deadline in June, and have now returned to college for over four weeks; the number of these returned students that have been asked to provide additional information and on what basis; and if he will make a statement on the matter. [43837/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I have been informed by Student Universal Support Ireland (SUSI) that in 2012 SUSI processed almost 70,000 grant applications and awarded almost 40,000 grants. Over 23,000 of the students who were awarded grants in 2012 have so far re-applied for renewal of their grants in 2013. 21,652 of these applicants made their application by the closing date of 14th June. Late applications continue to be accepted by SUSI. The SUSI grant renewal application process for 2013 is a fully on-line process and the majority of those who applied for renewal of their grant this year simply had to

log in and confirm on-line that they were continuing in the same course and college and declare that their circumstances remained unchanged. 15,500 of renewing students had their grant applications renewed on-line in this way without the need to submit any further documents.

In view of changes made to the Student Grant Scheme eligibility criteria in 2013, over 8,000 renewal students required full reassessment. Documents were requested from these students. Documentation is currently awaited from 1,064 renewal students and a further 357 renewal students returned documentation within the past 2 weeks and are currently awaiting final review.

SUSI can only confirm the renewal of a grant to a student who has been confirmed as continuing in the same course and college, and SUSI can only pay a grant to a student who has been confirmed by their college as having registered and attending the course for which they have been awarded grant. SUSI is currently liaising with colleges on a daily basis to confirm the registration of students and SUSI commenced the payment of grants to renewal students on Friday 11 October. Further payments will be made as students are confirmed by their colleges as registered and attending their courses in the coming weeks.

Education Grants

26. **Deputy Olivia Mitchell** asked the Minister for Education and Skills when the devolved grant to a school (details supplied) in Dublin 14 will be anticipated; and if he will make a statement on the matter. [43855/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As I advised the Deputy in response to Parliamentary Question 75 on 9th October last, the legal agreement associated with the donation of a site for the school referred to was concluded earlier this year. The donation of the site will enable the school's application for additional accommodation to be considered. This is currently being examined and my Department expects to be in a position to contact the school directly shortly.

School Staffing

27. **Deputy Robert Troy** asked the Minister for Education and Skills if there are any legacy teaching posts within his Department; and if so, the number and the cost to his Department. [43857/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Following the Report on the net impact of Budget 2012 on DEIS urban schools, 191 posts are retained in DEIS primary schools at an approximate cost of €11.46 million in order to implement more favourable pupil teacher ratios under previous disadvantage schemes for the 2013/14 school year. As the Deputy may be aware, a range of factors contribute to determining the staffing requirement for individual schools including changes to enrolment. As the teaching allocation to schools, including legacy posts, is enrolment based, this determines whether schools gain or lose teaching posts from year to year.

Emergency Works Scheme Applications

28. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide funding for emergency works at a school (details supplied) in County Donegal; if his attention has been drawn to the safety issue, the work carried out by the community to rectify the prob-

lem; if his Department can bridge the gap in terms of funding; and if he will make a statement on the matter. [43877/13]

Minister for Education and Skills (Deputy Ruairí Quinn): An official from the Building Unit of my Department was in contact with the school authorities recently and I understand that an application for grant aid under the Emergency Works Scheme for the works required will be submitted. As soon as an application is received it will be assessed and the school will be notified of the outcome.

Bus Éireann Services

29. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Education and Skills the person in Bus Éireann that decided not to report the incidence of irregularities to An Garda Síochána; and if he will make a statement on the matter. [43887/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Bus Éireann has advised that where required under their control procedures irregularities are formally notified to An Garda Síochána.

Flood Relief Schemes Applications

30. **Deputy Alan Farrell** asked the Minister for Public Expenditure and Reform if he will provide any further information regarding the time frame for the approval to progress to the detailed design of the flood relief scheme for Skerries, and in particular Holmpatrick; and if he will make a statement on the matter. [43768/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The OPW has recently completed a preliminary review of potential options to address the flood problem in Skerries, including the Holmpatrick area, drawing on the findings of recent catchment-based studies and a site survey of the area.

A meeting will be held shortly with Fingal County Council to discuss how the detailed assessment of the range of potential options identified is to be progressed, with a view to taking forward any option that is found to be economically viable and environmentally sustainable. It is envisaged that this will involve engaging consultants. At this stage it is not possible to indicate a likely timescale for detailed design of mitigation measures.

Legislative Programme

31. **Deputy Barry Cowen** asked the Minister for Public Expenditure and Reform the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43820/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy’s question my Department has published sixteen Bills since June 2011 with four Bills requiring a Regulatory Impact Statement. The following is a list of the four Regulatory Impact Statements carried out:

Name of Act	Regulatory Impact Assessment carried out
Construction Contracts Act	RIA published on 27 September 2011. Signed into law on 29 July 2013 (subject to a Commencement Order)
Protected Disclosures Bill 2013	RIA published alongside the Bill on 3 July 2013.
Freedom of Information Bill 2013	RIA published in September 2013.
Regulation of Lobbying Bill	RIA published on 30 April 2013.

Pensions Levy Issues

32. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform in respect to the 0.6% levy on private pensions, the amount that has been invested in job creation to date; the number of jobs created in County Kerry and throughout the country to date and the areas in which these jobs have been created in; if any outstanding income that has not been invested in job creation will be reimbursed to the private pension sector, if he will confirm that private pensions will be safeguarded post 2014 [43882/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The 0.6% levy on private pensions was introduced as a means to fund the implementation of the Jobs Initiative which, through current and capital expenditure measures, sought to facilitate job creation throughout the economy. Expenditure to date in respect of the Jobs Initiative is set out in the table below. This expenditure was funded by the private pensions levy and, where necessary, through the reallocation of resources within each of the relevant Departments.

Expenditure Breakdown	2011	2012	2013
Current Expenditure Measures			
National Internship Scheme - JobBridge	€8.1m	€54.7m	€81.8m
Springboard	€8.7m	€17.5m	€21.9m
Current Expenditure Measures			
Back to Education Initiative	€3m	€5.7	*
Specific Skills Training (1)	€59.3m	€70m	*
Post Leaving Certificate	€2m	€6m	*
Education (2)	na	na	na
Tourism (3)	na	na	na

(1) It is not possible to report on the short- and long-term elements of the Specific Skills Training measure separately.

(2) The measure included under education, wherein a relaxation of the ECF for Higher Education Institutes was implemented, has no quantifiable costs to the Exchequer as these posts are non-Exchequer funded. Consequently, this measure required no additional funding from the Exchequer.

(3) The Short-term Visa Waiver Programme was introduced in 2011 as a means to encourage further tourism in Ireland. This measure required no additional funding from the Exchequer.

* Data relating to the Back to Education Initiative and Post Leaving Certificate represents funding for additional places on each of these schemes. Both of these measures, as included in the Jobs Initiative, have been implemented in full. In the time that was available it has not been

possible ascertain data relating to 2013. I have asked the Department of Education to contact the Deputy in relating to these figures.

Expenditure Breakdown	2011	2012	2013
Capital Expenditure Measures			
Retrofit Programme	€30m	0	0
Additional Investment in Regional and Local Roads	€60m	0	0
Addition	€14.3m	0	0
Schools Capital (4)	€30.8m	€8.5m	less than €1m

(4) An allocation of €40m was provided under the Jobs Initiative to fund primary and post-primary building projects. It is expected that the balance of the original funding will be drawn down in 2013.

In relation to the numbers of jobs created as a result of each of these measures, including those created in Co. Kerry, I would refer the Deputy to each of the relevant Ministers with responsibility for implementation of the measures.

With respect to the latter parts of the Deputy's question, concerning the reimbursement of outstanding income to private sector pension funds and whether private pensions will be safeguarded post-2014, these are matters for my colleague the Minister for Finance, Mr Michael Noonan T.D.

Unified Patent Court

33. **Deputy Olivia Mitchell** asked the Minister for Jobs, Enterprise and Innovation if it is his intention that Ireland would host a local division of the Unified Patent Court; and if he will make a statement on the matter. [43796/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): The international Agreement on a Unified Patent Court was signed by twenty-five EU Member States in February of this year during the Ireland's EU Presidency. It will provide the enforcement element of the so-called 'Patents Package' which includes the Unitary Patent, ensuring that this single patent for the twenty-five participating Member States can be enforced or challenged in a single court action, rather than in multiple actions in national courts.

The structure of the Unified Patent Court includes a Central Division that will be centred in Paris with branches in Munich and London, each catering for different competencies. In addition, Local and Regional Divisions of the Court will also be established as appropriate.

My Department is currently examining the potential options for Ireland's participation in the Unified Patent Court. The options are to confer jurisdiction on the central division in Paris alone, to set up a local division of the Court or, to participate in a regional division of the Court with one or more Member States.

Of course all of these options must be fully considered, including cost considerations, in order for Government to decide what is the most efficient and effective means of Ireland's participation in the Unified Patent Court. In this context, my officials are currently consulting with key stakeholders to ensure that all of the policy choices are well informed.

As the international agreement on the Unified Patent Court entails a transfer of jurisdiction

from an Irish court to an international court, an amendment to the Constitution, requiring the carrying of a referendum, is necessary before Ireland can ratify the Agreement. The Taoiseach has previously indicated that this referendum will take place in 2014.

Legislative Programme

34. **Deputy Barry Cowen** asked the Minister for Jobs, Enterprise and Innovation the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43818/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department has published a total of 12 Bills since March 2011 and these are as follows:

Patents (Amendment) Bill 2011

Competition (Amendment) Bill 2011

Protection of Employees (Temporary Agency Work) Bill 2011

Industrial Relations (Amendment) (No. 3) Bill 2011

Credit Guarantee Bill 2012

Companies (Amendment) Bill 2012

Microenterprise Loan Fund Bill 2012

Industrial Development (Science Foundation Ireland) (Amendment) Bill 2012

Companies Bill 2012

European Union (Accession of the Republic of Croatia) (Access to the Labour Market) Bill 2013

Friendly Societies and Industrial and Provident Societies (Miscellaneous Provisions) Bill 2013

County Enterprise Boards (Dissolution) Bill 2013

Since March 2011, my Department has published a total of 13 regulatory impact assessments in relation to the following Bills, Acts and EU Directives:

Competition (Amendment) Bill 2011

Protection of Employees (Temporary Agency Work) Bill 2011

Industrial Relations (Amendment) (No. 3) Bill 2011

Credit Guarantee Bill 2012

Microenterprise Loan Fund Bill 2012

Companies Bill 2012

Friendly Societies and Industrial and Provident Societies (Miscellaneous Provisions) Bill 2013

County Enterprise Boards (Dissolution) Bill 2013

Review of the Research Exemption Provision Section 42(g) of the Patents Act 1992

Review of the Patents Act 1992.

Directive 2011/7/EC of the European Parliament and of the Council of 16 February 2011 on combating late payment in commercial transactions (Recast)

Transposition of Directive 2011/77/EU on the term of protection of copyright and certain related rights

European Communities (Transnational Information and Consultation of Employees Act 1996) (Amendment) Regulations 2011 (S.I. No. 380 of 2011)

In relation to legislation that is yet to be published, my Department has also published the following regulatory impact assessments:

Workplace Relations Bill

Employment Permits Bill.

Industrial Relations Issues

35. **Deputy Seamus Healy** asked the Minister for Jobs, Enterprise and Innovation when he will implement the commitment in the programme for Government to legislate for collective bargaining through a trade union; and if he will make a statement on the matter. [43832/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Programme for Government contains a commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights.

With this in mind, in late 2013, I wrote to relevant stakeholders inviting their observations on the matter. Submissions have been received and follow up meetings have taken place between Departmental officials and stakeholders.

I hope to be in a position to put proposals to Cabinet by November this year. In this context, I am certain that satisfactory arrangements can be put in place that will reconcile Ireland's constitutional, social and economic traditions, and international obligations, whilst at the same time ensuring continued success in building Ireland's domestic jobs-base and in attracting overseas investment into the economy.

Industrial Relations Issues

36. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the fact that a County Manager (details supplied) is refusing to take the necessary steps to have notices issued in accordance with Schedule 10 of the Local Government Act 2001 for the regular monthly meetings of the Borough Council unless the elected councillors agree to participate in a mediation process administered by the Labour Relations Commission commencing on the 24 of October 2013; if it has been drawn to his attention that the Labour Relations Commission has not consulted with the councillors; if he will consider amending the Industrial Relations Act 1990 so as to ensure that all parties are consulted in ad-

vance of such proceedings; and if he will make a statement on the matter. [43849/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have no function with regard to the day to day functions of a County Manager under the Local Government Act 2001.

The Labour Relations Commission has general responsibility for promoting good industrial relations in Ireland. In this regard it provides a comprehensive range of industrial relations services including advice, conflict resolution (conciliation, facilitation and mediation) and conflict prevention. The LRC's Workplace Mediation Service provides a prompt, confidential and effective remedy to workplace conflicts, disputes and disagreements. Participation in the process is voluntary.

The Commission commits to the confidential handling of any issues referred to it. The Commission will not publish details of any individual case or the identity of any applicant and therefore, I cannot comment on specific case or issues referred to the LRC.

Question No. 37 withdrawn.

Disability Allowance Applications

38. **Deputy Barry Cowen** asked the Minister for Social Protection when a person (details supplied) in County Offaly may expect a decision on an application for adult dependent on a disability allowance claim. [43694/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned has been notified in writing that an adult dependent allowance of €124.80 per week will be added to her weekly disability allowance payment on 6 November 2013. Any arrears due will issue directly to her shortly after this date.

Disability Allowance Appeals

39. **Deputy Tom Fleming** asked the Minister for Social Protection if she will examine a disability allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [43698/13]

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 14 August 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 were received in the Social Welfare Appeals Office on 3 October 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.

Carer's Allowance Appeals

40. **Deputy Tom Fleming** asked the Minister for Social Protection if she will expedite a review of 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. [43715/13]

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 including that adduced at oral hearing, decided to disallow the appeal of the person concerned. Under Social Welfare legislation, the decision of an Appeals Officer is final and conclusive and may only be reviewed in the light of additional evidence or new facts.

In light of the additional evidence submitted by the Deputy the file of the person concerned has been recalled from the Department and the Appeals Officer dealing with this case has agreed review his original decision. The person concerned will be contacted when the review of her appeal has 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.

Social Welfare Benefits Eligibility

41. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding domiciliary care allowance and half carer's allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [43717/13]

Minister for Social Protection (Deputy Joan Burton): The age limit for receipt of domiciliary care allowance (DCA) is 16 years. As the child concerned reached the age of 16 years in May 2013, DCA is no longer payable after that date. A letter issued in January 2013 advising that payment of the allowance was due to end in May and that the child could apply for disability allowance in his own right.

An application for disability allowance was received on the 6th March 2013. Based on the evidence submitted, this application was refused on medical grounds and the person was notified in writing of this decision on 21st June 2013. He subsequently appealed that decision to the Social Welfare Appeals Office. He will be notified in writing when his appeal is decided.

The entitlement to carers allowance was reviewed when DCA ceased to be payable. It was found that the person being cared for was not so disabled or invalided as to require full-time care and attention as provided for in legislation. Carer's allowance was disallowed on this basis and a letter issued to the person concerned on 30th July 2013 notifying them of this decision. With the decision notification the person concerned was notified of the right of appeal.

Question No. 42 withdrawn.

Pensions Reform

43. **Deputy Jim Daly** asked the Minister for Social Protection if employers will be obliged to offer employees extended employment contracts up to their sixty-sixth birthday when the transition pension is discontinued next year; and if she will make a statement on the matter. [43722/13]

44. **Deputy Jim Daly** asked the Minister for Social Protection the options available to

persons who are forced to retire from employment on the 65th birthday but will not receive a pension until their 66th birthday when the transition pension is discontinued next year; and if she will make a statement on the matter. [43723/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 43 and 44 together.

There is no statutory compulsory retirement age for employees in Ireland. In relation to the employment relationship, responsibility for setting retirement age is a matter for the employer/employee relationship and the contract of employment. The Court of Justice of the European Union (CJEU) has made rulings in a series of age-discrimination cases concerning Directive 2000/78/EC, which prohibit work-related discrimination on various grounds, including age. The CJEU has clarified that mandatory retirement ages may be set down by employers within the context of national law, whether by contract, custom and practice or other means, which must be objectively and reasonably justified by a legitimate social policy aim, with the means of achieving that aim being both appropriate and necessary. Enterprise policy and equality issues come within the respective remit of my colleagues, the Minister for Jobs Enterprise and Innovation and the Minister for Justice and Equality.

It is also recognised that the range of policy areas which influence working and retirement decisions fall within the remit of a range of departments and requires a co-ordinated responses if labour market participation rates and effective retirement ages of older workers are to improve. In this regard, an Interdepartmental Working and Retirement Group is currently considering cross departmental policy issues that may support longer working and thereby improve the sustainability and adequacy of pensions systems. This Group is considering the broad range of issues impacting on the labour market participation of older workers and will prepare preliminary proposals detailing measures which may encourage participation and retention in the labour market of older workers.

In terms of State pension reform measures, increasing State pension age and the abolition of the State pension (transition) are steps that have been taken to ensure the sustainability of pensions into the future. The decision to reform State pension was taken in the context of changing demographics and the fact that people are living longer and healthier lives.

It should be noted that until the 1970s, the standard age for receipt of State pension was 70 years of age. This applied at a time when longevity was much lower and working patterns were more likely to be physically demanding. State pension (transition) was introduced in 1970 when it was known as the retirement pension and was designed to bridge the gap between the standard social welfare pension age, which at that time was 70 years of age, and retirement age. Overtime, the age for State pension contributory was reduced to 66 years.

In terms of social welfare supports available to those at age 65, all short term schemes are payable up to age 66. The main social welfare payment available to those who leave employment before State pension age is jobseeker's benefit. Persons who qualify for a jobseeker's benefit 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). Where a person does not meet the qualifying conditions for insurance based schemes, assistance schemes may be available to them provided they meet the qualifying conditions for these schemes. Further consideration is being given to the position of those exiting the workforce before pension age.

Invalidity Pension Appeals

45. **Deputy Tom Fleming** asked the Minister for Social Protection if she will expedite and award an invalidity pension appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [43733/13]

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 03rd October 2013, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The additional evidence submitted by the Deputy will be brought to the attention of the Appeals Officer dealing with this case.

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.

Free Travel Scheme Applications

46. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding an application for companion travel pass in respect of a person (details supplied) in County Limerick. [43740/13]

Minister for Social Protection (Deputy Joan Burton): The application for a Companion Travel Pass for the customer named above has been medically assessed by a Medical Assessor on 14 October 2013. The medical opinion has been conveyed to Household Benefits Section, Sligo and the customer will be contacted shortly regarding the decision on her application.

One-Parent Family Payment Appeals

47. **Deputy Dan Neville** asked the Minister for Social Protection the position regarding a one-parent family allowance appeal in respect of a person (details supplied) in County Limerick; if she will confirm the date on which the application for the one parent family allowance was lodged; and if it is possible for the person to review an oral hearing. [43741/13]

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 October 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.

Education and Training Provision

48. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the assistance that will be provided in the case of a person (details supplied) in County Kildare who wishes to start

an education course; and if she will make a statement on the matter. [43777/13]

Minister for Social Protection (Deputy Joan Burton): The Department of Social Protection provides a wide range of second chance education opportunities for unemployed people, lone parents and people with disabilities. The Department's objective in this area is to raise educational and skills levels among such persons in order to help them to meet the requirements of the labour market. In order to establish if the person concerned has an entitlement to participate in such an opportunity he should call to his local social welfare office where staff will be in a position to advise him on what options may be available to him.

Question No. 49 withdrawn.

Family Income Supplement Appeals

50. **Deputy Sean Fleming** asked the Minister for Social Protection when a decision on an appeal for family income supplement in respect of a person (details supplied) in County Kildare will be decided; and if she will make a statement on the matter. [43792/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that in the case of an appeal for family income supplement, where it appears that the reason for the Deciding Officers decision may not have been fully understood, the letter of appeal is referred to family income supplement section requesting that the decision be clarified to the appellant. The appellant is advised that if s/he is still not satisfied following receipt of this clarification that the appeal will be formally registered and processed.

In the case of the person concerned, his letter of appeal was forwarded to family income supplement section for clarification on 23rd August 2013. If, on receipt of letter of clarification from family income supplement section, the person concerned is still not satisfied with their explanation he should write to the Social Welfare Appeals Office stating clearly the grounds of his appeal.

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

51. **Deputy Dan Neville** asked the Minister for Social Protection if an application for widower's pension could be reviewed in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [43798/13]

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 22 August 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 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.

Labour Activation Projects

52. **Deputy Terence Flanagan** asked the Minister for Social Protection her plans to make more of the labour market activation programmes available to person with a disability; and if she will make a statement on the matter. [43801/13]

Minister for Social Protection (Deputy Joan Burton): The Department provides a wide range of income and work-related supports (previously operated by FAS) for people with disabilities. These include the EmployAbility service (formerly the Supported Employment Programme) which facilitates the integration of people with disabilities into paid employment in the open labour market; and a number of employment supports aimed at employers (the Wage Subsidy Scheme - which pays an employer a subsidy for employing a person with a disability – the Work Equipment Adaptation Grant, the Employee Retention Grant, and the Disability Awareness Scheme). Community Employment (CE) schemes are also available to people with disabilities.

In relation to activation measures for people with disabilities, I would also like to point out that I launched the Disability Activation Project at the end of 2012. This is providing over €7 million to 14 projects (which will run until early 2015) across the BMW region to address four specific strands around the employment of people with disabilities: (i) Improving Access to Employment, (ii) Progression Programmes for Young People, (iii) Support for Progression and Retention of People with an Acquired Disability; and (iv) Innovative Employer Initiatives.

I am confident that these projects will provide invaluable guidance and learning on how best to ensure that the untapped potential of people with disabilities is allowed to flourish and that they are enabled to participate fully in the labour market. The outcomes of these projects will be crucial in determining the optimum approaches which can be taken in relation to mainstreaming activation measures generally for people with disabilities. In the meantime, while priority is being given to unemployed people on the Live Register in terms of the INTREO service at the moment, it is open to any person with a disability to apply to avail of the service.

Legislative Programme

53. **Deputy Barry Cowen** asked the Minister for Social Protection the number of bills her Department has published since March 2011; the number of regulatory impact assessments that her Department has published since March 2011; and if she will make a statement on the matter. [43821/13]

Minister for Social Protection (Deputy Joan Burton): I have initiated six Bills since taking office, all of which have been enacted. Details of these Acts are set out in the attached table.

Regulatory Impact Assessments (RIAs) are not ordinarily undertaken in relation to the package of measures announced in the annual Budget Day Statements or similar packages of measures. Accordingly, a RIA was not considered necessary in the case of the Social Welfare Act 2011 and the Social Welfare Act 2012, both of which enacted social welfare measures announced in the 2012 and 2013 Budgets, respectively. A RIA was not considered necessary in the case of the social welfare measures contained in the Social Welfare and Pensions Act 2011, the Social Welfare and Pensions Act 2012 and the Social Welfare and Pensions (Miscellaneous

Provisions) Act 2013, as these measures either implemented budgetary decisions or made miscellaneous amendments to the social welfare code which were not considered amenable to the undertaking of a RIA.

The Social Welfare and Pensions Acts of 2011 and 2012 and the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 also amend the provisions of the Pensions Act 1990. Part 4 of the Social Welfare and Pensions Act 2011 transposed Article 17 of Directive 2003/41/EC on the Activities and Supervision of Institutions for Occupational Retirement Provision (IORPS Directive) relating to the regulation of occupational pensions. However, as the types of pension scheme envisaged in Article 17 are not operated in Ireland, a RIA was not considered feasible in relation to these provisions.

Part 3 of the Social Welfare and Pensions Act 2012 amended the Funding Standard applying to defined benefit pension schemes. A RIA undertaken on these amendments has been published and is available at –

<http://www.welfare.ie/EN/Policy/Legislation/Regulatory%20Impact%20Analysis/Documents/riapension.pdf>.

Part 4 of the Social Welfare and Pension (Miscellaneous Provisions) Act 2013 implemented the recommendations of the Critical Review of the Pension Board. This review, which involved a public consultation process, was carried out under the Public Service Reform plan. This review is available at <http://www.welfare.ie/en/pressoffice/pdf/Report-of-the-Critical-Review-23-April-2013.pdf>.

As the provisions contained in the Civil Registration (Amendment) Act 2012 to extend the list of bodies authorised to solemnise marriages were of a minor nature, a RIA was not considered necessary in the case of this Act.

Bills Initiated by Minister for Social Protection since March 2011

Title of Bill	Status	RIA Undertaken
Social Welfare and Pensions Act 2011	Enacted 29th June 2011	Not considered necessary
Social Welfare Act 2011	Enacted 19th December 2011	Not considered necessary
Social Welfare and Pensions Act 2012	Enacted 1st May 2012	RIA undertaken on Part 3 of Act
Social Welfare Act 2012	Enacted 21st December 2012	Not considered necessary
Civil Registration (Amendment) Act 2012	Enacted 26th December 2012	Not considered necessary
Social Welfare and Pensions (Miscellaneous Provisions) Act 2013	Enacted 28th June 2013	Not considered necessary

Child Benefit Eligibility

54. **Deputy Regina Doherty** asked the Minister for Social Protection the number of persons whose children turned 18 years of age during their last year at school who have had their children's allowance withdrawn; her plans to review the situation; and if she will make a statement on the matter. [43845/13]

Minister for Social Protection (Deputy Joan Burton): Child benefit is a monthly universal payment made to families with children, which assists all parents with the cost associated with raising children. Child benefit is paid to around 606,000 families in respect of some 1.15 million children, with an estimated expenditure of around €1.9 billion. Child benefit as a “universal” payment is paid in respect of all qualified children up to the age of 16 years. The payment continues to be paid in respect of children up to their 18th birthday who are in full-time education or who have a disability.

The Department currently notify around 48,000 customers each year that child benefit for their child has ceased because of their child turning 18 years of age. Data as to whether these children are still in education at the time of the 18th birthday are not available.

Budget 2009 provided for the reduction of the age for which child benefit is paid from under 19 years of age to under 18 years of age. This measure was implemented in full in 2011 and has resulted in savings of €79 million on an annual basis. A value for money review of child income supports, published by the Department of Social Protection in 2010, found that the participation pattern of children in education supports the 18 year age limit for child benefit. I have no immediate plans to make any changes to the age threshold for child benefit.

Families on low incomes can avail of a number of provisions to social welfare schemes that support children in full-time education until the age of 22, including;

- Qualified child increases to primary social welfare payments in receipt of either;

- The family income supplement (FIS), which is paid to low paid employees with children and is designed to preserve the financial incentive to take-up or remain in employment in circumstances where the employee might be marginally better off in employment than on social welfare payments;

- The back to school clothing and footwear allowance, which provides a one-off payment to assist with the extra costs when children start school each autumn.

On a more general level, the range of child and family income supports raises issues about the effectiveness and the efficiency of the supports provided to families and their children. In 2011, I established an Advisory Group on Tax and Social Welfare, to recommend cost-effective solutions as to how employment disincentives can be improved and better poverty outcomes can be achieved, particularly child poverty outcomes. I am considering the Group’s report on the restructuring of child and family income supports into a more effective and efficient two-tier child and family income support system.

Disability Allowance Appeals

55. **Deputy Seán Ó Fearghail** asked the Minister for Social Protection if she will expedite an application for disability allowance in respect of a person (details supplied); and if she will make a statement on the matter. [43848/13]

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 3rd October 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.

Exceptional Needs Payment Applications

56. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when exceptional needs payment will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [43852/13]

Minister for Social Protection (Deputy Joan Burton): This Department has no record of having received an application for an exceptional needs payment from the person concerned. If she wishes to make an application, she should contact her local community welfare service office for details.

Questions Nos. 57 and 58 withdrawn.

Inland Waterways Maintenance

59. **Deputy Maureen O'Sullivan** asked the Minister for Arts, Heritage and the Gaeltacht if he will identify the parties concerned with the operation of the lifting bridge which occupies the site of the original first lock on the Royal Canal Newcomen Bridge, Dublin 1; the factors that contribute to the status of the lifting bridge; if he will convene a meeting of interests concerned with the operation of the lifting bridge with a view to devising a management and operational system that is less hostile to the use of the waterway as currently it is an impediment and discouragement to navigation on the Royal Canal and an obstacle to navigation-communication between the Royal Canal and River Liffey and between Royal Canal and Grand Canal at their eastern reaches; and if he considers the lifting bridge could be re-engineered as a dropping bridge. [43743/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I can advise the Deputy that the parties concerned with the operation of the lifting bridge over the railway line close to Newcomen Bridge are Irish Rail and Waterways Ireland. The bridge carries the rail line from Connolly Station to the lower line link to the docks area. The bridge was procured and installed by Waterways Ireland's predecessors. The bridge is operated by Irish Rail staff on a request basis at Waterways Ireland's expense. The option of introducing a drop lock to replace the need of the lifting bridge has been considered but not deemed viable due to the cost estimate involved.

Plean Teanga

60. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta cé mhéad plean teanga a aontaíodh gach bliain ó tháinig an tAcht Teanga i bhfeidhm; agus an ndéanfaidh sé ráiteas ina thaobh. [43697/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Tá an t-eolas atá iarrtha ag an Teachta sa tábla thíos.

Bliain	Líon céad scéimeanna daingnithe	Líon dara scéimeanna daingnithe	Líon tríú scéimeanna daingnithe
2004	1	-	-

Bliain	Líon céad scéimeanna daingnithe	Líon dara scéimeanna daingnithe	Líon tríú scéimeanna daingnithe
2005	22	-	-
2006	18	-	-
2007	29	-	-
2008	15	-	-
2009	14	8	-
2010	6	10	-
2011	0	1	-
2012	3	6	-
2013 (go dáta)	4	8	1
Iomlán	112	33	1

Ní miste a nótáil go gcuimsíonn na scéimeanna seo beagnach 200 comhlacht poiblí a mbíonn teagmháil rialta ag an mórchuid acu seo leis an bpobal i gcoitinne. Is fiú a nótáil fosta go bhfuil 122 dréachtscéim teanga á n-ullmhú ag comhlachtaí poiblí agus go bhfuil plé gníomhach ar siúl ag oifigigh mo Roinne le roinnt mhaith de na comhlachtaí sin. Tá mé dóchasach go mbeidh to-radh dearfach ar an bplé sin agus go mbeidh tuilleadh scéimeanna á ndaingniú go luath dá bharr.

Tá sonraí maidir leis na scéimeanna uilig atá daingnithe go dáta ar fáil ar shuíomh gréasáin Oifig an Choimisinéara Teanga, www.coimisineir.ie.

Cosaint Fostaíochta

61. D'fhiafraigh **Deputy Sandra McLellan** den Aire Ealaíon, Oidhreacht agus Gaeltachta soiléiriú a dhéanamh maidir le todhchaí Arramara Teo. agus cad atá á dhéanamh aige chun slí bheatha na mbainteoirí feamainne a chaomhnú. [43785/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Dírim aird an Teachta ar an bhfreagra a thug mé ar Cheist Dála Uimhir 23 ar an 18 Meán Fómhair 2013 ar an ábhar seo. Mar a dúradh sa fhreagra sin, tugadh cead d'Údarás na Gaeltachta ar 29 Iúil 2013 scaireanna an Údaráis in Arramara Teo. a dhíol leis an gcomhlacht Acadian Seaplants Ltd., faoi réir go mbeidh na coinníollacha uile a bhaineann leis an díolachán comhlíonta go sásúil.

Tuigtear dom go bhfuil an tÚdarás ag dul ar aghaidh leis an díolachán a chur i bhfeidhm. Tuigtear dom fosta go raibh, go bhfuil, agus go mbeidh, todhchaí agus leas na mbainteoirí feamainne ag croílár an phróisis díolacháin sin atá idir lámha ag an Údarás.

Legislative Programme

62. **Deputy Barry Cowen** asked the Minister for Arts, Heritage and the Gaeltacht the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43809/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): I refer the

Deputy to my reply to Parliamentary Question No. 424 of 1 October 2013.

Turf Cutting Compensation Scheme Eligibility

63. **Deputy Paul J. Connaughton** asked the Minister for Arts, Heritage and the Gaeltacht the reason a person (details supplied) in County Galway was deemed ineligible for the turf cutting and compensation scheme; and if he will make a statement on the matter. [43865/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): An application for compensation under the cessation of turf cutting compensation scheme was received by my Department on 23 August 2013 from the individual referred to in the Deputy's Question. The qualifying criteria for the cessation of turf cutting compensation scheme are that:

- The claimant must have a legal interest in one of the 53 raised bog special areas of conservation – ownership or turbary right;

- The claimant must have been the owner or entitled to exercise turbary rights on the land in question on 25 May 2010;

- The turbary on the site must not be exhausted;

- The claimant must have been cutting turf on the land in question during the relevant five year period; and

- No turf cutting or associated activity is ongoing on the property.

I am advised that, on the application form, the applicant has indicated that he had not been cutting turf on the bog plot in question during the relevant five year period. However, he has indicated that he has inherited the bog plot. My Department is investigating this matter further and will be in contact with the applicant as soon as possible in relation to his application.

Broadband Services Speeds

64. **Deputy Terence Flanagan** asked the Minister for Communications, Energy and Natural Resources the position regarding poor broadband speeds (details supplied) in Dublin 5; and if he will make a statement on the matter. [43805/13]

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 provision of telecommunications services, including broadband services, is, in the first instance, a matter for private sector service providers who operate in a fully liberalised market, regulated by the independent regulator, the Commission for Communications Regulation (ComReg). Broadband services are provided by a number of commercial service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. Details of broadband services available on a county-by-county basis can be found on ComReg's website at www.callcosts.ie.

As the Deputy will be aware from my response to his previous Question on 10 July 2013, the Government's National Broadband Plan, which I published in August 2012, aims to radically change the broadband landscape in Ireland by ensuring that high speed broadband is available to all citizens and businesses. This will be achieved by providing:

- a policy and regulatory framework that assists in accelerating and incentivising commercial investment, and

- a State-led investment for areas where it is not commercial for the market to invest.

Since the publication of the Plan, investments by the commercial sector are underway in both fixed line and wireless high speed broadband services, particularly in urban and semi-urban areas. The State can only intervene to ensure access to broadband services in areas where the competitive market fails to deliver such services. In order to progress the State-led investment for areas where it is not commercial for the market to invest, a full procurement process must be designed and EU State Aids approval must be obtained.

My Department is engaged in a comprehensive mapping exercise of the current and anticipated investment by the commercial sector to identify where the market is expected to deliver high speed broadband services over the coming years. The results of this mapping exercise will inform the precise areas that need to be targeted in the State-led investment as envisaged in the National Broadband Plan. Intensive technical, financial and legal preparations, including stakeholder engagement, are ongoing. The procurement process for the approved intervention will be carried out in accordance with EU and Irish procurement rules and it is expected that it will be launched in 2014.

Through the implementation of the National Broadband Plan, I am committed to ensuring that all parts of Ireland have access to high speed broadband, with a view to ensuring that all citizens and businesses can participate fully in, and maximise the benefits of, a digitally enabled economy and society.

Legislative Programme

65. **Deputy Barry Cowen** asked the Minister for Communications, Energy and Natural Resources the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43811/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Since March 2011 there have been three Bills initiated by me and brought through the legislative process to completion. The first was the Access to Central Treasury Funds (Commission for Energy Regulation) Bill 2011, which comprised two sections. While no Regulatory Impact Analyses (RIA) was completed specifically for this Bill, a full RIA was undertaken with respect to the provisions of the related Petroleum (Exploration and Extraction) Safety Act, 2010. That Act is concerned with the carrying out of certain functions by the Commission for Energy Regulation, in respect of which borrowings from the Central Treasury Funds are necessary. The 2011 Bill itself was enacted on 23 November 2011 as the Access to Central Treasury Funds (Commission for Energy Regulation) Act 2011.

The second was the Energy (Miscellaneous Provisions) Bill 2011. A RIA for the Energy (Miscellaneous Provisions) Bill 2011 was published with the Bill on the 27 September 2011. The Bill, Explanatory Memoranda and RIA were made available on my Department's website and also on the Oireachtas website. The Bill itself was enacted on the 25 February 2012 as the Energy (Miscellaneous Provisions) Act 2012.

The third was the Electricity Regulation (Carbon Revenue Levy)(Amendment) Bill 2012. This was emergency legislation on foot of a Supreme Court Decision and therefore was exempt from RIA requirements. The Bill itself was enacted on 25 May 2012 as the Electricity Regula-

tion (Carbon Revenue Levy)(Amendment) Act 2012. In addition to the above, the Communications Regulation (Postal Services) Act 2011, while not initiated by me, was enacted on 2 August 2011.

A further Bill, the Gas Regulation Bill 2013 was published on 25 July 2013 and is currently before the Houses of the Oireachtas. A RIA on the Gas Regulation Bill 2013, setting out the policy context and rationale for the implementation of full ownership unbundling, including for the sale of Bord Gáis Energy, was prepared. Some of the material contained in the RIA was considered to be commercially sensitive in light of the ongoing transaction process. Therefore, it is not intended to publish the RIA at this stage.

There are a number of other Bills currently in preparation in my Department which will be brought through the Houses of the Oireachtas in due course. My Department undertakes RIA in accordance with the procedures set out in the RIA Guidelines published by the Department of the Taoiseach.

Mobile Telephony Services Provision

66. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources if he will intervene and request a company (details supplied) to provide a proper service to their customers; and if he will make a statement on the matter. [43841/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of mobile telecommunications services networks within Ireland's competitive telecommunications market is subject to a requirement to secure a wireless telegraphy licence to access the required radio spectrum. The award of such licenses, the imposition of terms and conditions to access that spectrum and the associated monitoring of compliance by licensed providers with those terms and conditions are matters for the Commission for Communications Regulation (ComReg), which is independent in the exercise of its functions. Accordingly, I have no statutory power to intervene in the manner suggested by the Deputy. I expect that with the continued significant capital investments being made by mobile operators, the quality of mobile services will continue to improve across the country. I note in this regard that Vodafone announced earlier this year, a phased programme to upgrade its network.

Motor Tax Exemptions

67. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government if the new guidelines and criteria are in place for taxing tractors and vintage tractors on the road; and if he will make a statement on the matter. [43684/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Non-Use of Motor Vehicles Act 2013 came into effect on 1 July 2013, replacing the system whereby vehicles were declared off the road retrospectively when next being taxed with a procedure whereby vehicles must now be declared off the road in advance.

The Act provided for a three month transition period from 1 July 2013 to 30 September 2013 to allow vehicle owners to bring their motor tax status up to date by making both a retrospective and prospective off-road declaration. From 1 October 2013, the Act provides that only a prospective declaration may be made.

The Act makes no other change to motor tax liability in respect of any class of vehicle. Both

tractors and vintage vehicles remain liable to be taxed if they are being used in a public place. Agricultural tractors and vintage tractors carry a concessionary rate of tax, with owners of the former liable to pay €102 per annum and owners of vintage tractors liable to pay €56 per annum.

Credit Ratings

68. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the role played by the Irish Credit Bureau in the determination of eligibility for local authority housing loan in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [43860/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): In advancing loans for house purchase by lower income borrowers it is of critical importance that local authorities make such funding available on the basis of sound lending criteria. My Department and individual local authorities have a responsibility to ensure that the borrower can sustain the loan over the full term. Of equal importance, in view of recent developments in the domestic property market, is the imperative for a local authority to ensure that prudence and pragmatism are applied to all aspects of the management of its housing loans book. In a time of limited resources, deploying those resources in a focused and effective manner ensures the management of its loans portfolio can be achieved as efficiently as possible.

The current credit policy has been in effect since 2009. It was deemed appropriate at that time to update the elements associated with local authority lending and to have a homogenous regime in place that ensured best practice was followed across the sector. All applicants are now assessed according to the same criteria, and their applications subjected to the same independent scrutiny. Underwriting of the application by the Irish Credit Bureau is an intrinsic element of that independent scrutiny. This approach represents prudent lending practice, and the current guidelines achieve equitable consideration of all applications. There is anecdotal evidence that loans issued since the introduction of the revised credit policy are more likely to be fully performing. I consider that the current mortgage loan model is fair, adequately meets the needs of prospective borrowers, and facilitates participation in housing acquisition initiatives such as the tenant purchase schemes.

Derelict Sites

69. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government if specific funding is allocated to local authorities to demolish unsafe derelict buildings; if any such funding has been allocated to Dublin City Council and Fingal County Council; and if further funding is planned to allow derelict sites to be put to a community use.; and if he will make a statement on the matter. [43683/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Under the Derelict Sites Act 1990, local authorities are required to take all reasonable steps, including the exercise of appropriate statutory powers, to ensure that any land within their functional area does not become or continue to be a derelict site. To this end, they have been given substantial powers under the Act in relation to any such sites, including powers to require specified measures to be taken in relation to a derelict site, to impose a levy on derelict sites, or to compulsorily acquire any derelict site. I expect local

authorities to use their statutory powers as they consider appropriate.

Section 23 of this Act provides that a levy may be charged by a local authority on any urban land which is entered on the derelict site register and in respect of which a market value has been determined. This levy must be paid by the owner of the urban land to the local authority in whose functional area the land is situated. The levy is payable until the dereliction ceases.

The National Co-ordination Committee on Unfinished Housing Developments (NCC), which I chair, identified the 1990 Act as a potential legal instrument that could be used by local authorities as part of a range of measures to deal with the problems generated by, for example, unfinished housing developments. Part of the work of the NCC involved an assessment of the adequacy of existing legislation in tackling the issues associated with unfinished housing developments. Its remit was to review legislation such as the Derelict Sites Act 1990; the Local Government (Sanitary Services) Act, 1964, the Planning and Development Acts 2000-2010 and the Water Services Act, 2007 with a view to strengthening or amending provisions to take account of the issues associated with unfinished developments. It concluded that the existing legislation was adequate and no amending legislation was necessary.

While I have no plans to amend the Derelict Sites Act at this time, I will keep the need for further legislative reforms to assist local authorities in addressing the issues of dereliction, including unfinished or unoccupied estates, under review.

Local Authority Expenditure

70. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that the Local Authority National Partnership Advisory Group undertook and funded an international trip to New York from 7 to 15 September 2001; if it has been brought to his attention that the total cost of flight and accommodation for the six person delegation was €31,970; if he will provide in tabular form a breakdown of the €31,970 expenditure; if his attention has been drawn to the fact that in addition to the expenditure of €31,970, each participant in the delegation received a sum of €1,303.42 travel and subsistence; and if he will make a statement on the matter. [43685/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government Management Services Board (LGMSB, now the Local Government Management Agency or LGMA) acted as the host agency for The Local Authority National Partnership Advisory Group. I understand that a LANPAG Study Visit to New York took place from 7 to 15 September 2001 with seven participants. An eighth person was due to join the visit on 11 September 2001, flying from Shannon to Washington, but the flight was cancelled as a result of the tragic events of 9/11. Meetings were arranged to take place in Washington from 11 to 13 September 2001 but the flights involved were also cancelled.

The information requested in relation to the flights is outlined in the table below. The original invoice from the travel agent with the breakdown of cost per flight is no longer available in the LGMA.

From	To	-
Dublin and Shannon	New York	7
New York	Washington	7
Washington	New York	7
New York	Dublin and Shannon	7

From	To	-
Shannon	Washington (Return)	1

The hotel accommodation costs covered eight nights for the seven participants, fifty six nights in total.

The travel and subsistence allowance of €1,303.42 each participant received was in accordance with the rates applicable at the time.

Proposed Legislation

71. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government his plans to introduce legislation to regulate access to the countryside; if he supports in principle the Private Members Bill introduced in the last session of Dáil Éireann; if it is his intention to propose amendments to this Bill; and if he will make a statement on the matter. [43687/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): An Expert Group, established by the then Minister for Community, Rural and Gaeltacht Affairs to examine and make recommendations on the Legal Issues of Land Access for Recreational Use and issues around legislating for countryside access, submitted its report in May 2007.

It did not set out specific recommendations but examined existing legislation, such as the Occupiers' Liability Act, 1995, and explored the implications of introducing legislation, such as granting a right of access to recreational users. The report is available on my Department's website. The Minister at the time formed the view that the best way forward was to develop permissive access with the agreement of landholders through various initiatives such as the Walks Scheme and Pilot Mountain Access Projects.

The consensus approach adopted is underpinned by the principle of mutual respect between landowners and recreational users, with acceptance of the rights of landowners regarding access to their land and the need for recreational users to have reasonable access to the countryside.

My Department continues to work with stakeholders through Comhairle na Tuaithe and is currently negotiating the implementation of a National Indemnity Scheme which will indemnify private landowners against claims from recreational users for injury or damage to property. The Occupiers Liability Act, 1995 already provides significant protection to landowners, but the upfront costs of successfully defending a claim can be significant.

My Department is currently reviewing a number of options in relation to countryside access and I will give careful consideration to all options put forward. I have a large number of Bills in the current legislative programme which are very demanding on my Department's resources and those of the Office of the Parliamentary Counsel. When next reviewing my Department's legislative programme I will consider the Bill referred to in the Question alongside the other legislative proposals of my Department. I will also engage further with the Joint Oireachtas Committee on the matter.

National Indemnity Scheme for Landowners

72. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government when he intends to introduce a national indemnity scheme for land owners against recreational users of their land; and if he will make a statement on the matter. [43688/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A National Indemnity Scheme for Landowners to facilitate access to private lands for recreation purposes is currently under development through Comhairle na Tuaithe and the State Claims Agency. The Occupiers Liability Act of 1995 already provides significant protection to landowners, but the upfront costs of successfully defending a claim from a recreational user can be significant. In that regard, the proposed indemnity scheme would remove the burden of dealing with insurance companies and engaging legal advisors from any landowner faced with the prospect of a claim arising from injury or damage to the property of a recreational user.

There are a number of important issues and technical matters to be addressed as part of this process. In addition, a comprehensive and robust risk assessment model must be developed and subsequent risk management processes identified and put in place. Initially it was envisaged that individual indemnity schemes would be provided to facilitate Mountain Access and other recreational projects in specific areas. However, due to the administrative and financial costs associated with such a fragmented approach, it was determined that the possibility of introducing a National Indemnity Scheme that could be administered in a more efficient and cost effective manner should be investigated.

Progress to date has been positive following meetings with farming organisations and with the State Claims Agency but a number of issues still remain to be finalised. It is hoped that a National Indemnity Scheme can be implemented in 2014.

Mountain Access Schemes

73. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government when the pilot scheme for mountain access in County Kerry and Connemara, County Galway, will be fully operational; the reason for the three year delay in progressing this scheme; and if he will make a statement on the matter. [43689/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): These pilot schemes for mountain access have been developed with the purpose of facilitating access to the uplands for hill walking and similar activities. A pilot scheme has been developed at Mount Gable in Connemara where 94 landowners are involved; a second pilot is under development in Carrantuohill and the McGillicuddy Reeks in Co. Kerry. The pilot in Kerry was expanded over time from an initial 8/10 landowners to approximately 150 landowners, considerably increasing the area encompassed to that of about 1002Km². A report on the Kerry Mountain Access scheme is currently being prepared and should be available towards the end of 2013.

Traveller Accommodation

74. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government his plans to develop a national plan for traveller housing in view of the housing crisis that exists for travellers and the urgent need that 819 units of housing be provided for them; if it is intended to set up a national housing agency for traveller housing; and if he will make a statement on the matter. [43690/13]

75. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the total budget allocation provided in the estimates each year for the past ten years for traveller accommodation; the actual spend each year; the total cumulative underspend in that time and the reason for same; his views on whether this underspend indicates an inability by the local authorities to deal with this issue in view of the crisis in traveller accommodation; and if he will make a statement on the matter. [43691/13]

76. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Community and Local Government the action he will take to deal with the fact that 3,600 or 11% of the traveller population of the State are officially homeless; and if he will make a statement on the matter. [43692/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): I propose to take Questions Nos. 74 to 76, inclusive, together.

In accordance with the Housing (Traveller Accommodation) Act 1998, statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller accommodation programmes, designed to meet these needs, rests with individual housing authorities. My Department's role is to ensure that there is an adequate legislative and financial system in place to assist the authorities in providing such accommodation.

Accommodation for Travellers is provided across a range of options including standard local authority housing which is financed from my Department's capital allocations for social housing, Traveller-specific accommodation, private housing assisted by the housing authority or voluntary organisations, private rented accommodation and through their own resources. It is open to Travellers to opt for any form of accommodation; including Traveller-specific accommodation and local authority Traveller Accommodation Programmes are intended to reflect these preferences. My Department provides 100% capital funding for Traveller-specific accommodation and also provides funding for accommodation related supports to operate in tandem with the capital programme.

In accordance with the 1998 Act, housing authorities are statutorily required to prepare and adopt multi-annual Traveller Accommodation Programmes for their areas. The current round of Traveller Accommodation Programmes for the period 2009 - 2013 are due to be completed in December and authorities are currently making arrangements for the next round of programmes which will run from 2014 to 2018. In preparing their Traveller Accommodation Programmes, housing authorities are required to identify the accommodation needs of Traveller families within their functional area and to set out how these needs are to be met, using all the housing supply options available to housing authorities including through Traveller-specific accommodation.

The Government remains committed to meeting the accommodation needs of Travellers. Since the adoption of the third round of programmes in 2009, it is estimated that over 450 units of Traveller-specific accommodation had been provided to end 2012, supported by the provision of approximately €50 million in capital funding from my Department. Over €7 million is being provided for Traveller accommodation purposes this year. This is in addition to expenditure on standard local authority housing and other housing supports. The results of this substantial financial commitment are reflected in the significant reduction in the numbers of Traveller families on unauthorised sites, notwithstanding the steady increase in the numbers of Traveller families nationally over recent years.

The National Traveller Accommodation Consultative Committee (NTACC) is a statutory

body established for the purposes of advising me on all matters relating to housing for Travellers. This committee includes representation from local authorities, other Government Departments and Traveller groups. The fifth such committee since the enactment of the 1998 legislation held its first meeting last week and has already set about preparing its work programme for the next three years. A proposal for a statutory Traveller accommodation agency, as set out in the 1995 Report of the Task Force on the Travelling Community, was considered by my Department. However, it was subsequently decided not to establish such an Agency and, having regard to the inclusive and effective consultation arrangements already in place through the NTACC, I have no plans to review the matter.

Details of the capital allocations to housing authorities over the past 10 years for Traveller-specific accommodation, the amounts recouped by my Department and the overspend/underspend in each of these years are set out in the following table:

Year	Allocation €m	Amounts recouped to LA's €m	Underspend/Overspend €m
2002	23.12	26.64	3.52
2003	30.00	28.95	-1.05
2004	40.00	35.69	-4.31
2005	45.00	37.00	-8.00
2006	45.51	35.56	-9.96
2007	39.00	35.00	-4.00
2008	40.00	35.00	-5.00
2009	35.00	19.60	-15.40
2010	35.00	16.11	-18.89
2011	15.00	9.32	-5.69
2012	6.00	4.00	-2.00
Total	353.63	282.87	-70.77

Over this 10-year period, housing authorities have drawn down almost 80% of the available capital allocations. Due to a range of issues associated with the delivery of Traveller-specific accommodation projects, some local authorities were unable to draw down their full capital allocation. When requested by my Department to account for variations between Traveller accommodation targets and output, housing authorities cited a number of reasons including Traveller families refusing offers of accommodation, families only willing to live in certain areas where housing availability may be an issue, difficulties in obtaining Traveller agreement locally, planning and legal problems, difficulties in obtaining site access and anti-social behavior by Traveller families which can delay development of projects.

The Central Statistics Office's special Census report, Homeless Persons in Ireland, which was published on 6 September 2012, indicated that on Census night, 10 April, 2011, a total of 3,808 individuals were sleeping rough or housed in accommodation defined as emergency, transitional or long-term. Of this total, some 163 Irish Travellers were enumerated as homeless, making up just over 4 per cent of the homeless population.

Tax Code

77. **Deputy Joe McHugh** asked the Minister for the Environment, Community and Local Government if he will evaluate the merits and de-merits of a special non-haulage taxation rate for quad bikes that are used by farmers; and if he will make a statement on the matter.

[43695/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I have no plans to introduce a new motor tax rate for quad bikes used by farmers.

Quad bikes are taxed at the private rate of motor tax, based on engine capacity, if the vehicle is being used for private, domestic or pleasure purposes, which includes road usage by farmers. The rate of motor tax for a quad with engine capacity of less than 1,000cc, not used for haulage, is €199 per annum. If the vehicle is being used to haul another vehicle or trailer, it then becomes taxable at the general haulage tractor rate, currently €333 per annum. If the quad bike is not used in a public place, motor tax is not payable.

Unfinished Housing Developments

78. **Deputy Patrick Nulty** asked the Minister for the Environment, Community and Local Government following the recommendation of the Advisory Group on Unfinished Estates Report, if he intends to review and amend the existing legislation where appropriate to ensure that there are adequate measures available to address unfinished developments; if he will consider this in the context of the relevant legislation which includes the Planning and Development Act 2000-2010, Derelict Sites Act 1990 and the Litter Act 1997-2003, Local Government (Sanitary Services) Act 1964, Water Pollution Acts 1977 and 1990 and the Building Control Acts 1990-2007; and if he will make a statement on the matter. [43703/13]

79. **Deputy Patrick Nulty** asked the Minister for the Environment, Community and Local Government following the recommendation of the advisory group on unfinished estates report, if he intends to consolidate legislation with regard to unfinished developments with a predetermined life-span of operation be considered; and if he will make a statement on the matter. [43704/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 78 and 79 together.

I am chairing the National Co-ordination Committee on Unfinished Housing Developments to oversee implementation of the Report of the Advisory Group on Unfinished Housing Developments, together with the Government’s response to the recommendations. The Committee has met on 12 occasions since it was established in June 2011 and has harnessed the input of members representing the banking, construction, and local authority sectors as well as NAMA and residents.

As part of the work of the National Co-Ordination Committee, a legislative review group was set up to assess the adequacy of existing legislation in tackling the issues associated with unfinished housing developments. Its remit was to review legislation such as the Derelict Sites Act 1990; the Local Government (Sanitary Services) Act, 1964, the Planning and Development Acts 2000-2010 and the Water Services Act, 2007 with a view to strengthening or amending provisions to take account of the issues associated with unfinished developments. The review group concluded that the existing legislation was adequate and no amending legislation was necessary.

Burial Grounds

80. **Deputy Patrick Nulty** asked the Minister for the Environment, Community and Local

Government if he will encourage the provision of green graveyards by local authorities, as are common in England; and if he will make a statement on the matter. [43707/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision and approval of burial grounds is entirely a matter for each local authority concerned and one in which my Department has no direct function.

Road Improvement Schemes

81. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if he will arrange for the hardcore re-surfacing of the access road, walkers path from the old monastic carpark at Glendalough up to the old mines at the Wicklow Gap (details supplied). [43709/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department has no function in relation to this road, which is a private access route shared by Coillte; the National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht; and the Catholic Youth Care group who have an interest in Youth Hostels in the area. I understand that in 2007 works were carried out on the road and were jointly funded by the three bodies with a shared interest in the route. I also understand that Coillte's use of the road has been limited to car traffic only on a sporadic basis and that the greatest use of this road is by the traffic linked to the Youth Hostels.

Greenhouse Gas Emissions

82. **Deputy Seán Ó Feargháil** asked the Minister for the Environment, Community and Local Government the measures being taken by his Department to encourage a carbon reduction policy in the concrete industry; and if he will make a statement on the matter. [43713/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Green Tenders – An Action Plan on Green Public Procurement was published in 2012 by my Department and the Department of Public Expenditure and Reform. The overall objective of the Plan is to assist public authorities successfully to plan and implement green public procurement (GPP) by highlighting existing best-practice and outlining further actions to boost GPP. With regard to the construction sector, which includes the concrete industry, the Plan acknowledges the importance of good choice of materials (including cement). In accordance with the Plan, all materials used in construction should be assessed for environmental impacts (including carbon reduction) over the appropriate appraisal period for the project. Public procurers should consider the impacts of the most commonly used materials including embodied energy (and associated CO₂ and other pollutants) and should ensure that the environmental advantages claimed by material suppliers can be verified.

Water Meters Installation

83. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government if he will respond to issues raised in correspondence (details supplied) regarding water meters and operative procedures. [43732/13]

Minister for the Environment, Community and Local Government (Deputy Phil Ho-

gan): I note the issues raised in the correspondence. Under existing legislation, the operation and maintenance of the water network is a matter for the water services authorities. However, the Water Services Bill (No 2) 2013, which is currently in preparation, will provide for the transfer of responsibility for the delivery of water services from the water services authorities to Irish Water. The Bill will also provide for the establishment of an economic regulator for water services within the Commission for Energy Regulation (CER). The primary role of CER will be to protect the interests of customers and to ensure that a consistent and appropriate level of service is provided to them. As part of the metering programme, my Department, in conjunction with Irish Water, is currently working on a proposal regarding customer-side leakage, implementation arrangements for which are not yet available.

Local Authority Expenditure

84. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government in view of reports that Roscommon County Council spent approximately €739,000 on consultancy fees in 2012, if he will provide an itemised breakdown of the specific consultancy services engaged by each county council in the year 2012; and the amount spent on these consultancy services by local authorities. [43736/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The information requested is not available in my Department. It is a matter for each 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.

Legislative Programme

85. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43814/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department has published 15 Bills and 16 Regulatory Impact Assessments (RIAs) since March 2011.

RIAs are generally undertaken within my Department at an early stage in the policy development process, as they are regarded as a valuable tool in deciding the best approach to take.

Housing Assistance Payments Administration

86. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will provide information on the new local housing allowances retractions and guidelines; and if he will make a statement on the matter. [43825/13]

87. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if the new changes regarding rental assistance will impact on all payments immediately; and if he will make a statement on the matter. [43826/13]

88. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if there is additional help or support to those who are hardest hit and is there

any discretionary payment fund when it comes to the issue of rental assistance; and if he will make a statement on the matter. [43827/13]

89. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the method that local housing allowances will be implemented in the future; and if he will make a statement on the matter. [43828/13]

90. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if there are changes planned for the direct payment of local authority renter allowances to landlords; and if he will make a statement on the matter. [43829/13]

91. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if direct payments to landlords will be allowed in the social rent sector in the future; and if he will make a statement on the matter. [43830/13]

93. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the way in which housing costs will be calculated in the future with regard to rental payments; and if he will make a statement on the matter. [43840/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 86 to 91, inclusive, and 93 together.

I refer to the reply to Questions Nos. 237, 238, 239, 208 and 209 of 15 October, 2013 which sets out the position in these matters.

Homeless Accommodation Funding

92. **Deputy Seamus Healy** asked the Minister for the Environment, Community and Local Government if he will reverse the reduction in section 10 homeless funding, notified to Waterford City Council in respect of the south east region for the provision of homeless services including the reduction at such a late stage in the financial year, to the budget of Suan Saoir, Clonmel, County Tipperary; and if he will make a statement on the matter. [43831/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): My Department provides funding to housing authorities towards the operational costs of homeless accommodation and related services under Section 10 of the Housing Act 1988; €45 million is being made available by my Department to housing authorities in 2013 for this purpose. This amount represents a decrease of 3.32% on the 2012 outturn and this reduction has been applied on a pro-rata basis to each of the 9 homelessness regional allocations for 2013. The table below outlines the allocation for each region for 2013.

Funding in 2013 under Section 10 of the Housing Act 1988

Region	€
Dublin	31,322,223
South West	4,272,197
Mid-West	3,399,336
South East	1,787,469
West	1,528,951
North East	879,963
Mid East	811,275

Region	€
Midland	649,707
North West	348,879
Total	45,000,000

Under new funding arrangements as provided for under the National Implementation Plan for the Homeless Strategy, responsibility for rigorous assessment, appraisal and decision making in relation to proposals for funding of particular services within the current budgetary allocation rests with the homelessness statutory Management Group of the respective region. My Department has no function in regard to decisions on operational matters which in this instance are a matter for the South East Homelessness Management Group with Waterford City Council as the lead authority.

Question No. 93 answered with Question No. 86.

Local Authority Housing Mortgages

94. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Community and Local Government if his Department has received any submissions from the County Managers' Association in relation to local authority loans; if any such correspondence, having been received, indicates an approach that might be adopted by local authorities to housing related loans; and if he will make a statement on the matter. [43843/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Local authorities have long been the lenders of last resort servicing the housing loan needs of less affluent members of society. In the present economic circumstances it is understandable that the ability of some borrowers to service housing loans has become restricted and a number of loans have fallen into arrears.

Section 34 of the Housing (Miscellaneous Provisions) Act 2009 provides local authorities with powers to deal flexibly with distressed borrowers, and they have demonstrated sensitivity over the years in dealing with such cases. In March 2010 my Department issued guidelines to local authorities, based on the Central Bank's first Code of Conduct on Mortgage Arrears, which continued the tradition of handling arrears in a manner that is sympathetic to the needs of the particular household, while also protecting the position of the local authority concerned.

To reflect the content of the Central Bank's revised Code of Conduct – which replaced the previous code from 1 January 2011 and was informed by the deliberations of the Expert Group on Mortgage Arrears and Personal Debt – my Department issued updated guidance in July 2012 to local authorities in consultation with the County and City Managers Association. This has further enabled local authorities to provide a range of flexible repayment options for households in difficulty. Furthermore, my Department is currently reviewing the Central Bank's most recent Code of Conduct which issued in July 2013, and will update the local authority code where appropriate.

In particular, the introduction of a Mortgage Arrears Resolution Process (MARP), which closely mirrors the suite of options available in the commercial sector, has presented borrowers in difficulty with a range of alternative payment agreements, which can be accessed to ease the particular circumstances of each case. This process features a standard set of options including,

in cases of certain unsustainable mortgages, the facility of mortgage-to-rent. Local authorities have been restructuring loans for some time using their own internal practices. The introduction of these guidelines has standardised the approach across the whole sector, introduced a systematic structure to this area and provided borrowers with a transparent and accessible model for arrears resolution.

My Department has no record of any recent submissions from the City and County Managers Association in this regard.

Waste Management Inspections

95. **Deputy Michael Conaghan** asked the Minister for the Environment, Community and Local Government the number of site inspections, audits and compliance monitoring of a recycling company (details supplied) in Dublin 10 carried out by the Environment Protection Agency to verify compliance with the requirements of the waste licence in 2013 and each year since 2003, when the licence was granted; if he will provide details on what enforcement action, it deemed necessary to ensure that the conditions of the licence are complied with. [43866/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The facility in question operates under waste licence granted by the Environmental Protection Agency (EPA). I have no role in relation to the monitoring and enforcement of conditions attaching to waste licences. These are matters for the EPA and I am precluded from exercising any power in relation to the performance by the EPA of its licensing functions in specific cases under the Waste Management Act 1996. The Office for Environmental Enforcement (OEE) of the EPA is directly responsible for the enforcement of EPA licences granted to waste, industrial and other facilities. A wide range of data on the OEE's audits and other enforcement activities in relation to such facilities are publicly available on the EPA's website, at <http://www.epa.ie/pubs/reports/enforcement/>.

Services for People with Disabilities

96. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the steps he is taking to ensure that more persons with disabilities have opportunities to gain employment (details supplied); and if he will make a statement on the matter. [43799/13]

Minister of State at the Department of Justice and Equality (Deputy Kathleen Lynch): The National Disability Strategy Implementation Plan, published in July this year, has as one of its actions the publication of a comprehensive employment strategy for people with disabilities. A second action is to ensure a coordinated approach to support persons with disabilities to progress into employment through this comprehensive employment strategy. The aim of these actions is to ensure that more people with disabilities can access work and that services at local level are coordinated and there is joined up access across agency boundaries to deliver more seamless supports to people with disabilities.

At my request, the National Disability Authority and Mr. Christy Lynch (founder member of the Irish Association of Supported Employment) have initiated the drafting of a comprehensive employment strategy. A draft framework for the Strategy was agreed by the Senior Official's Group on Disability on 30 July and subsequently issued for consultation with all relevant stakeholders in August. It is anticipated that the Strategy will be finalised in the first quarter of 2014.

Charities Regulation

97. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the reason charity lotteries no longer have the charitable lotteries compensation fund but still have a cap on the prize fund, as, in times of austerity, this decision is preventing charities from earning their own money; and if he will make a statement on the matter. [43886/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Charitable Lotteries Scheme was established in 1997 to provide assistance to the promoters of certain private charitable lotteries that have products similar to products sold by the National Lottery. This funding was originally drawn from the National Lottery surplus but, as with other National Lottery funded subheads, it is now drawn also from exchequer funds.

Because of the urgent need to make savings in Government expenditure, this Scheme cannot be sustained in the current circumstances. Beneficiaries were advised in October 2012 that it would be phased out on a gradual basis over a 3 year period, with the first reduction taking effect in late 2013. This is in order to give affected organisations as much time as possible to adjust to the change and to consider how they may increase the funding they receive through other fundraising projects. As the decision to phase out the Scheme is currently the subject of legal proceedings initiated by The Rehab Group and Rehab Lotteries, I am not in a position to comment further in relation to this issue, at this time.

The Deputy may be interested to know that provision for an increase in the prize fund limits applicable to private charitable lotteries is included in the National Lottery Act 2013 which is the responsibility of the Minister for Public Expenditure and Reform. I understand that it is the intention of the Minister for Public Expenditure and Reform to commence this provision shortly. This will update the total prize fund limit for lotteries held under section 27 of the 1956 Gaming and Lotteries Act from £3,000, where it has stood since 1987, to €5,000. For lotteries held under section 28 of the 1956 Act, the limit will increase from €20,000 (set in 2002) to €30,000.

Separately, in July 2013, the Government approved the General Scheme of a Gambling Control Bill, which will update our laws on gambling, and will involve the repeal of the 1956 Gaming and Lotteries Act. This legislation will cover lotteries, but will exclude the National Lottery. The General Scheme, which is available on my Department's website, sets out the proposed increases in prize fund limits for lotteries that fall within the remit of this proposed legislation. The General Scheme has been referred to the Attorney General's Office for formal legal drafting. It is anticipated that this will be a lengthy process, given the complexities of the issues involved.

Capital Programme Expenditure

98. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when it is intended to build a new courthouse in County Galway; when it is intended to build a new Garda Station on the east side of the city; the progress made to date with these projects; and if he will make a statement on the matter. [43693/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, under the provisions of the Courts Service Act 1998, management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service which is independent in exercising its functions. In order to be of assistance to the Deputy, I have had enquiries made and I am informed that, while attempts by the Court Service over a number of

years to find a suitable site have been unsuccessful, it remains an objective of the Courts Service to provide a new courthouse in Galway city. The Courts Service is continuing to consider possibilities within the limits of its capital budget and will continue to do so should other opportunities present in the future.

The provision of a new Garda Divisional Headquarters in Galway was included in the special Government stimulus package announced in July 2012. It is intended that this project will be delivered by means of a Public Private Partnership and the necessary work involved is being undertaken by the relevant agencies. As the arrangements to be put in place for Public Private Partnerships are complex, it is not possible at this stage to indicate when the specific elements of the project will be completed. However, I can assure the Deputy that they are being treated as a priority.

Garda Vetting Applications

99. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when Garda vetting clearance will be provided to a person (details supplied) in County Galway; and if he will make a statement on the matter. [43702/13]

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 10 October, 2013. The application is currently being processed and once completed will be returned to the registered organisation concerned.

The Deputy may wish to note that the number of vetting applications received by the Garda Central Vetting Unit (GCVU) each year has risen from 187,864 in 2007 to 327,903 in 2012 and it is expected that there will be upwards of 350,000 applications this year. I am informed by the Garda authorities that the current average processing time for applications is now approximately 9 weeks from date of receipt. However, seasonal fluctuations and the necessity to seek additional information on particular applications can result in this processing time being exceeded on occasion. Nonetheless, this is a significant improvement on the processing time of 14 weeks which existed in July this year. This improvement reflects the fact that I have given this matter particular priority as it is essential that the GCVU has the resources required to perform this most critical of roles effectively and efficiently.

In that context, I have been actively engaged on this issue with my colleague the Minister for Public Expenditure and Reform. As a result of that engagement, I am pleased to say that the Garda Commissioner has confirmed to me that there are now 136 whole time equivalent staff assigned to the GCVU, some 41 of whom have been redeployed from elsewhere in the public service since the end of March 2013. Some of these redeployed staff have only recently completed their training in the vetting process, and the full impact of their work will be seen in the coming weeks. Furthermore, I have also recently received sanction for the redeployment of 40 additional staff to the GCVU. This brings the total number of staff in that service to over 170, more than double that of the average allocation of 78 staff at the Unit over the past two and a half years.

The Deputy may also wish to note that the development of an e-Vetting solution is also underway. This will facilitate the processing of all applications in an e-format, thus removing the time-consuming current process of manually managing all applications received. The initial phase of testing this e-vetting system will take place during late 2013. When this is achieved, this system will streamline the overall vetting process in this jurisdiction, and further contribute

to reductions in processing times for all vetting applications.

Departmental Funding

100. **Deputy Gerald Nash** asked the Minister for Justice and Equality the reasons an organisation (details supplied) in County Louth was denied funding from his Department to participate on a court accompaniment training programme funded by the Department. [43708/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Organisation in question applied to the Commission for the Support of Victims of Crime for funding under their 2011 and 2013 Funding Schemes. The Commission is an independent body operating under the aegis of my Department. The Commission provides funding to non-governmental organisations that provide support and assistance to victims of crime. It examines each application on its own merits and is entirely independent in its decisions. I understand that the Commission was of the view that the organisation concerned was more appropriate to be funded by the health sector, as it dealt with patients.

The Commission provides funding to the Rape Crisis Network Ireland (RCNI) towards the cost of running a court accompaniment training programme for rape crisis centres. I understand that the RCNI sometimes offers spare places on their training sessions to other organisations funded by the Commission.

Garda Recruitment

101. **Deputy Seamus Healy** asked the Minister for Justice and Equality if he will put a procedure in place whereby reserve members of an Garda Síochána who are fully attested and have their two year probationary period completed, may proceed to become permanent members of an Garda Síochána by way of internal recruitment in view of their training, loyalty, service, dedication and commitment; and if he will make a statement on the matter. [43802/13]

Minister for Justice and Equality (Deputy Alan Shatter): Recruitment to An Garda Síochána is governed by statutory regulations. The current Garda Síochána (Admissions and Appointments) (Amendment) Regulation 2006, expressly allows the Public Appointments Service to take into account any satisfactory service by a person as a reserve member of the Garda Síochána, when they are applying to join the full time force. These regulations are currently being consolidated and revised and the same provisions for Reserve members will be incorporated into the new regulations.

Legislative Programme

102. **Deputy Barry Cowen** asked the Minister for Justice and Equality the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43819/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that since March 2011 there have been 26 Bills published by my Department. Details of which are set out in tabular form below. The Deputy may wish to note that some of these Bills have now been enacted and are now Acts.

Details of Bills published since 09 March 2011
2013
Criminal Justice (Money Laundering & Terrorist Financing) (Amendment) Bill 2013 – (Later the Criminal Justice Act 2013)
Criminal Law (Human Trafficking) (Amendment) Bill 2013
Prison Development (Confirmation of Resolutions) Bill 2013
Courts Bill 2013
Thirty-third Amendment of the Constitution (Court of Appeal) Bill 2013
Fines (Payment and Recovery) Bill 2013
Land and Conveyancing Law Reform (Amendment) Act 2013
Assisted Decision-Making (Capacity) Bill 2013
Criminal Justice (Forensic Evidence and DNA Database System) Bill 2013
Human Trafficking (Amendment) Bill 2013 (Minister of State Lynch took this Bill through all stages of the Seanad.
2012
Criminal Justice (Spent Convictions) Bill 2012
National Vetting Bureau (Children and Vulnerable Persons) Bill 2012
Europol Bill 2012
Criminal Justice (Search Warrants) Bill 2012
Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Adults) Bill 2012
European Arrest Warrant (Application to Third Countries and Amendment) and Extradition (Amendment) Bill 2012
Personal Insolvency Act 2012
Jurisdiction of Courts and Enforcement of Judgements (Amendment) Act 2012
Equal Status (Amendment) Bill 2012 (No. 110 of 2012)
2011
Criminal Law (Defence and the Dwelling) Bill 2011
Criminal Justice Bill 2011
Criminal Justice (Community Service) (Amendment) Bill 2011
Twenty –Ninth Amendment of the Constitution (Judges’ Remuneration) Act 2011
Property Services (Regulation) Act 2011
Civil Law (Miscellaneous Provisions) Act 2011
Legal Services Regulation Bill 2011

Finally, I wish to refer the Deputy to Parliamentary Question 518 of 01 October 2013 which details the number of Regulatory Impact Assessments published by my Department since March 2011.

Garda Deployment

103. **Deputy Seán Ó Fearghail** asked the Minister for Justice and Equality further to Parliamentary Question No. 164 of 9 October 2013, in view of the fact that the Kildare Divisional Drugs Unit is populated by just two members of An Garda Síochána, his views on whether this is an adequate number of personnel in a county which has a population in excess of 210,000, in

which every urban centre is experiencing problems with the misuse of drugs, and where we are directly affected due to our proximity to Dublin by the constant migration of drug users and by drug related crime; if he will agree to engage on this issue with the Garda Commissioner; and if he will make a statement on the matter. [43842/13]

Minister for Justice and Equality (Deputy Alan Shatter): I have previously informed the Deputy and the House that the Garda Commissioner is responsible for the detailed allocation of resources, including personnel, throughout the organisation and that I have no function in the matter. I have also informed the House as to how those allocations are continually monitored to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

I am informed by the Commissioner that all Gardaí have responsibilities in the prevention and detection of criminal activity whether it be in the area of burglaries, drug offences or otherwise. I can assure the Deputy that An Garda Síochána continues to pro-actively and resolutely tackle all forms of drug crime in this jurisdiction. The Garda National Drugs Unit, working with Divisional Drugs Units and other national units, including the Organised Crime Unit and the Criminal Assets Bureau, target persons involved in the illicit sale and supply of drugs.

Residency Permits

104. **Deputy Brendan Griffin** asked the Minister for Justice and Equality the reason a person (details supplied) in County Kerry was refused an application for residency; and if he will make a statement on the matter. [43867/13]

Minister for Justice and Equality (Deputy Alan Shatter): Based on the information supplied, I am informed by officials in my Department that they can find no record of an application for residency for the person referred to by the Deputy. However, records indicate that the person concerned has made three visa applications in 2010, 2011 and in 2012. All applications were for short stay visits, i.e, of less than 90 days, to Ireland. These three applications were, following full consideration by the visa officer concerned, refused.

The most recent application was refused on 17 July 2012 and the decision to refuse was upheld by an appeals officer on 18 October 2012. The visa appeals officer did not consider that the person concerned provided sufficient evidence of her obligations to return home following a visit to Ireland and had concerns that she would not observe the conditions of a visa were it to be approved. Furthermore, the person concerned was requested by the visa appeals officer to provide a copy of a letter of refusal of a UK visa application. This was not provided. The visa appeals officer had concerns that the person may attempt to use the common travel area between the UK and Ireland to enter the UK unlawfully.

It is open to the person concerned to make a new application should she so wish. Where doing so, the applicant should be in a position to address the reasons for the refusal, in particular in this case, by showing stronger evidence of obligations to return home on the expiration of the permission to remain in Ireland. Guidelines regarding the visa application procedure are available on the website of the Irish Naturalisation and Immigration Service - www.inis.gov.ie.

Queries in relation to general immigration matters 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, inad-

equate or too long awaited.

Gambling Legislation

105. **Deputy Brendan Griffin** asked the Minister for Justice and Equality the timeframe involved in the public consultation process in advance of the Gaming Control Bill; when he expects the Bill to be published; and if he will make a statement on the matter. [43868/13]

Minister for Justice and Equality (Deputy Alan Shatter): When he refers to public consultation “in advance” of the Gambling Control Bill, the Deputy may have in mind the consideration by the Oireachtas Joint Committee on Justice, Defence and Equality, of the General Scheme of that Bill. However, he will also be aware of the numerous studies and reports over many years on the reform of our laws on gambling, the most recent being in 2010. Almost all of those earlier reports entailed a level of consultation.

On taking office in March 2011, I decided that the time had come to move to the next stage, i.e. to prepare legislative proposals, with the result that in July, the Government approved the General Scheme mentioned above. My Department took account of those previous consultations when preparing the General Scheme.

I considered it important to hear from as wide a range of opinion as possible about the proposals in the Scheme. I therefore decided to avail of the new enhanced Oireachtas scrutiny procedures. I wrote to the Chair of the Joint Oireachtas Committee on Justice, Defence and Equality in July requesting that the Committee should furnish to me its views on the General Scheme by the end of October.

The General Scheme was also published on my Department’s website within days of it being approved by the Government.

The Deputy is, of course, aware that the Oireachtas, including its Committees, has full discretion on the conduct of its business. In the present case, the Committee decided to invite written and, later, oral presentations on the Scheme. I understand the Joint Committee is now preparing its Report.

Separately from the work of the Joint Committee, the General Scheme has been submitted to the Office of the Parliamentary Counsel. That Office has responsibility for the drafting of legislation. The Committee’s Report and any recommendations it may contain will be given full consideration as drafting progresses.

The Deputy will be aware of the broad scope and complexity of the Scheme. Bearing that and the workload of the Office in mind, I am unable at this time to give a firm indication as to when the Bill will be published but I do not anticipate publication until the second half of 2014 at the earliest. However, I should add that the very positive reaction to my Scheme, as evident from the presentations to the Joint Committee, is very encouraging. I am looking forward to receiving the Joint Committee’s Report. I expect it will be of assistance in having the drafting completed as early as possible.

Proposed Legislation

106. **Deputy Brendan Griffin** asked the Minister for Justice and Equality his plans for the future regulation of ETVM’s; and if he will make a statement on the matter. [43869/13]

Minister for Justice and Equality (Deputy Alan Shatter): If the Deputy would like to clarify what information he is seeking by contacting my Office, I would be happy to investigate the matter further for him.

Gambling Legislation

107. **Deputy Brendan Griffin** asked the Minister for Justice and Equality if he has looked at the Italian model in advance of the Gaming Control Bill; if he considers such a model to be a suitable method of eliminating revenue avoidance; and if he will make a statement on the matter. [43870/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Government approved my draft General Scheme for the Gambling Control Bill in July. In the course of preparing that Scheme, my Department examined relevant provisions in the laws of many other jurisdictions, including Italy, and, where appropriate, drew on those provisions in framing the proposals appropriate to this jurisdiction.

I note the Deputy's reference to "eliminating revenue avoidance". It is important to understand the role of the proposed Gambling Control Bill in relation to taxation and revenue matters. Although not concerned with taxation, the new legislation will, nevertheless, be of assistance to the Revenue Commissioners in identifying those liable to taxation in the gambling sector. This will come about because the new legislation will provide that only licensed operators may offer gambling services and it will also provide the means to ensure compliance with that requirement. The Revenue Commissioners can therefore rely on the licensing system to identify all those liable under the relevant taxation provisions.

Gambling Legislation

108. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will support a matter (details supplied) on Fixed Odds Betting Terminals in the Gaming Bill [43879/13]

Minister for Justice and Equality (Deputy Alan Shatter): The matter referred to by the Deputy arises from correspondence between an interested party and the Joint Oireachtas Committee on Justice, Defence and Equality and concerns that Committee's hearings on the General Scheme of the Gambling Control Bill. The Deputy will be aware that I, as Minister, have no role in relation to the conduct of business by Committees and it would not be appropriate for me to comment on the correspondence in question.

However, on the question of the Scheme's treatment of Fixed Odds Betting Terminals, I draw attention to Head 49, in particular to paragraphs (2) and (7) of that Head. Paragraph (7) provides for a ban on FOBT in this jurisdiction and gives effect to the Government's policy on FOBT. Paragraph (2) provides powers to 'prohibit or restrict' any device, game, etc. It is available to deal with as yet unknown risks, be they from new devices, games, etc that may emerge in the future or from existing devices, etc where new evidence demonstrates a serious risk of harm. As can be seen, Head 49 provides a mechanism that will ensure a high level of protection for consumers when the evidence supports the need for action.

Spent Convictions Legislation

109. **Deputy Seamus Healy** asked the Minister for Justice and Equality the position re-

garding the Spent Convictions Bill; when the remaining stages of the bill will be taken; when it likely to complete its passage through the Houses of the Oireachtas; and if he will make a statement on the matter. [43883/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Criminal Justice (Spent Convictions) Bill 2012 passed Committee Stage in Dáil Éireann on 20 March 2013, having previously passed all stages in the Seanad. However, before the Bill was taken at Report Stage, a judgment of the Court of Appeal in England and Wales was published which has necessitated a review of the provisions concerning the disclosure of certain old minor convictions under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. Given the close relationship between the two pieces of legislation, any changes to the Vetting Act will have to be reflected in the Spent Convictions Bill.

It is my intention that the review will be completed shortly and that the Spent Convictions Bill will be enacted as soon as possible thereafter.

Departmental Properties

110. **Deputy Seán Ó Fearghail** asked the Minister for Defence if the Office of Public Works has conducted a survey of buildings that are of historical or architecture significance within the ownership of his Department, in view of the fact that the listing or preservation of such buildings does not fall within the remit of local authorities and their development plans; and if he will make a statement on the matter. [43847/13]

113. **Deputy Seán Ó Fearghail** asked the Minister for Defence the architecture surveys his Department have conducted at barracks still in the ownership of his Department; if his Department has identified buildings that are worthy of preservation in view of their historical architecture significance; if an inventory of such buildings has been compiled; and if he will make a statement on the matter. [43846/13]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 110 and 113 together.

The Defence property portfolio consists of a diverse range of facilities from conventional military barracks to forts, camps, dwelling houses and land. A number of buildings in this portfolio have been identified as of historical or architectural significance.

The Office of Public Works has no role in the management of buildings within the ownership of the Department of Defence. Notwithstanding certain planning exemptions for Defence properties, the surveying, listing and ongoing monitoring of protected buildings in the Defence property portfolio falls within the remit of the relevant local authority.

The preservation and maintenance needs for these buildings are reviewed as part of the Department's maintenance and capital expenditure programme each year.

Common Security and Defence Policy

111. **Deputy Andrew Doyle** asked the Minister for Defence the preparations he has made to date in advance of the European Council summit in December 2013 that will play host to a substantive debate on European security and defence matters; if he will outline the stage discussions within his Department have reached; his views on whether the summit may change the nature of public debate here regarding collective security and defence in the EU in view of

the fact that the recent comments by the President of the Council, Herman Van Rompuy that the EU needs a long-term and more systematic approach to co-operation in this policy field; if pooling of Irish defence resources is going to be considered; and if he will make a statement on the matter. [43711/13]

Minister for Defence (Deputy Alan Shatter): The European Council in December 2013 will include a thematic discussion on defence issues, including CSDP. The last such discussion took place in 2008. To this end, the European Council on 13 -14 December 2012 adopted brief procedural conclusions inviting the High Representative for Foreign Affairs and Security Policy, Baroness Cathy Ashton, and the Commission, inter alia, to develop further proposals and actions to strengthen CSDP and improve the availability of the required civilian and military capabilities. In summary the conclusions fall into three clusters as follows:

1. Increase the effectiveness, visibility and impact of CSDP;
2. Enhance the development of defence capabilities;
3. Strengthen Europe's defence industry.

Since the adoption of Council Conclusions in December 2012, Member States have actively addressed this topic through a range of fora, at both political and official level. On 24 July, the Commission's Communication "Towards a more competitive and efficient defence and security sector" was published. The High Representative's (HR's) Report on the EU's Common Security and Defence Policy (CSDP) was circulated on 10 October. Both documents are currently being considered by my officials in consultation with their colleagues from the Department of Foreign Affairs and Trade, and the Department of An Taoiseach. They will be on the Agenda for the meeting of the Foreign Affairs Council in Defence Ministers format in Brussels in November and then at the General Affairs Council prior to the European Council.

The forthcoming thematic discussion on Defence issues at European Council meeting of Heads of State and Government in December was a priority issue during Ireland's recent Presidency of the Council of European Union. It was discussed at a number of high level meetings, including the Defence Ministerial which I chaired in Dublin on behalf of the High Representative. Ireland also hosted a presidency seminar on the topic.

It is not possible to say whether the European Council meeting of itself will change the nature of public debate in Ireland. However, Ireland has been a strong supporter of the role of the EU in international crisis management through CSDP. There is a need, clearly identified, to ensure that the Union collectively has the capabilities to undertake crisis management operations and for Member States to commit the required capabilities to support operations mandated by the Council. To this end, it is important that the industrial capacity exists within the Union to provide the requisite capabilities. In the case of the Defence Forces, we rely, in many instances, on European suppliers to provide the Defence Forces with the defence capabilities necessary to undertake the roles assigned to them by Government. How the market can continue to provide the required defence capabilities is among the matters which are due to be discussed in December at the European Council.

In relation to the pooling and sharing of defence resources, this remains a matter for national decision on a case-by-case basis and there is no proposal to change this. The concept of pooling and sharing involves groups of Member States coming together and pooling resources so as to retain, maintain and/or enhance their military capabilities which they can make available for crisis management operations. Ireland is also strongly supportive of initiatives to improve capability development for use in crisis management operations in tandem with other member States. In this regard, Ireland has participated in the European Defence Agency (EDA) since

2004 and we are involved in a number of EDA programmes in cooperation with other Member States, in areas such as Force Protection, Chemical Biological Radiological and Nuclear Protection and Maritime Surveillance.

Legislative Programme

112. **Deputy Barry Cowen** asked the Minister for Defence the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43812/13]

Minister for Defence (Deputy Alan Shatter): My Department has published the following bills since March 2011:-

1. Defence (Amendment) Act 2011 – The Act provides for amendments to the Defence Acts to expand the potential candidature for appointment to the post of Military Judge and the Director of Military prosecutions to persons other than members of the Defence Forces and for an amendment to the powers of the Selection Committee to determine a candidate's qualification for appointment to these posts. It also provides for the appointment of a Circuit Court Judge to perform the functions of the Military Judge where the Military Judge is not available.

2. Civil Defence Act 2012 - This Act repealed the Civil Defence Act 2002, dissolved the Civil Defence Board and transferred its functions, property, rights, liabilities and other responsibilities back to the Department of Defence.

3. Defence Forces (Second World War Amnesty and Immunity) Act 2012 - The Act provides for the granting of an amnesty and apology to those members of the Defence Forces who served with forces fighting on the Allied side during World War II and who were subsequently found guilty by a military tribunal or who were dismissed from the Defence Forces pursuant to the provisions of the Emergency Powers (No. 362) Order 1945. In addition, it also provides an immunity from prosecution, to those who were, or who still are, liable to be prosecuted for, desertion or being absent without leave.

There have been no Regulatory Impact Assessments carried out by my Department since March 2011. The Department of Defence is not a regulatory authority as commonly understood. The Defence Acts and Regulations made thereunder are for the most part, focused on the Defence Forces only and do not apply to the ordinary citizen or to business. Notwithstanding this, the Department applies the principles set out in the Regulatory Impact Assessment (RIA) Guidelines issued by the Department of the Taoiseach where appropriate.

Question No. 113 answered with Question No. 110.

Land Issues

114. **Deputy Andrew Doyle** asked the Minister for Agriculture, Food and the Marine the bodies of the State responsible for bonds and land bonds between the years of 1930 and 1980; if bonds that were issued between these years are still claimable if a State body that issued bonds between these years is no longer in existence; the State body that now has the records for this period of time; and if he will make a statement on the matter. [43721/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since 1923, the purchase prices of lands taken over by the former Irish Land Commission (ILC) were pay-

able in State-guaranteed Land Bonds. Most of the owners whose land was acquired were compensated in these Land Bonds yielding a fixed rate of return. They were redeemable at their nominal or original value, either by periodic random selection from what was known as the Land Bond Fund, or after 30 years at the discretion of the Minister for Finance.

The Land Bond Act, 1992 dissolved the Land Bond Fund and converted the Bonds into cash. All sums outstanding and not immediately required upon the passing of the Act for the payment of vendors were transferred to the Central Bank. This money is held on deposit by the Accounts Division in my Department, as successor to the ILC, until such time as those with valid title lay claim to the funds.

Agriculture Schemes Administration

115. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if there will be a scheme for suckler cows as this sector of farming is really struggling at present; and if he will make a statement on the matter. [43720/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am committed to the development of a strong and sustainable suckler cow sector and am fully aware of the issues facing it at present. To assist in its development, I announced a Beef Genomics Scheme (BGS) yesterday specifically aimed at suckler farmers, that will help to accelerate the kind of genetic improvement that will drive efficiency and increase profitability at farm level.

This scheme will provide vital support for suckler farmers, and begin the process of building a genetic database for the beef sector that will position Ireland as a global leader in beef genetics and ultimately lead to a more efficient and profitable farm sector.

I have been able to secure €23 million of funding for this new scheme. The BGS will provide a €40 per calf payment subject to an overall scheme limit. In order to be eligible for the BGS, a farmer must also be in the Beef Data Programme (BDP). Full details of the scheme's terms and conditions will be available from my Department shortly.

In addition to the BGS a further €10 million in funding will be paid under the Beef Data Programme (BDP) in 2014. Approximately 34,000 farmers applied for BDP in 2013. This assists farmers in improving the quality of their livestock while maintaining a flow of crucial data to ICBF that will generate further advances in cattle breeding at a national level. Farmers in BDP will receive a further €20 per calf up to a maximum of 20 calves. Added to the BGS Scheme, this will give suckler farmers a payment of up to €60 per calf in 2014.

In addition to BGS and BDP a further allocation of €5 million will be made in 2014 so that the Beef Technology Adoption Programme (BTAP) will continue for another year. Some 5,500 farmers received an annual payment of €925 each under the 2012 programme.

In total, these measures, added to residual payments under the Suckler Cow Welfare Scheme will provide an investment of €40m to suckler farmers in 2014.

Agriculture Schemes Administration

116. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine if a person were to sell two parcels of land to buy one parcel of land would they qualify for land consolidation; and if he will make a statement on the matter. [43794/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Farmers who satisfy certain conditions are eligible to apply to have their entitlements consolidated. The reduction in the number of hectares must have arisen because of one or more of the following circumstances:

- The acquisition of land by a public authority under a Compulsory Purchase Order (CPO) for non-agriculture.

- Lands leased in/rented in during all or part of the reference period (2000-2002) where the lease/rental agreement has expired or will expire and the land parcels in question are no longer available.

However, a farmer who acquires entitlements and land by way of purchase/lease is not eligible to consolidate the purchased/leased entitlements.

A farmer who sells land and replaces it with a lower number of hectares is not eligible for consolidation.

Disadvantaged Areas Scheme Payments

117. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their disadvantaged area scheme payment; and if he will make a statement on the matter. [43797/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment in respect of the 2013 Disadvantaged Areas Scheme issued directly to the nominated bank account of the person named on 10 October 2013, payments under the Scheme having commenced, on target, on 25 September 2013.

Legislative Programme

118. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43808/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since this Government took office my Department has published three Bills:

- Veterinary Practice (Amendment) Bill (28 July 2011)
- Animal Health and Welfare Bill (25 April 2012)
- Forestry Bill (24 April 2013)

No Regulatory Impact Statements have been carried out on Bills in my Department, all were carried out prior to this Government taking office.

Bovine Disease Controls

119. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine

his views on whether the compensation programme that was belatedly put in place regarding BVD needs to be expanded (details supplied); and if he will make a statement on the matter. [43824/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department introduced a compensation scheme for herdowners, who have 2 or more eligible beef breed calves, in suckler herds born on or after 1 January 2013. To qualify, the herdowner must comply with the conditions of the BVD Eradication Programme, the statutory basis for which is set out in S.I. 532 of 2012. In particular, the calves must have had an initial positive or inconclusive test for the Bovine Viral Diarrhoea Virus (BVD), and be removed from the herd, with a date of death notified to the Animal Identification Movement System (AIM). Payment will be made at a rate of €100 in respect of the second and subsequent P.I. calves in suckler herds.

The scheme is to calves from suckler herds because the “payback period” in suckler herds is more than twice that of dairy herds: it is estimated that the benefit of the eradication of this disease to dairy farmers will exceed the cost involved after a period of 6 months.

Disadvantaged Areas Scheme Payments

120. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine if the disadvantaged area payment will be made to a person (details supplied) in County Kilkenny. [43838/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the Single Farm Payment/Disadvantaged Areas Scheme was received from person named on 9 May 2013. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on-farm inspections, be completed before any payments issue.

The application of the person named was selected for a remote sensing inspection. This inspection has been completed and the results are now being finalised. In the event that any queries arise officials in my Department will shortly be in contact with the person named.

Disadvantaged Areas Scheme Payments

121. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when 2012 payment under the disadvantaged areas scheme will issue to persons (details supplied) in County Galway; the reason for the delay in issuing this payment; and if he will make a statement on the matter. [43874/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment in respect of the 2013 Disadvantaged Areas Scheme issued directly to the nominated bank account of the person named on 1 October 2013, payments under the Scheme having commenced, on target, on 25 September 2013.

Disadvantaged Areas Scheme Payments

122. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when 2013 payment under the disadvantaged area based payment will issue to a person (details supplied) in County Galway; the reason for the delay in issuing this payment; and if he will make

a statement on the matter. [43875/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment has not yet issued to the person named under the 2013 Disadvantaged Areas Scheme as the holding has not yet satisfied the Scheme minimum stocking density requirements. As soon as the holding concerned is confirmed as having met these requirements, the case will be further processed with a view to payment at the earliest possible date thereafter.

Disadvantaged Areas Scheme Payments

123. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive their disadvantaged area aid payment; and if he will make a statement on the matter. [43885/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payment under the 2013 Disadvantaged Areas Scheme issued directly to the nominated bank account of the person named on 10 October 2013, payments under the Scheme having commenced, on target, on 25 September 2013.

Sexual Offences

124. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs the total numbers of children who made disclosures of sexual abuse in 2010, 2011 and 2012; in each year, if she will indicate the number of these children that attended an initial assessment of needs interview and subsequently went on to access therapeutic services from the Health Service Executive; the number of children making disclosures that did not access therapeutic services and if reasons for this have been recorded and categorised; and if she will make a statement on the matter. [43851/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE Children and Family Services publishes a wide range of data and information in regard to services provided. Approximately 600 individual child care data metrics are collected. These metrics do not include the total numbers of children who made disclosures of sexual abuse. However, the number of reports to social work departments which may have a sexual abuse component is collected.

These reports are subject to a 2 step referral process to screen referrals and to initiate preliminary enquiries aimed at substantiating the details provided by the reporter. The aim of the preliminary enquiry process is to support and help the social worker to make a decision on the action to take in response to the information reported, that will result in the best outcome for the child who is the subject of the referral.

The number of reports in each of the years requested by the Deputy is set out below in Table 1.

Table 1. No. of sexual abuse reports.

Category	2010	2011	2012
Reported	2,692	3,326	Data not yet available

The Children First Initial Assessment Guidance states that: “An Initial Assessment should be completed on each child where, following screening, a decision is made that an Initial Assessment is warranted following receipt by the social work department of a report of protection or welfare concerns in respect of a child.” An important objective of Initial Assessment is to determine if further, or more comprehensive assessment(s), are required and to enable if necessary a plan to be put into place to govern continuing intervention.

The number of reports of sexual abuse that were, following screening, subject to an initial assessment was collected as a national child care metric up to 2010. Since that time this information has not been gathered. The available data from 2010 for initial assessments indicates that 1,393 of the 2,692 reported cases received an initial assessment.

The HSE does not collect information on the number of children who are the subject of a sexual abuse report who subsequently went on to access therapeutic services from the Health Service Executive or of the number of children making disclosures that did not access therapeutic services.

Implementation of services to victims of child sexual abuse involves a number of separate agencies as follows: Children and Family Services; Acute Services; An Garda Síochána; CARI; St Louise’s/St Claire’s; Our Lady’s Hospital Crumlin; The Courts Service; The Judiciary; Director of Public Prosecutions; Office of the Chief Prosecution Solicitor and the Department of Justice and Equality.

A national coordinated approach is required to ensure the effective implementation of these services and I have asked the HSE to proceed with filling four posts of Regional Coordinators for Services for child victims of sexual abuse. As part of this process, my Department is currently engaging with the HSE regarding data management and ensuring sufficient management information is collected and collated.

Departmental Expenditure

125. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the amount it costs to run education and welfare boards. [43858/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The National Educational Welfare Board (NEWB), which operates under the auspices of my Department, has a statutory remit to ensure that ‘*each child attends a recognised school or otherwise receives a certain minimum education*’. In particular, the NEWB has a key role to respond to instances where children are not attending school regularly, or where there is concern about a child’s educational welfare.

Funding of €8.753 million has been made available to the National Educational Welfare Board in 2013. This level of funding will enable the Board to deliver on its expanded remit which includes responsibility for the operational management and strategic direction of the Home School Community Liaison Scheme and the School Completion Programme, in addition to the Education Welfare Service. The Board is currently focused on delivering integrated educational welfare services based on the principle of One Team, One Child, One Plan which can respond to the complexity of issues that impact on attendance, participation and retention in schools.

Legislative Programme

126. **Deputy Barry Cowen** asked the Minister for Children and Youth Affairs the number of bills her Department has published since March 2011; the number of regulatory impact assessments that her Department has published since March 2011; and if she will make a statement on the matter. [43810/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department was established on 2nd June 2011 and since then I have published the Thirty-First Amendment of the Constitution (Children) Bill 2012, the Child and Family Agency Bill 2013 and the Child Care (Amendment) Bill 2013. A Regulatory Impact Assessment for the Child and Family Agency Bill 2013 is published on www.dcy.gov.ie.

Water Fluoridation

127. **Deputy Maureen O'Sullivan** asked the Minister for Health if he will explain the discrepancy of the CAS number of natural fluoride being 16984-48-8 while the product specification of fluoride used in our water is different 16961-83-4 (details supplied); the reason natural fluoride is not being used in our water supply; the organisation that has approved the fluoride as detailed in the product specification as being fit for human consumption; and if he will make a statement on the matter. [43734/13]

Minister of State at the Department of Health (Deputy Alex White): Fluorine is one of the most chemically reactive elements in nature. As a consequence, it is always found in combination with other elements. CAS number 16984-48-8 relates to the fluoride ion. Fluoride compounds have different CAS numbers, e.g. 16961-83-4 for Hydrofluosilicic Acid (HFSA), which is used for water fluoridation. The fluoride currently used for water fluoridation is sourced as a primary product. It is mined directly from a raw material source, the mineral fluorospar as calcium fluoride (CaF₂). It then goes through a purification process to conform to tightly controlled specifications under the requirements of CEN Standard I.S.EN 12175:2001 to produce HFSA. It should also be noted that there are fluoridated public water supplies where there are existing background levels of naturally occurring fluoride and these levels are augmented using HFSA to the prescribed optimal level.

The principles for approval of use of HFSA in treatment of water intended for human consumption are no different to those relating to other chemicals used in drinking water treatment, such as disinfectants and coagulants. No water treatment chemical is intended for direct human consumption. The level of fluoride in drinking water in Ireland has been set at between 0.6-0.8 parts per million. This level of fluoride is deemed optimal for protecting the oral health of all age groups.

Medical Card Applications

128. **Deputy Finian McGrath** asked the Minister for Health the position regarding medical cards in respect of persons (details supplied) in Dublin 3; and if he will make a statement on the matter. [43699/13]

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.

Departmental Bodies

129. **Deputy Seán Ó Fearghail** asked the Minister for Health the date on which he established a medical forum to assess applications for discretionary medical cards; the person he has appointed to serve on this forum; if he will state their general qualifications; the regularity with which they meet; if he will detail the systematic approach adopted to the processing of such applications; and if he will make a statement on the matter. [43714/13]

Minister of State at the Department of Health (Deputy Alex White): I have asked the Health Service Executive for a report on the specific details requested by the Deputy. I will revert to him on the matter as soon as possible.

Mobility Allowance Decision

130. **Deputy Mattie McGrath** asked the Minister for Health the current position in relation to the mobility allowance and motorised transport grants; when these schemes will be reopened; the form they will take; and if he will make a statement on the matter. [43716/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government decided in June last that new statutory provisions should be established to provide individual payments to people with severe disabilities who require additional income to address the costs of their mobility needs. An inter-departmental group, chaired by the Department of the Taoiseach, is working to develop detailed proposals for the operation of a new statutory scheme and is due to report back to Government in October.

The Government also decided in June that payments should temporarily continue to be made by the Health Service Executive 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 Government is very conscious of the needs of people with a disability who have relied on the Mobility Allowance and Motorised Transport Grant to support their independence and will take all of this into consideration when making a decision on future arrangements.

Medical Card Data

131. **Deputy Seán Ó Fearghail** asked the Minister for Health if he will provide in tabular form the number of discretionary medical cards currently in each local health area. [43718/13]

152. **Deputy Robert Troy** asked the Minister for Health if he will provide the exact figures of the number of discretionary medical cards that have been issued in the past year in the Dublin Mid Leinster region; and the number that were issued in the same region in 2012. [43778/13]

Minister of State at the Department of Health (Deputy Alex White): I propose to take Questions Nos. 131 and 152 together.

The number of medical cards awarded on a discretionary basis in the HSE Local Health

Areas to date in 2013 and for year 2012 is set out in the following table.

-	1 Jan 2013 - 2 Oct 2013	Year 2012
Local Health Area	Medical Cards (Discretionary)	Medical Cards (Discretionary)
Total Dublin Mid Lenister	12,444	14,661
Total Dublin North East	7,341	8,348
Local Health Area	Medical Cards (Discretionary)	Medical Cards (Discretionary)
Total South	19,802	24,863
Total West	13,146	15,254
Total	52,733	63,126

Orthodontic Services Waiting Lists

132. **Deputy Billy Kelleher** asked the Minister for Health the number of persons on the waiting list for orthodontic treatment by county; the waiting time by county including the current longest waiting time for a patient; and if he will make a statement on the matter. [43724/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. An individual's access to orthodontic treatment is determined against a set of clinical guidelines called the Modified Index of Treatment Need. Patients with the greatest level of need, i.e. Grade 5 or Grade 4 are provided with treatment. At the time of assessment those with urgent clinical need are prioritised. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable. It is estimated that in up to 5% of cases it is necessary to wait for further growth to take place before treatment commences. Information on waiting times is collated by the HSE by region and for the intervals as shown below only. The most recent information relates to the second quarter of 2013.

Waiting time from assessment to commencement of treatment (Grade 4)	1 - 6 months	7 - 12 months	13 - 24 months	2 - 3 years	Over 4 years	TOTAL
HSE Dublin Mid-Leinster	371	403	594	534	15	1917
HSE West	215	705	613	740	29	2302
HSE South	138	91	157	934	103	1423
HSE Dublin North East	160	268	429	869	191	1917
TOTAL	884	1467	1793	3077	338	7559

Waiting time from assessment to commencement of treatment (Grade 5)	1 - 6 months	7 - 12 months	13 - 24 months	2 - 3 years	Over 4 years	TOTAL
HSE Dublin Mid-Leinster	491	343	365	190	1	1390
HSE West	351	430	552	460	32	1825
HSE South	188	872	338	256	88	1742
HSE Dublin North East	181	363	435	366	3	1348
TOTAL	1211	2008	1690	1272	124	6305

The HSE has commissioned an independent review of orthodontic services. The outcome of this review, which is near completion, will give guidance as to what changes will be desirable to provide the best possible model of care delivery, given the current resources available and future demand for services.

HSE Staffing

133. **Deputy Billy Kelleher** asked the Minister for Health the number of clinical staff that has been lost to the orthodontic system in recent years; and where these staff were posted; and if he will make a statement on the matter. [43725/13]

Minister of State at the Department of Health (Deputy Alex White): This information is currently being collated by the HSE and will be forwarded directly to the Deputy as soon as it is available.

Psychological Services

134. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if the Health Service Executive will accept a report if a child (details supplied) in Dublin 10 is seen privately for a psychological assessment [43728/13]

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.

Psychological Services

135. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if he will provide a list of psychologists to whom the Health Service Executive refers children. [43729/13]

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.

Symphysiotomy Report

136. **Deputy Seamus Kirk** asked the Minister for Health if he is arranging for the Walsh

report to be released to the survivors of Symphysiotomy; and if he will make a statement on the matter. [43731/13]

154. **Deputy Seamus Kirk** asked the Minister for Health when he intends to fulfil the commitment he made on 1 August last to appoint a judge to engage with the survivors of symphysiotomy; and if he will make a statement on the matter. [43780/13]

155. **Deputy Seamus Kirk** asked the Minister for Health when he will publish the Walsh report on symphysiotomy; and if he will make a statement on the matter. [43781/13]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 136, 154 and 155 together.

As the Deputy may be aware, I received the independent report by Professor Oonagh Walsh on Symphysiotomy in Ireland at the end of May 2013 and the Report is under consideration.

I met with the three support groups representing the women concerned in August 2013. At that meeting, I proposed to appoint a judge to meet with the women in order to facilitate decisions on how best to bring closure for the women concerned.

My officials are actively considering this issue and I intend bringing proposals to Government as soon as possible.

I wish to confirm that I intend to publish the Walsh report when I have received Government approval regarding how best to proceed in relation to this issue.

My priority continues to be to ensure that the women who have had this procedure have their health needs comprehensively and professionally met. In this regard, the HSE provides a range of services to women who may be experiencing any adverse effects as a result of undergoing this procedure. These services include the provision of medical cards, the availability of independent clinical advice and the organisation of individual pathways of care and the arrangement of appropriate follow-up.

Medical Card Data

137. **Deputy Billy Kelleher** asked the Minister for Health the number of first time medical cards that were applied for in 2011, 2012 and to date in 2013; the number of those cards that were awarded; and from those applications the number that were awarded general practitioner only cards; and if he will make a statement on the matter. [43735/13]

Minister of State at the Department of Health (Deputy Alex White): The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

Medical Card Data

138. **Deputy Billy Kelleher** asked the Minister for Health of the 1,863,062 medical card holders and the 124,361 GP only cards, if these figures include those who are currently seeking a review or who are in the appeals process; if so will he provide the relevant figures for same; and if he will make a statement on the matter. [43738/13]

Minister of State at the Department of Health (Deputy Alex White): I have asked the

Health Service Executive for a report on the issue raised by the Deputy. I will revert to the Deputy on the matter as soon as possible.

Treatment Abroad Scheme

139. **Deputy Derek Nolan** asked the Minister for Health if there is a contingency fund available, in addition to the reimbursement of flight costs, to assist patients from Ireland who must travel abroad to seek specific treatments that are unavailable here; and if he will make a statement on the matter. [43739/13]

Minister for Health (Deputy James Reilly): The Treatment Abroad Scheme (TAS) as provided for in EU Regulations and Department of Health and Children Guidelines, does not provide for Travel and Subsistence expenses for patients or their relatives travelling abroad to avail of approved treatments. However the HSE, and specifically the TAS, may provide assistance towards reasonable economic air or sea travel fares for patients, and a travelling companion where appropriate. Expenses other than air/sea fares are not admissible.

However, patients who experience difficulty funding any additional costs may apply to the Department of Social Protection for assistance as an exceptional needs payment.

Orthodontic Services Provision

140. **Deputy Sean Fleming** asked the Minister for Health when orthodontic treatment will be approved in respect of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [43742/13]

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.

Hospice Services

141. **Deputy Patrick Nulty** asked the Minister for Health if he will take immediate steps to ensure the provision of the necessary funding to open and adequately staff a hospice (details supplied) in Dublin 15; the reason for the delay; and if he will make a statement on the matter. [43749/13]

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.

Primary Care Services Provision

142. **Deputy Terence Flanagan** asked the Minister for Health the position regarding a grant in respect of a person (details supplied) in Dublin 13; and if he will make a statement on the matter. [43750/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE is respon-

sible for the administration of the primary care schemes, therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

Hospital Waiting Lists

143. **Deputy Gerry Adams** asked the Minister for Health if a person (details supplied) in County Louth is on the waiting list for a hip replacement; the timeframe they will have to wait; the average waiting time for patients in 2011, 2012, and 2013 for this procedure [43752/13]

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.

Services for People with Disabilities

144. **Deputy Terence Flanagan** asked the Minister for Health the steps being taken to ensure that the 763 children that have been waiting six months or more for an assessment of need under the Disability Act will be assessed as soon as possible; and if he will make a statement on the matter. [43757/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Part 2 of the Disability Act 2005 was commenced on 1 June 2007 in respect of children aged under 5. In 2008, the then Government decided, in the light of financial circumstances, to defer further implementation of the Disability Act 2005 and the Education for Persons with Special Educational Needs Act 2004.

Part 2 of the Disability Act, inter alia, provides for an assessment of the needs of eligible applicants occasioned by their disability to be commenced within three months of receipt of an application and completed within a further three months.

There has been a very significant rise in overall activity around the assessment process in recent years in respect of the children now encompassed by the process. The number of assessment reports received in 2012 was 3,505 which is over 400 applications more than in 2010. It is worth noting that in the period 2010-2012 over 8,200 reports were completed. While the HSE recognises that it faces significant challenges in respect of meeting the statutory time-frames which apply to the assessment of need process given the number and complexity of cases, it is endeavouring to address the issue from available resources.

While any delay in assessment or intervention for any child is not desirable, the assessment process under the Disability Act can take place in parallel with any intervention which is identified as necessary. The HSE has issued guidance to its staff that where there is a delay in the assessment process, this should not affect the delivery of necessary and appropriate interventions identified for a particular child.

In addition, targeted action plans have been put in place since early 2011. Measures have included: prioritising assessments, holding additional clinics, contracting the private sector to

conduct assessments and reconfiguring resources to target areas of greatest need. These plans are monitored on a monthly basis by the HSE centrally.

Following the publication of a report commissioned from the National Disability Authority by the Department of Health and the Health Service Executive, a major emphasis is being placed on reconfiguring disability services for children into geographically-based early-intervention and school-aged teams as part of the Progressing Disability Services for Children and Young People Programme which is underway. The NDA report indicated that where integrated teams were operating, the assessment of need process ran more smoothly. It found that there was no one single solution to remove all of the challenges to operating a statutory assessment of need. Officials from my Department are currently engaging with the HSE and the NDA to further consider the findings contained in this Report.

Primary Care Services Provision

145. **Deputy Terence Flanagan** asked the Minister for Health the actions being taken by his Department to reduce waiting times for children to be assessed by a primary care occupational therapist (details supplied); and if he will make a statement on the matter. [43758/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE's National Service Plan 2013 provided for additional funding of €20m to strengthen primary care services (€18.525m for the recruitment of 264.5 primary care posts and €1.475m to support Community Intervention Team development).

Of the additional 264.5 posts allocated, 52.5 whole-time equivalent Occupational Therapy posts were approved. These posts are currently being recruited, with final clearances being processed and it is intended that they will be filled by the end of 2013. It is expected that these additional posts will have a significant impact on the current waiting lists for Occupational Therapy services.

The HSE is also considering measures to reduce situations where significant numbers of patients, particularly in the 0-18 years age group, fail to attend or where their appointments are cancelled at very short notice.

Medicinal Products Prices

146. **Deputy Emmet Stagg** asked the Minister for Health further to Parliamentary Question No. 201 of 9 October 2013, if his attention has been drawn to the fact that pumethol costs €6.12 in Spain and the Canary Islands; and if he will make a statement on the matter. [43759/13]

Minister of State at the Department of Health (Deputy Alex White): As I indicated in my previous reply, the prices of drugs vary between countries for a number of reasons, including different prices set by manufacturers, different wholesale and pharmacy mark-ups, different dispensing fees and different rates of VAT. The size of the market can also be a factor in the prices set by manufacturers.

In October 2012, Aspen Pharma Trading Ltd informed the HSE that, following an examination of the viability of a number of product lines, it had decided to increase the price of Purinethol in Ireland and a number of other EU countries (including Germany, UK, Denmark and Finland).

The HSE engaged with the company in an attempt to negotiate a lower price, however, it

was unwilling to do so. The HSE was faced with the choice of allowing increased pricing (in line with other international markets) or running the risk that the product would be withdrawn. Having regard to the importance of the product and the fact that Aspen Pharma Trading Ltd is the sole supplier to the Irish market, the HSE considered that a price increase was necessary to maintain supply and agreed to grant a price increase from 1 March 2013. Despite the price increase, no other supplier has chosen to enter the Irish market. Reversal of the price increase in the absence of an alternative supplier could result in the sole supplier exiting the market and patients being left without access to this medicine.

Hospital Appointments Administration

147. **Deputy John McGuinness** asked the Minister for Health if an appointment will be arranged in respect of a person (details supplied) in County Kilkenny [43760/13]

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.

Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she would be in the best position to take the matter up with the consultant and hospital involved. In relation to the specific hospital appointment query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Hospital Appointments Administration

148. **Deputy Dan Neville** asked the Minister for Health if an appointment will be expedited in respect of a person (details supplied) in County Limerick. [43761/13]

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.

Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she would be in the best position to take the matter up with the consultant and hospital involved. In relation to the specific hospital appointment query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Services for People with Disabilities

149. **Deputy Terence Flanagan** asked the Minister for Health if his attention has been

drawn to the fact that persons with an intellectual disability and or autism have been hit by a number of accumulated cuts over the past five years; his views on the importance of ensuring that those with an intellectual disability and or autism should be supported by the Government, especially during these difficult economic times (details supplied); and if he will make a statement on the matter. [43762/13]

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. Pending completion of the national estimates, budgetary and service planning process for 2014, it is not possible to predict the service levels to be provided next year for the disability sector.

Hospital Appointments Administration

150. **Deputy John McGuinness** asked the Minister for Health if an early date for an assessment for a hip operation will be arranged in respect of a person (details supplied) in County Kilkenny [43773/13]

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 specific hospital appointment query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Ambulance Service Provision

151. **Deputy Robert Troy** asked the Minister for Health if his attention has been drawn to the fact that since the ambulance service closed in the Enfield area, County Meath and relocated to Dublin the Baconstown first responders group in the area have not been receiving calls; if he will ensure that they are kept informed by emergency services in the area as they provide an invaluable service and must be respected. [43775/13]

Minister for Health (Deputy James Reilly): Community response in various forms has long been an important support in the delivery of healthcare in Ireland, and in particular in pre-hospital care for people who have been unfortunate enough to suffer serious illness or injury. I acknowledge the enormous voluntary contribution, commitment and assistance offered by community response schemes in responding to emergency calls over the years.

In relation to the 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. 152 answered with Question No. 131.

Disabilities Services Funding

153. **Deputy Robert Troy** asked the Minister for Health if he will ensure that there are no more budget cuts to the intellectual disability budget this year as this sector is simply unable to withstand further cuts and needs to be protected and supported [43779/13]

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. Pending completion of the national estimates, budgetary and service planning process for 2014 it is not possible to predict the service levels to be provided next year for the disability sector.

Questions Nos. 153 and 154 answered with Question No. 136.

Medical Card Eligibility

156. **Deputy Regina Doherty** asked the Minister for Health if he will define terminal illness in relation to the requirements of the application process for medical cards; and if he will make a statement on the matter. [43784/13]

Minister of State at the Department of Health (Deputy Alex White): I am advised by the HSE that, for the purpose of the decision making process for an emergency medical card, in these circumstances, a “Terminal Illness” or a person that is “Terminally Ill”, is a person that is certified by a doctor or a consultant as “Terminally Ill”. Terminally Ill means that the person is suffering from an illness that will end in death where there is no possibility of recovery and the person is more likely to die of his/her illness in the next six months than not.

General Medical Services Scheme Administration

157. **Deputy Bernard J. Durkan** asked the Minister for Health if special assistance including a medical card may be offered in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [43787/13]

Minister for Health (Deputy James Reilly): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Respite Care Services

158. **Deputy Patrick O'Donovan** asked the Minister for Health the number of referrals made to a respite centre (details supplied) in County Limerick by Health Service Executive south during the periods 2010, 2011, 2012 and to date in 2013; if he will provide in tabular form where the referrals were made from; and the number in each case for each year requested. [43788/13]

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.

Tobacco Control Measures

159. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if he has established the High Level Implementation Group to oversee the project plan for the introduction of plain packaging of tobacco products; the number of meetings which have been held to date, the Group's plans for public consultation and hearings with health groups and other interested parties; if he will summarise the viewpoints expressed by his Department to the Group; and if he will make a statement on the matter. [43789/13]

Minister for Health (Deputy James Reilly): Government approval was received on 28 May 2013 to begin the process of introducing standardised packaging of tobacco products in Ireland. An interdepartmental Steering Group on Standardised Packaging has been established to oversee the implementation of a project plan. The group has met twice to date.

In line with the Regulatory Impact Assessment Guidelines published by the Department of the Taoiseach, my Department will be undertaking a Regulatory Impact Analysis (RIA) on the proposed legislation for the introduction of standardised packaging for tobacco products. Consultation with all relevant stakeholders is an integral part of the RIA process, which will also consider the costs, benefits and impacts of this proposal.

The Department of Health's policy on smoking is to promote and subsequently move toward a tobacco free society. Ireland's current policy document, Tobacco Free Ireland, which I launched on 3 October 2013, sets a target for Ireland to be tobacco free (i.e. with a prevalence rate of less than 5%) by 2025. The two key themes underpinning the report are protecting children and the denormalisation of smoking.

Regulatory Impact Assessment Submissions

160. **Deputy Mary Mitchell O'Connor** asked the Minister for Health if he will set out the stages, indicative dates and any other associated time or submission targets or deadlines by which his Department will conduct the regulatory impact analysis on his proposed legislation on plain packaging of tobacco products; and if he will make a statement on the matter. [43790/13]

Minister for Health (Deputy James Reilly): In line with the Regulatory Impact Assessment Guidelines (RIA) published by the Department of the Taoiseach, my Department will be undertaking a Regulatory Impact Analysis on the proposed legislation for the introduction of standardised packaging for tobacco products. A final decision has yet to be taken on the timing of the consultation.

Proposed Legislation

161. **Deputy Mary Mitchell O'Connor** asked the Minister for Health when he expects to present legislation to ban smoking in cars where children are present; and if he will make a statement on the matter. [43791/13]

Minister for Health (Deputy James Reilly): The Government gave approval to the draft-

ing of amendments to a Private Member's Bill entitled "Protection of Children's Health from Tobacco Smoke Bill 2012". The purpose of the Bill is to prohibit smoking in cars where children are present. A number of amendments are required to ensure that the Bill operates as an effective piece of legislation. Meetings have been held with my Department, the Senators involved in the Bill, officials from the Department of Justice and Equality and representatives of an Garda Síochána in order to agree proposed amendments. My Department is working with the Office of the Attorney General to draft the necessary amendments to the Bill to provide for the enactment of this legislation.

Local Drugs Task Forces Issues

162. **Deputy Niall Collins** asked the Minister for Health if he will provide an update on the progress on issues raised with him when he met with the Tallaght drugs task force on 26 February 2013; if he will confirm plans to include alcohol in the remit of task forces including Tallaght [43793/13]

Minister of State at the Department of Health (Deputy Alex White): The Deputy will be aware that I announced details of a series of measures arising from a review of Drugs Task Forces last December. These measures provide for the extension of the remit of the Task Forces to include alcohol addiction. Against this background, on the 26th February, on receipt of an invitation from the Board of the Tallaght Local Drugs Force, I met with members of the Board at Kiltalown House (Tallaght Rehabilitation Project), who provided a very comprehensive briefing on the day to day challenges the Board face in tackling the on-going destructive consequences of drugs in their communities. The Board expressed their support for the forthcoming proposals on Alcohol policy, and the role Local Task Forces may play in combating the excessive levels of alcohol in society.

As measures to address the abuse of alcohol remain under consideration by Government, I am not yet in a position to provide clear timescales for the implementation of the reforms arising from the review. As previously outlined to the House, I am currently engaging in bilateral discussions with Government Departments and agencies, the community and voluntary sector and the drugs task forces in order to assess how the inter-agency approach to the National Drugs Strategy can be maintained and strengthened. Reinvigorating the multi-sectoral approach to the National Drugs Strategy is key to the successful implementation of the Drug Task Force reforms in my view.

Medicinal Products Availability

163. **Deputy Tom Fleming** asked the Minister for Health his views on the new skin cancer drug Ipilimumab and anti-PDIs whereby seriously ill patients have seen spectacular effects from this breakthrough drug; when it will be made available to patients here; and if he will make a statement on the matter. [43795/13]

Minister of State at the Department of Health (Deputy Alex White): I am pleased to advise the Deputy that the Health Service Executive announced on Thursday, 3rd of May 2012, that Ipilimumab (trade name Yervoy), the new drug for patients with progressive melanoma, would be made available.

There has been some recent media coverage in relation to anti-PDIs following the release of some early clinical trial information. Until such products receive marketing authorisation on the basis of safety, efficacy and quality, they are not eligible for consideration by the HSE

for funding under the New Drugs Process. The HSE understands such products are unlikely to reach the marketing authorisation stage prior to 2015.

Congregated Settings Report

164. **Deputy Terence Flanagan** asked the Minister for Health when the recommendations of the Congregated Settings Report, to remove people from congregated, segregated institutions, will be implemented; and if he will make a statement on the matter. [43807/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Report “Time to Move on from Congregated Settings – A Strategy for Community Inclusion” proposes a new model of support in the community moving people from Congregated settings to the community in line with Government policy. The Report identifies that around 4000 people (based on 2008 census) with disabilities in Ireland live in congregated settings, defined as a residential setting where people live with ten or more people. It found that notwithstanding the commitment and initiative of dedicated staff and management, that there were a significant number of people still experiencing institutional living conditions where they lacked basic privacy and dignity, and lived their lives apart from any community and families.

The HSE has established a National Implementation Group on Congregated Settings under the auspices of the National Consultative Forum, which is comprised of representatives from the HSE, Disability Umbrella Groups and service user representative organisations. This group is currently developing the implementation plan that will be rolled out at a regional and local level, in full consultation with the appropriate stakeholders.

In relation to the specific queries raised by the Deputy, as these are service issues they have been referred to the HSE for direct reply.

165. **Deputy Barry Cowen** asked the Minister for Health the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43817/13]

Minister for Health (Deputy James Reilly): The information requested by the Deputy is set out as follows: Public Health (Tobacco) (Amendment) Bill 2011; Medical Practitioners (Amendment) Bill 2011; Health (Provision of General Practitioner Services) Bill 2011; Health Insurance (Miscellaneous Provisions) Bill 2011; Clotting Factor Concentrates and Other Biological Products Bill 2012; Health (Pricing and Supply of Medical Goods) Bill 2012; Health Service Executive (Governance) Bill 2012; Health and Social Care Professionals (Amendment) Bill 2012; Health Insurance (Amendment) Bill 2012; Public Health (Tobacco) (Amendment) Bill 2013; Health (Alteration of Criteria for Eligibility) Bill 2013; Health (Amendment) Bill 2013; and Protection of Life During Pregnancy Bill 2013.

A Regulatory Impact Analysis (RIA) was published in relation to the Health (Pricing and Supply of Medical Goods) Bill 2012. A RIA in relation to some elements of the Health (Amendment) Bill 2013 will be published shortly.

Medical Card Eligibility

166. **Deputy Kevin Humphreys** asked the Minister for Health the reason the medical card which had been provided for the last three years was removed from a three year old child (de-

tails supplied) who has profound cerebral palsy with severe developmental delay and mental retardation; if he will arrange for the child to be given a medical card on the basis of medical need as they require intensive and regular medical treatment, physiotherapy, visits to hospital and to the GP; and if he will make a statement on the matter. [43839/13]

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.

Speech and Language Therapy

167. **Deputy Terence Flanagan** asked the Minister for Health the action being taken by his Department to ensure that the 34,617 persons awaiting speech and language therapy, 6,500 of whom are waiting longer than a year, will receive the services required as soon as possible; and if he will make a statement on the matter. [43859/13]

Minister for Health (Deputy James Reilly): As the Deputy will be aware, the Health Service Executive has operational responsibility for the delivery of health and personal social services within the ambit of its Vote (Vote 39). The level of health services to be delivered within the available funding has been set out in the HSE National Service Plan, which I approved in January.

With regard to the HSE's Speech and Language Therapy Service, I understand that each individual that presents to the Service has an initial assessment to determine their individual need for therapy. The therapist, in conjunction with the parent(s) or carer, will determine the severity of the individual's difficulties and prioritise for therapy accordingly. The level of intervention is in line with clinic policy, age and severity of the diagnosis. The waiting period for intervention is dependent on the nature and severity of the disorder following assessment.

The HSE aims to ensure that the resources available are used to best effect, in order to provide assessment and ongoing therapy to children and adults in line with their prioritised needs. Along with the significant investment in area of speech and language therapists employed in recent years, a range of new approaches have been developed and used in many Speech and Language Therapy services across the country. These include providing structures, training and support to parents/carers so that they can work to help improve the individual's speech and language. In addition, therapy is delivered in group settings where appropriate. The HSE has stated that it is committed to working in partnership with other service providers to achieve maximum benefits for children and adults with speech and language therapy requirements, and aims to ensure that, the speech and language therapy resources available are used in the most effective manner possible.

Medical Card Data

168. **Deputy Billy Kelleher** asked the Minister for Health if he will provide in tabular form the number of medical card reviews that have been carried out on a monthly basis for 2011, 2012 and to date in 2013, the number of medical cards that have been withdrawn as a result of

the review; the number of cards that have been replaced by a general practitioner only card; and if he will make a statement on the matter. [43861/13]

Minister of State at the Department of Health (Deputy Alex White): The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

HSE Properties

169. **Deputy Michael Conaghan** asked the Minister for Health the Health Service Executive's plans for the site in an area (details supplied) in Dublin 8; if he will confirm if it will form part of the new National Children's Hospital [43863/13]

Minister for Health (Deputy James Reilly): Management of the healthcare property portfolio is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Hospital Appointment Status

170. **Deputy Gerry Adams** asked the Minister for Health if he will provide an update with regard to scheduling of an appointment for ENT services at Our Lady of Lourdes Hospital, County Louth. [43872/13]

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.

Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she would be in the best position to take the matter up with the consultant and hospital involved. In relation to the specific hospital appointment query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Dental Services Provision

171. **Deputy Michael Healy-Rae** asked the Minister for Health his plans to prevent further cuts to the Irish Dental Association to introduce a national oral health policy, reinstate preventive and restorative care under the dental treatment benefit scheme, appoint a full-time chief dental officer to his Department and reinstate the Health Service Executive vocational training scheme in dentistry; and if he will make a statement on the matter. [43873/13]

Minister of State at the Department of Health (Deputy Alex White): The Irish Dental Association is a self-funded independent body.

The Dental Treatment Services Scheme (DTSS) provides access to dental treatment for adult medical card holders. The service is provided by contracted dentists. The HSE prioritises

for treatment patients with special needs, high risk patients and those who have greater clinical needs. The HSE will continue to monitor the operation of the DTSS to ensure the most beneficial, effective and efficient use of available resources.

Responsibility for the Dental Treatment Benefit Scheme rests with my colleague, the Minister for Social Protection. Changes introduced in Budget 2010 restricted the treatments available under the Dental Benefit Scheme to an annual free examination. Over 2 million PRSI contributors and their dependant spouses remain eligible for the free dental examination and the other Treatment Benefit schemes. In 2012 almost 271,000 customers claimed a free dental examination at a cost of €8.9 million. While all Social Welfare expenditure is kept under review, there are no immediate plans to reverse the changes to the dental benefit scheme in the current budgetary climate.

The Department of Health has been unable to fill the post of Chief Dental Officer on a full time basis due to the moratorium on recruitment. Accordingly, it was agreed with the HSE that the HSE National Oral Health Lead would be released to the Department for two days each week to undertake the function of Chief Dental Officer, with effect from 20 May 2013. The arrangement will be reviewed after 3 years. Among the priorities for the Chief Dental Officer is the need to review certain aspects of oral health policy, including training. The Department of Health will engage with the public, the Irish Dental Association and other relevant stakeholders in developing oral health policy, ensuring equity of access and prioritisation of patients with greatest needs.

Health Services Provision

172. **Deputy Finian McGrath** asked the Minister for Health if he will support a matter (details supplied) regarding a homeless person. [43878/13]

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.

Medicinal Products Availability

173. **Deputy Michael Lowry** asked the Minister for Health if his attention has been drawn to the shortage of the drug Augmentin in pharmacies here; if he is concerned with the impact this shortage will have on patients, in particular on patients who find Augmentin to be the only successful drug in this regard; if his attention has been drawn to the fact that pharmacists are reporting that this drug will not now be available until October 2014; if he will detail the steps being taken to tackle the shortage of this drug and other vital drugs here; and if he will make a statement on the matter. [43880/13]

Minister of State at the Department of Health (Deputy Alex White): My Department has recently been advised of an impending shortage of two strengths of Augmentin, a widely used antibiotic. These are the 375mg and the 625mg strengths. A shortage of the 375mg tablet is anticipated from November 2013 and a shortage of the 625mg tablet is anticipated from January 2014.

According to the manufacturers, GlaxosmithKline (GSK) who advised health professionals

on 27th September of the situation, the shortage arises due to a combination of manufacturing problems at two manufacturing sites in the UK. At the same time there has been an increase in demand. The shortage is anticipated to last up to Quarter 3 2014.

The shortage is likely to impact not just in Ireland but also in the UK and Europe. GSK has introduced stock management measures to avoid stockpiling of remaining stocks in a number of markets, including Ireland and the UK.

The HSE and the Irish Medicines Board (IMB) have been engaged with GSK and other suppliers to manage the supply problem and to identify alternative sources of supply. There is one Irish generic manufacturer of co-amoxiclav products which obtains its supplies from a manufacturer other than GSK and the IMB is currently checking with this company to see if it can increase its supply to the Irish market.

In addition the IMB has been engaging with Irish manufacturers of co-amoxiclav to see if products manufactured for other markets can be made available on the Irish market or indeed if products manufactured outside of Ireland could also be made available for the Irish market.

The HSE has also been engaging with clinical experts to develop prescribing guidelines for clinicians and other health professionals both within hospitals and primary care to identify alternative treatment regimes so that patient care is not compromised in any way.

As there are a number of other antibiotics that could be prescribed as alternatives to Augmentin, the HSE is working on developing clinical guidelines for prescribers on prescribing suitable alternatives. This is also an opportunity to emphasise to prescribers that antibiotics may not be an appropriate treatment depending on the infection eg viral infections.

This is going to be an evolving issue over the coming months. It is important to bear in mind however that there is currently no shortage of Augmentin and none is anticipated until November 2013 in respect of one tablet strength and January 2014 in respect of the second tablet strength. It is extremely important that all stakeholders work together in the meantime to ensure that there is no panic buying which would accelerate the problem.

Road Signage

174. **Deputy Patrick Nulty** asked the Minister for Transport, Tourism and Sport in regard to speed cameras, if he will consider a matter raised in correspondence (details supplied); and if he will make a statement on the matter. [43706/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Sections 4.5.8 and 4.5.9 of my Department's 2010 Traffic Signs Manual (TSM) detail the current *Speed Camera* symbols in use. While symbol F 40 is used to indicate the presence of a speed camera or such cameras along a road, there is presently no *Speed Camera* symbol within the TSM which displays the speed limit applying in a particular area. To do so may imply a target, rather than an appropriate limit at which a motorist should drive. Such a scenario may serve to dilute the road safety aspects of *Speed Camera* signs in safety camera zones which are known to be dangerous locations, where speed related collisions occur. It should also be borne in mind that it is the responsibility of the motorist to be aware of the speed limit of the road on which they are driving. In terms of giving advance warning of prescribed speed limits in particular speed limit zones, sections 4.5.4 to 4.5.7 of the TSM – *Speed Limits Ahead* details when the *Speed Limit Ahead* sign – F 401 may be used to warn drivers that they are either approaching a lower speed limit ahead, or approaching a special speed limit or an urban speed limit where the approach speed is likely to be high; i.e. at the approach to a town on a high speed national road.

In view of the road safety concerns already outlined, and bearing in mind that there are *Repeater Speed Limit* signs already in existence on either side of every junction on the road network where the speed limit changes, I see no merit in attaching yet another set of signs to existing *Speed Camera* signage.

Public Transport Provision

175. **Deputy Maureen O’Sullivan** asked the Minister for Transport, Tourism and Sport if he will provide for the rehabilitation of the Scherzer Bridge also known as the Rusty Bridge, Sheriff Street, Dublin 1 and the opening up of that point to full Royal Canal navigation as a means of animating the canal-line itself, consistent with the objectives of the Spencer Dock to Newcomen Bridge Greenway; and if he will make a statement on the matter. [43744/13]

176. **Deputy Maureen O’Sullivan** asked the Minister for Transport, Tourism and Sport if he will direct the parties to the Dublin City Centre Transport Study, the National Transport Authority, Dublin City Council, C.I.E. and Waterways Ireland, to include in their considerations issues regarding the Royal Canal/C.I.E. lifting bridge North Strand, Dublin 1 and the Scherzer Bridge, Sheriff Street, Dublin 1 in the joint report which is to be prepared for the purposes of a public consultation process; and if he will make a statement on the matter. [43745/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 175 and 176 together.

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) comes under the remit of the NTA. I understand from the NTA that the project in question is being considered in the context of the Dublin City Centre Study which is being undertaken by NTA in conjunction with Dublin City Council. The purpose of the study is to examine in some detail the issues relating to the management and movement of people and goods to, from and within Dublin City Centre, and to propose potential solutions. The Study will identify traffic management proposals, public transport infrastructure improvements, and specific measures to encourage walking and cycling to, from and within the city centre. Noting the NTA’s responsibility in this matter I have referred the Deputy’s question to the Authority for direct reply. Please advise my private office if you don’t receive a reply within 10 working days.

Tourism Data

177. **Deputy Simon Harris** asked the Minister for Transport, Tourism and Sport the number of tourists visiting areas (details supplied) in County Wicklow; and if he will make a statement on the matter. [43754/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The collection of statistics is primarily a matter for the Central Statistics Office (CSO). The CSO does not, however, provide a regional breakdown of statistics in their monthly ‘Overseas Travel’ publication. I am aware that Fáilte Ireland provides an estimated regional breakdown of overseas visits on an annual basis, based on research of its own as well as available CSO statistics. The most recent full year figures are for 2012. The data is available, on a regional and county basis, in the research section of the Fáilte Ireland website www.failteireland.ie under Regional Statistics and Reports. The data is, however, not available on a sub-county basis.

In regard to 2013 figures, I have asked Fáilte Ireland to provide the Deputy with whatever information they may have in regard to the number of tourists who visited Co. Wicklow to date in 2013. I have also asked them to provide the Deputy with any feedback they may have on the 2013 tourist season in the specific areas he has identified - Roundwood and Glendalough. Please advise my private office if you do not receive a reply within 10 working days.

Legislative Programme

178. **Deputy Barry Cowen** asked the Minister for Transport, Tourism and Sport the number of bills his Department has published since March 2011; the number of regulatory impact assessments that his Department has published since March 2011; and if he will make a statement on the matter. [43822/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department has published 7 bills and 6 regulatory impact assessments since March 2011.