

Written Answers.

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

Questions Nos. 1 to 11, inclusive, answered orally.

Shared Services

12. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the set up costs associated with new shared services arrangements across Departments in 2013, 2014 and 2015; and if he will make a statement on the matter. [49581/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Shared Services is a key element of the Government's Public Service Reform Plan. In May 2012, the Government approved the establishment of a Civil Service HR and Pensions Shared Services Centre, PeoplePoint, which has been operational since March this year. It already serves some 15,000 employees across 13 organisations. Once PeoplePoint becomes fully operational, at the end of 2014, serving 40 organisations, savings estimated at €12.5 million annually will be achieved in the delivery transactional services for Human Resources.

In April, the Government also approved the establishment of a Civil Service Payroll Shared Services Centre which will commence operations next month. It is important to note that international experience has demonstrated that no Shared Service Centre can deliver savings until it is fully established and stabilised. This typically takes two to three years and the payback period is usually four to six years in a public service context.

With effect from January 2013, funding for these new Shared Service arrangements is provided under the Shared Services Vote for which my Department is responsible. This dedicated Vote provides transparency on expenditure and funding of Shared Services Centres as they become operational.

The total estimated set up or project costs relating to both PeoplePoint and Payroll Shared Services for 2013 is €10,438,000. The total set up costs for 2014 is €10,075,000. In 2015, when PeoplePoint is fully operational, there will be no further set up costs. It is not possible to comment on 2015 set up costs for Payroll Shared Services at this time. Once fully operational, Payroll Shared Services will result in €5.6 million savings annually in addition to the €12.5 million annual savings associated with PeoplePoint.

Public Service Contracts

13. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform if he will require all public bodies to refuse contracts to companies who have left subcontractors unpaid,

despite receiving payment for the work that had been undertaken by the subcontractor on their behalf. [49498/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Under a public contract the contractual relationship is between the public body and the main contractor. A public body has no contractual ties with a subcontractor engaged by a main contractor. Any contractual relationship is exclusively a matter between the main contractor and its subcontractor.

I am keenly aware of the difficulties being experienced by subcontractors in this current economic climate. In this regard, my colleague, Minister of State Brian Hayes TD worked with Senator Fergal Quinn earlier this year on the development of the Construction Contracts Bill which was enacted on 29 July 2013 (Construction Contracts Act No 34. 2013).

The Act seeks to address the issue of non-payment to construction contractors who have completed work on construction contracts by setting minimum standards for the payment provisions in construction contracts (whether the contracts are written or otherwise). In addition, if a payment dispute arises, then the Act also provides for a swift and cost effective adjudication process. This will provide a route for subcontractors to achieve redress in the event that non-payment occurs.

The general issue of policy relating to prompt payments between businesses is a matter for my colleague Mr, Richard Bruton TD, Minister for Jobs, Enterprise and Innovation. The rules governing prompt payment have been transposed into Irish law by the European Communities (Late Payment in Commercial Transactions) Regulations 2012 (S.I. No. 580 of 2012). This legislation acts as a deterrent to late payment by establishing a clear expectation in law that payment will be made according to agreed terms. It lays down specific deadlines for the payment of invoices and establishes a right to compensation in the event of late payment in all commercial transactions, whether they relate to public or private transactions.

The enforcement of contractual rights, including any rights and obligations provided for by the Regulations, is a matter for individual suppliers. If the purchaser refuses to pay prompt/late payment interest and compensation to the supplier, then the supplier can seek their own legal advice on the matter. The supplier can also decide not to pursue prompt/late payment and compensation from a purchaser if he/she so wishes but is legally entitled to claim where such payment would apply. I am informed by the Department of Jobs, Enterprise and Innovation that the Regulations do not provide for any enforcement role for that Department in respect of these matters.

The Action Plan for Jobs 2013 contains commitments in respect of a Code of Conduct on Prompt Payments to improve cash flow for business and to take steps to enhance awareness of the need for prompt payments by all elements of business. This Code which is currently being finalised by the various business representative bodies with the support of the Department of Jobs, Enterprise and Innovation, is aimed at improving cash flow between businesses and also helping address the culture of late payments in Ireland.

In addition my colleague, Mr John Perry, TD, Minister for Small Business recently announced a national Late Payment Information Campaign, which will start on 9th December in Dublin before being rolled out to other parts of the country early in the New Year.

Flood Prevention Measures

14. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the

steps he is taking to address the summer flooding in the Shannon Callows; and if he will make a statement on the matter. [49418/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): The core strategy for addressing flood risk in the Shannon Basin is the River Shannon Catchment Flood Risk Assessment & Management Study. The CFRAM Study is being conducted by Jacobs Engineering on behalf of the Office of Public Works and I am advised that good progress is being made on the project. The output of this important project will be an integrated plan of specific measures to address in a comprehensive and sustainable way the significant flood risk factors in the Shannon basin, including the Callows area, subject to meeting environmental and economic cost-benefit criteria.

As the Deputy is aware, operational control of water flows and levels on the Shannon is the responsibility of both the ESB and Waterways Ireland. In order to address ongoing concerns that the existing water level control regime may be a contributory factor in early Summer flooding in the Callows, the OPW facilitated discussions between these principal operating stakeholders toward agreeing a new interim control regime on the regulation of levels. Under this interim regime the ESB has agreed to a trial lowering of the Spring/early Summer target levels in Lough Ree to reduce somewhat the risk of summer flooding particularly in the Shannon Callows area. This trial commenced this summer and will remain in place until the publication of the Shannon CFRAM Plan.

On foot of discussions between my colleague, Minister of State Tom Hayes and the IFA, and with the co-operation of both the ESB and Waterways Ireland, a water level monitoring exercise is being carried out as part of the CFRAM process which will allow for analysis of water flows and levels at key points around the Lough Ree and Callows areas. Data from this exercise is being collated currently and the results will feed into the overall Shannon CFRAM study.

The OPW will continue to review these developments on a regular basis in consultation with the ESB and Waterways Ireland.

Tourism Industry

15. **Deputy Billy Timmins** asked the Minister for Public Expenditure and Reform his plans to develop tourist facilities at Glendalough, County Wicklow. [44255/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): Glendalough is a very popular destination both for foreign and domestic visitors which attracts a steady stream of traffic all year round. There are a number of attractions for visitors to the area around Glendalough, including a number of scenic walks, outdoor leisure areas and, most famously, the Monastic settlement founded by St. Kevin in the 6th Century.

The Office of Public Works (OPW) maintains a modern Visitor Centre at Glendalough staffed by Guides on a year round basis displaying an interesting exhibition and an audiovisual show about the history of the site. In addition, the OPW provides a guide presence to further enhance the visitor experience and English, French, Italian, Spanish & German guided tours are available throughout the year. Many commercial tour operators operate day tours to the site and it is a popular destination close to Dublin for international short stay visitors, which remains open all year round.

Visitors may freely access the Glendalough site and scenic walks around the lakes without entering through the Visitor Centre and many clearly choose to do this. The OPW is not in a position to capture data on this traffic but it is certainly significant. Visitor numbers recorded at

the OPW Visitor Centre in 2012 were 79,983; the equivalent number recorded to end September 2013 is 72,033. It is clear that many multiples of this figure visit the site without visiting the Centre.

It is evident, given the volume of traffic to Glendalough, that visitors will continue to be attracted in large numbers to this location and the primary focus and challenge to OPW will be to continue to preserve and protect the Monument and present it to the public in a way that ensures that the fabric of the site is not damaged. The facilities currently available to OPW to fulfil this mandate are adequate for the purpose and there are no immediate plans to develop any further tourist facilities. However, given the large volume of visitors a number of management issues have arisen in recent years in the vicinity which make it imperative to manage the traffic to the Glendalough site more efficiently. In this regard, the OPW has engaged with local stakeholders, including Wicklow Co. Council, to focus on issues such as carparking, traffic management and visitor security so as to ensure that the many people who wish to visit Glendalough can continue to do so safely and enjoyably. OPW will also continue to engage with Fáilte Ireland to ensure that Glendalough is marketed appropriately internationally as a visitor destination and that awareness of the site and its attractions for visitors are presented favourably wherever possible. High profile visits such as that undertaken by the First Lady of the US and her children, help considerably to raise the profile of the site.

Public Procurement Contracts

16. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the enhanced strategy the Office of Government Procurement intends to adopt to ensure the small and medium enterprise and micro-business sectors can access the multi-supplier framework agreement for the supply of stationery and office supplies. [49526/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am keenly aware that public procurement can be an important source of business for Irish small and medium enterprises (SMEs). I am also aware of the need for Departments and Offices to make every effort to contain and reduce all administrative costs to ensure the continued provision of much needed public services. In this regard, the National Procurement Service which will soon form part of the recently established Office of Government Procurement is engaged in an ambitious reform programme designed to deliver cost reductions for commonly acquired goods and services; increased levels of professionalism among staff responsible for procurement; and better performance management of the central procurement function.

In relation to the framework for the supply of stationery and office supplies, referred to by the Deputy, I am informed by the National Procurement Service that they published a request for tenders for these supplies on eTenders on 9th August 2013. The tender documentation seeks to encourage participation on a fair and equal basis by Small and Medium Enterprises (“SME”s) in this competition. SMEs that believe the scope of this competition is beyond their technical or business capacity are encouraged to explore the possibilities of forming relationships with other SMEs or with larger enterprises. Through such relationships they can participate and contribute to the successful implementation of any contracts, agreements or arrangements that result from this competition and therefore increase their social and economic benefits. Similarly, larger enterprises are also encouraged to consider the practical ways that SMEs can be included in their proposals to maximise the social and economic benefits of the contracts that result from this tendering exercise.

In a significant change to the previous single supplier contract, this competition has been structured as a multi-supplier framework agreement. In this case the framework will be bro-

ken up into four sectoral groupings (lots) that will be subject to ongoing competition from the participants under the terms of the competition. Furthermore in drafting the tender documentation, consideration was given to resolving issues that SMEs and Consortia might have adhering to standard requirements. In order to address such issues the tender documentation included tables and instructions on how a consortium should complete them to address such issues.

To summarise: we in government want better value for money for our substantial procurement spend. We are also committed to ensuring that SMEs are fully engaged in the process and will be encouraged, where necessary, to form alliances and networks to ensure they can tender on a competitive basis for this work.

National Lottery Funding Disbursement

17. **Deputy Dara Murphy** asked the Minister for Public Expenditure and Reform if he will provide update on the Cork Convention Centre. [46946/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): On Budget day this year, I announced additional investment of €200m from the proceeds of the National Lottery Licence transaction. This investment will be used to progress a number of additional projects and programmes in 2014 including the project to which the Deputy refers. The precise allocation of the proceeds to the Departments concerned is being determined at present and will be published in the Revised Estimates for Public Services 2014 in December. My Department will not have any involvement in the management and/or roll-out of this or any of the other projects to be funded from the Lottery Licence transaction. That will be a matter for the relevant Minister and his/her Department. Of course, Departments must ensure that, as with all capital projects, those to be funded through this additional investment are appraised in line with the processes set out in the Public Spending Code.

Departmental Bodies

18. **Deputy Jerry Buttimer** asked the Minister for Public Expenditure and Reform if he will provide an update on the work of the Commission for Public Service Appointments; its role in maintaining high standards in public service recruitment and selection practices; its annual report 2012; and if he will make a statement on the matter. [49409/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The function of the Commission for Public Service Appointment (CPSA) is to safeguard the integrity of the recruitment, selection and appointment of people to publicly funded positions and, by continually improving standards, to engender widespread confidence in the ability of those appointed to contribute to the delivery of public services.

The annual report of the CPSA is laid before the Houses of the Oireachtas each year and is also available on the CPSA's website www.cpsa.ie. In its most recent report, the Commission described its activity in terms of the numbers of complaints it has examined, its own initiative audits of appointment processes, licensing of Public Service recruiters and consideration of requests for excluding orders from Civil Service bodies.

In view of the continuing moratorium on public service recruitment, the CPSA acknowledges that its activity levels have fallen in recent years. In this regard it should be noted that the secretariat of the CPSA is now merged with the Office of the Ombudsman and many of its former staff are now contributing to the work of that Office.

The most recent annual report of the CPSA for 2012 is available at the following link: http://www.cpsa.ie/en/Publications/Annual-Reports/2012-Annual-Report/cpsa_AR_2012_en/index.html.

Legislative Measures

19. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will amend the Protected Disclosures Bill 2013 to include a provision for an interim relief order. [49527/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy may be aware I made a comprehensive statement on this matter in the Seanad yesterday when I introduced a Report Stage amendment to the Protected Disclosures Bill making provision for the granting of interim relief orders on foot of an application made to the Circuit Court.

The purpose of the amendment is to provide interim relief in cases where there is likely to be a substantial delay between a dismissal and an unfair dismissals hearing being heard before the relevant appeals body. International best practice recommends that such a provision should be included in whistleblowing legislation as it provides an important protection for workers.

An employee who claims to have been dismissed for having made a protected disclosure may apply to the Circuit Court for interim relief pending a full hearing of the unfair dismissal claim. If the Court finds it likely that there are substantial grounds for contending that the dismissal resulted wholly or partly from the making of a protected disclosure it will ask the employer to reinstate or re-engage the employee pending the full hearing of the Unfair Dismissals claim.

If this is acceptable, the Court will make an order for reinstatement or re-engagement on such terms and conditions as it considers appropriate. However if it is not acceptable the Court will make an order for the continuation of the employee's contract of employment on the terms and conditions it decides. If circumstances subsequently change, either party may apply to the Court for the revocation of the order on the ground of a relevant change of circumstances. If an employer does not comply with the Court order, compensation may be paid to the employee.

Public Sector Staff

20. **Deputy Catherine Murphy** asked the Minister for Public Expenditure and Reform in view of the pronounced gender imbalance between senior and junior grades in the public service, the way the restricting of working time patterns and flexible working arrangements under the Haddington Road agreement will not exacerbate this inequality further; the measures he proposes to encourage a greater representation of women at senior grades in view of same; and if he will make a statement on the matter. [49583/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As Minister for Public Expenditure and Reform, I have overarching responsibility for the public service and I am confident that the public service stands as a leading employer in respect of human resource policies and practices aimed at increasing the participation of women at all levels. While each individual sector has responsibility for the specific arrangements relating to gender equality, my own Department is responsible for gender equality policy in the Civil Service.

In that context, as can be seen from the table below, significant progress has been made in addressing gaps between male and female participation at different grade levels in the civil service workforce. For example, as set out in the table, the proportion of women in middle and senior management grades in the civil service, in which even up to fifteen years ago, a relatively low percentage of posts were filled by women, is a strong demonstration of the impact of a number of initiatives which have been implemented to achieve better gender balance. Indeed the targets included in the National Women's Strategy 2007-2016 for the percentage of women in the grades of AP and PO in the Civil Service has already been well exceeded for both grades.

The Deputy may also wish to note increases in the representation of women in grades that are feeder groups for middle and senior management grades as an important indicator of further increases over time in the number of women in senior positions in the civil service. Research had previously identified under-representation of women, in particular, in the Assistant Principal grade as a particular obstacle to the advancement of women to more senior levels.

While there are many factors, both societal and organisation specific, which have contributed to the increase in female participation at higher grades in the Civil Service, a number of specific initiatives have been particularly relevant in a civil service context including:

- The introduction of targets in 2000 aiming to fill one-third of Assistant Principal posts by women.
- The Gender Equality Policy in the Civil Service which was launched in 2001 which highlighted the need to introduce a modern approach to equality in human resource areas such as recruitment, promotion and training and suggested a number of practical steps which can be taken by Departments to promote equality of opportunity in these areas.
- The extensive range of flexible working arrangements available to all civil servants which allows them to balance their work and personal commitments.

The recent Haddington Road Agreement included some amendments to flexitime and work-sharing arrangements. Work-life balance arrangements in the civil service are among the best available options provided by Irish employers, particularly when considered in tandem with annual leave and other provisions. Civil servants continue to have access to a number of flexible working arrangements, including flexi-time, work-sharing arrangements, the shorter working year scheme and career breaks.

Notwithstanding the significant progress which has been made in increasing the participation of women in the work force, there is clearly a continuing need to promote strategies that continue to increase female participation at senior levels across all sectors of the public service. In this regard, it is expected that the Report of the Sub-Committee on Women in Decision-Making '*Towards Gender Parity in Decision-Making in Ireland*' chaired by the Minister for State with responsibility for Equality will be submitted to Government shortly. Officials from my Department will, of course, review the relevant findings of that Report, in order to continue to support increased participation of women at all levels in the civil service.

Female civil servants according to grade 1997-2013

Grade	1997	2007	2010	2013	Increases since 1997
Secretary General	5%	19%	17.6%	26%	21%
Deputy & Assistant Secretary	10%	19%	16.1%	24%	14%
Principal Officer	12%	26%	30.6%	34%	22%
Assistant Principal	24%	33%	38.6%	42%	18%

Grade	1997	2007	2010	2013	Increases since 1997
Administrative Officer	37%	40%	59.2%	45%	8%
Higher Executive Officer	39%	46%	51.8%	54%	15%
Executive Officer	54%	56%	66.7%	59%	5%
Staff Officer		76%	79.2%	77%	1% (since 2007)
Clerical Officer		75%	77.4%	75%	(No changes since 2007)

Legislative Measures

21. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform when he intends to bring forward the urgent legislation needed in relation to the system of commercial rates to deal with cases where a mistake was made on the original assessment but not appealed, and subsequent owners being bound by that original valuation even though it is accepted by all that it was an error [49499/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Valuation Act 2001 provides for the valuation of all commercial and industrial property and in this regard the Commissioner of Valuation is independent in the performance of his functions under the Act. The making of valuations for rating is the Commissioner's sole prerogative and I, as Minister, have no function in decisions in this regard.

Section 63 of the Act provides that the statement of the value of property as appearing on a valuation list shall be deemed to be a correct statement of that value until it has been altered in accordance with the provisions of the Act.

Section 27 of the Valuation Act, 2001 provides that any one of the following – an occupier of a property, a rating authority, an interest holder or an occupier of a property that appears on a valuation list may apply in writing to the Commissioner of Valuation for a revision of an existing valuation where a 'material change of circumstances' has occurred or for a new valuation to be determined in respect of a new building. The statutory fee prescribed for the service is €250 which should accompany the application to the Valuation Office.

The provision available in section 27 to revise a valuation where the presumption of correctness is challenged is considered adequate to allay any concerns which may exist.

Notwithstanding the assumption of correctness, where a ratepayer is of the opinion that the valuation of his or her property is incorrect, and where a material change of circumstances has not occurred, which would warrant a revision application under Section 27, there is a provision in the Valuation (Amendment) (No. 2) Bill, 2012 to make representations to the Commissioner, who having regard to all the circumstances of the case, may amend the valuation. This is one of a number of proposals set out in the Bill which is currently proceeding through the Oireachtas and is currently awaiting a Committee Stage reading in Seanad Éireann. However, it will be a matter for the Oireachtas to determine how such proposals proceed or otherwise.

Statute Book Review

22. **Deputy Jerry Buttimer** asked the Minister for Public Expenditure and Reform his plans for a major review and overhaul of the Irish Statute Book and to repeal obsolete regulations and laws; and if he will make a statement on the matter. [49410/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): On 25 September, I announced that the Government had approved the continuation of a major programme to overhaul the Irish statute book and repeal thousands of obsolete regulations and laws.

As part of the programme, the Government has approved the drafting of a number of Statute Law Revision Bills, which will continue the task of simplifying the statute book and improving its accessibility in accordance with the commitment contained in the Programme for Government.

The Bills will review different elements of our statute book, including post 1922 primary and secondary legislation as well as pre 1922 secondary legislation and charters. The intention is that the first in a series of Bills will be introduced into the Oireachtas by the middle of 2014. The new Bills will build upon the clarity brought by the Statute Law Revision Acts 2007 to 2012 which reviewed all primary legislation enacted prior to independence and repealed those which were spent or obsolete. The new Statute Law Revision Bills will further reduce the outdated and unnecessary legislation contained in the statute book and pave the way for consideration of further modernisation measures such as codification.

Public Sector Reform Implementation

23. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which savings identified in the context of the Haddington Road and-or Croke Park agreements remain on or have exceeded target; and if he will make a statement on the matter. [49525/13]

89. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which longer working hours, wage and or salary cuts, or other reforms have each contributed to meeting the budgetary targets required under the Croke Park and Haddington Road agreements; and if he will make a statement on the matter. [50056/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 23 and 89 together.

The Haddington Road Agreement will deliver a €1 billion saving in the cost of the public service pay and pensions bill by 2016.

The Agreement is already delivering on its objectives. In terms of cost reduction, €300 million of savings were incorporated into the various votes in the Revised Estimates Volume 2013, which represents a real and tangible reduction in expenditure. In relation to 2014 and future years, the savings to be generated from the Agreement will be incorporated into the estimates for all votes as part of the estimates process.

While these monetary targets are of critical importance, it is also important to remember some of the other key benefits which this Agreement brings. It provides us with the scope to progress the reform agenda and to deliver unprecedented increases in productivity across the Public Service. The benefits from the additional hours under the Agreement are significant, with measures around increased productivity set to deliver approximately €430 million of the €1 billion targeted savings.

In relation to the Croke Park Agreement, the final report of the Implementation Body concluded that it facilitated significant cost savings, amounting to €1.8 billion over its lifetime, comprising of almost €1 billion in pay savings and over €800 million in non-pay efficiency savings. The Agreement also ensured the delivery of central reforms while acting as a facilitator.

tor for a large number of reforms at sectoral level, across all sectors of the Public Service, in a climate of industrial peace. The report also concluded that the overwhelming majority of commitments around cost extraction, reform and changed work practices had been substantially delivered.

Finally, the Deputy may wish to note that an updated Public Service Reform Plan covering the period 2014 to 2016 is currently being developed and the Haddington Road Agreement will act as a key enabler for the delivery of this Reform Plan.

Sale of State Assets

24. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if he will provide an update on the Bord Gáis element of the schedule of State asset disposals his Department is overseeing; the progress that has been made regarding the contractual arrangements for staff who will agree to transfer and for those who wish to remain as Bord Gáis employees. [49529/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): BGE and its advisers, working with NewERA and the relevant Government Departments, are currently in the final stages of the process of selling Bord Gais Energy together with the Minister for Communications, Energy and Natural Resources. I would hope to be in a position to make a definitive announcement on the matter in the coming weeks.

I am advised that, as part of this process, BGE management has been engaging with BGE staff and unions on the terms and conditions of the BGE staff that are due to transfer with the sale of the business. I understand that this process is currently ongoing, and so it would be inappropriate to make any further public comment on the matter at this time.

Industrial Relations

25. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform if his attention has been drawn to the recent letter circulated by the Communications Workers' Union, which states that the Labour Relations Commission recommendation in which his Department has been engaged in regarding the transfer of staff from the national lottery company to the new licence holder has not addressed all concerns and that significant hurdles have yet to be overcome before agreement can be reached; and if he will make a statement on the matter. [49528/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy is aware, the Labour Relations Commission has prepared a proposal regarding the issue of the National Lottery staff. These proposals have been put forward to An Post management, the An Post Group of Unions and the Department of Public Expenditure and Reform on the basis that the relevant parties agree to recommend them for acceptance.

Deliberations are still in progress and have yet to be formally concluded between the parties concerned. It would not be appropriate for me to comment further while the deliberations are ongoing.

Departmental Funding

26. **Deputy Patrick O'Donovan** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding financial assistance (details supplied). [50045/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I wish to inform the Deputy that there are no public funds available from my Department to repatriate the remains of Irish citizens for burial in Ireland. However, as the Deputy may be aware, there are various Irish groups and organisations in the UK which may be able to assist in the circumstances as outlined. Such groups and organisations would have links with the wider Irish community and would also have practical experience of dealing with a wide range of issues of concern to that community. It should be borne in mind however that direct financial assistance may not be possible.

Foreign Conflicts

27. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide an update on the peace talks on Colombia. [49886/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I strongly support the Colombian peace process and hope that the negotiations underway will bring an end to the long conflict which has caused much suffering. In May, negotiators reached agreement on the land reform element of their discussions. In a positive development earlier this month, agreement was reached on the issue of political participation. I wish the parties to the negotiations success in reaching agreement on the other important items remaining on their agenda so that a final comprehensive peace agreement can be secured as soon as possible. Ireland will continue to follow closely developments on the Colombian peace process, and to support a negotiated solution to the conflict in Colombia.

Appointments to State Boards

28. **Deputy Niall Collins** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies State boards under his Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50014/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): There are no state agencies, and consequently no state boards, under the aegis of my Department.

Money Laundering

29. **Deputy Tom Fleming** asked the Minister for Finance further to Parliamentary Question No. 77 of 3 July 2013, if he will provide an update on same; and if he will make a statement on the matter. [49883/13]

40. **Deputy Tom Fleming** asked the Minister for Finance if he will re-examine the requirement to have anti-money laundering identification requirements applied to the purchase of prize bonds over €25 as it is unnecessarily restrictive and will have a detrimental impact on the sale of prize bonds to customers who wish to give them as a gift to family members; if he will review

this with a view to setting the limit at €100 before any requirements are applied and accept that this would be a move to a more appropriate level; and if he will make a statement on the matter. [49877/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 29 and 40 together.

Officials of my Department are continuing to explore with the National Treasury Management Agency (NTMA) whether or not exemptions available under the Third Money Laundering Directive (2005/60/EC) and its Implementing Directive (2006/70/EC) may be applied to small value purchases of prize bonds facilitated on behalf of the State by An Post and the Prize Bond Company. I will write to the Deputy once this review has been completed.

Tax Collection

30. **Deputy Clare Daly** asked the Minister for Finance the steps he has taken to deal with a situation (details supplied) where it was alleged that the State was left short of substantial tax payments as a result of false and improper tax returns by this housing body. [49901/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that they are unable to comment in relation to any specific cases for reasons of taxpayer confidentiality. Section 851A of the Taxes Consolidation Act 1997 (inserted by the Finance Act 2011) placed on a formal statutory basis the long-standing and accepted obligation on the Revenue Commissioners to treat all taxpayer information confidentially. The general position is that all taxpayer information is confidential, and may only be disclosed in accordance with the terms of that provision or under any other statutory provision that allows the disclosure of such information.

I can assure the Deputy that the Revenue Commissioners take appropriate action in any case where concerns regarding the tax compliance of individuals or companies are reported to them.

Tax Compliance

31. **Deputy Catherine Murphy** asked the Minister for Finance if any consideration is given to commercial data, including client data, client projects, correspondence with the Revenue Commissioners or solicitors, in situations where the Revenue sheriff seizes computers; in situations where goods seized are owned by customers or clients where does the burden of proof lie, the way damages to third parties are defined; his plans to introduce any new rules; and if he will make a statement on the matter. [49997/13]

32. **Deputy Catherine Murphy** asked the Minister for Finance what if any data protection issues arise in situations where computers are seized by the Revenue sheriff; the protocols that are in place in situations where such seizures are sold on; the obligations there are to sell seized goods for the maximum amount possible; if goods seized are sold below a reasonable value, the recourse available to the aggrieved party; his plans to introduce legislation or regulations in respect of same; if staff are specifically trained in relation to data protection policies; and if he will make a statement on the matter. [50034/13]

33. **Deputy Catherine Murphy** asked the Minister for Finance if the Revenue sheriff can make more than one seizure for the same offence; and if he will make a statement on the matter. [50060/13]

34. **Deputy Catherine Murphy** asked the Minister for Finance the discretion, if any, the Revenue sheriff has when seizure and sale would involve the tools of trade; if consideration is given to the prospect of earnings in the future from these goods; if attachment orders are considered for potential as opposed to actual earnings; the way that is evaluated; and if he will make a statement on the matter. [50061/13]

35. **Deputy Catherine Murphy** asked the Minister for Finance the number of judicial reviews that have been taken in each year since 2007 in respect of the Revenue sheriff; the number that have concluded in the courts; the number that have been settled in advance of a court hearing; and if he will make a statement on the matter. [50062/13]

58. **Deputy Catherine Murphy** asked the Minister for Finance his plans to amend the Finance Acts to regulate the rights, powers and duties of officers regarding the collection of outstanding taxes and seizure of goods in order to ensure the maximum transparency and accountability; if he will provide for an appeal process for those who have had goods seized and disposed of; if he is satisfied that there are adequate safeguards for the subject who has their goods seized; the comparisons that are made in respect of best practice from other European States; if the practices are subject to external evaluation; and if he will make a statement on the matter. [50033/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 31 to 35, inclusive, and 58 together.

I am taking it that the questions relate to the seizure of goods in the context of the collection of tax debts. While the Deputy may not be referring to the right of appeal in relation to tax liabilities, which is a separate matter, in summary these provisions afford taxpayers the opportunity to ensure that they have been correctly assessed to tax and that they have been correctly granted any reliefs claimed by them that may be due. These rights of appeal are comparable to taxpayers' rights of appeal in most developed countries. Once a taxpayer's liability to tax has been determined in accordance with the law, it is a matter for the taxpayer to ensure that that liability is paid as and when due. There are no further rights of appeal against paying taxes correctly due in accordance with the law.

The Revenue Commissioners' primary goal is to maximise compliance with Tax and Customs legislation. Notwithstanding the current difficult financial, economic and business environment, Revenue is and will remain focused on securing the taxes and duties due to the Exchequer. Revenue expects taxpayers to have a clear focus on maintaining payment compliance and on meeting their obligations in full on a timely basis. Remedying late or non-compliance is preferably achieved through engagement with the taxpayer, but where that engagement is not forthcoming then Revenue will utilise appropriate collection enforcement measures, including referral to Sheriffs, to pursue outstanding tax debts. Revenue's procedures in relation to collection and enforcement are set out in their Collection Manuals for Revenue staff (these are also available on www.revenue.ie) and implementation of these procedures are subject to appropriate supervision by officers at various levels to ensure that, before any enforcement action is taken, those procedures have been followed and have been applied appropriately according to the circumstances of any particular case. It is important to note that all taxpayers who have failed to pay their taxes on time are given adequate opportunities to come to an arrangement with Revenue to pay their taxes over a period, where they face genuine difficulties in paying them in a single amount as due.

I am advised by the Revenue Commissioners that the execution of Revenue warrants by Sheriffs in respect of tax debts is specifically provided for in Section 962 of the Taxes Consolidation Act, 1997, as amended. However Sheriffs are Officers of the Court, holding office under

Section 12 of the Court Officers Act 1945, and are independent of the Minister for Finance and the Revenue Commissioners. Their debt collection activities, including seizure procedures, are generally covered by the Enforcement of Court Orders Act, 1926, as amended. They may seize whatever goods are necessary to satisfy an outstanding debt.

Sheriffs are answerable before the Courts for any breach of the civil debt collection code and accordingly are not directly accountable to me or to the Revenue Commissioners in relation to the execution of warrants for the collection of tax. In these circumstances, I am not in a position to comment further on the processes used by sheriffs, training of their staff or legal actions if any taken in relation to the actions of sheriffs.

As regards further oversight, in addition to being officers of the Court, the Sheriffs are subject to the Data Protection Acts. I am further advised that the Sheriffs have in place a Code of Practice, available from any sheriff or on Revenue's website, which sets out how Sheriffs will engage with taxpayers. For example, it includes commitments that when goods are seized a written inventory will be supplied to the taxpayer as soon as possible, and there is a commitment to furnish the taxpayer with an account of the proceeds of the sale of any goods seized. The Code also sets out the process whereby a taxpayer may make a complaint and how it will be handled.

I have no plans to propose changes in relation to the provision of the Finance Acts governing tax debt collection and enforcement available to Revenue, as I am satisfied that these are appropriate to the safeguarding of the collection of taxes on behalf of the Exchequer. I am also satisfied that the procedures Revenue have in place with regard to the use of the legislation are appropriate and strike the right balance in terms of fairness as between the majority of taxpayers who pay their taxes on a timely basis and those who fail to do so. However, in the Finance Bill which is currently before the House I am proposing to provide for the forfeiture of alcohol products on unlicensed premises where a tax clearance certificate is not in place.

While detailed information is not available to them, the Revenue Commissioners advise me that the OECD has reported that in a survey of 52 revenue bodies, practically all have available to them powers to arrange the seizure of taxpayers assets to enforce tax debt collection.

Credit Unions

36. **Deputy Terence Flanagan** asked the Minister for Finance if there is any provision for credit unions against loss; and if he will make a statement on the matter. [49855/13]

Minister for Finance (Deputy Michael Noonan): Under the Credit Union Act 1997 credit unions are required to set aside provisions to deal with expected losses. An amount of €830.9 million in total provisions for bad debts was reported in the quarterly prudential returns to the Central Bank as at 30 September 2013. This amount compares with arrears in the sector of €816.1 million as reported on the same date. While these are unaudited figures, they do indicate that just over 100 per cent of arrears are currently being provided for.

Tax Reliefs Availability

37. **Deputy Terence Flanagan** asked the Minister for Finance if the criteria for claiming physiotherapy expenses will be changed so that a person does not have to be referred from a general practitioner, GP (details supplied); and if he will make a statement on the matter. [49856/13]

Minister for Finance (Deputy Michael Noonan): I have considered this matter carefully and I have decided at this time, not to extend the parameters of the scheme to include self-referral for physiotherapy. General practitioners act as an access and control point for the scheme of tax relief on health expenses, as all such expenses must be incurred on the advice or referral of a general practitioner. If physiotherapy was allowed without the need for the treatment to be prescribed by a practitioner, it would inevitably lead to calls for other treatments to similarly qualify for relief, which could greatly increase the overall cost of the scheme. Given the difficult fiscal environment, I am not predisposed to such a potential cost increase.

Credit Unions

38. **Deputy Seán Ó Fearghail** asked the Minister for Finance if his attention has been drawn to the total deposits held by a credit union (details supplied) in County Kildare at the time his special manager was appointed at the behest of the Central Bank; the level of deposits in the credit union immediately prior to its transfer to the Permanent TSB; and if he will make a statement on the matter. [49873/13]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Central Bank that Newbridge Credit Union Limited's total members' shares and deposits were €163.4 million as at 30 September 2010, as extracted from its audited financial statements for the financial year ended 30 September 2010. It is not currently possible to disclose Newbridge Credit Union Limited's total members' shares as at a date closer to the appointment of the Special Manager in January 2012 given the High Court's existing confidentiality orders concerning such disclosures. The Central Bank have also informed me that based on unaudited management accounts as at 31 October 2013, Newbridge Credit Union Limited's total members' shares and deposits were €79.3 million.

Unemployment Levels

39. **Deputy Tom Fleming** asked the Minister for Finance further to Parliamentary Question No. 75 of 27 February 2013, if he will provide a detailed up to date report; and if he will make a statement on the matter. [49876/13]

Minister for Finance (Deputy Michael Noonan): In Budget 2014, an average unemployment rate of 13.5 per cent was forecast by my Department for 2013. For 2014, a further decline in the unemployment rate is expected, with an average rate of 12.4 per cent forecast. After a number of very difficult years, a recovery in the labour market is now clearly taking hold. During this year live register data show a continually falling unemployment rate, which reached 13.2 per cent in October.

The fall in the unemployment rate is being supported by strong employment growth. Data from the quarterly national household survey show that annual employment growth averaged 1.5 per cent in the first half of the year. Encouragingly, this reflected an increase in both full-time and part-time employment and was broad-based across the majority of sectors in the economy. Available indicators point to continued employment growth in the period since the second quarter, so that employment growth of 1.6 per cent is projected for this year as whole. Given the assumed path for domestic demand – which is more jobs-rich than externally-driven growth – employment growth of 1.5 per cent is forecast for next year.

While we are now moving in the right direction, I want to reiterate that the Government is fully conscious of the scale of the unemployment difficulties facing us and several initiatives

have been introduced in this respect. So while we are making progress, I am fully aware that there is some way to go.

Question No. 40 answered with Question No. 29.

Fuel Laundering

41. **Deputy Bernard J. Durkan** asked the Minister for Finance the progress to date and options available in the case of a person (details supplied) in County Kildare who was contacted by the Revenue Commissioners in respect of the detection of oil in the fuel tank of the person's motor vehicle on 23 August 2013, who recently submitted proof to the Revenue Commissioners that the vehicle was only purchased on 20 August 2013 and had not put any fuel in the car since the purchase; and if he will make a statement on the matter. [49879/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that on 23 August 2013 their officers detected marked gas oil in the relevant vehicle. The Commissioners note that the notification of the transfer of ownership of the vehicle with effect from 20 August 2013 was not submitted to the Department of Transport until 7 October 2013. The Commissioners are satisfied that an offence under Mineral Oil Tax legislation may have occurred, and as a consequence, the question of the institution of criminal proceedings in the matter is currently under consideration.

It should be noted, however, that the Commissioners wrote to the owner of the vehicle concerned on 5 September, 2013 and offered a compromise penalty arrangement to them in relation to the statutory penalty that otherwise might apply. A reply to that letter has not been received. While the deadline for the receipt of a reply of 5 October 2013, as outlined in that letter, has now passed, the Commissioners are nonetheless still prepared to offer the person concerned the opportunity of agreeing to a compromise penalty arrangement. If the person wishes to avail of this opportunity, or provide any additional information, they should now reply to the Commissioners' letter of 5 September 2013 without further delay.

Tax Code

42. **Deputy Finian McGrath** asked the Minister for Finance his views on correspondence (details supplied) regarding inheritance tax. [49898/13]

Minister for Finance (Deputy Michael Noonan): Capital Acquisitions Tax (CAT) is the overall title for both Gift and Inheritance Tax. The tax is charged on the amount gifted to, or inherited by, the beneficiary of the gift or inheritance.

I am informed by the Revenue Commissioners that for the purposes of CAT, the relationship between the person who provides the gift or inheritance (i.e. the disponent) and the person who receives the gift or inheritance (i.e. the beneficiary), determines the maximum life-time tax-free threshold – known as the “Group threshold” below which gift or inheritance tax does not arise.

There are, in all, three separate Group thresholds based on the relationship of the beneficiary to the disponent.

Group A: tax free threshold €225,000 – applies where the beneficiary is a child (including adopted child, stepchild and certain foster children) or minor child of a deceased child of the disponent. Parents also fall within this threshold where they take an inheritance of an absolute interest from a child.

Group B: tax free threshold €30,150 – applies where the beneficiary is a brother, sister, a nephew, a niece or lineal ancestor or lineal descendant of the disponent.

Group C: tax free threshold €15,075 – applies in all other cases.

Each child is therefore separately entitled to receive life-time gifts or inheritances up to the value of €225,000 from his or her parents before any liability to CAT would arise.

In addition to the life-time tax free Group A threshold below which a child is not liable for gift or inheritance tax, there is an exemption from CAT that is separately available for certain dwelling houses under section 86 Capital Acquisitions Tax Consolidation Act (CATCA) 2003. The purpose of this exemption is to benefit individuals who have been living in a house for a period prior to taking the benefit, either by way of gift or inheritance. The main conditions attaching to the exemption are that the beneficiary of the dwelling house must have resided in the house for a minimum of 3 years prior to the gift or inheritance and must not have an interest in any other dwelling house. In addition, the beneficiary must continue to occupy that dwelling house as his or her only or main residence for a period of 6 years commencing on the date of the gift or inheritance.

This exemption ensures that what may be the family home for many people will not be the subject of gift or inheritance tax when it is transferred.

The dwelling house exemption is available to any beneficiary who meets the conditions for the exemption, irrespective of whether or not they are related to the disponent.

Gifts or inheritances that qualify for the dwelling house exemption do not erode a person's tax free threshold.

For example, a child who qualifies for the dwelling house exemption in respect of a gift or an inheritance taken by him or her of that dwelling house also still fully retains his or her Group A tax free threshold of €225,000 which can separately be applied against the value of other assets received by way of gift or inheritance from his or her parents.

Where a person receives gifts or inheritances in excess of their relevant tax free threshold, CAT at a rate of 33% applies on the excess over the tax free threshold.

There were no changes to CAT in the recent Budget.

Enterprise Support Schemes

43. **Deputy Michael McCarthy** asked the Minister for Finance the number of persons in each county that have availed of the start your own business initiative since its introduction in budget 2014; and if he will make a statement on the matter. [49907/13]

Minister for Finance (Deputy Michael Noonan): In the recent Budget I announced the Start Your Own Business initiative, which provides an exemption from Income Tax for individuals who have been long-term unemployed and start a new, un-incorporated business between 1 January 2014 and 31 December 2016. Legislation is currently proceeding through the Oireachtas to provide for the budget measures. As the scheme has not yet commenced, there are no figures available for the level of take-up.

Universal Social Charge Exemptions

44. **Deputy Michael McGrath** asked the Minister for Finance if the universal social charge is payable on deposit interest earned by Irish residents in Northern Ireland; and if he will make a statement on the matter. [49911/13]

Minister for Finance (Deputy Michael Noonan): Deposit interest earned by an Irish tax resident individual in a financial institution in Northern Ireland such as a bank, building society or credit union is exempt from the USC, as is deposit interest earned from similar institutions located in the State.

Mortgage Interest Relief Eligibility

45. **Deputy Willie Penrose** asked the Minister for Finance the reason a person (details supplied) in Dublin 15 has been refused mortgage interest relief in respect of the purchase of their new house; and if he will make a statement on the matter. [49914/13]

Minister for Finance (Deputy Michael Noonan): The position is, as I stated on many occasions in this House, in order to qualify for tax relief at source in respect of mortgage interest, a loan must have been drawn down and used in the purchase, repair or development of a principal private residence on or before 31 December 2012 and will be fully abolished from 2018. This decision was announced in Budget 2011 and introduced in Finance Act 2012. I am advised by the Revenue Commissioners that as the loan in question was not used to purchase the new house until 28 January 2013, it does not meet the criteria set down in Section 244 and for that reason it does not qualify for the relief.

As with all time-limited reliefs, there will always be people who just miss out. However, I have no plans to review this decision and I believe that more than adequate notice of this decision was provided.

As you will appreciate, I receive numerous requests for the introduction of new tax reliefs and the extension of existing ones. You will also appreciate that I must be mindful of the public finances and the many demands on the Exchequer given the current significant budgetary constraints. Tax reliefs, no matter how worthwhile in themselves, reduce the tax base and make general reform of the tax system that much more difficult.

Property Taxation Assessments

46. **Deputy Tom Fleming** asked the Minister for Finance if he will clarify an issue in respect of the local property tax whereby the residents of a house in 2013 who have paid up to date for this year and are now finalising the sale of this house to new owners (details supplied), the position regarding an exemption for 2014 demand for the local property tax on original owners as they have complied with the payment demand for this year; and if he will make a statement on the matter. [49922/13]

Minister for Finance (Deputy Michael Noonan): In accordance with the Finance (Local Property Tax) Act 2012 (as amended), liability for Local Property Tax (LPT) will arise where a person owns a residential property on the liability date, which was 1 May 2013 for 2013 and for subsequent years, 1 November in the preceding year. As I informed the House previously in my replies to Questions Nos. [49518/13] and [49556/13] on 19 November 2013, where a liable person sells their residential property between 2 November 2013 and 31 December 2013, provided that they owned the property on 1 November 2013, they will be liable to pay LPT on that property for 2014. I also noted that detailed guidance on LPT issues arising in the context

of the sale or transfer of a residential property was prepared by the Revenue Commissioners in consultation with the Law Society and is available on the Revenue website at <http://www.revenue.ie/en/tax/lpt/sale-transfer-property.html>.

For a tax such as LPT to function properly, legislation must specify a liability date for the tax to have application for a particular year. Whatever date is prescribed, the question of liability when there is a change of ownership has to be managed, and I expect that the LPT liability is likely to be factored in during negotiations between the parties on the sale price and the closing date of a particular contract.

An individual selling a property will often be purchasing another property at around the same time. While a vendor who owns a property on 1 November 2013 is liable for the 2014 LPT on that property, if s/he does not purchase another property before 1 November 2013 s/he will not be liable for the 2014 LPT on that “replacement” property - whoever is the owner as of 1 November 2013 will be liable.

In reply to the Deputy’s question as to whether the original owner can claim an exemption from the 2014 LPT charge, the legislation does not provide for an exemption for any vendor who was the liable person for the property on 1 November 2013 (and therefore liable to pay the tax for 2014) but who subsequently sells the property by the end of 2013.

Exchequer Returns

47. **Deputy Lucinda Creighton** asked the Minister for Finance if he will provide the total costs associated with maintaining the cash balances of the State in 2011, 2012 and to date in 2013 arising from the fact that the return on cash and related assets is lower than the cost of borrowing; and if he will make a statement on the matter. [49934/13]

Minister for Finance (Deputy Michael Noonan): The proceeds of all borrowings by the Exchequer, including borrowing under the EU/IMF programme, as well as tax revenues, non-tax revenues and other receipts, are lodged to the Exchequer account at the Central Bank of Ireland to fund on-going Government expenditure. There are constant flows into and out of the Exchequer account and all moneys within it are fungible. The Government must ensure through its management of expenditure, tax and non-tax receipts and borrowings that there are prudent and adequate balances available to the Exchequer at all times. This also helps to provide investors with the assurance they require that they will be repaid upon the maturity of debt. For small open economies such as Ireland, budgetary aggregates are generally more susceptible to the negative effects of external and internal shocks. In general terms the overall level of cash reserves maintained depends on the amount of liabilities falling due for payment in the short term and the State’s risk appetite in relation to such shocks over the longer term. Particular factors which arise in that context include the international economic situation, the State’s debt maturity profile and the projected pattern of Exchequer receipts and expenditure.

The National Treasury Management Agency (NTMA) manages the national debt in order to ensure liquidity for the Exchequer. Decisions regarding the appropriate level of cash and related assets to be maintained take account of various factors in addition to the cost of maintaining such reserves. These factors include the potential risks of not maintaining an adequate and prudent cash balance, including the risk that the Exchequer would be unable to meet its obligations and that market funding rates for Ireland would therefore be higher than would otherwise be the case due to the perception that the State had a precarious liquidity position.

As Ireland returns to funding itself through the debt markets while still running a large

though declining budget deficit, the need to hold appropriate cash balances as we emerge from the EU/IMF programme is paramount. The NTMA plans accordingly to have cash on hand as at the end of the programme in December 2013 to cover the Exchequer's full needs for the calendar year 2014 and the early part of 2015. The State earns a return on its cash balances and related assets which the NTMA manages in a prudent manner consistent with minimising risk and always having sufficient cash on hand to cover any volatility which might arise.

Due to the fungibility of the various cash streams flowing into the Exchequer, it is not possible to provide a precise measure of the total cost of maintaining the cash balances in 2011, 2012 and to date in 2013. However, the NTMA has estimated that the difference between the average rate of interest payable on long-term borrowing and the average rate receivable on cash and related assets was in the range 2.4 to 3.1 percentage points in 2011-2012 and 2.7 percentage points in 2013 to date. The inputs to the cost of long-term borrowing include EU/IMF programme funds and the bond issuance done by the NTMA during 2012 and 2013.

The NTMA continues to keep the quantum, maturity and timing of market funding under review based on its assessment of what is required to regain full market access and the overall level of cash balances that it is prudent to maintain. It is the intention to run lower cash balances in the coming years and this has been reflected in the Budget 2014 projections.

Irish Fiscal Advisory Council Reports

48. **Deputy Lucinda Creighton** asked the Minister for Finance if he will list, since the Irish Fiscal Advisory Council came into effect in December 2012, the specific number of policy or technical measures assessed by the Irish Fiscal Advisory Council that were not being implemented by him or his Department under section 8(2), (3) and (4) of the Fiscal Responsibility Act 2012 where the Fiscal Council favoured change; the specific actions taken by him or his Department in reaction to assessments by the Irish Fiscal Advisory Council of measures they were not adopting which the Irish Fiscal Advisory Council favoured change; and if he will make a statement on the matter. [49962/13]

Minister for Finance (Deputy Michael Noonan): I assume that the Deputy is asking me to set out possible actions or recommendations made by the Fiscal Council since December 2012 that were not implemented by me or my Department. As the Deputy may be aware, the Irish Fiscal Advisory Council was established on an interim basis in July 2011 and on a statutory basis in December 2012 under the Fiscal Responsibility Act 2012. The Act was subsequently amended by the Ministers and Secretaries (Amendment) Act 2013 to assign it the further function of endorsing the macro-economic forecasts as set out below, along with the Council's other functions. These are;

- To endorse, as it considers appropriate, the macro-economic forecasts prepared by the Department of Finance on which the Budget and Stability Programme Update are based.

- To assess the official forecasts produced by the Department of Finance.

- To assess whether the fiscal stance of the Government is conducive to prudent economic and budgetary management, with reference to the EU Stability and Growth Pact (SGP).

- To monitor and assess compliance with the budgetary rule as set out in the Fiscal Responsibility Act. The budgetary rule requires that the Government's budget is in surplus or in balance, or is moving at a satisfactory pace towards that position.

- In relation to the budgetary rule, to assess whether any non-compliance is a result of

‘exceptional circumstances’. This could mean a severe economic downturn and/or an unusual event outside the control of Government which may have a major impact on the budgetary position.

The Fiscal Council’s most recent Fiscal Assessment Report published in April 2013, is the only assessment report published since December 2012. In this report the Fiscal Council assessed the fiscal stance as appropriate. In addition, the Fiscal Council set out its views in relation to a wide range of macro-economic and fiscal matters. The key points of relevance to the question are set out below:

- In chapter 2 on the assessment of Budgetary Forecasts the Council state:

“While the budgetary outlook has improved, significant macro-economic and public finance risks remain. The Budget 2013 projections assume the delivery of sizable expenditure savings. Achieving these savings, notably in the health sector, will be a key challenge.”

The position is that the delivery of the required expenditure consolidation in 2013 is a priority for all Ministers and their Departments. The Department of Public Expenditure and Reform is working with all Departments and Offices to monitor voted expenditure. At the end of October 2013, net voted expenditure was €844 million behind profile. This highlights that in aggregate expenditure is being managed well within the targets for the year.

- In Chapter 3 on the assessment of Compliance with Fiscal Rules, the Council commented:

“The structural budget balance plays a key part in the domestic and EU fiscal rules. However, this poses serious measurement challenges. These need to be addressed both at EU level and by the development of a more comprehensive domestic analysis.”

My Department has stated previously that measuring and projecting the structural balance for a small open economy such as Ireland is challenging because it involves unobservable items such as the output gap, the future path of potential GDP and adjusting the deficit for the impact of economic cycle. Structural balance estimates, by their nature, are subject to revision. At EU level, the Commission is investigating alternate model-specifications to improve estimates of the output gap, particularly around turning points in the economic cycle. My Department is working on improving the empirical rigour of its output gap modelling.

- In chapter 4 on the assessment of the Fiscal Stance, the council stated the following:

“The suggested margin of safety has therefore been broadly achieved under the Government’s current plans and so the Council is no longer making the case for €1.9 billion in additional adjustments in this assessment. However, the Council’s assessment is that the planned adjustments of €3.1 billion in 2014 and €2.0 billion in 2015 should not be reduced.”

The call for an additional €1.9 billion had been made in the September 2012 Fiscal Assessment Report. Government considered the proposal taking account of the potential impact additional consolidation could have on economic activity. Given the need to protect the emerging economic recovery, it was decided to stick to the previously announced consolidation strategy. In the intervening period, significant changes occurred, including the restructuring of the promissory note. In relation to Budget 2014, the Government did introduce a budgetary adjustment of €3.1 billion including tax increases and expenditure cuts worth €2.5 billion. Government decided to do this to help ensure a continued return to economic growth while also ensuring that fiscal sustainability was demonstrated by targeting a fiscal deficit below the required limit coupled with a small primary balance.

- The Council also stated that:

“Budget-impacting developments will have to be monitored closely, with particular attention paid to any shortfalls in growth and the effective implementation of expenditure-reduction plans.”

It should be noted that budgetary outturns for both revenue and expenditure are closely monitored by the Department of Finance and the Department of Public Expenditure and Reform. Outturns for Exchequer revenue and issues are published on the second working day of the following month, thereby ensuring difficulties, if any, will be identified and can be acted upon, if required.

- Finally the Council stated that:

“A robust return to State creditworthiness - which has continued to show the improvement highlighted in the September 2012 Fiscal Assessment Report - would be further reinforced by post-programme precautionary funding arrangements and extensions to the maturities on official loans.”

The Government decided on 14 November that Ireland is now in the best position to exit the EU-IMF programme of financial assistance on December 15 without the need to prearrange a new precautionary credit line from our EU and IMF partners. Following a careful and thorough assessment of all of the available options, and various consultations with the European Commission, the ECB, the IMF, the President and members of the Eurogroup, the Governor of the Central Bank of Ireland and the NTMA, the decision was taken to exit the programme without a prearranged precautionary facility or backstop. The Economic Adjustment Programme for Ireland includes a joint financing package of €85 billion which includes contributions from the EU/EFSM of €22.5 billion, and from the euro area Member States/EFSF of €17.7 billion. Agreement in principle was reached at the 12th - 13th April 2013 informal Eurogroup and ECOFIN meetings in Dublin to increase the maximum average maturity of both types of loan by a further 7 years, bringing the total maximum average maturity of the EFSF loans to 22 years, and the EFSM loans to 19.5 years. The 20th - 21st June meetings of Eurogroup and ECOFIN formally approved these extensions. The principal benefits of the maturities extension is the smoothing of our debt redemption profile, the consequent improvement in our ability to fund ourselves in the financial markets and the beneficial impact on our debt sustainability.

Property Taxation Administration

49. **Deputy Róisín Shortall** asked the Minister for Finance if persons who paid their 2013 local property tax by cash, cheque-postal order or single debit authority and did not receive a LPT1A payment instruction form for 2014 are assumed to be paying by the same methods for 2014, as is the case of those who pay through deduction at source; and if he will make a statement on the matter. [49963/13]

50. **Deputy Róisín Shortall** asked the Minister for Finance when letters will issue to persons who alerted the Revenue Commissioners that they did not receive their LPT1A payment instruction form for 2014; and if he will make a statement on the matter. [49964/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 49 and 50 together.

I am advised by the Revenue Commissioners that letters were issued in October 2013 to over 980,000 property owners who paid their 2013 LPT by lump sum (that is, by debit or credit card, cash, cheque, postal order or single debit authority) or by way of regular cash payments. These owners were requested to decide how they wished to pay their LPT in respect of 2014,

and confirm this to Revenue by the relevant deadline. This is because these payment methods did not automatically apply in 2014.

I am also advised that property owners who filed a paper LPT1 Return for 2013 received a Form LPT1A (payment instruction) with their letter. These owners could then choose whether to confirm their payment method for 2014 either in paper or on-line by the relevant deadline. Property owners who filed their LPT1 Return for 2013 on-line did not receive a paper Form LPT1A (payment instruction) with their letter. These owners were advised to access their LPT Record on-line using their Property ID, Property PIN and PPSN or tax reference number and to confirm their payment method for 2014 by 27 November 2013.

The Commissioners have confirmed that a small residue of property owners who had raised queries with Revenue or who had unresolved issues on their property records were not included in the bulk issue of letters to property owners in October. In these cases, a letter will issue to the property owner, along with a Form LPT1A for those filing in paper, when the relevant issue has been resolved. These property owners can be assured that they will be afforded adequate time to confirm their payment method for 2014 and this will be outlined in the letter they receive from Revenue.

Finally, property owners who paid their 2013 LPT by deduction at source from salary, occupational pension or certain Government payments, or direct debit, those who opted to defer their full LPT liability and those who claimed an exemption, did not receive a letter from Revenue as all of these options will continue to apply for 2014. No action is required to be taken by these property owners, unless they wish to change to a different payment method for 2014.

Property Tax Administration

51. **Deputy Róisín Shortall** asked the Minister for Finance if property ID and PIN information can be issued to a person (details supplied) in Dublin 9 who did not receive any correspondences from Revenue; and if he will make a statement on the matter. [49965/13]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that customers who are registered for the Revenue Online Service (ROS) were issued with both their 2013 Local Property Tax (LPT) Return and 2014 Payment Notification via their ROS inboxes. Revenue has confirmed to me that the person in question was issued with his 2014 Payment Notification on 23 October 2013 through ROS. The notification, which can still be accessed via his ROS inbox includes both his Property ID and PIN number, and also includes the amount of LPT due for 2014 based on his 2013 Return. Revenue has also confirmed to me that the person successfully accessed his 2013 information via ROS and completed his filing and payment options through the online system on 2 May 2013. Revenue has advised me that if the person is experiencing difficulty in accessing his information or if he requires any other assistance in filing his 2014 Payment Notification he should contact the LPT helpline at 1890 200 255 where an agent will be glad to assist him.

Property Taxation Application

52. **Deputy Robert Troy** asked the Minister for Finance if a person has to pay a property tax on a second property (details supplied); and if he will make a statement on the matter. [49969/13]

Minister for Finance (Deputy Michael Noonan): For Local Property Tax (LPT) purposes

a residential property is defined as any building or structure (or part of a building) which is used as, or is suitable for use as, a dwelling. I am advised by the Revenue Commissioners that property owners should take account of the structure of the building; including whether the property has a roof, windows and doors, sanitary facilities, services (water or electricity supply turned off or temporarily disconnected would not necessarily mean that a residential property is uninhabitable) to assist them in deciding whether their property is not habitable. I am further advised that LPT is a self-assessed tax and where an owner considered that their residential property was not suitable for use as a dwelling, they were obliged to notify Revenue in writing as soon as possible after they had received their LPT Return for 2013. Owners were also required to provide relevant supporting documentation; for example, photographic evidence, a report from a suitably qualified person such as a surveyor or an engineer. As the due date for filing a LPT1 Return for 2013 was 7 May 2013, the Commissioners recommend that the property owner should write to the LPT Branch, PO Box 1, Limerick without delay.

Based on the information provided by the property owner, Revenue will consider the circumstances of the application, make a decision on the matter and advise them accordingly.

Appointments to State Boards

53. **Deputy Niall Collins** asked the Minister for Finance if he will provide in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies State boards under his Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50013/13]

Minister for Finance (Deputy Michael Noonan): The information requested by the Deputy is contained in the following tables :

The Financial Services Ombudsman Council

Name of appointee/Date of appointment or reappointment	Details
Mr Dermott Jewell (Chairman) Members Mr Paddy Leydon Frank Wynn Ms Caitriona Ní Charra Mr Tony Kerr Mr Michael Connolly Ms Elizabeth Walsh All were appointed or re-appointed on 29 October 2013.	The Financial Services Ombudsman Council term of office expired on 28 October 2013. The serving 6 Council members were re-appointed and an additional member was appointed to the Council. All Council members will serve a term of two years (up to 28 October 2015) or until the merger of the Financial Services Ombudsman with the Pensions Ombudsman has been completed, whichever is the sooner.

Board of National Asset Management Agency

Name of appointee/Date of appointment or reappointment	Details
Mr. John Mulcahy 7 Mar 2012	The Board consists of 9 members. In the period since March 2011 to date in 2013 there have been three vacancies.
Mr Oliver Ellingham 10 April 2013	Currently there is one vacancy on the board. Expressions of interest were sought in respect of this vacancy on the Department of Finance website. No appointments made have been drawn directly from the public appointment process. Mr Mulcahy is head of Asset Management within the National Asset Management Agency.

National Treasury Management Agency Advisory Committee

Name of appointee/Date of appointment or reappointment	Details
Mr John Moran (Secretary General of the Department of Finance) 06 Mar 2012	The Committee shall consist of not less than five nor more than seven members. There are currently five members. Expressions of interest were sought in respect of vacancies on the Department of Finance website. Two vacancies were filled during the period.
Mr Willie Walsh (Chairman) 11 Nov 2013	It has been the norm to appoint the Secretary General of the Department of Finance to the Advisory Committee since the establishment of the National Treasury Management Agency. Mr Walsh's appointment was not drawn from the public appointment process.

National Pensions Reserve Fund Commission

Name of appointee/ Date of appointment or reappointment	Details
Mr Maurice Keane Appointed 05 Feb 2012	The Commission consists of seven members. There is one vacancy for an Ordinary Member of the Commission. One vacancy was filled during the period in question. The post was not advertised as it involved the re-appointment of Mr Maurice Keane to the Commission.

State Claims Agency Policy Advisory Committee

Name of appointee/ Date of appointment or reappointment	Details
Dr. Noel Whelan Jul 2012	The State Claims Agency Policy Committee consists of seven members.
Mr. Fachtna Murphy Jul 2012	There is currently one vacancy for an ordinary member.
Ms. Wendy Thompson Jul 2012	Four vacancies were filled during the period. The vacancies were advertised on the websites of the Departments of Finance and Public Expenditure and Reform.
Mr. Charlie Hardy Jul 2012 – 18 Nov 2013	<p>Dr. Whelan was reappointed as Chairperson.</p> <p>Mr Murphy and Ms Thompson were appointed from the public appointment process.</p> <p>Mr. Hardy was a Departmental nominee (A Department of Health representative has, by convention, been appointed to the SCA policy advisory committee)</p>

National Development Finance Agency

Name of appointee/ Date of appointment or reappointment	Details
Mr Brian Murphy CEO NDFA	The Board consists of the Chairperson and seven Ordinary Members.
Mr Robert Watt (Secretary General of Public Expenditure and Reform) July 2012	<p>There are Currently 5 members of the board including the Chairman.</p> <p>There are currently three vacancies on the Board.</p>
Mr Gerry Murphy July 2012	Vacancies were advertised on the Department of Finance and Department of Public Expenditure and Reform Websites
Petrina Smyth July 2012	<p>Mr Brian Murphy was Re-appointed to the Board</p> <p>Mr Watt as Secretary General of the Department of Public Expenditure and Reform was a direct appointment.</p> <p>Both Gerry Murphy and Petrina Smyth were appointed from the public appointment process.</p>

Credit Union Restructuring Board (ReBo)

Name of appointee/ Date of appointment or reappointment	Details
Mr. Bobby McVeigh Appointed Chair of Board on 31 Aug 2012	No vacancies have arisen since the Board was first appointed in August 2012.
Members of the Board appointed 31 Aug 2012:	
Mr. Eoin McGettigan	
Mr. Tom Kavanagh	
Mr. Brendan Burke	
Ms Kathleen Prendergast	
Mr. Stephen O'Donovan	
Mr. Joe O'Toole	
Mr. Pat Fay	
Mr. Jimmy Johnstone	
Mr. Tim Molan	
Mr. Kevin Johnson	
Mr. Neil Ryan (Dept of Finance)	
Ms Elaine Byrne (Central Bank of Ireland)	
	The Credit Union Restructuring Board (ReBo) comprises thirteen members in total, including six independent members. To identify suitable independent members the Department of Finance publicly advertised for expressions of interest on the Department of Finance and the Public Appointments Service websites. Nominations were also invited from credit union representative bodies, the Central Bank of Ireland and the Department of Finance.
	Of the 13 appointments, 6 appointments were made from those who submitted a curriculum vitae; 6 appointments were made from nominations made by the credit union representative bodies, the Central Bank of Ireland and the Department of Finance; one appointment was made for continuity purposes from a member of the Commission on Credit Unions.

Irish Financial Services Appeals Tribunal

Questions - Written Answers

Name of appointee/ Date of appointment or reappointment	Details
<p>Appointments on 27 February 2012 Mr. Justice Murphy was reappointed as Chairperson of the Tribunal.</p>	<p>No vacancies have arisen other than in respect of Tribunal members coming to the end of their term of appointment as set out in legislation. In respect of vacancies that arose in February 2013, the Department of Finance publicly advertised for expressions of interest on the Department of Finance and the Public Appointments Service websites.</p>
<p>Ms. Inge Clissman, the Deputy reappointed Chairperson</p>	<p>Of the seven (re)appointments made on 5 November 2013, three were drawn from the public advertising process.</p>
<p>Ms. Paulyn Marrinan-Quinn, Ms. Geraldine Clarke, Mr. John Fish, Mr. Liam Madden and Mr. John Loughrey were reappointed as lay members.</p>	<p>Mr. Justice Murphy was reappointed as Chairperson of the Tribunal for a period of one year under Section 57F of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p>Appointments on 5 November 2013 Mr. Justice Murphy was reappointed as Chairperson of the Tribunal</p>	<p>Ms. Inge Clissman, the Deputy Chairperson, was reappointed to the Tribunal for a period of one year under Section 57F of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p>Ms. Inge Clissman, the Deputy Chairperson, was reappointed to the Tribunal.</p>	<p>Ms. Paulyn Marrinan-Quinn, Ms. Geraldine Clarke, Mr. John Fish, Mr. Liam Madden and Mr. John Loughrey were reappointed as lay members to the Tribunal for a period of one year under Section 57F of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p>Ms. Geraldine Clarke was reappointed as lay member to the Tribunal.</p>	<p>Mr. Justice Murphy was reappointed as Chairperson of the Tribunal for a period of five years under Section 57D of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p>Mr. Conor Power, Mr. Paul Brennan, Ms. Helen Collins and Ms. Teresa Pilkington were newly appointed as lay members to the Tribunal.</p>	<p>Ms. Inge Clissman, the Deputy Chairperson, was reappointed to the Tribunal for a period of five years under Section 57D of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p></p>	<p>Ms. Geraldine Clarke was reappointed as lay member to the Tribunal for a period of five years under Section 57D of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>
<p></p>	<p>Mr. Conor Power, Mr. Paul Brennan, Ms. Helen Collins and Ms. Teresa Pilkington were newly appointed as lay members to the Tribunal. for a period of five years under Section 57D of the Central Bank Act 1942 as amended by the Central Bank and Financial Services Authority of Ireland Act 2003.</p>

Fiscal Advisory Council

Name of appointee/ Date of appointment or reappointment	Details
Professor John McHale (Chair) Mr. Sebastian Barnes Professor Alan Barrett Dr. Donal Donovan, Dr Roisin O’Sullivan All appointed with effect from 7th July 2011 No additional appointments have been made since 7th July 2011	<p>The Chairman and the Council members did not undergo interview by Oireachtas Committee. However, the Fiscal Council have appeared before the Joint Oireachtas Committee on a number of occasions to discuss their fiscal assessment reports. The Fiscal Responsibility Act provides, in Schedule 11, for the right of a Dáil Éireann Committee to request the Chairman to come before Dáil Éireann.</p> <p>The Department did not seek expression of interest. The composition of a body such as a Fiscal Council is critical to its independence and credibility. In following the Common Principles recommendations, we sought candidates who hold valuable experience and demonstrate competence in their fields of expertise. A significant number of potential candidates were considered against a range of criteria.</p> <p>The criteria included the desire of having a mix of appropriate backgrounds, namely academia, the financial sector/financial markets and public finance; expertise in macroeconomic/microeconomic and a strong international dimension, in addition to the need to take gender considerations into account.</p> <p>As would be normal practice, the process by which potential nominees were identified, considered and selected involved officials from my Department. The final decisions regarding the appointments were made by me following consultations with Cabinet colleagues and others.</p>

National Treasury Management Agency Bond Issues

54. **Deputy Michael McGrath** asked the Minister for Finance the amount of interest payable in 2013 and 2014 on the Exchequer bonds issued to replace the Irish Bank Resolution Corporation promissory note; the amount of this interest that is likely to accrue to the Central Bank of Ireland; and if he will make a statement on the matter. [50027/13]

Minister for Finance (Deputy Michael Noonan): The National Treasury Management Agency (NTMA) issued eight new Floating Rate Treasury Bonds to the Central Bank of Ireland (CBI) on 8 February 2013 to replace the Promissory Notes previously held by IBRC.

The bonds have maturities ranging from 25 to 40 years and pay interest every six months – in mid-June and in mid-December - based on the six-month Euribor interest rate plus an interest margin which averages 2.63% across the eight issues.

Total cash interest on the floating rate bonds this year will be just under €0.65 billion. Interest payable in 2014 has been estimated to be approximately €0.2 billion higher than in 2013, due primarily to the fact that a full year’s interest is payable next year.

To the extent that the CBI is the holder of the bonds, interest payable will accrue to the CBI.

The CBI has undertaken that bonds to the minimum value indicated will be sold in accordance with the following schedule: €0.5 billion to end-2014, €0.5 billion per annum in 2015-2018, €1 billion per annum in 2019-2023 and €2 billion per annum from 2024 onwards.

Government Bond Issues

55. **Deputy Michael McGrath** asked the Minister for Finance if any sales of the Exchequer bonds issued to replace the Irish Bank Resolution Corporation promissory note have been made by the Central Bank of Ireland to date; the amount of the proceeds of the sale; the actions taken by the Central Bank of Ireland following any sale; if the intention is still for the Central Bank to sell the bonds as soon as possible; and if he will make a statement on the matter. [50028/13]

57. **Deputy Michael McGrath** asked the Minister for Finance the actions the Central Bank of Ireland will take following the sale of Exchequer bonds issued to replace the Irish Bank Resolution Corporation promissory note; the impact the sales of such bonds have on the State's debt profile and income from the Central Bank surplus; and if he will make a statement on the matter. [50030/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 55 and 57 together.

The Central Bank has indicated that the portfolio of Government bonds now held by the Bank following the liquidation of IBRC will be sold as soon as possible, provided conditions of financial stability permit. The Bank has, however, undertaken that a minimum amount of bonds will be sold in accordance with the following schedule: to end 2014 (€0.5bn), 2015-2018 (€0.5bn p.a.), 2019-2023 (€1bn p.a.), 2024 and after (€2bn p.a.). The Bank normally reports in detail on its balance sheet only at annual intervals although it also publishes a more aggregate balance sheet on a monthly basis. While the latter does not contain details of its investment holdings, I have been advised that, in its Annual Report for 2013, the Bank will report on any progress towards the 2014 €0.5 billion minimum sales target. The issue of proceeds from the disposals and its impact on profit distribution is a matter for the Central Bank of Ireland.

Government Bond Issues

56. **Deputy Michael McGrath** asked the Minister for Finance if he accepts that the sale of Exchequer bonds issued to replace the Irish Bank Resolution Corporation promissory note by the Central Bank of Ireland has the potential to increase Ireland's bond yields and in so doing raise the State's annual interest bill; and if he will make a statement on the matter. [50029/13]

Minister for Finance (Deputy Michael Noonan): Deputies will recall that the IBRC Promissory Notes were replaced with a portfolio of Irish Government bonds which consists of three tranches of €2 billion each maturing after 25, 28 and 30 years, three tranches of €3 billion each maturing after 32, 34 and 36 years and two tranches of €5 billion each maturing after 38 and 40 years. Under the original Promissory Note arrangement, the Government was scheduled to make annual payments of €3.1 billion thereby putting significant upward pressure on the amounts to be funded from the market. The provision of these long-term non-amortising Government bonds to replace the amortising Promissory Notes has therefore had significant benefits from a market perspective as it ensures that there will be much less issuance of Irish Government bonds into the market over the next decade and beyond than would otherwise have been the case.

Increasing the weighted average life of the debt associated with the funding of IBRC from circa 7-8 years to circa 34-35 years and securing a lower funding cost for the State, result in significant annual interest savings. Combined with the extension of EFSF and EFSM loans, this will result in an estimated reduction of some €40 billion in the Exchequer's funding requirement over the next decade. It is also expected that there will be a reduction in the underlying

General Government deficit of circa €1 billion per annum in the coming years (before transaction costs) reducing the forecast deficit by around 0.6% of GDP annually. Removal of Exceptional Liquidity Assistance and the inherent risk associated with short-term borrowings which had to be rolled over on a fortnightly basis was also a significant benefit.

Bond markets have reacted well to the impact of these and other improvements in Ireland's financial and fiscal position with the result that Irish bond yields are now at historically low levels. The ten-year yield, for example, is currently at around 3.5%, far lower than had been the case before the State entered the EU/IMF programme. The impact of the announcement in February regarding the Promissory Notes was notable with the yield on the 2025 bond falling by almost half of one per cent (0.5%) in the week following the announcement. Standard and Poor's revised the outlook on Ireland's credit rating to 'stable' on the back of the announcement while Moody's and Fitch Ratings published positive commentaries.

The Central Bank of Ireland, which holds the Government bonds that replaced the Promissory Notes, will sell a minimum of the bonds in accordance with the following schedule: to end 2014 (€0.5 billion), 2015-2018 (€0.5 billion per annum), 2019-2023 (€1 billion per annum), 2024 on (€2 billion per annum until all bonds are sold). The schedule of sales takes into account the Central Bank's holding of €3.6 billion of the 2025 bond as a result of the liquidation of Anglo Irish Bank. Further amounts can be sold but only where such sale is not disruptive to financial stability.

Question No. 57 answered with Question No. 55.

Question No. 58 answered with Question No. 31.

EU-IMF Programme of Support

59. **Deputy Michael McGrath** asked the Minister for Finance the circumstances under which Ireland would be eligible for the European Central Bank's outright monetary transactions programme; the impact of not applying for a precautionary credit line on such eligibility; and if he will make a statement on the matter. [50037/13]

Minister for Finance (Deputy Michael Noonan): The Governing Council of the ECB made a decision to establish Outright Monetary Transaction (OMT) on 2 August 2012, and issued a press statement on 6 September 2012 which outlined its technical features. According to this the purpose of OMT is: "Safeguarding an appropriate monetary policy transmission and the singleness of the monetary policy". It is therefore, aimed at addressing systemic risks for the Euro as a whole and is not country specific in that regard. Having a credit line does not of itself guarantee access to OMT. It is a necessary, but not sufficient condition. In that respect, in the absence of systemic risk, the position in relation to Ireland is not fundamentally changed by the Government's decision last week not to seek a precautionary credit line. The ECB press statement also notes that the ECB's Governing Council will decide on the start, continuation and suspension of OMT, following a thorough assessment, in full discretion and acting in accordance with its monetary policy mandate.

Credit Institutions Resolution Fund

60. **Deputy Michael McGrath** asked the Minister for Finance if payments made by the Exchequer under the credit resolution fund are repayable in certain circumstance; the criteria for repayment; and if he will make a statement on the matter. [50038/13]

Minister for Finance (Deputy Michael Noonan): The Government put €250 million into the Credit Institutions Resolution Fund which was set up under the Central Bank and Credit Institutions (Resolution) Act 2011. The Act provides that payments may be made from the Fund for the resolution of financial instability in, or an imminent serious threat to the financial stability of, an authorised credit institution. Under Section 12(2) of the Resolution Act, I as Minister for Finance, am entitled to be reimbursed from the Fund for all contributions to that Fund and for any financial incentive provided. This amount will be recouped in the form of a levy on financial institutions over time.

Deposit Guarantee Scheme

61. **Deputy Michael McGrath** asked the Minister for Finance the total amount of credit union deposits which are respectively covered and not covered by the deposit guarantee scheme; and if he will make a statement on the matter. [50039/13]

Minister for Finance (Deputy Michael Noonan): The Deposit Guarantee Scheme - DGS - was set up by the Government and is administered by the Central Bank of Ireland. The DGS guarantees eligible deposits up to €100,000 per person in any bank, building society or credit union. Total deposits held in credit unions amount to €11.6 billion as reported by credit unions as at 30 September 2013. The Central Bank advises that it is not in a position to estimate the level of ineligible savings, as the figure would be contingent on a number of factors which would come into play in the event of a DGS payout, for example, the level of accrued interest and the relevance of joint accounts.

Deposit Guarantee Scheme

62. **Deputy Michael McGrath** asked the Minister for Finance the total amount of bank deposits which are respectively covered and not covered by the deposit guarantee scheme; and if he will make a statement on the matter. [50040/13]

Minister for Finance (Deputy Michael Noonan): The Central Bank of Ireland is responsible for the operation of the Deposit Protection (Guarantee) Scheme (DGS), which covers licensed credit institutions operating in the State. Each credit institution covered by the DGS is required to maintain a balance in the Deposit Protection Account (DPA) equivalent to 0.2% of their total deposits in order to fund the DGS.

I am advised by the Central Bank that it currently collects data relating to the total deposits of credit institutions so that it can calculate their contributions to the DPA. The Central Bank tells me the figure for total deposits in the financial sector in Ireland is currently €474 billion. However, not all of these deposits are actually covered by the DGS scheme. For example, only amounts up to €100,000 are covered and various deposits are excluded from coverage, such as deposits from large companies and inter-bank deposits. The Central Bank is currently working with credit institutions in order to receive data on actual coverage levels under the Deposit Guarantee Scheme. Formal powers for the Central Bank to request this data are included in the Central Bank (Supervision and Enforcement) Act 2013.

Third Level Fees

63. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the reason

behind the decision to charge apprentices €1,000 a year; if he will review same; and if he will make a statement on the matter. [49984/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The Annual Student Contribution is levied on students attending Institutes of Technology. The amount due by apprentices is calculated on a pro rata basis of the time which they spend in Institutes of Technology during the academic year. This is typically one third of the Annual Student Contribution, which €2,500 for the academic year 2013/2014, paid by students attending for the full academic year but it can a greater proportion for certain trades where longer periods are spent in Institutes of Technology.

Since 2004, FÁS/SOLAS has paid a part of the Annual Student Contribution due in respect of apprentices, with apprentices themselves paying the part of the contribution relating to examination fees. As part of Budget 2014, SOLAS will cease making payments to Institutes of Technology and apprentices will pay the full pro rata Annual Student Contribution. This treats apprentices in the same way as other students in those institutions. Apprentices are paid a training allowances by SOLAS for phases of their training spent in Institutes of Technology. This allowance is equivalent to the wages they receive from their employers for on the job phases and is unaffected by the budgetary changes.

Student Grant Scheme Applications

64. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding a student grant in respect of a person (details supplied). [49839/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland that the grant application of the student referred to by the Deputy for the 2013/14 academic year was refused. SUSI has confirmed that the student is undertaking a course of study at a lower level than that previously pursued. To satisfy the terms and conditions of the student grant scheme in relation to progression, a student must be moving from year to year within a course having successfully completed the previous year or be transferring from one course to another where the award for the subsequent course is of a higher level than the previous course. Under the scheme, students who have previously attended, but not completed a course of study are required to complete an equivalent period of study on an approved course before being eligible to be considered for a grant.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form is available to download from http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf.

Student Grant Scheme Applications

65. **Deputy Tom Fleming** asked the Minister for Education and Skills when a student grant will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49857/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the grant application of the student referred to by the Deputy was awarded on 4th October, 2013. Students get paid

as soon as possible after they submit their bank accounts details and their institutions confirm their attendance. SUSI is awaiting confirmation from the applicant's college before payment can commence. I understand that SUSI has contacted the applicant's college on six occasions since October.

Teacher Recruitment

66. **Deputy Terence Flanagan** asked the Minister for Education and Skills his plans to recruit 1,250 teachers as announced in budget 2014; and if he will make a statement on the matter. [49878/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Teacher allocations are approved annually in accordance with established rules based on recognised pupil enrolment. The criteria for the allocation of posts are communicated to school management annually and are available on the Department website. Preparation for the staffing and redeployment process for the 2014/15 school year is currently underway in my Department. The staffing arrangements for all schools for the 2014/15 school year will be published early in 2014.

School Transport Provision

67. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills when a decision will be made by Bus Éireann in relation to the reinstatement of school transport to a school (details supplied) in County Galway; and if he will make a statement on the matter. [49884/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Bus Éireann which operates the school transport scheme, on behalf of my Department, has advised that a school transport service operating to the school in question was withdrawn for the 2011/12 school year as the number of children who were eligible for school transport had fallen below the minimum number required. In accordance with the terms of my Department's Primary School Transport Scheme consideration may be given to the establishment of a service when there is a minimum of 10 eligible children residing in a distinct locality, as determined by Bus Éireann. Families of children who are eligible for school transport and for whom no service is available, may be offered the Remote Area Grant.

Schools Numbers

68. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills the consideration that has been given by the planning unit of his Department to the need for additional second level places in the Newbridge, County Kildare; if his attention has been drawn to the fact that this is an area where extreme pressure for places currently exists; and if he will make a statement on the matter. [49894/13]

Minister for Education and Skills (Deputy Ruairí Quinn): In June 2011, I announced that up to 40 new schools are to be established up to 2017 to cater for increasing demographics across a number of locations. These consist of twenty new primary schools and twenty new post-primary schools. This announcement did not include a proposal to establish a new post-primary school in Newbridge. The Forward Planning Section of my Department will continue to monitor enrolments in all areas, including Newbridge, to ensure that there is sufficient school accommodation to meet any projected future demands.

Student Universal Support Ireland Administration

69. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of grants that Student Universal Support Ireland awarded in October 2012 and in October 2013; the number awarded to date in November 2013 and the corresponding figure for 2012; the number outstanding; the target date for completion; and if he will make a statement on the matter. [49910/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I am informed by Student Universal Support Ireland (SUSI) that it has awarded a total of some 40,000 students grants up to end October 2013. The total number of awards to end of the same period in 2012 was just under 8,000. The next SUSI update report is due at the end of November and it is estimated that by then some 50,000 applications will have been awarded compared to 14,000 for the same period in 2012. The remaining applications to be finalised comprise of late applications received after the SUSI priority dates for submitting both applications and the return of documents. In addition some applicants have been requested to provide additional information. A structured email campaign has been targeting these applicants to return their documents/information. SUSI has advised that the turnaround time from receipt of completed applications/requested information from these applicants is 4 weeks.

Student Assistance Fund

70. **Deputy Terence Flanagan** asked the Minister for Education and Skills the position regarding college grants (details supplied); and if he will make a statement on the matter. [49967/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Apart from the funding provided through the student grant schemes, the Department also provides funding to approved third level institutions to operate a Student Assistant Fund to assist students in exceptional financial need. Information on the fund is available from the Student Access Officer at the student's college.

Student Universal Support Ireland Administration

71. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a Student Universal Support Ireland grant in respect of a person (details supplied) in County Cork. [49972/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the grant award letter that issued on the 6 September 2013 to the student referred to by the Deputy was sent in error. The Deputy will appreciate that some errors may inevitably arise when handling a high volume of applications within a relatively short timeframe. SUSI has confirmed that on review the grant has been refused. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal in the first instance, to SUSI. Where an individual applicant has had an appeal turned down, in writing, by SUSI, and remains of the view that SUSI has not interpreted the scheme correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the Student Grant Appeals Board. The relevant appeal form is available to download from http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf.

Education Policy

72. **Deputy Catherine Murphy** asked the Minister for Education and Skills the Irish research that informs policy into the strengths and weaknesses in terms of the effectiveness of learning in post-primary schools of different sizes, for example, 250, 500, 750, 1,000, 1,250 or 1,500; the size of school that falls into the category super school; and if he will make a statement on the matter. [50005/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department takes careful account of research into the effectiveness of teaching and learning. Research literature from other countries does not provide definitive conclusions regarding the effects of school size and there is no comprehensive research on this matter in the Irish context. However, there is a strong consensus in research literature that one of the most important influences on learner outcomes is the quality of teaching. The Department’s Inspectorate is one very important source of information in this area and its findings are a significant input into policy development. Just recently, the Chief Inspector published his report on the outcomes of inspection in the period 2010-2012 which provides extensive data about the quality of teaching and learning in Irish schools. The inspections focus on aspects such as management and leadership in schools, preparedness for teaching, the classroom atmosphere, the effectiveness of teaching and the quality of assessment. My Department does not use the category “super school”.

Appointments to State Boards

73. **Deputy Niall Collins** asked the Minister for Education and Skills if he will provide in tabular form the number of appointments to State boards under his Department’s remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department’s remit since March 2011 to date in 2013; the number of vacancies State boards under his Department’s remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50011/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested on the number of appointments made to State boards since March 2011 is outlined in the following table.

It should be noted that Board appointments, while made by me as Minister, are not in all cases made at my sole discretion. Individuals may be nominated for appointment by various organisations as specified in the relevant statute of the body concerned. The Deputy should further note that in making any direct Ministerial appointments, I am not necessarily confined to those who make such expressions of interest but will ensure that all of those appointed have the relevant skills and competencies for the positions.

Name of Board	Number of appointments made to state boards since March, 2011	Number of positions advertised over which the Minister can directly appoint	Appointments made from members of the public who applied through the PAS process	Year appointments made
An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG)	2	0	0	2012

Name of Board	Number of appointments made to state boards since March, 2011	Number of positions advertised over which the Minister can directly appoint	Appointments made from members of the public who applied through the PAS process	Year appointments made
An tForas Áiseanna Saothair (FÁS)	3 (Note 1)	0	0	2011/2013
Grangegorman Development Agency (GDA)	14	6	3	2012
Higher Education Authority (HEA)	10	9	2	2012
Irish Research Council	11	0	0	2012
Léargas	12	9	0	2012/2013
National Centre for Guidance in Education (NCGE)	12	1	0	2013
National Council for Curriculum & Assessment (NCCA)	25	3	2	2012
National Council for Special Education (NCSE)	13	13	2	2013
Quality and Qualifications Ireland (QQI)	10	8	3	2012
Residential Institutions Statutory Fund (RISF)	9	9	3	2013
Skillnets Ltd	4	0	0	2011/2012
State Examinations Commission (SEC)	5	5	2	2012
Teaching Council	37	3	0	2012
An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS)	13	13	9	2013

Note 1: Three interim appointments were made to the Board of Foras Áiseanna Saothair (FÁS) in January 2013 before the agency was replaced by SOLAS, the new Further Education & Training Authority. Accordingly, these vacancies were not published on PAS. Appointments to the Board of FÁS were made after consultation with the Minister for Social Protection and the Minister for Jobs, Enterprise and Innovation.

Schools Establishment

74. **Deputy Catherine Murphy** asked the Minister for Education and Skills the aspects if any of the presentation made at a meeting regarding a school (details supplied) that were considered when the decision was made to provide for two vertical schools on the same campus as opposed to the junior-senior option of the existing school, the preferred choice of parents; if any consideration was given to a report which was commissioned by County Kildare Vocational Educational Committee; the consultation between his Department and the VEC; and if he will make a statement on the matter. [50021/13]

75. **Deputy Catherine Murphy** asked the Minister for Education and Skills if the pupils from a school (details supplied) will be required to enrol in the proposed new Maynooth community college or will it be open to them to attend Maynooth post primary school; and if he will make a statement on the matter. [50023/13]

76. **Deputy Catherine Murphy** asked the Minister for Education and Skills the way he intends to handle the downsizing of a school (details supplied); what the maximum intake will

be; the consideration that has been given to subject choice in that scenario during the transition period; and if he will make a statement on the matter. [50024/13]

77. **Deputy Catherine Murphy** asked the Minister for Education and Skills the reason there has been no direct correspondence between his Department and the parent body of a school (details supplied); the reason no explanation has been given on the reason the junior-senior option, their preferred option, was not agreed to; if he will agree to a plebiscite of parents; and if he will make a statement on the matter. [50025/13]

78. **Deputy Catherine Murphy** asked the Minister for Education and Skills if any consideration was given to the wider community impact of the decision to provide for two vertical post primary schools as opposed to a junior-senior school on the one site in Maynooth; if his attention has been drawn to the fact that the post primary school is regarded as a unifying force in the town; if he is aware of the high regard for the school felt in the area; if he has concerns that the two school model might amplify the various stratifications within the community and might lead to cherry picking in what might develop into good school versus better school option; if the decision might be considered a social experiment in view of the proven track record of the existing school; the reason the parents were engaged in a lengthy process and led to believe their views would be paramount; the concerns he has regarding the decision he made; and if he will make a statement on the matter. [50026/13]

79. **Deputy Catherine Murphy** asked the Minister for Education and Skills the way the 2014 intake to schools (details supplied) will be handled; where the pupils of both will be accommodated in September 2014; and if he will make a statement on the matter. [50031/13]

80. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he can reconcile the way his stated aim of increasing pluralism and choice for parents and students in school patronage models fits with the potential new patronage model for schools (details supplied) as part of the Government's overall commitment to reducing the proportion of schools under catholic patronage; and if he will make a statement on the matter. [50032/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 74 to 80, inclusive, together.

As the Deputy may be aware, I met with representatives of the parents' associations from schools in the area referred to. The deputation put forward the view that the new post-primary school being established in 2014 in the area should be configured, along with the existing post-primary school into a junior school/senior school model rather than as two separate fully vertical schools.

I fully considered all aspects of this matter and I am of the view that the schools can operate successfully as two vertical schools. I consider this to be the optimum configuration for the two schools and indeed the best provision that can be made for the pupils in the area.

The patron of the two post-primary schools in question has developed a specific management structure for the new educational campus that will be constituted. In this regard, it is proposed that a single Governing Authority be established in order to guarantee to Parents/Guardians and Students a fair and equitable enrolment policy for both schools and to ensure that the overall management of the campus would be as cohesive and effective as possible. The Governing Authority will be representative of the stakeholders from both schools together with members of the patron body and will be under an independent Chairperson. This authority would be established under the provisions of the Education and Training Board Act 2013. Apart from the management of campus facilities, one of the key core functions of the Governing authority will be to develop and co-ordinate the overarching enrolment policy for both

schools, following appropriate consultation with the respective Boards of Management of both schools and ensure that the policy is in keeping with the Education and Training Board policy and Department guidelines. This function does not supersede the powers conferred under the Education Act 1998 to the Boards of Managements of the individual schools. In addition to the establishment of the single Governing Authority, the Patron will establish a Board of Management for each school. The functions of the Schools and the Boards of Management are those described under the Education Act 1998. The pooling of resources of the two schools would mean the provision of the widest possible range of subjects for the pupils in both schools. This will be particularly important during the initial years of the establishment of the new post-primary school and during the downsizing of the existing school. By pooling the pupils from both schools, it will also be possible to offer a subject in one school where the demand from both schools would bring the class size to a viable number. It is envisaged that both schools will each cater for up to 1,000 pupils ultimately. The existing post-primary school in the area referred to is very highly regarded locally. It is the intention of the patron that the new post-primary school would replicate and achieve the high standards and success attained in the existing school. The synergies generated by the new campus environment should be a significant benefit to both schools towards building on the success of the existing school and should assist them both in attaining high standards. The management and governance structures for the Education Campus that have been developed by the patron body as outlined, seek to ensure that the necessary appropriate relationships and close co-operation will exist between the two schools at all levels, from the Principals and the Boards of Management through to the pupils and the staff. With regard to diversity of choice for parents when establishing new schools, my decision on patronage of the new school in question was influenced chiefly by parental preferences. The new school will cater for pupils of all faiths, backgrounds and belief systems and will be open to pupils of all primary schools in the area. My Department is liaising with the patron in relation to start-up accommodation for the school.

Appointments to State Boards

81. **Deputy Niall Collins** asked the Minister for Public Expenditure and Reform if he will provide in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies State boards under his Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50018/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question the following is a list of the number of appointments made to State Boards under my remit since March 2011:

Board Name	No. of Appointments made	No. of Positions Advertised	No. of Applications to Boards	No. of Appointments drawn from Applications	No. of Current Vacancies
An Post National Lottery Board	8*	-	-	-	1
Public Appointments Service Board	14**	-	-	-	-
Total	22	-	-	-	1

* Re-appointments in light of the sale of the National Lottery licence.

** The Public Service Management (Recruitment and Appointments) Act, 2004 states that the Minister for Public Expenditure and Reform (in consultation with Minister for the Environment, Community and Local Government, the Minister for Health and the Minister for Justice and Equality) should appoint members of the Board of the Public Appointments Service.

The Board is meant to be representative of our client base. The majority of the board is therefore civil or public servants, nominated by the relevant Minister. There is also a union representative nominated by ICTU. The Minister for Public Expenditure and Reform reappointed the outgoing Chairman and the two external members were appointed because of their expertise in strategic change and public service recruitment respectively.

Two of the above appointments were replacements for two board members who resigned from the Board as a consequence of leaving their positions in the Public Service (i.e. CEO of the Public Appointments Service and National Director of HR in the HSE) and three were replacements for three board members who resigned from the Board as a consequence of them moving to different posts in the Civil Service.

Departmental Budgets

82. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he is satisfied that each Government Department's budget for 2014 meets his Department's requirements and at the same time, is sufficient to discharge the responsibilities of the respective Departments; and if he will make a statement on the matter. [50049/13]

83. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he will indicate, based on previous years' performance, the Government Departments or bodies under their aegis which have performed best in terms of working within budget; and if he will make a statement on the matter. [50050/13]

84. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform if he is satisfied that each Government Department is capable of meeting the guidelines set out in agreement with the troika entered into by his predecessors; and if he will make a statement on the matter. [50051/13]

85. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the Government Departments that have tended to overspend in respect of their budget in each of the past two years to date; the extent to which corrections have been made; and if he will make a statement on the matter. [50052/13]

88. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the total savings to date achieved through reform or limitation of expenditure in each of the past two years to date; the extent to which this is in line with targets set by his predecessors in the agreement with the troika; and if he will make a statement on the matter. [50055/13]

90. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the degree to which he continues to take account of and have regard for the impact of wage restraint and cost-cutting throughout the public sector, with particular reference to the impact on individual public servants at all levels, in view of the impact of the ongoing economic situation; if he sees any particular options that might offer some relief in this area; and if he will make a statement on the matter. [50057/13]

91. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform having regard to discussions with the troika and his EU colleagues, the extent to which it is

recognised that the achievements made by his Department and the Irish people are in line with expectations and have substantially impacted on the restructuring budgetary measures required; and if he will make a statement on the matter. [50058/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 82 to 85, inclusive, 88, 90 and 91 together.

The *Comprehensive Expenditure Report 2012-2014 (CER)* published by my Department on 5 December 2011 set out current expenditure ceilings for Departments for the period 2012 to 2014. The ceilings and savings measures contained in the CER were informed by the Comprehensive Review of Expenditure (CRE) carried out in 2011. The ceilings published in the CER form the basis upon which the detailed 2014 expenditure allocations were decided by the Government. The *Comprehensive Expenditure Report* also provided for a new “whole-of-year” budgetary process, whereby the 2014 ministerial expenditure allocations would be open for scrutiny and discussion before the relevant Oireachtas Committees.

The composition of the budget allocations for 2014 in respect of each Vote were set out in the Expenditure Report 2014 published on 15 October. The Government took account of a wide range of often competing considerations and policy priorities to decide on the distribution of the resources available in order to strike a balance between bringing sustainability to the public finances while protecting to the greatest extent possible, both the economic recovery and the most vulnerable in society.

To put this into context, gross voted spending has been reduced from its peak of €63.1 billion in 2009 to €54.6 billion in 2013. This represents a reduction of approximately 13.5% between 2009 and 2013. Estimated voted expenditure for 2014 will be in the region of €52.9 billion with a targeted general Government deficit of 4.8%, a significant reduction from the underlying deficit of 11.2% at the end of 2011. The management of the respective expenditure allocations for 2014 will continue to be a matter for each Minister in accordance with overall agreed Government policy.

In relation to the troika, the Irish Government’s commitment to the EU/IMF programme of financial support was clearly illustrated by our sustained strong record in implementing the agreed policy frameworks and measures while meeting all quantitative targets. The EU/IMF programme was subject to policy conditionality which was set out in programme documents - the Memorandum of Understanding on Specific Economic Policy Conditionality (MOU), the Memorandum of Economic and Financial Policies (MEFP) and the Technical Memorandum of Understanding. The conditionality in these documents was subject to continuing assessment by the Irish Authorities and the EU, IMF, ECB (the troika) to ensure the broad programme objectives were met. Such assessments were undertaken at the quarterly reviews. Each update to the programme documents included the protraction or revisions to existing commitments along with new commitments.

As I am sure the Deputy is aware, the hard policy decisions this Government has made over the last number of years has enabled us to bring our finances back to a sustainable level and just as importantly, the Government decided on 14 November that Ireland is now in the best position to exit the EU/IMF programme of financial assistance on December 15 without the need to pre-arrange a new precautionary credit line from our EU and IMF partners.

Public Sector Reform Implementation

86. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the

degree to which all unions and management throughout the public service have met their targets on an annual basis over the past three years in respect of savings required in line with the troika agreement; and if he will make a statement on the matter. [50053/13]

87. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the extent to which all unions and management have entered into the spirit of the Haddington Road agreement; and if he will make a statement on the matter. [50054/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 86 and 87 together.

The Government's commitment to the EU/IMF programme of financial support remains firm as is clearly illustrated by a continued strong record in implementing the agreed policy frameworks and measures while meeting all quantitative targets. Indeed, data released in the Exchequer Statement of 2 October indicated that the Exchequer primary deficit target outlined in the EU/IMF programme was met for the twelfth consecutive quarter.

In order to achieve the general government deficit target of below 3% of GDP by 2015, all components of the public finances must make an appropriate contribution. In this context, reducing the Exchequer Pay Bill has been an important element in reducing public expenditure. Public Servants have made a significant contribution to the fiscal recovery of the State, through a number of measures which have helped to reduce the Public Service pay bill from its peak of €17.5 billion in 2009, to an estimated €14.1 billion in 2013.

Public Service management has worked with staff representatives to secure significant cost reductions and to deliver necessary reforms and work place changes, through the Public Service Croke Park agreement and most recently through the Haddington Road agreement. The benefits of the Croke Park agreement have been significant as evidenced by the final report of the Implementation Body. That report concluded that the agreement facilitated significant cost savings, amounting to €1.8 billion over its lifetime, comprising of almost €1 billion in pay savings and over €800m in non-pay efficiency savings. The Body also concluded that the vast majority of commitments around cost extraction, reforms and changed work practices had been substantially delivered.

More recently, the Haddington Road agreement, which came into force on 1 July, sets out a number of measures aimed at reducing the public service pay and pensions bill by €1 billion by 2016. In addition to these cost saving measures, the Agreement also provides for an additional 15 million working hours across all sectors of the Public Service. The additional hours will ensure that public service management is able to maintain service delivery while also enabling the delivery of the Government's ambitious reform agenda.

It is the responsibility of Public Service managers across every sector of the Public Service to make full use of these additional hours and the other hard-won workplace flexibilities agreed in Haddington Road. In order to harness the full potential of these additional hours, it will be essential that public service management continue to evaluate innovative ways of utilising these hours over the next three years.

Where public service unions and the Government sign up to collective agreements, in this case the Haddington Road agreement, I am satisfied that both unions and management are committed to the delivery of the terms of those agreements.

Question No. 88 answered with Question No. 82.

Question No. 89 answered with Question No. 23.

Departmental Expenditure

92. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the impact that his departmental budget for 2014 will have on the budgets of the Industrial Development Agency, Enterprise Ireland, Science Foundation Ireland, InterTrade Ireland, county enterprise boards and local enterprise offices. [49847/13]

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

2014 Allocations

The Exchequer DJEI capital allocation for 2014 is €442m, which, it is expected, together with both capital carryover and reinvestment of income generated by agencies, will maintain IDA, EI, SFI, ITI and CEB allocations broadly in line with 2013 expenditure.

The issue of capital carryover will be decided in the context of the Revised Estimates Volume that will be conducted during November and early December. Individual allocations across Agencies will be presented in early December as part of the Revised Estimates Volume.

The Department's current expenditure ceiling for 2014 has been set by the Department of Public Expenditure and Reform at €339m. This includes the total Pay, Pensions and Non-Pay expenditure provisions for the Department, its offices and its agencies for next year. The distribution of this current expenditure provision will also be presented in early December as part of the Revised Estimates Volume.

Budget 2014 Impact

Budget 2014 will enable the delivery by these agencies of a range of enterprise and research and innovation supports, which are crucial in achieving a return to economic growth through providing access to finance and growing innovation in Ireland.

The measures this will deliver include:

- Delivery of DJEI measures under Action Plan for Jobs 2014, to be announced early next year;

- Delivery, by IDA Ireland, on its job creation targets as set out in IDA's "Horizon 2020" Strategy, which covers the 5 year period 2010-2014. The targets that have been set in Horizon 2020 are:

- 105,000 new jobs (62,000 in IDA supported companies and a further 43,000 indirect).

- 640 Investments.

- 50% of investments located outside Dublin and Cork.

- 20% of greenfield investments originating from emerging markets by 2014.

- Annual client spend of €1.7bn in R, D&I by 2014;

- Continued supports, through EI and SFI to drive the innovation performance of indigenous industry and commercialisation of research;

- Enterprise Ireland will target some 12,000 new jobs and generate €17.5 billion in exports. The Agency will also support 95 new High Potential Start-Up companies with commitments to create 2,100 new jobs;

- Continued investment by EI in mentoring, management development and lean programmes, to increase business efficiency and competitiveness, aiding sustainability and protecting jobs. EI will also provide export-related supports to companies that want to scale and develop new markets;

- Provision of ongoing support, through Enterprise Ireland, for new R&D investment and activity in companies and for collaborative projects between companies and Irish third level institutions;

- Participation by hundreds of companies in IDA and EI-funded trade events and missions throughout 2014;

- 2-3 new, large, internationally visible SFI-funded research centres, in sectors of national strategic importance. SFI will look to invest €10m - €15m in these centres in 2014 in collaborations with industry;

- Continued support to over 20 world-class SFI research centres and to a cohort of 3,000 researchers to maintain and drive Ireland's job creation strategy;

- A national level "Health Innovation Hub", to drive collaboration between the health system and commercial enterprises leading to the development and commercialisation of new healthcare technologies, products, services and

- start-ups emerging from within the health system and/or firms." This will deliver a significant positive benefit for both the life-sciences and ICT sectors of industry, both of which are of strategic importance to Ireland in terms of jobs and exports, representing 50,000 jobs and exports of €51 billion;

- Provision, by InterTrade Ireland, of ongoing all-island programmes and activities designed to raise awareness among SMEs of the value of engaging in cross-border trade;

- An additional €3.5 million in supports for start-ups and growing businesses through the CEBs/Local Enterprise Offices. The CEB's Capital allocation is utilised in direct grant disbursement to eligible micro-enterprises and through the provision of a range of "soft supports" – training, mentoring and business advice services to support start-ups and developing businesses. The CEBs will continue to use their capital funding to promote business start-ups and to develop existing businesses to support job retention and creation in line with Government policy on maximising job creation through appropriate use of available Exchequer funding. It is envisaged that some of the additional monies will be used for the delivery of a targeted Programme to increase the level of Youth Entrepreneurship and also to establish a Programme of targeted supports to the micro enterprise sector with a specific sectoral and/or geographical perspective.

Budget 2014 will also enable the continued delivery of almost €2.5 billion in new, non-bank credit schemes, targeted at the full range of businesses from micro-enterprises through SMEs to mid-sized Irish exporting businesses and high-growth technology firms:

- €850 million through three SME funds from the National Pensions Reserve Fund

- €225 million development capital scheme

21 November 2013

- €700 million Seed and Venture Capital Scheme 2013-2018
- €10 million international start-up fund
- €120 million second call under Innovation Fund Ireland
- €90 million micro-finance scheme
- €450 million credit guarantee scheme

I issued a comprehensive Press Release on the impact of the Budget on 15 October and this is available on my Department's website at the link below: <http://www.enterprise.gov.ie/en/News/2013/October/Over-48-000-new-jobs-to-be-supported-in-2014-through-DJEI-Budget--Minister-Bruton.html>.

Community Enterprise Centres

93. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on plans to create a business incubator for Baldoyle industrial estate, Dublin 13; and if he will make a statement on the matter. [49875/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Deputy might be aware that my Department through Enterprise Ireland has, in the past, approved funding towards Community Enterprise Centres in the Fingal and Dublin City areas, including centres at Swords, Ballymun, Coolock and Darndale, which are in close proximity to Baldoyle. Enterprise Ireland has no current call for Community Enterprise Centres. No further capital funding for a Community Enterprise Centre scheme is planned at present.

An individual person seeking information, advice or support with regard to establishing an enterprise should contact their local Enterprise Board in the first instance. Contact details for the Fingal CEB are: Mainscourt, 23 Main Street, Swords, Fingal, Co. Dublin, tel: 01-890 0800, email: info@fingalceb.ie, website: www.fingalceb.ie.

Appointments to State Boards

94. **Deputy Niall Collins** asked the Minister for Jobs, Enterprise and Innovation if he will provide in tabular form the number of appointments to State boards under his Department's remit made from March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit from March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publically advertised from March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50016/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Since coming to Office, I have made 74 appointments to the Boards of Agencies under my Department's remit. It should be noted that of these, only 25 of these were new appointments within my discretion. Nineteen appointments were reappointments and the remaining 30 were allocated under legislation to Department Representatives, social partners, nominees of other Ministers, nominees of prescribed bodies and appointments on an Ex Officio basis and were not appropriate, therefore, for public advertisement.

Of the 25 new appointments made at my discretion, 16 were selected from applications from

the public.

A total of 25 vacancies on the State Boards under my Department's remit were publicly advertised.

A breakdown by type of all appointments made by me to the State Agencies under the aegis of my Department since taking office, are listed in the table.

Breakdown of the State Board appointments made since March 2011

-	Nos.
Reappointments	19
Department Representatives	7
Nominated by the Social Partners other bodies in accordance with Legislation	8
Discretion of Minister – From among individuals who made application	16
Discretion of Minister- Other	9
Ex Officio	9
Staff Representatives	3
Merging of Shannon Airport Authority and Shannon Development	3
Total	74

Universal Social Charge Application

95. **Deputy Pearse Doherty** asked the Minister for Social Protection the number of persons entitled to a health contribution health levy refund; the number that have received these refunds; if a deadline applies to claims for refunds; and the steps he is taking to notify those that may be eligible for a refund. [49846/13]

Minister for Social Protection (Deputy Joan Burton): A person was liable to pay the health contribution where they earned in excess of €500 in any week. However, if over the course of the year their gross annual income was less than €26,000 a refund of the health contribution may be due.

In order to confirm that a refund is due my Department must carry out a manual check to ensure that the correct rate of PRSI was applied over the course of the relevant tax year. It is not possible to identify the number of people who are entitled to a health contribution refund until this check is carried out.

To date my Department has received over 290,000 applications for health contribution refunds. The processing of these applications is up to date and has resulted in approximately 48% of applicants receiving refunds.

Applications for refunds must be made within four years of the end of the year that the contribution was paid. For example, you must apply for a refund of health contributions paid in 2009 by 31 December 2013. Any contributions paid prior to 1 January 2009 are outside the time limit for making a claim.

The position with regard to entitlement is that if a person earned more than €26,000 in 2009 and/or 2010 they were liable to pay the health contribution and are not due a refund. If a person earned less than €26,000 and never earned more than €500 in any one week they would not have been charged the health contribution and are not eligible for a refund.

A person may be entitled to a refund of the health contribution if they have earned less than €26,000 in 2009 and/or 2010 and earned more than €500 in any particular week in those years.

Also employees who are Medical Card holders; recipients of social welfare widow's/widower's pension; one parent family payment; deserted wife's benefit, or certain EU pensions and payments, are exempt from the health element of the PRSI contribution (i.e. they are liable at the sub-class of contribution - A2, B2, C2, etc.). Refunds arise if the full contribution has been paid.

The health contribution was included in the Universal Social Charge (USC) with effect from 1 January 2011 and no health contribution refunds arise after that date.

Disability Allowance Appeals

96. **Deputy Paudie Coffey** asked the Minister for Social Protection when a decision will issue on a disability allowance appeal in respect of a person (details supplied) in County Waterford; and if she will make a statement on the matter. [49848/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an invalidity pension appeal by the person concerned was registered in that office on 4 July 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 21 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.

Mortgage Interest Supplement Appeals

97. **Deputy Paudie Coffey** asked the Minister for Social Protection when a person (details supplied) in County Waterford will have their appeal for mortgage interest supplement decided upon; and if she will make a statement on the matter. [49850/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was received in that office on 19 September 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.

Question No. 98 withdrawn.

Departmental Staff Dismissals

99. **Deputy Jack Wall** asked the Minister for Social Protection the reasons a person (details supplied) in County Kildare is determined as having an outstanding overpayment in regard to their income on leaving the Department of Social Protection; if she will provide the relevant details of all payments made to the person; and if she will make a statement on the matter. [49863/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned was employed in the Department from January 1990 until his dismissal from the Civil Service in February 2013. During his period of employment, the person received all income due to him by way of salary, allowances, etc.

During his service, overpayments arose from unauthorised absences on pension rate of pay, and annual leave being taken over and above what was due. Following each absence every effort was made to address the days for which the officer's pay was affected and weekly deductions from salary were put in place to recover the amount owed to the exchequer.

At the time of his dismissal from the Civil Service the officer had an outstanding overpayment of €873.95. The Civil Service Superannuation Code provides, in cases involving financial loss to the Exchequer, that the amount of the loss – plus interest – is recouped by deduction from the benefits payable. The outstanding sum will be recovered from the preserved benefit entitlement, payable when the officer reaches age 60.

Question Nos. 100 to 102, inclusive, withdrawn.

Back to Education Allowance Payments

103. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when back to education allowance is due to go into payment in the case of a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [49888/13]

Minister for Social Protection (Deputy Joan Burton): A back to education allowance is not due to go into payment in the case of the person concerned. The application for a back to education allowance of the person concerned was recently refused as she did not meet the current qualifying criteria. This decision was upheld following a review.

Carer's Allowance Appeals

104. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will issue on a carer's allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [49899/13]

105. **Deputy Michael Creed** asked the Minister for Social Protection when a decision will issue on a carer's allowance appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [49900/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 104 and 105 together.

The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 6th November 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.

Rent Supplement Scheme Applications

106. **Deputy Pat Deering** asked the Minister for Social Protection when a person (details supplied) in County Carlow will receive an answer to their rent allowance application; and if she will expedite same. [49908/13]

Minister for Social Protection (Deputy Joan Burton): The client was requested to provide outstanding information to the Department on the 8th October 2013 which was received on 11 November 2013. Rent supplement application has now been assessed and awarded and payment, including any arrears due, will issue to the client at the end of the month. The client has been duly notified.

Employment Support Services

107. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will review the attached correspondence (details supplied) regarding JobBridge; when the JobBridge inquiry will conclude fully; and if she will make a statement on the matter. [49931/13]

Minister for Social Protection (Deputy Joan Burton): The correspondence in question has been referred to the Department's Employment Services Unit where the matter will be fully investigated. The customer will be notified of the outcome of this investigation as soon as possible.

Carer's Allowance Eligibility

108. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason carer's allowance was refused in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [49933/13]

Minister for Social Protection (Deputy Joan Burton): I can confirm that an application for carer's allowance from the person concerned was refused by a deciding officer on 4 November 2013 on the ground that the person being cared for was not so invalided or disabled as to require full time care and attention as laid down in Social Welfare legislation. This decision was based upon the evidence supplied to the Department by the applicant and the care recipient's doctor. A letter issued on 4 November 2013 which notified the person concerned of the decision, the reason(s) for it and of their right to a review or to appeal to the independent Social Welfare Appeals Office.

Rural Social Scheme Administration

109. **Deputy Brendan Griffin** asked the Minister for Social Protection if she will provide additional rural social scheme places for new entrants in County Kerry; and if she will make a statement on the matter. [49977/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of the rural social scheme is to provide income support for farmers and fisherpersons who have an entitlement to specified social welfare payments. The scheme currently provides work opportunities for around 2,600 participants and 130 supervisory staff. At present, implementing bodies covering Kerry employ a total of 279 participants and 16 supervisors. I have no plans to increase the number of places available on this scheme given the level of resources available to me for the foreseeable future. The funds allocated for 2013 amount to €45m and similar levels of resources will be made available for 2014 which should enable the scheme to continue as in previous years but does not allow for the recruitment of additional participants above the numbers stated above.

Social Welfare Benefits

110. **Deputy Patrick Nulty** asked the Minister for Social Protection if she will provide an estimate of the cost of reinstating the Christmas bonus payment for persons in receipt of certain social welfare payments; and if she will make a statement on the matter. [49978/13]

Minister for Social Protection (Deputy Joan Burton): It is estimated that the payment of a December Bonus, equivalent to 100% of a person's weekly social welfare rate, to recipients of long-term social welfare payments is of the order of €261 million.

Question No. 111 withdrawn.

Social Welfare Fraud Data

112. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if her Department officials carried out interviews on persons travelling through Irish airports and ferry terminals as a means of detecting social welfare fraud; if she will provide details in tabular form of the number of interviews per airport and ferry terminals that were carried out in 2012; the number of payments that were discontinued as a result of these interviews; if she will provide details of any prosecutions that have been initiated as a result of same; and if she will make a statement on the matter. [49994/13]

Minister for Social Protection (Deputy Joan Burton): Provision was made in the Social Welfare & Pension Act 2012 to allow for Social Welfare Inspectors to exercise certain functions at ports and airports for the purpose of ensuring compliance with the Act. The measure is a prescribed one in that it allows for a power of enquiry in specific circumstances. The powers came into effect on 7th June 2012.

Persons are interviewed where there are reasonable grounds to believe that an offence under the Social Welfare Acts has taken place. Generally activity is confined to either directly interviewing the person concerned on embarking or disembarking as well as sometimes observing a person embark/disembark with an interview subsequently being undertaken. The table indicates the level of detections which have led to payments being stopped and disallowed since June 2012.

Airport	Number of detections	Cases under investigation
Dublin	72	34
Cork/Shannon	50	11
Total	122	45

Resulting from the operation of these powers, there have been five cases prosecuted under Criminal Justice Legislation. All of these cases have been fully concluded before the courts and further two cases are currently waiting to be brought before the courts.

Question No. 113 withdrawn.

Carer's Allowance Eligibility

114. **Deputy John McGuinness** asked the Minister for Social Protection when a person (details supplied) will be granted payment for carer's allowance; the amount of arrears due and the payment date; if the respite grant will be back-dated; and if the household package will be approved and back-dated. [50000/13]

Minister for Social Protection (Deputy Joan Burton): I can confirm that Carer's allowance was stopped from 24 October 2012 in respect of the person in question as, following a review, it was decided that the medical criteria were no longer satisfied. In order for a child under 16 years to be deemed eligible for carer's allowance, domiciliary care allowance must be in payment for that child. In those circumstances, the child is deemed to be automatically medically eligible for carer's allowance. Once the child reaches 16 years and is no longer entitled to domiciliary care allowance, a review of the continuing entitlement to carer's allowance is carried out.

The person concerned sought a review of this decision and submitted additional medical evidence on 2 November 2012 and on 5 February 2013. Following each review it was found that the person being cared for was not so invalidated or disabled as to require full time care and attention. Her file and papers were forwarded to the Social Welfare Appeals Office for determination, and an Appeal Officer decided to allow the appeal on 11 November 2013.

Her claim is currently with a Deciding Officer who has approved the claim for payment to commence on 28 November 2013 and is awaiting notification of the amounts paid in relation to previous Social Welfare Payments before a calculation of arrears can be done. Backdating of the Respite Care Grant will be payable as part of these arrears. The Household Package will also be backdated and arrears will be issued by that Office.

Question No. 115 withdrawn.

Appointments to State Boards

116. **Deputy Niall Collins** asked the Minister for Social Protection if she will provide in tabular form the number of appointments to State boards under her Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under her Department's remit since March 2011 to date in 2013; the number of vacancies in State boards under her Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under her remit drawn directly from the public advertisement process. [50019/13]

Minister for Social Protection (Deputy Joan Burton): The statutory bodies operating under the aegis of the Department of Social Protection are the Citizens Information Board, the Pensions Board, the Pensions Ombudsman (which does not have a board) and the Social Welfare Tribunal. Details of appointments to the Boards and vacancies advertised since March 2011 are set out in the following table:

Agency/Board	Number of Appointments	Number of Vacancies	Number of Vacancies publically advertised	Number of Appointments made from the public advertisement process
Citizens Information Board	3	5	3*	1**
Pensions Board***	Nil	2	Nil	Nil
Social Welfare Tribunal ****	6	6	Nil	Nil

*The other two appointments did not require public advertisement. One was appointed as the Department's representative to the Board on 1 November 2011 and the other was appointed as the Board's staff representative on 5 November 2012.

**There are currently two vacancies on the Citizens Information Board. Appointments will be made in accordance with the legislation on completion of the selection process.

***The Public Service Reform Programme provided for a critical review of the integration of the regulatory functions of the Pensions Board with the Financial Regulator and the merging of the Pensions Ombudsman with the Financial Services Ombudsman. The recommendations arising out of the Critical Review on the Pensions Board were approved by Government in April 2013 and were provided for in the Social Welfare and Pensions Act, 2013.

It was recommended that the governance structure of the Pensions Board be restructured with two distinct arms as follows:

- Oversight of the Pensions Board will be undertaken by a three person body called the Pensions Authority. This will consist of a Chairperson and two officials from the Department of Social Protection and the Department of Finance.

- A separate unpaid Pensions Council, with a majority of members representing consumer interests, will be established to advise me on pensions policy.

I expect to appoint the Chairperson of the Pensions Authority shortly. I intend to call for expressions of interest for the appointment to the Pensions Council through the Public Appointments Service. In relation to the Pensions Ombudsman, the Report recommended that this office be merged with the Financial Service Ombudsman and arrangements in relation to the implementation of this recommendation are under active consideration.

****The revised Code of Practice for the Governance of State Bodies does not apply to the Social Welfare Tribunal due to its structure and purpose.

One-Parent Family Payment Expenditure

117. **Deputy Róisín Shortall** asked the Minister for Social Protection the provision she has made in the social protection budget in 2014 to allow for higher payments of one-parent family payments that will result from the removal of the one-parent family tax credit; and if she will make a statement on the matter. [50042/13]

Minister for Social Protection (Deputy Joan Burton): My colleague, the Minister for

Finance, announced in Budget 2014 the replacement, from 1 January next, of the one-parent family tax credit by new single person child carer tax credit. The Finance Bill (No. 2), 2013, currently before the Dáil, provides for the new credit which will have the same value as the current tax credit and will be available to the primary carer of a child. The Minister for Finance also informed the Dáil during the second stage debate on the current Finance Bill that he will be bringing forward an amendment at the committee stage of that Bill, which will allow the credit to be used by a non-primary carer in situations where the primary carer has no tax liability.

The current arrangements in relation to the assessment of maintenance payments made to a recipient of one parent family payment are designed to encourage the payment of maintenance. Where a recipient of one parent family payment is in receipt of maintenance payments, half of the value of these payments is assessed as means and the rate of payment is adjusted accordingly. In addition, where a recipient has rent or mortgage payments up to a maximum of €95.23 per week, these costs can be fully offset against any maintenance paid and no reduction occurs in the rate of one-parent family payment where the maintenance received does not exceed housing costs (subject to a maximum of such costs of €95.23 per week).

Accordingly, the impact of the current welfare arrangements means that, in many cases, any reduction or increase in the level of maintenance paid can have no effect or relatively minimal effect on the rate of one parent family payment payable.

It is not possible, at this stage, to quantify the number of one parent family payment recipients currently benefiting from maintenance payments whose welfare payment rates may be indirectly affected by any potential behavioural changes consequent on the proposed tax measure and, accordingly, no adjustment has been made to the estimate for that payment in 2014. I will ask my officials to monitor any potential impacts during 2014.

Carer's Allowance Appeals

118. **Deputy Heather Humphreys** asked the Minister for Social Protection the number of carer's allowance claims that were awarded following an appeal to the appeal's office in the years 2008 to 2012, inclusive, and to date in 2013; and if she will make a statement on the matter. [50047/13]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy in respect of carers allowance appeals from 2008 to 2012 and to date in 2013 is contained in the following table. A total of 2024 carers allowance appeals were processed during 2012. 1,238 (61%) of these appeals had a successful outcome for the appellant. 452 (36.5%) of the successful appeals were in fact revised decisions made by statutorily appointed deciding officers of my Department who reviewed the claim following the initial disallowance.

These revised decisions arose as a result, in many cases, of new facts or fresh evidence produced by the claimant after the original decision on his/her claim. In such cases an Appeals Officer decision was not necessary. A total of 3162 Carer's Allowance appeals have been processed to date in 2013 (to 31st October 2013). Almost 60% of these (1,893) had a successful outcome for the appellant. 975 (51.5%) of the successful appeals were in fact revised decisions made by statutorily appointed deciding officers of my Department who reviewed the claim following the initial disallowance.

Outcome of Carers Allowance Appeals 2008-2013

-	-	Decided by Appeals Officers	Decided by Appeals Officers	Decided by Appeals Officers
-	Revised Deciding Officers' Decisions	Appeals Allowed	Appeals Partly Allowed	Appeals Disallowed
2008	263	137	21	329
2009	360	231	46	548
2010	695	464	56	939
2011	618	726	117	1,645
2012	452	651	135	786
2013 (to 31/10/2013)	975	810	108	1,269

State Pension (Contributory) Numbers

119. **Deputy John Deasy** asked the Minister for Social Protection the number of persons living here who received a contributory State pension or non-contributory State pension top-up from the Government, in addition to their UK pension payment in 2012. [50064/13]

Minister for Social Protection (Deputy Joan Burton): The information requested is not available within the timeframe allowed. The Department will contact the Deputy on this matter shortly.

State Pension (Contributory) Eligibility

120. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the entitlement, if any, to old age pension based on relevant contributions in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [50065/13]

Minister for Social Protection (Deputy Joan Burton): The claim to State pension (transition) of the person concerned was disallowed on 23 October 2013 and he was notified of this decision on the basis that he has a total of 92 full-rate paid social insurance contributions. To be eligible for State pension (transition), he would require a minimum of 520 paid contributions.

I have asked that the application be reviewed and the applicant will be notified of the outcome of this review without delay.

National Internship Scheme Placements

121. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the extent to which a person (details supplied) in County Dublin will be facilitated by way of JobBridge or similar mechanism; and if she will make a statement on the matter. [50066/13]

Minister for Social Protection (Deputy Joan Burton): The objective of JobBridge, the National Internship Scheme, is to assist individuals bridge the gap between unemployment and the world of work. It provides those seeking employment with an opportunity to undertake a 6 or 9 month internship in a host organisation. Participation on the scheme will assist in breaking that cycle whereby unemployed people are unable to get a job without experience. On completing their internship, participants will have improved their prospects of securing employment. The scheme is targeted at individuals who are in receipt of one of the following payments (Jobseekers Allowance/Jobseekers Benefit/One Parent Family Payment/Disability Allowance) or are signing on for credits for at least 3 of the last 6 months (78 Days). Individuals must have a

live qualifying claim at the point of commencing their internship.

The person is currently on a Back to Education programme which commenced in September 2013 and is due to finish in May 2014. If the person completes this programme then time spent on this programme will count towards his eligibility to participate on JobBridge.

Invalidity Pension Appeals

122. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the decision to refuse invalidity pension in the case a person (details supplied) in County Kildare on foot of new and conclusive medical evidence to be submitted under separate cover; and if she will make a statement on the matter. [50067/13]

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 8th July 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.

Any additional evidence submitted to the Social Welfare Appeals Office will be brought to the attention of the Appeals Officer.

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

123. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when rent supplement will be made available in the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [50068/13]

124. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if back to education allowance will be made payable in the case of a person (details supplied) in County Meath; and if she will make a statement on the matter. [50069/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 123 and 124 together.

A person wishing to pursue a course of study under the back to education allowance scheme will have to satisfy a number of conditions one of which is that a person who is aged between 18 and 20 must be out of formal education for at least 2 years. Periods spent on FÁS/Fáilte Ireland full-time Training Courses, FÁS Job Initiative, Youth Reach or Job Assist can count towards the relevant qualifying period and may be regarded as periods out of formal education.

The person concerned made an application for Back To Education Allowance on 14 October, 2013. The person's application was disallowed as he was not out of formal education for 2 years. He was notified of this decision on 1 November, 2013.

There is no record of an application form for Rent Allowance in the Department. The per-

son concerned should contact his local Community Welfare Service Officer to ascertain his entitlement.

Rent Supplement Scheme Eligibility

125. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 136 of 7 November 2013, the way it transpires that no rent support was received by the family from October 2012 to May 2013 in view of the fact that the family was resident in the property during that period in the case of persons (details supplied) in County Dublin; and if she will make a statement on the matter. [50070/13]

Minister for Social Protection (Deputy Joan Burton): The persons concerned were deemed to have no entitlement to Rent Supplement during the period from 1 November 2012 to 31 May 2013, by virtue of having no underlying entitlement to a primary social welfare payment, which is one of the qualifying conditions for receipt of Rent Supplement.

The persons concerned were in receipt of both Jobseekers Allowance and Rent Supplement up until August 2011. At that time the primary social welfare payment (Jobseekers Allowance) was disallowed due to non-disclosure of means. The persons concerned appealed that decision and were paid both Supplementary Welfare Allowance and Rent Supplement pending the outcome of the appeal.

The decision to disallow Jobseekers allowance was upheld by the Appeals Officer in October 2012 and, as a consequence, entitlement to both Supplementary Welfare Allowance and Rent Supplement ceased from that date.

One of the persons concerned qualified for Jobseekers Allowance from 27 June 2013 and Rent supplement was paid from 1 June 2013, as the person had now established an entitlement to a primary social welfare payment.

As there was no entitlement to a primary social welfare payment between October 2012 and June 2013, the persons concerned did not qualify for Rent Supplement during this period.

Guardian's Payment Applications

126. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding an application for guardianship payment in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [50071/13]

Minister for Social Protection (Deputy Joan Burton): The deciding officer in this case is awaiting further information before a decision can be made on the applicant's eligibility to guardian's payment. On receipt of the outstanding information the applicant will be notified of the decision without delay.

Rent Supplement Scheme Applications

127. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when rent allowance will be approved in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [50072/13]

Minister for Social Protection (Deputy Joan Burton): An application was received on 24th October 2013 and a request for further information issued to the client on 30th October 2013. The Department continues to await this information required to process the application and a decision will issue once received.

Guardian's Payment Appeals

128. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 143 of 7 November 2013, in the matter of a person (details supplied) in County Kildare, if eligibility for the payment will be re-examined as a matter of urgency in view of the circumstances; and if she will make a statement on the matter. [50073/13]

Minister for Social Protection (Deputy Joan Burton): The deciding officer disallowed the claim for guardian's payment (contributory) from the person concerned on 30/05/2012 on the basis that the current care arrangements for the child do not satisfy the conditions for receipt of payment. This decision was upheld by the Social Welfare Appeals Office on 15/03/2013 and the decision of the Social Welfare Appeals Office is final.

If the person concerned has any new facts or evidence in this case, they should send them to the guardian's payments area where a deciding officer will decide if a review of the decision is warranted.

Planning Issues

129. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht his views on whether it is unusual that Kildare County Council has included only seven structures on the Curragh Camp in its inventory of listed buildings included in its most recent county development plan; if the Department or the authorities on the Curragh Camp have actively engaged with the planning department of Kildare County Council in identifying buildings that might be listed; if planning officials from the council have carried out a thorough survey of all relevant buildings on the Curragh Camp; if the Department has sought in any way to influence the county council with regard to the buildings it might list; and if he will make a statement on the matter. [49859/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Part IV of the Planning and Development Acts 2000-2012 provides for the protection of architectural heritage. The Act gives primary responsibility to planning authorities to identify and protect the architectural heritage by including them on the Record of Protected Structures. Inclusion on the Record of Protected Structures places a duty of care on the owners and occupiers of protected structures and also gives planning authorities powers to deal with development proposals affecting them and to seek to safeguard their future.

The National Inventory of Architectural Heritage (NIAH) is a State initiative under the administration of my Department. Its purpose is to identify, record, and evaluate the post-1700 architectural heritage of Ireland, uniformly and consistently, as an aid in the protection and conservation of the built heritage. As Minister, I recommend structures rated as being of 'regional importance' or above to the planning authorities for inclusion on the Record of Protected Structures. However, the making of an addition to, or a deletion from, a record of protected structures is a reserved function of the relevant planning authorities, in this case Kildare County Council.

I am advised that there are 12 buildings in the Curragh Camp recorded in the NIAH survey of 2003, which were recommended to be included in the Record of Protected Structures of Kildare County Council. I understand that subsequently 7 of these structures were added to the Record of Protected Structures. My Department has no record of having received reasons for non-inclusion of the remaining structures and will formally enquire of Kildare County Council as to the reasons the remaining 5 structures were not included in the Record.

National Cultural Institutions

130. **Deputy Marcella Corcoran Kennedy** asked the Minister for Arts, Heritage and the Gaeltacht when the National Library of Ireland will make the James O'Dea railway photographic collection available on line; and if he will make a statement on the matter. [49885/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The mission of the National Library of Ireland (NLI) is to make accessible to everyone the documentary and intellectual record of the life of Ireland. The NLI's ongoing Digitisation Programme has made 55,000 digitised items available to date to people everywhere, via its online catalogue. As part of the programme, work has been ongoing for some time on the James O'Dea Railway Photographic Collection, which consists of over 5,000 photographs. I am advised that the full collection will be made available online at the end of Q1-2014. Currently, 66 sample images from the collection, which previously featured in an NLI exhibition, can be viewed via the online catalogue at www.catalogue.nli.ie.

Irish Language

131. **Deputy Terence Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the lifting of the derogation for the Irish language to be recognised as an official language in the EU; and the number of jobs that will be created from the lifting of the derogation; and if he will make a statement on the matter. [49896/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Irish was recognised as an official and working language of the European Union on 1 January 2007. The original derogation with regard to the use of Irish in EU institutions applied for 5 years from 1 January 2007 to 31 December 2011 (Regulation No. 920/2005). This was extended for another 5 years from 1 January 2012 to 31 December 2016 (Regulation No. 1257/2010).

A decision on whether or not to extend the derogation for a further period of time is required by December 2015 at the latest. My Department is engaged in discussions with various stakeholders, including the EU institutions, in order to formulate specific proposals on the optimal approach to the ending of the derogation. It is hoped to bring the matter forward for consideration by Government in early 2014.

It has been estimated that the number of posts to be filled could be in the region of 180, if the derogation were ended. These posts would include positions such as linguistic administrators (translators), conference interpreters, lawyer linguists, proof readers and secretaries. In this context, I would like to note that my Department has been working closely with the European institutions and with other interested parties for a number of years to ensure that a sufficient number of qualified personnel are available to meet the needs arising from the recognition of Irish as an official and working language of the EU. In addition to funding a range of specialised third-level courses, my Department also provides funding to Fiontar in Dublin City University

for the development of Irish language terminology for the EU terminology database InterActive Terminology for Europe (IATE).

Appointments to State Boards

132. **Deputy Niall Collins** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies State boards under his Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50007/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The information sought by the Deputy in relation to the appointments to and vacancies in the State boards funded from my Department's Vote Group is set out in the table. It may be noted that appointments to the board of Foras na Gaeilge and the Ulster-Scots Agency are made by the North South Ministerial Council, arising from nominations on a 50:50 basis from each jurisdiction. In the case of Údarás na Gaeltachta, five of the appointees are nominated by local authorities under the terms of the relevant legislation.

Since revised procedures were introduced by this Government, appointments to boards of State bodies funded from my Department's Vote Group are made in accordance with public appointment procedures whereby my Department seeks expressions of interest from the public by advertising on its website and proposed appointees to the position of Chairperson are required to make themselves available to appear before the relevant Oireachtas Committee. It may be noted that, as Minister, I am not bound by the list of applicants when making appointments. I can also approach candidates that may, in my view, have a contribution to make and be willing to serve.

As the Deputy may be aware, on 4 June 2013 an advertisement was published on my Department's website seeking expressions of interest in future vacancies for board members on:

- the Board of the Irish Museum of Modern Art;
- the Board of Trustees of the Chester Beatty Library;
- the Board of Crawford Art Gallery, Cork;
- the Arts Council;
- the Board of the Irish Architectural Archive; and
- the Board of Governors and Guardians of Archbishop Marsh's Library .

There was also a process carried out by the Department of Justice and Law Reform to seek expressions of interest in vacancies on the Censorship of Publications Board and the Censorship of Publications Appeals Board before the functions transferred to my Department and I am currently reviewing this.

Given that the Public Service Reform Plan reduces the membership of certain boards to 9, I do not intend to fill all current vacancies. I have been considering the applications received, however, and I expect to be in a position to make appointments very shortly in a number of the bodies referred to by the Deputies.

Questions - Written Answers

State Board	Total number of places on the board	Number of board members appointed since March 2011	Were these appointments subject to the public advertisement process?	Number of appointments drawn directly from the public advertisement process	Board positions currently vacant	Length of time that the vacancy has been unfilled.	Has the vacancy been publicly advertised?
National Museum of Ireland	16	0	N/A	N/A	1	Since November 2012	No
National Concert Hall	15	15 (inc Chair)	Yes	12	0	N/A	N/A
National Gallery of Ireland	17	1	N/A – the appointment was underway prior to the introduction of the public applications process.	N/A	2	One since November 2012; one since April 2013	No
Irish Museum of Modern Art	15	0	N/A	N/A	7	One since June 2010; two since December 2011; one since February 2012; two since April 2012; and one since May 2013	Yes – in May 2011 and again in June 2013
National Library of Ireland	12	0	N/A	N/A	1	Since May 2012	No
National Archives Advisory Committee	12	2	Yes – the process was adhered to but no applications were received following advertisement.	0	0	N/A	N/A
Irish Manuscripts Commission	20	19 (inc Chair)	No – the commissioners were reappointed pro tem during the public service reform process	N/A	1	Since July 2013	N/A
Chester Beatty Library	3	2	Yes	2	1	Since June 2013	Yes-May 2013

State Board	Total number of places on the board	Number of board members appointed since March 2011	Were these appointments subject to the public advertisement process?	Number of appointments drawn directly from the public advertisement process	Board positions currently vacant	Length of time that the vacancy has been unfilled.	Has the vacancy been publicly advertised?
Crawford Art Gallery	16	7 (inc Chair)	No – the board members were reappointed pro tem during the public service reform process	N/A	8	Since December 2011	Yes – one in May 2013
Irish Film Board	7	7 (inc Chair)	N/A	N/A	0	N/A	N/A
Arts Council	13	5	Yes	2	0	N/A	N/A
Censorship of Publications Board	5	0	Yes	None to date	5	Since November 2011	Yes – by the Department of Justice and Law Reform
Censorship of Publications Appeals Board	5	0	Yes	None to date	5	Since February 2012	Yes – by the Department of Justice and Law Reform
Heritage Council	15-17 – in accordance with the Heritage Act, 1995, which states that the Council shall comprise of a Chairperson and not fewer than 14 or more than 16 ordinary members.	7 (inc Chair)	Yes	4	4	Since July 2013	No
Údarás na Gaeltachta	12	12 (inc Chair)	Yes	4	0	N/A	N/A
Foras na Gaeilge	16	16	N/A – Appointments are made by the NSMC	N/A	1	Since September 2013	N/A
Ulster -Scots Agency	8	8	N/A – Appointments are made by the NSMC	N/A	0	N/A	N/A

Wind Energy Generation

133. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 245 of 12 November 2013, the total costs of the

subsidies to wind farms each year; the amount the average consumer or commercial bill will be. [49909/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The primary support mechanisms for renewables, including wind farms, are the Alternative Energy Requirement (AER) schemes and the Renewable Energy Feed-In-Tariff (REFIT) schemes. These schemes were introduced to incentivise the development of renewable electricity generation capacity necessary to allow Ireland to meet its target of meeting 40% of electricity demand from renewable generation by 2020. This target must be achieved in order for Ireland to meet its binding obligation of 16% of total energy demand to be met from renewable sources by 2020. All of the renewable energy support schemes provide subsidies to eligible projects as opposed to grant aid. The AER was a series of 6 competitive tender schemes to support new renewable generation that were run to the mid 2000s. AER was subsequently replaced by the feed-in tariff scheme known as REFIT. The AER schemes were all introduced prior to full electricity market liberalisation. REFIT is based around 15 year Power Purchase Agreements between generators and suppliers which provide developers with the necessary certainty required to finance their projects. Both AER and REFIT are funded from the Public Service Obligation (PSO) levy.

The estimates for how much subsidy is funded by way of the PSO levy for each year since 2003 are published in the annual PSO decision by the Commission for Energy Regulation (CER). While the bulk of subsidies for renewable electricity generation paid under these schemes have been for wind, the CER has initiated a project to generate a report on the annual and cumulative costs to date in relation to AER and REFIT support schemes for each technology supported. The following table presents the costs for both AER and REFIT since 2003 (the 2003 figure for AER is cumulative from the year 2000):

Year	AER	REFIT
	€m	€m
2013/14	-8.0	51.1
2012/13	7.1	47.5
2011/12	0.7	35.8
2010/11	13.5	29.7
2009/10	24.3	39.8
2008/9	-58.4	24.4
2008	0.4	
2007	-29.9	
2006	0.2	
2005	12.3	
2004	16.1	
2003	6.6	

In Decision CER/13/168 of 31 July 2013, the CER has calculated the payment by customer category for the levy period 2013 - 2014. This Decision is available on the CER website.

Renewable Energy Generation Targets

134. **Deputy Joe Carey** asked the Minister for Communications, Energy and Natural Resources if he is satisfied regarding Ireland meeting its 2020 targets in relation to the provision of energy specifically through biomass; and if he will make a statement on the matter. [49961/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

The 2009 EU Renewable Energy Directive set Ireland a legally binding target of meeting 16% of our energy requirements from renewable sources by 2020 and it is expected that this will be met by achieving 40% renewable electricity, 12% renewable heating and 10% renewable transport.

The Directive also requires that Member States set out in a National Renewable Energy Action Plan (NREAP) their trajectories towards meeting these targets. Ireland's NREAP, which can be downloaded from my Department's website, assumes Ireland's 16% target will be met incrementally at around 1% per annum. In terms of progress to date, the provisional figures for 2012 indicate that 7.1% of the overall energy requirements were met from renewable sources with 3% coming from bioenergy sources including biofuels, solid biomass, biogas and landfill gas.

The principal policies are in place to incentivise the increased use of renewable energy. In the electricity sector, the REFIT schemes are the main policy supports and offer guaranteed tariffs for electricity from wind, hydropower and a number of categories of biomass. The REFIT3 scheme also supports biomass-fuelled high efficiency cogeneration which, in addition to renewable electricity, supports renewable heat. In the transport sector, the penetration of renewable energy will grow mainly with the increased use of sustainable biofuels which is supported by way of the Biofuel Obligation Scheme.

Additionally, my Department is currently finalising a Bioenergy Strategy, which will set out the actions required to optimise the bioenergy sector's contribution to the 2020 renewable energy target.

Broadband Services Provision

135. **Deputy Paul J. Connaughton** asked the Minister for Communications, Energy and Natural Resources when fibre optic broadband will be provided in Tuam, County Galway; and if he will make a statement on the matter. [49973/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):

Ireland's telecommunications market has been fully liberalised since 1999 in accordance with the requirements of binding EU Directives. The market has since developed into a well-regulated market, supporting a multiplicity of commercial operators, providing services over a diverse range of technology platforms. Details of broadband services available in each County, including County Galway, can be found on ComReg's website at www.callcosts.ie. 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 including those in County Galway. 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, the results of which 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.

This process will include a detailed specification of our requirements to deliver on the commitments in the National Broadband Plan. In designing any State-led procurement, my department will be required to comply with the EU State aid rules in relation to the technology to be rolled out. The European Commission's guidelines set out that as different technological solutions exist to provide broadband services, the tender should not favour or exclude any particular technology or network platform.

My Department is also considering the use of the telecommunications duct that was installed as part of the Tuam Town Water Distribution and Main Drainage Project.

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.

Appointments to State Boards

136. **Deputy Niall Collins** asked the Minister for Communications, Energy and Natural Resources if he will outline, in tabular form, the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50009/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): This Government has made changes in relation to appointments to State Boards and bodies with new arrangements involving advertisement of vacancies for applications from suitably qualified candidates and, in accordance with the Government Decision of 12 April 2011, I have, each year, on my Department's website, invited Expressions of Interest from persons wishing to be considered for appointment to vacancies on State Boards under the aegis of my Department. This information has been used to inform decisions for appointments to State Boards. Such invitations are designed to extend the range of suitable persons from which a Minister might make appointments - not to constrain that range. In 2011 there were 31 applications received following the advertisement for Expressions of Interest from which 3 appointments were made. In 2012 there were 37 applications received following the advertisement for Expressions of Interest from which 5 appointments were made. In 2013 there have been 103 applications received to date following the advertisement for Expressions of Interest from which 4 appointments were made. There are currently 15 vacancies on State Boards under the aegis of my Department. Six of these vacancies are on the Board of the Digital Hub Development Agency and, in light of the proposed merger of that agency with Dublin City Council, it is not proposed to make further appointments at this time.

There have been 87 appointments made to State Boards under the aegis of my Department in the period March 2011 to date. The following table details all appointments to State Boards which have been filled since 9 March 2011 to date, including the appointments made from the Expressions of Interest received, taking into consideration qualifications and legislative requirements where applicable. It should also be noted that about one third of the appointments made were either ex-officio appointments, reappointments, the appointment of worker-directors chosen by election, or appointments made from nominations made by an Oireachtas Committee.

Appointments made to State Boards under the aegis of the Department of Communications, Energy and Natural Resources from 9 March 2011 to date.

Body	Number of Appointments made from 9 March 2011 to date	Category of Appointments made from 9 March 2011 to date
An Post	12 Appointments	1 Chairperson 5 Worker Directors 1 Expression of Interest Director 5 Other Directors
Bord na Móna	6 Appointments	1 Chairperson (Expression of Interest) 5 Other Directors
Bord Gais Eireann	3 Appointments	3 Other Directors
EirGrid	7 Appointments	1 Chairperson 2 Expression of Interest Directors 4 Other Directors
ESB	6 Appointments	1 Chairperson 1 Expression of Interest Director 4 Other Directors
Irish National Petroleum Corporation (INPC)	5 Appointments	1 Chairperson 4 Other Directors
National Oil Reserves Agency (NORA)	5 Appointments	1 Chairperson 4 Other Directors
TG4	8 Appointments	1 Chairperson 2 Expressions of Interest Director 5 Other Directors
Sustainable Energy Authority of Ireland (SEAI)	12 Appointments	1 Chairperson 1 Expression of Interest Director 10 Other Directors
Digital Hub Development Agency (DHDA)	8 Appointments	1 Chairperson 1 Expression of Interest Director 6 Other Directors
Ordnance Survey Ireland (OSi)	11 Appointments	1 Chairperson 1 Expression of Interest Director 9 Other Directors
Inland Fisheries Ireland	2 Appointments	2 Expression of Interest Directors
The Mining Board	2 Appointments	1 Chairperson 1 Other Director

Commercial Rates

137. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will reverse his decision to impose 50% rates on commercial premises that are not in use; and if he will make a statement on the matter. [49985/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government Act 1946 provides that where a property in a county council or urban local authority area is unoccupied on the date of the making of the rate the owner becomes liable for payment of rates. However, the owner is entitled to a 100% refund if the property is **vacant** for specified purposes. These are where the premises are unoccupied for the purpose of the execution of additions, alterations or repairs; where the owner is *bona fide* unable to obtain a suitable tenant at a reasonable rent; and where the premises are **vacant** pending redevelopment.

A small number of urban local authorities have historically had separate legal provision enabling a refund of 50% of rates on **vacant** properties. While the same criteria for refunds apply, 50% of the rates paid is refundable to the owner of **vacant** premises in the cities of Dublin, Limerick and Cork. These legislative provisions are:

- section 71 of the Local Government (Dublin) Act 1930;
- section 29 of the Limerick City Management Act 1934; and
- section 20 of the Cork City Management (Amendment) Act 1941.

The majority of local authorities are, currently, subject to the provisions of the 1946 Act and the 100% refund regime.

Section 31(b) of the Local Government Bill 2013 seeks to amend the Local Government Act 1946 by reducing the 100% refund regime to 50% for all local authorities, effectively reducing the refund rate to the same level as currently pertains in Dublin, Limerick and Cork cities.

In introducing the Bill at Second Stage in the Dáil last month I indicated that I am fully aware of the difficult economic environment in which many businesses and property owners continue to operate. I further indicated that there are numerous factors to be considered when proposing an amendment to rates legislation including its effect on business sentiment and its impact on local government finances. I intend that this provision should not be interpreted as a further cost on business and I gave a commitment to the House to revert to this matter again as the Bill makes its way through the Oireachtas to ensure that there are no unintended consequences in how the provision would work in practice.

Fire Safety Regulations

138. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government further to the contradiction between recent statements by Fingal County Council, based on visual inspections, that there were no substantive issues in relation to fire safety in the Martello estate in Balbriggan and the professional opinion of persons (details supplied), based on opening-up surveys, that there were serious fire safety concerns, the actions open to residents who need their homes made safe. [49837/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Building Control Acts 1990 and 2007 set out a clear statutory framework for construction activity based on:

- clear legal standards as set out in the building regulations;
- detailed Technical Guidance Documents to outline how these standards can be achieved in practice;
- the burden and responsibility for compliance resting first and foremost with developers/builders;
- a statutory responsibility for professionals who are engaged by developers to ensure that construction at least meets the legal minimum standards; and
- the responsibility for enforcing compliance with the building regulations resting with the 37 local building control authorities.

Accordingly, in terms of the actions open to residents, the position is that where a contract exists between the owner of a building and the relevant builder/developer, the resolution of problems is a matter for the parties concerned, namely the building owner, the relevant builder/developer and the builder/developer's insurers, and where a resolution cannot be achieved through dialogue and negotiation enforcement may become a civil matter. Where professionals have been involved in the design and/or the supervision and certification of works the legal responsibility in relation to the resolution of problems would extend to the professional and the professional's insurers.

In the case of the Martello Estate in Balbriggan my Department understands that following complaints from residents the relevant building control authority, which is Fingal County Council, had the matter examined and identified a variety of issues that required attention by the developer to ensure compliance with the building regulations in respect to fire safety. In response to an enforcement notice the developer gave an undertaking to the District Court to re-examine every house in Martello and carry out whatever works were required to achieve compliance with the building regulations and a timescale for compliance was set out in that court order. Fingal County Council have advised my Department that these works have been carried out and have been certified by a competent professional that supervised the works and that the relevant certificates have been made available through Fingal County Council's website to all affected residents. It is understood that Fingal County Council is satisfied that the substance of the enforcement notice has been complied with and no further action is contemplated.

Neither I nor my Department have any function in assessing, checking or testing compliance, or otherwise, of specific works or developments, nor can I or my Department influence or interfere in the handling of specific cases by local authorities who are at all times independent in the use of their statutory powers. Nevertheless I have urged, and will continue to urge, local authorities in general to continue to use all of the powers currently available to them to address failures to comply with statutory requirements, particularly in relation to fire safety in residential developments within their functional areas.

Office of Public Works Properties

139. **Deputy Tony McLoughlin** asked the Minister for the Environment, Community and Local Government following the decision to transfer the senior alert unit from Tubbercurry to Dublin, the future plans for the Government buildings at Tubbercurry, County Sligo; the sections that are currently operating out of this building; the number of staff associated with these sections; and if he will make a statement on the matter. [49842/13]

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

gan): The Office of Public Works (OPW) leased buildings in Tubbercurry, Co Sligo, on a temporary basis, for the former Department of Community, Equality and Gaeltacht Affairs (CEGA). Those offices were provided as an advance office for the decentralisation of that former Department to Charlestown, Co. Mayo. Following a reconfiguration of Government Departments, the Community Division of CEGA transferred to my Department in May 2011.

Following a review of the Decentralisation Programme conducted by the Department of Public Expenditure and Reform, it was decided to consolidate my Department's business operations in the West at its offices in Ballina, Co Mayo. This process is already well advanced with over half the Tubbercurry staff relocated to Ballina. The remaining Tubbercurry staff are due to relocate when OPW has completed necessary renovations to the Ballina office. OPW has indicated it expects the necessary work in Ballina will be completed during 2014. A number of staff in Tubbercurry have already been facilitated with reassignments to other Government offices in Co Sligo and surrounding areas, and this will continue over the coming months, where possible.

The following table illustrates the business areas where the remaining staff in Tubbercurry are currently employed. These business areas also have staff assigned to them in the Ballina office.

Section	Staff
Alignment of Local Government and Local Development, North/South EU Funding Programmes and Local Government Services	7
Rural Development (EU and National)	5
Local and Community Development Programme and Tidy Towns	5
Internal Audit	1
Service Staff	2
Total	20

As another Department also occupies the Tubbercurry office, any plans for the continued usage of the building are a matter for the OPW.

Unfinished Housing Developments

140. **Deputy Ann Phelan** asked the Minister for the Environment, Community and Local Government under whose ownership an estate (details supplied) in County Carlow resides, the estate being a category 4 unfinished housing estate; and if he will make a statement on the matter. [49845/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The estate in question is a category 4 unfinished housing estate. The administration and addressing of issues relating to unfinished housing developments are matters for the individual local authority involved, in this case, Carlow County Council. Matters of a planning nature should be addressed to the planning department of that local authority while the unfinished estate co-ordinator is the appropriate contact in relation to matters such as ownership.

Local Authorities Management

141. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local

Government if he will meet with the Kerry Oireachtas Members and the members of Killarney Town Council at an early date to discuss the case Killarney has to make in respect of retaining its mayor from 2014 onwards; if he will take into consideration the fact that Killarney is the capital of tourism in Ireland and allow it in future to elect its own mayor; if he will take into consideration the fact that the mayor is extremely important to Killarney's business and hospitality industry, even more so than in most other towns and cities; and if he will make a statement on the matter. [49889/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 275 of 12 November 2013.

Voluntary Housing Sector

142. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the oversight that occurs of voluntary housing bodies in relation to their financing; and his views on whether it is appropriate that a voluntary housing body would undertake commercial loans and expenditure from its capital budget to purchase and refurbish offices when it already has offices which remain empty. [49902/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): As part of the process of good governance, Approved Housing Bodies (AHBs) have to ensure that they are compliant with a number of statutory requirements including annual reporting to the Companies Registration Office and compliance with the terms and conditions of capital funding schemes and leasing schemes operated by my Department. My Department is currently in consultation with the AHB sector regarding the development of a regulatory framework to support the expanded role for the sector as envisaged in the Government's 2011 Housing Policy Statement. This framework will provide support and assurance both to the sector itself and to its external partners that it is well regulated. It will safeguard the investment that has been made in the sector and encourage future investment.

A landmark first step in this regard was the publication on 15 July 2013 of Building for the Future, a voluntary regulation code for the sector that is available on my Department's website at www.environ.ie. The voluntary regulation code sets out key governance, management and financial principles that apply to approved housing bodies. Organisations signing up to the code must sign a Charter of Commitments relevant to their scale and development plans. My Department is also working in partnership with the sector to develop a specific additional financial chapter to be appended to the code that will, *inter alia*, set out key financial management rules and principles.

Motor Tax Issues

143. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government in view of the fact that quad bikes cannot be registered under the NCT system, if he will introduce a light agricultural vehicle category; and if he will make a statement on the matter. [49917/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Registration of vehicles is a matter for the Revenue Commissioners. For payment of motor tax, a vehicle must first be registered with the Revenue Commissioners. If a vehicle is not so registered, it cannot be taxed for use in a public place, regardless of the category into which the vehicle may fall. I presume the reference to the introduction of a light agricultural vehicle

category is for the creation of such a category for motor tax purposes. In that regard, I refer to the reply to Question No. 415 of 19 November 2013.

Irish Water Remit

144. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if the newly appointed regulator of Irish Water will be accountable to the Minister of the day on behalf of local authorities and consumers on all issues related to the provision of water and public sewerage plants, for example, charges, timescale for upgrade and maintenance and extension of services, as required; and if he will make a statement on the matter. [49939/13]

151. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government to which Department Irish Water is accountable and if it will be accountable to local authorities; and if he will make a statement on the matter. [50036/13]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I propose to take Questions Nos. 144 and 151 together.

The Water Services Act 2013 provides for the establishment of Irish Water as a subsidiary of Bord Gáis Éireann. The Act provides that Irish Water is required to submit an annual report on the performance of its functions each year to the Minister for the Environment, Community and Local Government and the Minister for Communications, Energy and Natural Resources. In addition, the Act provides that the annual report and accounts are to be laid before each House of the Oireachtas. The Water Services (No. 2) Bill 2013, which will be published shortly, will provide Irish Water with responsibility for the provision of water services. The new legislation will also require Irish Water, when it is preparing strategic and capital investment plans, to consult with the local authorities and to have regard to regional and local development plans.

The 2013 Act enabled the Commission for Energy Regulation (CER) to provide advice to the Minister for the Environment, Community and Local Government on the development of policy regarding the regulation of the provision of water services. The Water Services (No. 2) Bill will provide for the establishment of an independent economic regulator for water services within the CER. While the primary function of the CER will be to protect the interests of customers and to ensure that a consistent and appropriate level of service is provided to them, it will also be responsible for approving the tariffs to be charged by Irish Water. In fulfilling its functions, the CER will have regard, *inter alia*, to the need to ensure that there is an efficient system for the provision of water services and the need to promote the conservation of water. It is envisaged that, as part of its customer protection role, the CER will establish a dispute resolution service for customers of Irish Water. This approach is in line with the services CER already provide for customers in the energy sector.

Water Services Provision

145. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government further to Parliamentary Questions Nos. 115 and 116 of 6 November 2013, if he will provide further details of his Department's water services investment programme in the context of improving water supply and treatment capacity in the greater Dublin area; and the programme of works that are due to be completed at the water treatment plants in Ballymore Eustace and Leixlip during 2014. [49975/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Ballymore Eustace Water Treatment Plant, Phase 3, and the Leixlip Water Treatment Plant Upgrade schemes are being funded under my Department's Water Services Investment Programme 2010 - 2013. When the upgrade of the Ballymore Eustace plant is completed the sustainable treated water capacity of the plant will be increased to 318 MI/d and the capacity of the Leixlip plant will, on completion, be increased to some 215 MI/d.

Tenant Purchase Scheme Administration

146. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government when a tenant purchase scheme will be introduced; the conditions that will apply for tenants who qualify to purchase their property; and if he will make a statement on the matter. [49986/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): While the 1995 tenant purchase scheme for existing local authority houses closed for new applications on 31 December 2012, two incremental purchase schemes remain in operation, one for newly-built local authority houses and the other for local authority apartments. Work is proceeding on the preparation of the General Scheme of a Housing (Miscellaneous Provisions) Bill, which is expected to be submitted for Government approval before the end of the year. Among other things, the Bill will underpin a new tenant purchase scheme for existing local authority houses along incremental purchase lines, involving discounts for purchasing tenants linked to household income and a discount-related charge on the property that will dwindle away over a period unless the house is resold or the purchaser fails to comply with conditions of the sale. The commencement date for the new scheme will be set when the necessary regulations are made on enactment of the Bill.

Local Authorities Management

147. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that a person (details supplied), recently appointed to the post of acting Sligo county manager has refused to carry out their statutory duty to ensure that meetings of Sligo Borough Council take place; if he will now remove the person from the post of temporary county manager and appoint an appropriate official who will comply with the Local Government Act 2001 and ensure that meetings of Sligo Borough Council are convened in accordance with the Local Government Act and in compliance with the council's standing orders; and if he will make a statement on the matter. [49991/13]

148. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that the mayor of Sligo, in accordance with section 10 of the Local Government Act 2001, requested a meeting of Sligo Borough Council for Monday, 18 November; if his attention has been drawn to the fact that (details supplied) the acting Sligo county manager has refused to act on the mayor's request; the legislation or regulations that will be introduced to ensure that county managers comply with the laws enacted by the Parliament of the people; and if he will make a statement on the matter. [49992/13]

152. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the reason a person (details supplied) was appointed as temporary Sligo county manager taking into consideration their view that they can ignore and refuse to comply with section 10 of the Local Government Act 2001; if his Department will now appoint a temporary

county manager who will carry out their duties in compliance with the Local Government Act 2001; and if he will make a statement on the matter. [50041/13]

153. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if it is part of the job description of a county manager and or acting county manger to ensure that council meetings take place in compliance with the Local Government Act 2001; if his Department maintains a record of senior council officials who subvert local government and local democracy and who refuse to comply with the Local Government Act; and if he will make a statement on the matter. [50043/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 147, 148, 152 and 153 together.

I refer to the reply to Questions Nos. 681 and 706 of 5 November 2013, which sets out the position in regard to meetings of Sligo Borough Council and the appointment of a temporary County Manager of Sligo. My Department does not maintain a record of the kind referred to in Question No. 153.

Local Authority Staff

149. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government if a part-time employee who is employed by a local authority qualifies for the voluntary redundancy scheme under the Local Government (Superannuation) (Consolidation) Scheme 1998; and if he will make a statement on the matter. [49996/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A Voluntary Redundancy scheme was made available to local authority employees in July 2013. The Scheme was agreed with the Department of Public Expenditure and Reform and took account of the terms of the Collective Agreement - Redundancy Payments to Public Servants which was agreed between that Department and the Public Services Committee of ICTU. Part-time employees who had a minimum of two years' service, were members of the Local Government Superannuation Scheme, and were under preserved pension age were eligible to apply for the scheme.

Appointments to State Boards

150. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50012/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In the period of the Government's term of office up to 30 September 2013, the latest date for which information is available, the appointments set out in the following table were made to the Boards of State Bodies under the aegis of my Department.

Agency/Board	Name of Appointee	Date of Appointment
An Bord Pleanála *	Dr. Mary Kelly (Chairperson)	29/08/2011

Agency/Board	Name of Appointee	Date of Appointment
	Mr. Conall Boland (Deputy Chairperson)	01/01/2012
	Ms Mary MacMahon	27/11/2011
	Mr. Michael Leahy	14/05/2012
	Mr. Nicholas Mulcahy	21/05/2012
	Mr. Gabriel Dennison	21/05/2012
	Mr. Paddy Keogh	21/05/2012
	Ms Oznar Yucel-Finn	01/01/2013
	Mr. Robert Ryan	28/01/2013
Dublin Docklands Development Authority Executive Board**	Prof. Niamh Brennan (Chairperson)	01/05/2012
	Mr. Niall Coveney	01/05/2012
	Mr. Dónall Curtin	01/05/2012
	Ms Yvonne Farrell	01/05/2012
	Mr. Mark Griffin (Departmental staff member)	01/05/2012
	Mr. Brendan Malone	01/05/2012
	Ms Catherine Mullarkey	01/05/2012
	Mr. John Tierney (Chairperson)	01/06/2012
	Mr. Gerry Grimes	01/06/2012
	Dr. Philip Matthews	01/06/2012
	Ms Lucy McCafferty	01/06/2012
	Mr. Charlie Murphy	01/06/2012
	Ms Imelda Reynolds	01/06/2012
	Mr. Michael Stubbs	01/06/2012
	Mr. Frank Walsh	01/06/2012
Environmental Protection Agency*	Ms Laura Burke (Director General)	08/11/2011
	Mr. Dara Lynott (Deputy Director General)	12/07/2012
	Mr. Gerard O'Leary	08/05/2012
	Mr. Mícheál Ó Cinnéide	25/08/2013
Housing Finance Agency	Dr. Michelle Norris (Chairperson)	22/02/2012
	Mr. John Hogan (Department of Finance nominee)	22/02/2012
	Mr. Phillip Nugent (Departmental representative)	22/02/2012
	Ms Jackie Maguire (CCMA representative)	13/03/2012
	Mr. Colm Brophy	13/03/2012
	Mr. Michael Murray	13/03/2012
	Mr. Padraic Cafferty	21/03/2012
	Dr. Mary Lee Rhodes	21/03/2012

Questions - Written Answers

Agency/Board	Name of Appointee	Date of Appointment
	Mr. Jim ley	30/04/2012
	Ms Michelle Murphy Lawless	30/04/2012
	Mr. Gerry Leahy	30/04/2012
	Mr. Barry O'Leary (CEO, ex-Officio)	26/08/2013
Irish Water Safety	Ms Breda Collins (Chairperson)	21/11/2011
	Mr. John Considine	21/11/2011
	Mr. Michael Cuddihy	21/11/2011
	Mr. Tom Doyle	21/11/2011
	Mr. Brendan McGrath	21/11/2011
	Mr. Paul Murphy	21/11/2011
	Mr. Seamus O'Neill	21/11/2011
	Mr. Martin O'Sullivan	21/11/2011
	Ms Anne Ryan	21/11/2011
	Ms Lola O'Sullivan	21/11/2011
	Mr. Christy McDonagh	21/11/2011
	Mr. Tim O'Sullivan (Departmental representative)	21/11/2011
	Mr. Odran Reid	27/06/2012
Housing and Sustainable Communities Agency	Mr. Rich Howlin (Chairperson)	21/12/2011
	Mr. Conor Skehan (Chairperson replaced Mr Rich Howlin)	01/07/2013
	Mr. Eddie Lewis (Departmental representative)	21/12/2011
	Ms Marie McLaughlin (Department of Public Expenditure & Reform representative)	21/12/2011
	Mr. Peter Carey, County Manager, Laois County Council	21/12/2011
	Ms Ann McGuinness	21/12/2011
	Ms Clodagh Heneghan	21/12/2012
	Mr. Dermot Nolan (Department of Public Expenditure & Reform representative)	21/12/2012
	Mr. John O Connor	21/12/2012
	Mr. Donal McManus	21/12/2012
	Mr. Michael Layde (Departmental representative)	01/08/2012
	Mr. Tony O'Brien	01/07/2013
Local Government Computer Services Board***	Mr. Eddie Breen (Chairperson), County Manager, Wexford County Council	01/01/2012
	Mr. Michael Malone, County Manager, Kildare County Council	01/11/2011

Agency/Board	Name of Appointee	Date of Appointment
	Mr. Barry Quinlan (Departmental representative)	23/11/2011
	Mr. Enda Holland (Department of Public Expenditure & Reform representative)	22/02/2012
Local Government Management Services Board***	Mr. Eddie Breen (Chairperson), County Manager, Wexford County Council	01/01/2012
	Mr. Donal Enright (Departmental representative)	01/11/2011
	Mr. Michael Malone, County Manager, Kildare County Council	01/11/2011
	Mr. Barry Quinlan (Departmental representative)	23/11/2011
Local Government Management Agency***	Mr. Eddie Breen (Chairperson), County Manager, Wexford County Council	20/09/2012
	Mr. Peter Carey, County Manager, Laois County Council	20/09/2012
	Mr. Hubert Kearns, County Manager, Sligo County Council	20/09/2012
	Mr. Michael Malone, County Manager, Kildare County Council	20/09/2012
	Mr. Eddie Sheehy, County Manager, Wicklow County Council	20/09/2012
	Mr. John Tierney, City Manager, Dublin City Council	20/09/2012
	Mr. Barry Quinlan (Departmental representative)	24/09/2012
	Mr. Donal Enright (Departmental representative)	24/09/2012
	Mr. Paul McDonald (Departmental representative)	24/09/2012
	Mr. Martin Riordan, Cork County Manager	18/10/2012
	Mr. Michael Walsh, Waterford City Manager	18/10/2012
	Mr. Danny McLoughlin, Westmeath County Manager	21/02/2013
Private Residential Tenancies Board	Ms Catriona Walsh (Chairperson)	16/04/2013
	Mr. Tim Ryan	17/02/2012
	Ms Tricia Sheehy Skeffington	17/02/2012
	Ms Paula O'Reilly (Departmental staff member)	22/03/2012
	Mr. Noel Merrick	01/04/2013
	Mr. Paul Flood (HSE)	01/04/2013

Agency/Board	Name of Appointee	Date of Appointment
	Mr. John Fitzgerald	01/04/2013
	Ms Rhonda Donaghey	16/04/2013
Radiological Protection Institute Ireland	Professor William Reville (Chairperson)	16/01/2012
	Dr. Maurice Fitzgerald (Dental Council)	19/10/2011
	Dr. Paraic James (public servant)	16/01/2012
	Dr. Patricia Cunningham (public servant)	20/02/2012
	Mr. John O'Dea	30/11/2012
	Ms Darina Muckian	30/11/2012
	Ms Adi Roche	30/11/2012
	Dr. Patrick Gilligan	30/11/2012
	Dr. Stephanie Ryan	16/09/2013

* Appointments to An Bord Pleanála and to the Board of the Environmental Protection Agency are of a full-time executive nature and are governed by statutory processes.

** The board of the Dublin Docklands Development Authority was reappointed for an additional month from 1 May 2012 and replaced by a new board from 1 June 2012 which will continue in place until 31 December 2013.

*** Appointments of the Local Authority Manager members of the Boards of the Local Government Computer Services Board, the Local Government Management Services Board and the Local Government Management Agency (which was established on 1 August 2012, replacing the LGCSB and the LGMSB), are made by the County and City Managers collectively.

A notice was placed on my Department's website on 19 July 2011, seeking expressions of interest from suitably qualified and experienced persons, for consideration as members or chairpersons of the boards of State bodies under the aegis of my Department. Vacancies on the boards of other bodies under my Department's aegis will be notified on the website as they arise. However, expressions of interest can be made at any time and will be kept on file in my Department for consideration as vacancies occur. In considering applications, due regard is had to the requirements of the position, the qualifications, experience and expertise of applicants, and Government policy regarding gender balance on State boards.

All appointments are made in accordance with the appropriate legislation governing appointments to each body. In some cases statutory selection procedures must be followed or nominations must be sought from independent nominating panels before appointments are made by the Minister or the Government, as appropriate. In a number of situations, only some appointments to the body concerned are made by the Minister, or appointments are made with the consent of another Minister.

In addition, although not a State Board in the traditional sense, appointments to the Board of Pobal, a not-for-profit company, fall to be made by the Government, having considered nominees from a range of stakeholders. The following persons have been appointed to the Board of Pobal during this Government's term:

Agency/Board	Name of Appointee	Date of Appointment
Pobal	Mr. Séamus Boland (Chair)	3/11/2011
	Mr. Tommy Maguire	3/11/2011

Agency/Board	Name of Appointee	Date of Appointment
	Mr. Liam Keane	3/11/2011
	Ms. Jennifer McHugh	11/01/2012
	Ms. Mari Hurley	11/01/2011
	Mr. William Cotter	9/10/2012
	Mr. Gerald Quain	9/10/2012
	Cllr. John Kelleher	23/10/2012
	Ms. Ann Costello	23/10/2012
	Ms. Mary Mooty	5/02/2013

In addition, the following members were appointed to the National Traveller Accommodation Consultative Committee on 11 September 2013:

- Dr. Eoin O'Sullivan (Chairperson)
- Mr. Conor Smith
- Mr. Séamus O'Connor
- Ms Ronnie Fay
- Mr. Eugene Cummins
- Ms Philomena Poole
- Cllr. Finnan McCoy
- Cllr. John Kennedy
- Ms Catherine Linehan
- Mr. Tom Coughlan
- Ms Colette Spears
- Mr. Jim Ganley (Departmental representative)
- Ms Mary Connors

Finally, the following members have been appointed to the Building Regulation Advisory Body:

Name of Appointee	Date of Appointment
Mr. Aidan O'Connor (Departmental Staff representative)	19/04/2011
Paul Kelly	19/04/2011
Conor Taaffe	16/06/2011

Question No. 151 answered with Question No. 144.

Questions Nos. 152 and 153 answered with Question No. 147.

Local Authority Housing Mortgages

154. **Deputy Heather Humphreys** asked the Minister for the Environment, Community and Local Government if he will provide an update on the Government's review of Part V of the Planning and Development Act 2000; the guidelines given to local authorities to assist those in arrears with their county council mortgages; the consideration that will be given to those who participated in the shared ownership scheme and now find themselves in negative equity; and if he will make a statement on the matter. [50044/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Government's 2011 housing policy statement stood down all affordable housing schemes, including the shared ownership scheme, in the context of a full review of Part V of the Planning and Development Act 2000. The period for public submissions under this review closed on 27 September 2013. Consideration of these submissions is currently underway with a view to evaluating their content in the context of the review.

Earlier in 2013, I asked the Housing & Sustainable Communities Agency to conduct a stand-alone review of the shared ownership scheme, including identification of the main difficulties and recommendations for mitigating measures. I have received an interim draft of the review from the Agency and I intend to issue an updated circular letter to local authorities shortly arising from some of the Agency's findings. However, a number of issues have been identified that need further detailed financial analysis in order fully to assess the impact on local authority finances of possible mitigating measures. This additional work is underway and I expect to make further determinations in the coming months.

On foot of the recommendations of the Keane Report on mortgage arrears the Government launched a mortgage to rent scheme, in respect of distressed mortgages in the commercial sector, on a pilot basis in February 2012. This scheme was extended nationally in June 2012, targeting those low income families whose mortgage situation is unsustainable and where there is little or no prospect of a significant change in circumstances in the foreseeable future. The scheme ensures that the family remains in their home, while ownership is transferred to an approved housing body who in turn rent it to the original owners. A pilot mortgage to rent scheme for the most acute cases of local authority mortgage arrears which was launched earlier in 2013, in Westmeath County and Dublin City Councils, has now been completed. It is intended to implement this scheme throughout the local authority sector in the near future.

Child Protection

155. **Deputy Finian McGrath** asked the Minister for Justice and Equality the reason one blonde haired child was taken away from one family while the dark haired child was left if the children were at risk. [49868/13]

Minister for Justice and Equality (Deputy Alan Shatter): Ms Emily Logan has agreed to conduct an independent inquiry into the cases referred to by the Deputy and I will be appointing her in accordance with Section 42 of the Garda Síochána Act 2005 (as amended by section 42 of the Criminal Justice Act, 2007) to ensure that she has the appropriate powers to conduct a comprehensive Inquiry. The necessary arrangements for this Inquiry are currently being finalised and Ms Logan has been furnished with a copy of a full Report into this matter that has been submitted to me by the Commissioner of An Garda Síochána.

The Deputy will appreciate that, in circumstances where an independent inquiry into these matters is to be carried out, it would not be appropriate to make any further comment at this time.

Court Accommodation Refurbishment

156. **Deputy Michael Ring** asked the Minister for Justice and Equality if he will ascertain from the Courts Service details of the work needed to a property (details supplied) in order that it can be re-opened; if a copy of the reports prepared by the Office of Public Works in August 2013 and in April 2012 on the property will be furnished including details of costings and so

on; and if he will make a statement on the matter. [49905/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, under the provisions of the Courts Service Act 1998, management and the administration of the courts is the responsibility of the Courts Service which is independent in exercising its functions which include the provision of accommodation for court sittings. However, in order to be of assistance, I have had enquiries made and the Courts Service has indicated that they will make available the details requested, to the extent possible, directly to the Deputy.

Immigration Status

157. **Deputy Finian McGrath** asked the Minister for Justice and Equality if a foreign national would have grounds for a change of immigration status if there was a police record of a threat to their life in their original home country. [49923/13]

Minister for Justice and Equality (Deputy Alan Shatter): It is not possible to answer the Deputy's question in a meaningful manner in the absence of more details as to the circumstances of the case. In any event it would not be advisable to speculate on the significance, if any, of a particular element in any consideration of a potential application for a change of status by the person concerned.

Naturalisation Applications

158. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will expedite an application for a certificate of naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49980/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy. The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

159. **Deputy Tom Fleming** asked the Minister for Justice and Equality if he will expedite an application for a certificate of naturalisation in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49981/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy. The application is currently being processed with a view to establishing whether the applicant

meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Personal Insolvency Act

160. **Deputy Lucinda Creighton** asked the Minister for Justice and Equality further to Parliamentary Question No. 131 of 13 November 2013, if he agrees that when he does commence section 157 of the Personal Insolvency Act 2012 later this month that it will create an analogous situation that anyone who has completed three years as a bankrupt prior to the commencement of this section will have to wait a further six months before discharge while those who complete their three years after the commencement of section 157 will be eligible for discharge in accordance with the rules and provisions of the new Act; if he will consider any means to address this problem. [49999/13]

Minister for Justice and Equality (Deputy Alan Shatter): The provision in respect of bankruptcies existing for three years or more at the time of commencement of section 157 of the Personal Insolvency Act 2012, which is imminent, which enables those bankruptcies to be automatically discharged after a further six months have elapsed is a transitional measure, recommended by the Attorney General's Office. It permits both the Official Assignee in Bankruptcy and creditors sufficient time to enter any potential objections to a discharge of a person from bankruptcy. The new discharge period of 3 years is a much shorter period of time than heretofore. There is no anomaly created.

Appointments to State Boards

161. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will provide, in tabular form, the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50017/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am interpreting the Deputy's question in a broad manner so as to provide the information which I believe he is seeking. The term State Boards is somewhat imprecise as it includes bodies with a wide and diverse range of functions many of which would not fall into the more commonly understood definition of Board which is a body with a governance oversight of an organisation. To be of assistance to the Deputy I have interpreted his question as embracing all bodies called Boards, irrespective of their functions, as well as other bodies with a governance remit whose title does not include the term "Board". Details of all appointments and vacancies which occurred since March 2011 are set out below along with details of those cases where expressions of interest were sought.

Classification of Films Appeal Board

There are currently nine vacancies on the Classification of Films Appeal Board. Following my invitation for expressions of interest, a total of 44 applications were received. I expect to make appointments to these positions in the near future.

Courts Service Board

The Courts Service Board has 17 members, it is chaired by the Chief Justice and includes eight other judges, the CEO of the Courts Service, persons nominated by the Law Society, Bar Council and ICTU, an elected staff representative and three persons nominated by the Minister for Justice. Eighteen vacancies occurred. There have been 18* appointments, three of which were individuals nominated by myself including a civil servant from my Department.

Garda Síochána Arbitration Board

The Garda Síochána Arbitration Board is appointed by the Government and consists of a Chairperson, a member nominated by the representatives associations and a member nominated by the Government. The Chairperson is appointed on the nomination of the Ministers for Justice & Equality and Public Expenditure & Reform in agreement with the representative associations. Four vacancies occurred and four appointments were made to the board.

Garda Síochána Complaints Board

Eight of the outgoing members were re-appointed as the Board, which has been replaced by the Garda Síochána Ombudsman Commission, only had a few outstanding cases on hands at that time. One case remains at present. The 9th appointee is a civil servant.

Judicial Appointments Advisory Board

Eight vacancies occurred. Eight* appointments were made to the Judicial Appointments Advisory Board. The Board consists of 10 members, it is chaired by the Chief Justice and includes three other judges, the Attorney General, persons nominated by the Law Society and Bar Council and three persons nominated by the Minister for Justice and Equality. Three of the appointments were individuals nominated by myself.

Legal Aid Board

Fifteen vacancies occurred. Of the 15 appointments to this Board, nine were civil or public servants.

Mental Health (Criminal Law) Review Board

Four vacancies occurred. Four appointments were made to the Mental Health (Criminal Law) Review Board.

National Disability Authority (NDA)

One vacancy occurred. One appointment was made to the board of the National Disability Authority (NDA). I made the appointment after seeking expressions of interest of which I received 12 applications. This appointment was from a public applicant. The Deputy may also wish to note that the current board of the NDA is due to expire on 21 December 2013. The vacancies are for 12 ordinary members and a chairperson. On 23 October an invitation for expressions of interest was placed on my Department's website with a closing date for receipt of applications of 15 November.

Parole Board

Ten vacancies occurred. There were ten appointments made to the Parole Board.

Private Security Appeal Board

Four vacancies occurred. The Government appointed four people on 3 April, 2012. The proposed Chairperson appeared before the Joint Committee on Justice, Equality and Defence.

Private Security Authority (PSA)

Eleven vacancies occurred. Eleven appointments were made out of which seven positions were advertised as the remaining four positions, in accordance with the relevant legislation, are to be nominated representatives from my own Department, the Department of Jobs, Enterprise and Innovation, An Garda Síochána and the PSA itself. Following my invitation for expressions of interest, a total of 29 applications were received. Six of the seven appointments made following public advertising were drawn for the applications received.

Property Registration Authority

Three vacancies occurred. Three appointments were made to the Property Registration Authority, of which, in accordance with the legislation, one is a nominee of the Law Society, one is a nominee of the Bar Council and the 3rd the elected Property Registration Authority staff representative.

Property Services Appeal Board

The Government made six appointments after seeking expressions of interest of which my Department received 41 applications. Those appointed were public applicants. The proposed Chairperson appeared before the Joint Committee on Justice, Equality and Defence.

Property Services Regulatory Authority

Eleven appointments were made to the Property Services Regulatory Authority (PSRA). I received 114 applications after seeking expressions of interest from members of the public. Nine of those appointed were public applicants, one is a civil servant and the Chairperson, who was a member of the Property Services Regulatory Authority Implementation Team, was appointed in order to provide continuity to the Authority which had operated on a non-statutory basis for a number of years. The proposed Chairperson appeared before the Joint Committee on Justice, Equality and Defence.

The Equality Authority

The fourteen outgoing board members of the Equality Authority accepted reappointment in September 2011 for a further term which concluded at the end of July 2012, and therefore the issues of selection did not arise. The Deputy will be aware that the Human Rights Commission and the Equality Authority are in the process of merging to form a new enhanced Irish Human Rights and Equality Authority Commission (IHREC) to promote human rights and equality issues in a more efficient, effective and coherent way. The Working Group that I established to advise me on the practical issues in relation to the establishment of a new Commission in its Report of April 2012 recommended that an independent Selection Panel be set up for the purpose of appointing the new members. This is in line with a fundamental requirement of the Paris Principles that the members of the IHREC be independent and that the selection process be independent of Government.

In November 2012 advertisements inviting expressions of interest for the position of Chief Commissioner and of “ordinary” member appeared in the media. The independent panel for-

warded its recommendations of 14 names in March 2013. While the persons recommended cannot be appointed to the IHREC in advance of the required legislation being enacted and commenced, the Government has appointed the 14 individuals as members of the Human Rights Commission and subsequently they will be appointed as members of the IHREC when the legislation is enacted, on a 3 year or 5 year basis to ensure that the term of office of all members of the new Commission will not come to an end at the same time so as to preserve institutional continuity. On 31 May 2013, I appointed 12 of their number to the board of the Equality Authority, under the Employment Equality Act 1998, as amended, on an interim basis of 3 years, but which will otherwise expire when the Bill to establish the IHREC is enacted and commenced and the two bodies are dissolved.

The Deputy may wish to note that since my previous reply to Parliamentary Question 382, which he put down for answer on 18 June 2013, both the Censorship of Publications Board and the Censorship of Publications Appeal Board have transferred to the Department of Arts, Heritage and the Gaeltacht. In addition, the Children Detention Schools Board of Management has transferred to the Department of Children and Youth Affairs.

* Includes 2 ex-officio members who were omitted from reply to Parliamentary Question No. 382 of 18 June, 2013.

Data Protection

162. **Deputy Catherine Murphy** asked the Minister for Justice and Equality if there is a right to have returned personal data contained on a computer which has been seized by the Revenue Sheriff; and if he will make a statement on the matter. [50059/13]

Minister for Justice and Equality (Deputy Alan Shatter): Under the Data Protection Acts 1988 and 2003, a data controller must take appropriate security measures against unauthorised access to, or unauthorised alteration, disclosure or destruction of personal data kept by him or her. Moreover, such data may not be retained for longer than is necessary for any specific and legitimate purpose for which they were collected or processed. The Office of the Data Protection Commissioner has, therefore, advised that where computer equipment containing personal data has been seized by the Revenue Sheriff, such personal data should be returned under secure conditions to the person from whom the equipment was seized unless there is a legitimate reason for non-return of the data.

Naturalisation Applications

163. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding determination of eligibility for naturalisation in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [50079/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

While most cases are now generally processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time. I am informed that this application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submitted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Residency Permits

164. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding regularisation of residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [50080/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) in my Department that a letter issued on 7 November 2013 to the persons mentioned by the Deputy explaining their requirements as students in the State.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions.

The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Deportation Orders

165. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status and-or eligibility for naturalisation in the case of persons (details supplied) in County Cork; and if he will make a statement on the matter. [50081/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person concerned is the subject of a Deportation Order signed on 22 March 2006 and therefore has no right to residency/naturalisation in the State. In relation to the children of the person concerned the question of residency status does not arise at this time. Should the option to apply for permission to remain in the State arise in the future for the children of the person concerned she will be advised accordingly.

The person concerned had her case considered under Section 3 of the Immigration Act 1999, as amended and under Section 5 of the Refugee Act 1996, as amended. Refoulement was not found to be an issue in this case, in addition no issues arises under Section 4 of the Criminal Justice (UN Convention against Torture) Act, 2000. Consideration was also given to private and

family rights under the European Convention on Human Rights (ECHR). The case of the person concerned was considered under Section 3(11) of the Immigration Act 1999 (as amended).

I am satisfied that the application made by the person concerned for asylum and for temporary leave to remain in the State, together with all refoulement issues, were fairly and comprehensively examined and, as such, the decision to deport her is justified.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Asylum Applications

166. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency status and-or eligibility for naturalisation in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [50082/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned first applied for asylum on 27 May, 2003. He subsequently withdrew that application and indicated a willingness to return voluntarily to his country of origin. However, he did not complete the voluntary return process. The person concerned subsequently consented to deportation and against this background a Deportation Order was made in respect of him on 6 May, 2004. However, in accordance with the provisions of section 3(8) of the Immigration Act 1999, as this consent based Deportation Order was not effected by the relevant date it ceased to have legal effect.

The person concerned subsequently sought to be re-admitted to the asylum process and this request was facilitated with the consequence that a new asylum application was lodged on 3 March, 2005. This asylum application was refused following consideration of the case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Subsequently, in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 14 November, 2005, that the then Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why he should not have a Deportation Order made against him. Written representations have been submitted on behalf of the person concerned.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a final decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Given that the person concerned has no current right of residency in the State, the Deputy will appreciate that the issue of an application for a Certificate of Naturalisation does not arise at this time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Subsidiary Protection Applications

167. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency status in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [50083/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant. Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 27 February, 2006, that the then Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the then Minister setting out the reasons why a Deportation Order should not be made against him. He was subsequently notified of his entitlement to apply for subsidiary protection.

The person concerned submitted an application for subsidiary protection and, in this regard, I recently signed into law a Statutory Instrument to introduce new procedures for the processing of subsidiary protection applications by the Offices of the Refugee Applications Commissioner at first instance and, on appeal, by the Refugee Appeals Tribunal.

When consideration of the subsidiary protection application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for subsidiary protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a final decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

168. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency-eligibility to apply for naturalisation in the case a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [50084/13]

Minister for Justice and Equality (Deputy Alan Shatter): Officials in the Citizenship

Division of the Irish Naturalisation and Immigration Service (INIS) inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question. The person concerned has permission to reside until 8 January, 2015.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
 - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
 - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

169. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the residency status and-or eligibility to apply for naturalisation in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [50085/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

170. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the residency status and-or eligibility to apply for naturalisation or both in the case of persons (details supplied) in Dublin 24; and if he will make a statement on the matter. [50086/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that valid applications for certificates of naturalisation have been received from the persons referred to by the Deputy.

The first named person's application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible. The application for the second named person is at an advanced stage of processing and they will be informed of my decision shortly.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

171. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status or eligibility to apply for naturalisation in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [50087/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned had a Deportation Order made against her on 12th February 2009, following the refusal of her asylum application and her application for subsidiary protection and the subsequent consideration of her case under Section 3 (6) of the Immigration Act 1999 (as amended). This Deportation Order

was subsequently revoked and the person concerned was granted permission to remain in the State for a six month period, valid to 1st January, 2012. A further Deportation Order was made in respect of the person concerned on 31st May, 2012.

The person concerned lodged judicial review proceedings in the High Court, challenging the decision to make the latter Deportation Order against her. These proceedings were 'settled'. The Terms of Settlement provided for, among other things, the revocation of the Deportation Order and consideration to be given to a fresh application for renewal of permission to remain.

The person concerned has lodged an application for renewal of permission to remain. This application is under consideration at present. All representations submitted will be considered before a final decision is made. Once a final decision has been made on this application, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

172. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status or eligibility to apply for naturalisation or both in the case a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [50088/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a failed asylum applicant. Arising from the refusal of her asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 18th August, 2006, that the then Minister proposed to make a Deportation Order in respect of her. She was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why a Deportation Order should not be made against her.

The person concerned initiated judicial review proceedings in the High Court, challenging the decision of the Refugee Appeals Tribunal in her case. The judicial review proceedings were struck out on 4 July, 2008 meaning that the earlier decisions of the Refugee Appeals Tribunal and the then Minister stood.

The person concerned proceeded to lodge an application for subsidiary protection and, in this regard, I recently signed into law a Statutory Instrument to introduce new procedures for the processing of subsidiary protection applications by the Offices of the Refugee Applications Commissioner at first instance and, on appeal, by the Refugee Appeals Tribunal.

When consideration of the subsidiary protection application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for subsidiary protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a final decision

has been made, this decision, and the consequences of the decision, will be conveyed in writing to the person concerned.

Given that the person concerned has no current right of residency in the State, the Deputy will appreciate that the issue of an application for a Certificate of Naturalisation does not arise at this time.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Family Reunification Applications

173. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding an application for family reunification in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [50089/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my previous answer to PQ No. 142 of 19 September 2013.

I am informed by the Irish Naturalisation and Immigration Service (INIS) that an application for Family Reunification was received from the person referred to by the Deputy on 3 May 2013 and that a letter issued on 29 May 2013 requesting information necessary to process the application. No response was received and further letters issued from INIS on 19 June 2013, 29 August 2013, 17 September 2013 and 21 October 2013. A response was received to this final letter, however it did not contain sufficient information or documentation to enable the processing of the application and a further letter issued from INIS to the person concerned on 8 November 2013. To date no response has been received.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

174. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency status or eligibility to apply for naturalisation or both in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [50090/13]

Minister for Justice and Equality (Deputy Alan Shatter): I refer to my reply to Parliamentary Question No. 518 of 19 November, 2013 which is set out below.

The person concerned was granted temporary permission to remain in the State on 8 November, 2005 for an initial two year period, under the revised arrangements applicable to the non-EEA national parents of Irish born children born in the State before 1 January, 2005, more commonly known as the IBC/05 Scheme. This permission was renewed for a further three years

in 2007. Subsequently the Garda National Immigration Bureau (GNIB) renewed his permission to remain in the State in 2010 until 8 November, 2013.

I am informed that on 6 November, 2013, the person concerned sought to have his permission to remain renewed for a further period. However, his renewal of permission request to the GNIB was not processed on that occasion as he was not in a position to meet the necessary requirements. In the circumstances, I would advise the person concerned to submit a written request for renewal of permission to remain to the Irish Naturalisation and Immigration Service (INIS) of my Department, at PO BOX 10003, Dublin 1, outlining his current family circumstances.

There is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
 - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
 - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Naturalisation Applications

175. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding reckonable residency in respect of eligibility to apply for naturalisation the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [50091/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted temporary permission to remain in the State on 3 January, 2001 under the arrangements then applicable to non-EEA national parents of Irish born citizen children born in the State before 1 January, 2005. This permission was renewed on a regular basis with the last renewal valid until 28 October, 2016.

There is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years
- intend in good faith to continue to reside in the State after naturalisation
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—
 - (i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and
 - (ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law. Section 15A provides that the Minister may waive certain conditions for naturalisation if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the

Minister may, in his absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Queries in relation to the status of individual immigration cases may be made directly to the Irish Naturalisation and Immigration Service (INIS) of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

Immigration Status

176. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a person (details supplied) in Dublin 7 can make an application for residency status/permission to remain/Stamp 4 on the basis of their personal circumstances; and if he will make a statement on the matter. [50092/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the position with this person remains the same as was previously stated in my four previous replies to Parliamentary Questions raised on 18/09/2013, 03/10/2013, 17/10/2013 and 07/11/2013. This person currently has permission to be in the State on Student conditions until 31/01/2014. It is open to the person to make an application for stamp 4 status, however, as I indicated in my earlier replies to the Deputy, based on the immigration status and known circumstances of the person, she does not qualify for stamp 4 status and accordingly such an application has little prospect of success.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions.

The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

Defence Forces Medicinal Products

177. **Deputy Seán Ó Fearghail** asked the Minister for Defence the number of members of the Defence Forces who have been excluded from the usage of lariam following the military authorities' screening process; if he will provide this information, on an annual basis, as far back as the year 2000; and if he will make a statement on the matter. [49861/13]

Minister for Defence (Deputy Alan Shatter): I am advised by the military authorities that a record of someone having been found to be unsuitable to take Lariam is entered into the

individual's medical file. However the information sought is not captured in a readily retrievable manner on the Defence Forces' Personnel Management System and a search would have to be conducted on every individual member's medical file in order to ascertain the information sought. This is not practicable within the current resource envelope. The Defence Forces are fully aware of the range of reported side effects attaching to all anti-malarial medications. In accordance with the prescribing instructions and information provided by the Irish Medicines Board the Defence Forces Medical Corps take all necessary precautions in assessing the suitability of personnel before prescribing Lariam. Personnel are screened both before and after deployments and all necessary actions are taken to ensure that those with contraindications to Lariam are not prescribed the medication. I have had the various allegations surrounding the use of Lariam investigated thoroughly and have obtained the advice of leading medical experts, who concur with the prescribing practices followed by the Defence Forces.

Lariam must remain in the formulary of medications prescribed by the Medical Corps for Defence Forces personnel on appropriate overseas missions, particularly those in sub-Saharan Africa, to ensure that our military personnel can have effective protection from the very serious risks posed by this highly dangerous disease.

Appointments to State Boards

178. **Deputy Niall Collins** asked the Minister for Defence if he will provide in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50010/13]

Minister for Defence (Deputy Alan Shatter): The State Boards under the aegis of my Department when the Government took office were the Civil Defence Board, the Army Pensions Board and the Board of Coiste an Asgard.

The Civil Defence Board was established in 2003. It was identified in the Public Service Reform Plan as a body to be abolished. I appointed an interim Board as a temporary measure in 2011 and in this context none of the positions were advertised. The membership of the interim Board appointed in 2011 is set out in the following table:

Civil Defence Board Chairperson	-
Mr. Brian Spain Director, Department of Defence	Nominated by Minister for Defence
Civil Defence Board Members	-
Mr. Cathal Duffy Principal Officer, Department of Defence	Nominated by the Minister for Defence
Ms. Clare Tiernan Principal Officer, Department of Defence	Nominated by the Minister for Defence
Mr. Robert Mooney Principal Officer, Department of Defence	Nominated by the Minister for Defence
Mr. Bill Smith Director General, Civil Defence Board	Appointed as Director General, Civil Defence Board
Name	Nominating Bodies
Mr. Ned Gleeson County Manager, Limerick County Council	Nominated by City & County Managers Association

Civil Defence Board Chairperson	-
Mr. Keith Leonard Assistant Fire Advisor, Department Environment, Community and Local Government	Nominated by the Minister for Environment, Community and Local Government
Dr. Barbara Rafferty	Nominated by Radiological Protection Institute of Ireland
Ms. Becci Cantrell	Nominated by the Environmental Protection Agency
Ms. Veronica Forde Assistant Civil Defence Officer	Nominated by the Civil Defence Officers Association
Lt. Col. Tony Kelly SSO, Defence Forces	Nominated by the Chief of Staff of the Defence Forces
Chief Superintendent Orla Mc Partlin An Garda Síochána	Nominated by the Commissioner of An Garda Síochána
Mr. Fergal Conroy	Elected volunteer member of Civil Defence
Ms. Eileen Joyce	Elected staff member of the Civil Defence Board

Legislation to dissolve the Board was passed by the Oireachtas in December 2012. Its functions have now transferred back to the Department of Defence. The Army Pensions Board is an independent statutory body established under the Army Pensions Act, 1927. The Act specifies that the Board shall consist of a chairman and two ordinary members. The two ordinary members must be qualified medical practitioners of whom one must be an officer of the Army Medical Corps. The chairman and the non-military ordinary member are appointed by the Minister for Defence with the concurrence of the Minister for Public Expenditure and Reform. The Army Medical Corps ordinary member is appointed by the Minister for Defence on the recommendation of the Chief of Staff of the Defence Forces.

The position of Army Medical Corps ordinary member became vacant due to retirement in 2011. I appointed Commandant Adam Lagun to the Board on the recommendation of the Chief of Staff. As the Army Pensions Act, 1927 specifies that one of the ordinary members must be an officer of the Army Medical Corps, this position was not publicly advertised. Details of Commandant Lagun's appointment to the Army Pensions Board were published in the *Iris Oifigiúil* on 13 January 2012.

The non-military ordinary member of the Army Pensions Board, a civilian doctor, retired at the end of June 2013. The vacancy was advertised on my Department's website and the Public Appointments Service website. A number of expressions were received and an appointment has been made from expressions received through the public advertisement process.

In the context of settling the Estimates for the Department of Defence for 2010, the Government decided that the national sail training scheme operated by Coiste an Asgard would be discontinued as recommended in the Report of the Special Group on Public Service Numbers and Expenditure. The formal wind up of the Company including voluntary strike off with the Companies Registration Office was completed in early 2013.

Question No. 179 withdrawn.

Single Payment Scheme Eligibility

180. **Deputy Martin Heydon** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Kildare will not qualify for a single farm payment under the new Common Agricultural Policy scheme; and if he will make a statement on the matter. [49840/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the CAP to be introduced in 2015 new entitlements can only be allocated to farmers who were paid in 2013. There is, however, provision in the regulation under which a Member State may decide to include farmers who never held entitlements under the current regime, but who can show evidence of agricultural production in 2013.

This issue was included in the consultative document issued by my department in July. The results of the consultative process are currently being collated and I intend to make a decision on the various issues before the end of 2013.

Single Payment Scheme Payments

181. **Deputy Frank Feighan** asked the Minister for Agriculture, Food and the Marine when payment will issue to a person (details supplied) in County Roscommon. [49843/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As processing of the application of the person named under the 2013 Single Payment Scheme/Disadvantaged Area Scheme is now completed, payments under both Schemes will issue shortly to the nominated bank account.

Single Payment Scheme Payments

182. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will expedite a single farm payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49880/13]

183. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will expedite a disadvantaged area scheme payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49890/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 182 and 183 together.

As processing of the application of the person named under the 2013 Single Payment Scheme/Disadvantaged Area Scheme is now completed, payments under both Schemes will issue shortly to the nominated bank account.

Suckler Welfare Scheme Payments

184. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will expedite a suckler cow scheme payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49891/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named registered two animals under the 2008 Suckler Cow Welfare Scheme; one animal under the 2009 Scheme; three animals under both the 2010 and 2011 Schemes and four animals under the 2012 Scheme. Full payment has issued in respect of all animals for all years and no further payments are due to this applicant under this Scheme.

Disadvantaged Areas Scheme Applications

185. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the reason for the delay in the review of the disadvantaged area aid in respect of a person (details supplied) in County Cork; when a decision will issue; and if he will make a statement on the matter. [49892/13]

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

Horse Racing Industry

186. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 13 of 14 November 2013, and his denial that the Indecon report stated that Exchequer funding to horse racing was unsustainable, if he will further explain the meaning of the direct quotes from the report (details supplied). [49924/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The entire paragraph (Indecon Report, 2012 “*Review of Certain Aspects of the Irish Horse Racing Industry*”, Indecon 2012) from which the Deputy has quoted reads as follows: “*At present, the Irish Exchequer allocates approximately €30 million per annum in subsidies to the sector, in addition to receipts from Betting Duty. Despite the economic contribution of the sector, Indecon does not believe that this level of general exchequer funding is sustainable over time given the pressures on exchequer resources.*”

As I outlined to the Deputy in my response to Question No. 48142/13 my colleague, the Minister for Finance, has introduced the Betting (Amendment) Bill 2013 earlier this year which will bring remote and on-line betting within the tax net. This is consistent with the Indecon recommendation which advocated “*Measures should be introduced to secure a significant increase in taxation from the Betting Sector.*”

The increased revenues from receipts in excise duty on betting will create the potential “*to significantly reduce general Exchequer expenditure other than funds raised from betting taxation*” as recommended in the Indecon Report (page 64).

1 “*Review of Certain Aspects of the Irish Horse Racing Industry*”, Indecon 2012

I expect that the new betting legislation combined with actions by the industry aimed at growing commercial income and sponsorship and increasing efficiency through the streamlining of functions will ensure that the funding provided to the horse and greyhound racing industries is sustainable into the future. These industries together are estimated to contribute approximately €1.6 billion per annum in economic output and support in the region of 24,000 jobs principally in rural Ireland.

Departmental Programmes

187. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine if his Department had to notify the EU, or seek approval for the change in the terms and conditions of

the BTAP 2012 scheme in view of the fact that the programme is subject to EU state aid rules; and if he will make a statement on the matter. [49938/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Beef Technology Adoption Programme (BTAP) was introduced in 2012 to improve the technical and financial performance of producers. Its objective is to improve the productivity and profitability of participants' beef enterprises by focusing on five areas: financial management, grassland management, herd health, animal breeding/welfare and producing animals to market specifications. Under the BTAP, participants engage in peer-to-peer learning by joining discussion groups which are facilitated by professional agricultural advisors drawn from Teagasc and the private sector.

The Terms and Conditions and programme for BTAP 2012 were devised following wide ranging consultation with stakeholders amongst whom were Teagasc, the Irish Farmers Association (IFA), Meat Industry Ireland (MII), Veterinary Ireland, and the Irish Cattle Breeding Federation (ICBF).

BTAP payments must comply with EU rules regarding the cumulative amount of state aid granted for primary agricultural production over any three-year period. Commission Regulation (EC) No. 1535/2007 provides that such aid is restricted to a maximum of €7,500 per claimant over any period of three years.

While the BTAP is funded from Exchequer funds it is subject to the De Minimis part of EU State aid rules. However, these do not require my Department to submit the BTAP Terms and Conditions for approval by the EU Commission.

My Department carried out a review of the Programme and made some changes based on experience from its first year of operation in 2012. Changes in the 2013 BTAP included further clarification of the role and responsibilities of the facilitator, clarification of the position for farmers who had both cattle and sheep and how they would be treated for payments purposes if they are participating in both the BTAP and the new Sheep Technology Adoption Programme (STAP). In addition, two new tasks relating to were the added to the menu of Programme options available to participants. These were (i) pregnancy scanning of breeding cows and heifers and recording the information obtained on an ICBF database and (ii) the completion of Bord Bia's Carbon Navigator/Footprint Calculator together with a laboratory analysis of at least two silage samples.

Live Exports

188. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the fees charged per animal by his Department in a live export levy; the value of fees due to his Department by individual exporters; the number of animals involved in each case; the period of time that the fees are outstanding; the actions taken in each case; the corresponding figures for Bord Bia fees; and if he will make a statement on the matter. [49944/13]

189. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the fees charged per animal by his Department for animals slaughtered in export plants; the value of fees due to his Department by individual operators; the number of animals involved in each case; the period of time that the fees are outstanding; the actions taken in each case; the corresponding figures for Bord Bia fees; and if he will make a statement on the matter. [49945/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 188 and 189 together.

Inspection fees and levies are payable to my Department and An Bord Bia in respect of the slaughter or live export of animals as follows:

Species	Veterinary Inspection Fees Live Exports	Veterinary Inspection Fees Slaughter	Bovine Diseases Levy Live Exports/ Slaughter	Bord Bia Levy Live Exports/ Slaughter
Bovine	€4.80	5.00	€1.27	€1.90
Equine	€12.50	€4.40	N/A	Nil
Ovine/Caprine	€0.50	€0.50	N/A	€0.25 Ovine only
Porcine to NI	€0.63 per animal Maximum fee per inspection visit €95	€1.30	N/A	€0.35
Porcine other than to NI	€1.20 Payment capped at a maximum number of 125 animals per load	€1.30	N/A	€0.35
Poultry	Nil	<2kg €0.01 2-5kg €0.02 >5kg €0.04	N/A	Nil
Canine	€50 Per certificate	Nil	N/A	Nil

Note: the amounts refer to the rate per head unless otherwise stated.

Due to the commercially sensitive nature of the information, it would be inappropriate for me to provide information on amounts due or outstanding by individual operators.

The day to day management of the Bord Bia levies is an operational matter for that body.

Renewable Energy Generation Issues

190. **Deputy Joe Carey** asked the Minister for Agriculture, Food and the Marine his Department's interaction regarding the production of renewable energy sources from Irish farmland; and if he will make a statement on the matter. [49968/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department works closely with the relevant Government Departments and State Agencies in relation to bioenergy issues, particularly the Department of Communications, Energy and Natural Resources, the Sustainable Energy Authority of Ireland and Teagasc. New opportunities and market outlets are emerging for farmers and the rural economy in producing bioenergy as a form of renewable energy. The bioenergy sector offers the opportunity to offset Ireland's dependence on imported fossil fuels, and reduce Ireland's greenhouse gas emissions, while at the same time providing new market opportunities for the agriculture sector.

Challenging targets exist under the Renewable Energy Directive whereby Ireland is required to achieve 16% of its total final energy consumption from renewable sources by 2020. The 16% target is broken down into renewable energy contributions of 40% of electricity, 12% of heat and 10% of transport.

Since 2007 my Department has administered the Bioenergy Scheme offering grant-aid to support the establishment of the energy crops miscanthus and willow. To the end of 2013 over 3,300 hectares of these crops have been established.

Anaerobic Digestion (AD) is another area that has been supported by my Department. A Scheme of Investment Aid for Demonstration On-Farm Waste Processing Facilities was introduced by my Department in June 2006 under the aegis of the 2000-2006 National Development Plan, with funding of €4m as provided for in that Plan. In 2007, grant-aid was approved under the Scheme for the development of ten on-farm anaerobic digestion facilities. The grant-aid is payable only on completion of the work concerned and one grant of €400,000 has been drawn down to-date. Applicants, on request, are being provided with extensions until end-June 2014 to complete the investment works needed in order to draw down the grant-aid available.

My Department also provided funding for research under the Stimulus fund 2007–2013 to three projects related to anaerobic digestion which are ongoing. The price supports via Renewable Energy Feed-in Tariff for AD announced by the Minister for Communications, Energy and Natural Resources, indexed and offered on a 15-year basis, have the potential to underpin the development of the technology in Ireland. The introduction of these tariffs was supported by my Department.

My Department, in collaboration with the Department of Environment, Community and Local Government and the Environmental Protection Agency, has sought to encourage the use in practice of the “product not waste” scenario in relation to Animal By-Products. Details available to my Department show that some 35,000 tonnes of tallow was used as a fuel in Ireland in 2011.

The state supported afforestation programme has resulted in a forest estate which is now providing an increasing level of renewable biomass from thinnings and from sawmilling residues. It is estimated that in 2012 over one million cubic metres of wood, more than one third of the annual harvest, was used for energy generation. National projections indicate that as harvest increases over the coming decades so will the contribution of the forest sector to renewable biomass. These activities contribute significantly to mitigating emissions from fossil fuels as well as contributing to rural development and jobs.

Officials from my Department are contributing to the development of a Department of Communications, Energy and Natural Resources National Bioenergy Strategy to be published shortly. This will take account of the various strands of bioenergy that are dealt with within my Department, with a view to maximising their potential contribution to achieving renewable energy targets for 2020 and beyond.

Agriculture Schemes Payments

191. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Cavan will receive their disadvantaged area scheme payment and single farm payment; and if he will make a statement on the matter. [49970/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As processing of the application of the person named under the 2013 Disadvantaged Areas Scheme/Single Payment Scheme has recently been finalised, payments under both schemes are due to issue in to the person named in the coming days, directly to the nominated bank account.

Single Payment Scheme Eligibility

192. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) in County Galway who is currently receiving a single farm

payment would continue to receive that payment if they planted some of their land with forestry and received a forestry premium for that portion of land; and if he will make a statement on the matter. [49974/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following changes to the EU Regulations land which was afforested since 2009 and land which will be afforested in 2013 will be eligible to draw down an SPS payment in 2013 provided that the afforested land meets the following requirements:

- The land to be afforested was declared on a 2008 SPS application form.
- The applicant who declared that land on a 2008 SPS application form was paid under the 2008 Single Payment Scheme.
- The land to be afforested was eligible to draw down an SPS payment in 2008.
- Applicants, who afforest part of their holding from 2009 onwards and wish to benefit from the Single Payment, must retain at least 10% of the eligible hectares declared in 2008 (by the applicant or their predecessor) in an agricultural activity subject to a minimum of 3 hectares.
- If the applicant is a new entrant to farming, the minimum area to be retained in an agricultural activity will be fixed by the Department on a case by case basis.
- Applicants, who wish to benefit from the Single Payment on afforested land, must be the person or persons in joint management of receipt of afforestation premium. This applies to members of the same family.
- The afforested land meets all the requirements of the Afforestation Grant and Premium Scheme, FEPS or the Native Woodland Establishment Scheme.
- Eligible Forestry parcels that are declared on SPS applications to activate entitlements will also be subject to cross-compliance requirements.

Should the lands the person named proposes to plant meet the above criteria, they will be eligible under the Single Payment Scheme. The onus remains firmly with the applicant to ensure all lands declared under the Single Payment Scheme are eligible.

Appointments to State Boards

193. **Deputy Niall Collins** asked the Minister for Agriculture, Food and the Marine if he will provide, in tabular form, the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50006/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Since May 2011, a notification has been placed on my Department's website inviting expressions of interest from persons interested in being appointed to the boards of State Bodies under the aegis of my Department. On 7 September 2012 last, I placed an advertisement in the National Newspapers inviting expressions of interest. All expressions of interest lapse at the end of each calendar year.

Questions - Written Answers

In making any board appointments, I am not necessarily confined to those who make such expressions of interest but ensure that all of those appointed have the relevant mix of knowledge and expertise to contribute to the relevant board.

In the case of a number of bodies, some board appointments, while made by me, are not at my sole discretion in that individuals are nominated for appointment by me by various organisations as specified in the relevant statute. These are the Aquaculture Licensing Appeals Board, Bord Bia, Teagasc, National Milk Agency, Veterinary Council of Ireland and Horse Racing Ireland.

The information sought by the Deputy is outlined in the following table as at 21 November 2013:

Body/Agency	No of Board Members	No of Board appointments since March 2011	Name	Date Appointed	'Expression of Interest' appointments	No of current vacancies
Aquaculture Licensing Appeals Board	7	7	Brendan Brice Camilla Keane Sean Murphy Michael Sweeney Dr Owen McIntyre Jim Power Lorcán Ó Cinnéide	9 November 2011 23 February 2012 1 January 2013 1 January 2013 1 April 2013 1 April 2013 22 October 2013	None-nominations made by prescribed organisations from which Minister made appointments	0
			Michael Carey (Chair)	19 November 2011		
An Bord Bia	15	12 (including the Chair)	Gary Brown Michael Cronin Rhona Holland John Kingston Brody Sweeney Mary J Byrne John Bryan John Horgan John Comer Frank Hayes	7 October 2011 7 October 2011 7 October 2011 7 October 2011 7 October 2011 28 March 2012 24 March 2012 7 December 2012 12 April 2013 12 April 2013	None-nominations made by prescribed organisations from which Minister made appointments	1
			Kieran Calnan (Chair)	13 June 2012		
Bord Iascaigh Mhara	6	2 (including the Chair)	Pádraig O Céidigh	30 April 2013	One appointment from 'expressions of interest'	3
			Philip Meaney (Chair)	12 April 2011		
Bord na gCon	7	6 (including the Chair)	Matt Murphy Brendan Moore Tim Gilbert Tony McNamee William O'Dwyer	2 December 2011 2 December 2011 2 December 2011 2 December 2011 12 June 2012	Four appointments were from 'expressions of interest'	0
			Brendan McKenna (Chair)	8 October 2012		

Body/Agency	No of Board Members	No of Board appointments since March 2011	Name	Date Appointed	'Expression of Interest' appointments	No of current vacancies
Coillte	9	5 (including the Chair)	Oliver McCabe David Gunning Julie Murphy O'Connor John Moloney	24 October 2011 - Resigned from Board with effect from 1 November 2012 25 May 2012 – Term of appointment expired 19 March 2013 24 June 2013 19 October 2013	Two appointments were from 'expressions of interest'	2
			Joe Keeling (Chair)	13 March 2013		
Horse Racing Ireland	14	4 (including the Chair)	Noel Meade Neville O'Byrne Mary O'Connor	8 February 2012 8 February 2012 8 February 2012	Three nominations made by prescribed organisations following which the Minister made appointments	0
			Matt Dempsey (Chair)	28 February 2013		
Irish National Stud	7	5 (including the Chair)	John Tuite Seamus Boyle Mark Weld Kate Horgan	25 October 2013 25 October 2013 29 October 2013 29 October 2013	Four appointments were from 'expressions of interest'	0
Marine Institute	9	4	Paul Hyde David Owen Prof Patricia Barker Donal Kelly	1 June 2012 4 December 2012 19 February 2013 15 April 2013	Three appointments were from 'expressions of interest'	2
Sea Fisheries Protection Authority	3	2	Micheál O Mahony Dr Susan Steele	1 January 2013 4 March 2013	Yes	0
			Dr Noel Cawley (Chair)	17 September 2013 (re-appointment)		
Teagasc	11	8 (including the Chair)	Thomas Cooke Dr Karina Pierce-Brendan Gleeson-Tom Tynan Mr Pdraig Gibbons Mr Alan Jagoe Prof. Gerald Fitzgerald	5 October 2011 9 January 2013 9 January 2013 9 January 2013 15 September 2013 (re-appointment) 15 September 2013 15 September 2013	Three appointments were from 'expressions of interest'	0
Veterinary Council	19	6	Michael Sheahan Peadar Ó Scanaill Michael Sadlier Deirdre Campion Martin Blake Cristina Creagh†	1 January 2012 1 January 2012 1 January 2012 1 January 2012 21 December 2011 27 August 2012	None	0

No appointments to the following State Bodies have been made since March 2011: National Milk Agency – members elected rather than appointed.

Directors of State Bodies who are officials of the Department of Agriculture, Food and the Marine do not receive board fees.

† Appointed directly by the Minister as provided under Section 17(2) of the Veterinary

Practice Act 2005 as the National Consumer Agency chose not to furnish a nomination.

Single Payment Scheme Payments

194. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Cavan will receive their single farm payment; and if he will make a statement on the matter. [50035/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As processing of the application of the person named under the 2013 Single Payment Scheme has recently been finalised, advance payment under this scheme is due to issue in to the person named in the coming days, directly to the nominated bank account.

Disadvantaged Areas Scheme Payments

195. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Monaghan will receive their disadvantaged area scheme payment and their single farm payment; and if he will make a statement on the matter. [50063/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The application of the person named was one of those selected for Satellite (remote sensing) Inspection. Following initial processing an over claim was determined. A subsequent ground inspection confirmed the over claim. As the total area over claim was greater than 20%, no payment is due to the person named for the year in question based on the scheme Terms and Conditions and the relevant EU regulations. A letter explaining the foregoing and also informing the person named of a right to appeal, issued on 11 November 2013.

Appointments to State Boards

196. **Deputy Niall Collins** asked the Minister for Children and Youth Affairs if she will outline in tabular form the number of appointments to State boards under her Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under her Department's remit since March 2011 to date in 2013; the number of vacancies State boards under her Department's remit publically advertised since March 2011 to date in 2013; and the number of appointments to State boards under her remit drawn directly from the public advertisement process. [50008/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I would like to inform the Deputy there are four agencies which are funded by the Exchequer through my Department's Vote. These are the Adoption Authority of Ireland (AAI); the Family Support Agency (FSA); the National Educational Welfare Board (NEWB) and the Ombudsman for Children.

With effect from 1 January 2012, I have taken responsibility for the Children Detention Schools as provided in Part 10 of the Children Act 2001.

Apart from the Ombudsman for Children's Office which does not have a board, I am responsible for all board of management appointments.

Since I took office in March 2011, I have directly appointed 46 persons to the boards of

management under the aegis of my Department and there have been 52 vacancies since that date. I can confirm that there is currently one vacancy on the board of management of the AAI, four vacancies for the FSA, one vacancy for the NEWB and no vacancies for the Children Detention Schools.

As the Deputy may be aware, in line with the Government decision of April 2011, new arrangements were put in place for the making of appointments to State Boards and bodies. Following this Government Decision, on my Department's website I have invited expressions of interest from persons interested in being appointed to the boards of State Bodies and Agencies operating under the Department's aegis. The notice indicates the vacancies in the boards of the respective bodies. My officials acknowledge all expressions of interest received and maintain a database of those expressions. My Department's website is monitored and updated on a regular basis to reflect the number of vacancies as they arise.

The appointment of members to each of these bodies is not a competency-based process. The governing legislation in relation to each of these bodies sets out the composition of the board either in terms of their qualifications and experience, or the Government Minister or body that is responsible for nominating representatives on them or who must be consulted in the nomination process.

For example, the Adoption Act, 2010 requires that the board of the Adoption Authority of Ireland consists of 7 members – the chairperson must be a Judge, barrister or solicitor and the ordinary members must include a social worker with experience in adoption practice, a social worker with research expertise in child welfare, child protection or both, a barrister or solicitor with experience in the practice of law in relation to families and children, a medical practitioner and a person with appropriate training in psychology.

On the other hand, the Education Welfare Act, 2000 provides that the Minister shall make appointments to the National Educational Welfare Board (NEWB) from among persons who in the opinion of the Minister have a special interest or expertise in matters relating to the functions of the board.

The Family Support Agency Act, 2001 provides that the Minister may appoint individuals to the board who have a special interest or expertise in matters relating to the functions of the Agency. The current membership of the board of the Family Support Agency will be appointed to the board of the new Child and Family Agency when it is established.

The Children Act, 2001 outlines the different Ministers and organisations that nominate persons to serve on the board of management of the children detention schools.

In making my decisions on appointments to boards, subject to the governing legislation, I consider the most suitable persons for the positions available with due regard to the body or agency in question and its particular responsibilities and I seek to ensure that the appropriate mix of skills and experience is in place to achieve the best result.

Appointments to State Boards under the remit of the Minister for Children and Youth Affairs since March, 2011

National Educational Welfare Board

Board Member	Term
Nuala Doherty (Chair)	30/07/12 – 29/07/17
Brendan Broderick (Resigned 31/12/12)	15/09/11 – 03/03/14
Catherine Connery	28/05/12 – 27/05/15

Questions - Written Answers

Board Member	Term
Marian Jennings	28/05/12 – 27/05/15
Eamonn Flynn	15/09/11 – 03/03/14
Bob Dowling	02/03/12 – 01/03/15
Ruairi Gogan	02/03/12 – 01/03/15
Deirdre Matthews	14/01/13 – 30/09/13
Mary Donnelly	23/04/12 – 22/04/15
Sally Maguire	03/11/13 – 03/03/14

Children Detention Schools

Board Member	Term
Joe Horan (Chair)	26/03/12 – 25/03/14
Gerard McKiernan	26/03/12 – 25/03/14
Ursula Kilkelly	26/03/12 – 25/03/14
Diego Gallagher	26/03/12 – 25/03/14
Sylda Langford	26/03/12 – 25/03/14
Pat Rooney	26/03/12 – 25/03/14
Elizabeth Howard	26/03/12 – 25/03/14
Colin Fetherston	26/03/12 – 25/03/14
Barry Rooney	26/03/12 – 25/03/14
Deirdre Keyes	26/03/12 – 25/03/14
Dan Kelleher	26/03/12 – 25/03/14
Rachel Grimes	14/11/12 – 25/03/14
Niall Kelly	06/09/13 – 25/03/14

Family Support Agency

Board Member	Term
Sharon Foley (Chair)	30/01/12 – 31/03/13 (Ordinary Board member) 26/03/12 – 31/03/13 (Chair)
Caroline Murphy	20/10/11 – 31/03/12 16/04/12 – 31/03/13
Dick Hickey	02/06/11 – 01/12/11 02/12/11 – 31/03/12 16/04/12 – 31/03/13
Dr. John Griffin	30/04/12 – 31/03/13
Marie Fenlon	01/09/11 – 31/03/12 16/04/12 – 31/03/13
Liz Chaloner	30/01/12 – 31/03/13
Nuala Ryan	30/01/12 – 31/03/13
Catherine Downey Murphy	11/07/12 – 31/03/13

Board Member	Term
Catherine Hazlett (Resigned on 16/05/12 due to restructuring of Department)	26/07/11 – 31/03/12 16/04/12 – 31/03/13
Yvette O'Malley (Resigned on 10/11/11)	01/09/11 – 10/11/11
Marie Dullea	11/07/12 – 31/03/13
Imelda Martin	28/11/11 – 31/03/12 16/04/12 – 31/03/13
Lorraine Mulligan	12/12/12 – 31/03/13
Dr. Nollaig Byrne	08/02/12 – 31/03/13
Norah Gibbons (Chair)	01/06/13 – up to 3 years or establishment of Child and Family Agency (CFA)
Sylva Langford	17/09/13 – up to 3 years or establishment of CFA
PJ Fitzpatrick	17/09/13 – up to 3 years or establishment of CFA
Noelle Spring	17/09/13 – up to 3 years or establishment of CFA
Rory O'Farrell	17/09/13 – up to 3 years or establishment of CFA
Gary Joyce	17/09/13 – up to 3 years or establishment of CFA
Ita Mangan	17/09/13 – up to 3 years or establishment of CFA
Noel Kelly	17/09/13 – up to 3 years or establishment of CFA

Adoption Authority of Ireland

Board Member	Term
Dr. Imelda Ryan	07/02/12 – 6/07/17

Children in Care

197. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the position regarding the children of persons (details supplied) in Dublin 15 whose children are in care; the length of time the children are in care; the number of visits to each of the children facilitated by the authorities in the interim; the number of occasions on which visits to the children were not facilitated or were cancelled; and if she will make a statement on the matter. [50076/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The HSE advised that as this case is subject to legal proceedings and the in camera rule, it is not appropriate to comment any further on the specific aspects of the case. The HSE will work closely with the family, ensuring that all views are considered in order to achieve the best outcome for the children.

Proposed Legislation

198. **Deputy Terence Flanagan** asked the Minister for Health his plans to ban the use of trans-fats in food sold here; and if he will make a statement on the matter. [49928/13]

Minister for Health (Deputy James Reilly): My Department recognises the importance of limiting the use of trans-fats in foods sold in Ireland. The Department raised this issue at EU

level during negotiations on EU Regulation 1169/2011 governing the provision of food information to consumers. The European Commission agreed to prepare a report on the presence of trans fats in foods and in the overall diet of the EU population by the end of 2014. The aim of the report is to assess the impact of appropriate means to enable consumers to make healthier food and dietary choices, including the provision of information on trans fats to consumers or restrictions on their use. The Commission will accompany this report with a legislative proposal, if appropriate. The Commission's report will inform future action in this area.

Misuse of Drugs

199. **Deputy Róisín Shortall** asked the Minister for Health the target month he is working to for the updating of regulations under the Misuse of Drugs Act following the recent public consultation period. [50046/13]

Minister of State at the Department of Health (Deputy Alex White): The draft regulations which are being prepared in my Department constitute a major amendment of the Misuse of Drugs Regulations. Due to their complexity it has been necessary to have two rounds of consultations with stakeholders and interested parties. Arising from the latest consultation process, the draft regulations are being reviewed. When this review is completed, the Government's approval will be sought to notify the draft regulations to the EU Commission and Member States under the Technical Standards Directive. It is anticipated that the draft regulations will be so notified before the end of the first quarter of 2014. The EU notification period may take up to 3 months to complete. Following its completion, the Government's approval will be sought to amend the relevant Statutory Instruments.

Departmental Agencies Funding

200. **Deputy Terence Flanagan** asked the Minister for Health the funding provided to Treoir for the past five years with the breakdown between staff and other costs; and if he will make a statement on the matter. [49844/13]

Minister for Health (Deputy James Reilly): As this is a service matter I have requested the Health Service Executive to investigate and respond directly to the Deputy.

Primary Care Centre Provision

201. **Deputy Terence Flanagan** asked the Minister for Health his plans to establish a primary care centre in Baldoyle; and if he will make a statement on the matter. [49853/13]

Minister of State at the Department of Health (Deputy Alex White): Delivery of health-care infrastructure is a service matter. Therefore the question has been referred to the Health Service Executive for direct reply.

Primary Care Centre Provision

202. **Deputy Terence Flanagan** asked the Minister for Health his plans to establish a primary care centre in Clongriffin; and if he will make a statement on the matter. [49854/13]

Minister of State at the Department of Health (Deputy Alex White): Delivery of health-care infrastructure is a service matter. Therefore the question has been referred to the Health Service Executive for direct reply.

HSE Savings

203. **Deputy Seán Ó Feargháil** asked the Minister for Health if he has undertaken an evaluation of the savings involved in the centralisation of the medical card application process; the results, if any, of this evaluation; and if he will make a statement on the matter. [49860/13]

Minister of State at the Department of Health (Deputy Alex White): The centralisation of the medical card scheme, which enhanced the system architecture underpinning approximately 18% of the health vote, was delivered successfully and is now being utilised by the State to deliver a more efficient and cost effective service to eligible persons.

Prior to centralisation, which commenced in 2011, some 450 staff operated medical card processing locally in 100 locations throughout the country. Following on from centralisation, 150 staff operate the scheme. All local staff were permanent HSE employees and were redeployed to various frontline services as vacancies/needs arose locally following on from the voluntary retirements in the HSE. Accordingly, annual savings of approximately €9m can be attributed directly to the centralisation programme.

Now that the Medical Card Scheme is underpinned with a standard foundation, which enables better governance, more transparency and the use of efficient modern processes, the HSE continues to move ahead with additional improvements. I am satisfied that this key strategic change project has not only delivered significant savings but also delivers a more efficient, effective and economic service and it is vital to deliver future changes in the health environment.

General Medical Services Scheme Administration

204. **Deputy Robert Troy** asked the Minister for Health if he will allow the medical card to cover Flexiseq, a pain medication ointment. [49862/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE has not received an application for FlexiSEQ to be added to the List of Reimbursable items under the GMS and other community drug schemes. On receipt of a formal application from the product's Marketing Authorisation Holder, a comprehensive assessment of the clinical effectiveness of the product and whether it represents value for money for the State, will be undertaken by the HSE in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013.

Health Services

205. **Deputy Clare Daly** asked the Minister for Health with regard to the response he received from the Health Service Executive in relation to a person (details supplied), if he will inform the Health Service Executive that contrary to their statement that they had not received a referral to the north Dublin early intervention team for the child in question and that their waiting list was not closed, that such a referral was in fact made and therefore to instruct the HSE to amend this error and deal with the child's needs [49866/13]

Minister for Health (Deputy James Reilly): As the issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. I have asked the HSE to look into the particular matter raised and to reply directly to the Deputy.

Nursing Home Accommodation

206. **Deputy Finian McGrath** asked the Minister for Health the position regarding a transfer in respect of a person (details supplied) in Dublin 11. [49869/13]

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.

Orthodontic Service Provision

207. **Deputy Joe O'Reilly** asked the Minister for Health the steps being taken to expedite the orthodontic treatment for three second level students (details supplied) in County Cavan; and if he will make a statement on the matter. [49871/13]

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.

Mental Health Services Provision

208. **Deputy Michael McCarthy** asked the Minister for Health the actions he is taking to address the shortage of acute child psychiatric services (details supplied) in County Cork; when a permanent consultant will be appointed to this service as the absence of such has placed a considerable strain on this service; and if he will make a statement on the matter. [49872/13]

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.

Hospital Appointment Status

209. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a hospital appointment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49882/13]

Minister for Health (Deputy James Reilly): 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 Waiting Lists

210. **Deputy Terence Flanagan** asked the Minister for Health the number of people waiting to be seen at the outpatients department at Beaumont Hospital; the number of patients waiting two or more years to be seen; and if he will make a statement on the matter. [49887/13]

Minister for Health (Deputy James Reilly): As this is a service matter, I have asked the HSE to respond directly to the Deputy.

Hospital Waiting Lists

211. **Deputy Brendan Smith** asked the Minister for Health his proposals to provide an immediate improvement in the waiting times for outpatients on the orthopaedic list in the north east particularly Our Lady's Hospital, Navan; and if he will make a statement on the matter. [49893/13]

Minister for Health (Deputy James Reilly): For 2013, a maximum waiting time target of 12 months has been set for a first time consultant-led outpatient appointment and this is reflected in the HSE Service Plan. The SDU and the NTPF are working 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 query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

Hospital Consultants Recruitment

212. **Deputy Denis Naughten** asked the Minister for Health when the vacant geriatrician post will be filled at Portiuncula Hospital, Ballinasloe; the date on which the post became vacant; when approval to fill the post was sought and sanctioned; the reason for the delay in filling the post; and if he will make a statement on the matter. [49906/13]

Minister for Health (Deputy James Reilly): As this is a service matter, I have asked the HSE to respond directly to the Deputy.

Medical Card Eligibility

213. **Deputy Denis Naughten** asked the Minister for Health if the geographic location of an applicant is considered as a criteria for the assessment of a discretionary medical card; if he will provide the detail of such weighting, if any, for each designated geographic area; and if he will make a statement on the matter. [49918/13]

Minister of State at the Department of Health (Deputy Alex White): The HSE's National Assessment Guidelines for a medical card or GP visit card state that the 'exercise of discretion by the HSE, in favour of the applicant, should be considered where meeting the costs of services covered by a medical card or a GP visit card compromises the applicant's or his/her family's ability to meet the essential costs associated with:

- maintenance of employment
- provision of reasonable housing

- provision of appropriate nurturing and care for children or dependants
- provision of adequate heating, nutrition and clothing, or
- coping with exceptional personal and financial burdens arising from medical or social circumstances.”

In conducting this assessment, the Guidelines state that the following issues be taken account of on an application:

- Illness or medical circumstances which results in financial hardship.
- The cost of providing general medical and surgical services.
- The cost associated with the provision of medical, nursing and dental treatment.
- The cost of physiotherapy and speech and language therapy.
- Transport cost to hospitals and clinics.
- Addictions such as drink, drugs and gambling.
- Poor money management.
- Social deprivation – including poor home management.
- The cost of medical aids and appliances.

The HSE will give equal consideration to each of the above factors that present on an application in deciding whether to approve that application for grant of a medical card on grounds of ‘undue hardship’/‘undue burden’ in the arranging of GP services by an applicant for himself/herself and dependants.

The decision maker may make appropriate inquiries or seek advice from other sources to assist with coming to a decision on ‘undue hardship’/‘undue burden’, including the applicant’s doctor, Social Worker, Money Advice and Budgeting Service (MABS) and the HSE’s Medical Officers.

I trust the above reply clarifies the circumstances, in addition to income, taken into account in deciding whether to approve medical card eligibility on discretionary grounds.

Vaccination Programme

214. **Deputy Denis Naughten** asked the Minister for Health when the national immunisation advisory committee will be making a decision regarding immunisation against meningitis B; and if he will make a statement on the matter. [49919/13]

Minister for Health (Deputy James Reilly): The inclusion of items on meeting agendas is a matter for the National Immunisation Advisory Committee (NIAC) itself. The Department will, however be informed of any recommendations arising from those meetings.

Should the NIAC advice recommend the inclusion of Meningococcal group B (Meningitis B) vaccine into the primary childhood immunisation programme in Ireland, my Department, in association with the Health Service Executive National Immunisation Office, will examine the issue.

Hospital Appointments Administration

215. **Deputy Ciarán Lynch** asked the Minister for Health if an appointment in the radiotherapy Department of CUH will be brought forward on grounds of age and the severity of the patient's condition in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [49929/13]

Minister for Health (Deputy James Reilly): As this is a service matter, I have asked the HSE to respond directly to the Deputy.

Hospital Trusts

216. **Deputy Billy Kelleher** asked the Minister for Health if he will provide, in tabular form, details of the model 4 hospitals in each new hospital group, details of the model 3 hospitals in same and details of the model 2 hospitals in same; and in regard to this category, if it is a model 2D, a model 2S or a model 2R; and if he will make a statement on the matter. [49935/13]

Minister for Health (Deputy James Reilly): The Report on the Establishment of Hospital Groups, which I launched on 14 May, is the most fundamental reform of the Irish acute hospital system in decades. The introduction of hospital groups will provide for organisational change in the first instance, giving more autonomy and better enabling the reorganisation of services in a well-planned manner. Over time, this will help to improve services and deliver better outcomes for patients. The Smaller Hospitals Framework, which will be implemented in the context of hospital groups, defines the role of smaller hospitals and outlines in detail the wide range of services that can be provided within the smaller hospital and that can be transferred from the larger to smaller hospitals within hospital groups.

The reforms outlined above can be expected to result in change at most if not all hospitals across all Groups. All hospitals, whether categorised in the future as Model 4, 3, or 2 hospitals, will play a significant role in their groups in providing sustainable, safe and effective care at the appropriate level of complexity. The provision of services at all hospitals will be examined in the context of strategic plans to be developed by each hospital group. These plans will be prepared in the context of an overarching policy framework to be developed by my Department, and their preparation will afford an opportunity for all hospitals in each group to work together to address the opportunities and challenges of service reorganisation.

Hospital Trusts

217. **Deputy Billy Kelleher** asked the Minister for Health with regard to the nine smaller hospitals which are to be model 2 hospitals, if he will provide in tabular form for each hospital a list of services that are currently available in those hospitals that will no longer be available when the framework is put in place; the timeline for these changes; and if he will make a statement on the matter. [49936/13]

Minister for Health (Deputy James Reilly): The Report on the Establishment of Hospital Groups, which I launched on 14 May, is the most fundamental reform of the Irish acute hospital system in decades. The introduction of hospital groups will provide for organisational change in the first instance, giving more autonomy and better enabling the reorganisation of services in a well-planned manner. Over time, this will help to improve services and deliver better outcomes for patients. The Smaller Hospitals Framework, which will be implemented in the

context of hospital groups, defines the role of smaller hospitals and outlines in detail the wide range of services that can be provided within the smaller hospital and that can be transferred from the larger to smaller hospitals within hospital groups.

The reforms outlined above can be expected to result in change at most if not all hospitals across all Groups. All hospitals will play a significant role in their groups in providing sustainable, safe and effective care at the appropriate level of complexity. The provision of services at all hospitals will be examined in the context of strategic plans to be developed by each hospital group. These plans will be prepared in the context of an overarching policy framework to be developed by my Department, and their preparation will afford an opportunity for all hospitals in each group to work together to address the opportunities and challenges of service reorganisation.

Autism Support Services

218. **Deputy Billy Kelleher** asked the Minister for Health the amount of the €3 million funding for autism services that he announced in January 2012 that has been spent to date; and if he will make a statement on the matter. [49937/13]

Minister for Health (Deputy James Reilly): The HSE National Review of Autism Services: Past, Present and Way Forward Report (2012) and the Progressing Disabilities Services for Children and Young People (0-18s) Programme set out the policy context for the provision of autism services to children and young people. The objective of the Progressing Disabilities Programme is to achieve a national, unified approach to delivering disability health services so that there is a clear pathway to the services for all children, regardless of where they live, what school they go to or the nature of their disability. This Programme aims to remedy the variations in service provision that currently persist around the country.

To assist in addressing some of these variations, I announced the allocation of €1m in funding for autism and early intervention services in 2012. Based on a report prepared by the HSE, I approved €300,000 of this funding, which equates to five therapists posts, for Beechpark services in Dublin, north of the Liffey, to address the pressing needs of its catchment area, with a particular emphasis on reducing waiting times.

Following ongoing discussions on the best way forward in relation to Beechpark Autism Services, the HSE confirmed that this approved funding would be allocated to HSE Dublin North East in 2013 for Beechpark in order to address the waiting list for services in Dublin North East. This provides, in the first instance, for the recruitment of the necessary five therapy staff. This process is under way. The HSE has also assigned a Disability Manager in Dublin North East to oversee the re-configuration of early intervention services for children and young people with disabilities in the region, in line with the national Progressing Disabilities Programme.

I separately established an Independent Review Group in 2012, to look at the Beechpark model of services and how resources could be used in the best and most effective way, in light of the HSE Review of Autism Services and the re-organisation of services under way in line with the 0-18's Programme. Further funding in relation to Beechpark and other regions of the country, was put on hold, pending the outcome of this Review. This Review is expected to be concluded shortly. The issue of service levels and funding to be provided for the disability sector is being considered in the context of the development of the HSE's National Service Plan for 2014.

Hospitals Capital Programme

219. **Deputy Billy Kelleher** asked the Minister for Health if capital works have been stalled or ceased in the three children's hospitals in Dublin in view of the plans for the new hospital that have been announced; and if he will make a statement on the matter. [49941/13]

Minister for Health (Deputy James Reilly): The requirement for capital investment in the children's hospitals in Dublin, to sustain and improve patient services in advance of the move to the new children's hospital, will continue to be considered in the context of the priorities in the Capital Programme. The HSE's National Capital & Property Steering Committee appraises all projects to be included in the Capital Plan. Project applications must be accompanied by detailed project briefs. The project brief includes a needs assessment, a detailed capital appraisal or a cost benefit analysis, life cycle costs, projected capital budget and revenue and staffing implications.

Primary Care Centre Provision

220. **Deputy Billy Kelleher** asked the Minister for Health if he will provide an update on the current status of the primary care centre projects announced on 17 July 2012; and if he will make a statement on the matter. [49942/13]

Minister of State at the Department of Health (Deputy Alex White): The development of primary care is central to the Government's objective to deliver a high quality, integrated and cost effective health system. The development of primary care centres, through a combination of public and private investment, will facilitate the delivery of multi-disciplinary primary health care. The delivery of primary care infrastructure is a dynamic process and must take account of changing circumstances including the feasibility of implementing the delivery of the centres by means of lease, direct- build or PPP.

The Health Service Executive (HSE) is working with the National Development Finance Agency (NDFA) to progress Primary Care Centre Public Private Partnership. The NDFA as a centre of expertise will be responsible for the delivery of the Primary Care PPP programme on behalf of the HSE, including the management of the procurement phase and the provision of financial advice including a Value for Money assessment. It has been reviewing the processes involved in procurement of PPP projects with a view to streamlining the process and delivering projects more quickly.

The HSE and NDFA have completed an indicative Public Sector Benchmark (PSB) for the overall project. Considerable work on the project has been completed by the HSE and its appointed design teams and technical advisors. The HSE is in the process of lodging planning applications, details of which will be available on the relevant planning website.

It is expected that the NDFA will proceed to market with the PPP projects very shortly.

Medical Aids and Appliances Provision

221. **Deputy Michael Healy-Rae** asked the Minister for Health in view of the fact that amputees who are awaiting prosthesis are encountering up to a two year wait for health service approval, the proposals he has to end these long delays; and if he will make a statement on the matter. [49989/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Current prosthetic, orthotic and limb absence rehabilitation services available include acute hospital services, the National Rehabilitation Hospital and multi-disciplinary community services. These services are provided directly by the Health Service Executive (HSE) and several non-statutory organisations. Assessments are carried out by a range of multi-disciplinary staff. Approval is prioritised to ensure that people with the most urgent assessed needs have their needs met first. As with all health services, approvals must remain within the annual budget for prosthetics and orthotics. I have asked the HSE to reply directly to the Deputy in response to his specific questions concerning waiting lists for prosthetic services.

Medical Card Applications

222. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [49990/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Tobacco Control Measures

223. **Deputy Patrick O'Donovan** asked the Minister for Health the legislative and regulatory controls that exist to cover the sale, advertising and promotion of electronic cigarettes. [49995/13]

Minister for Health (Deputy James Reilly): The report of the Tobacco Policy Review Group 'Tobacco Free Ireland' was launched on 3 October 2013. The report recommends the establishment of a regulatory framework for nicotine products in the context of discussions at European Union level. Last December, the Commission published a proposal for a new EU Tobacco Products Directive, the ultimate purpose of which is to reduce the numbers of people smoking. The proposal is being discussed in the European Parliament and Council of Ministers and the Commission hope that it will be adopted in 2014. Nicotine containing products such as e-cigarettes are being considered in the context of this proposed tobacco products directive.

Long-Term Illness Scheme Coverage

224. **Deputy Willie O'Dea** asked the Minister for Health the reason Crohn's disease is not on the long-term illness list; if he will consider adding same in view of the costs of the associated medication; and if he will make a statement on the matter. [50004/13]

Minister of State at the Department of Health (Deputy Alex White): There are no plans to extend the list of conditions covered by the Long Term Illness scheme. Under the Drug Payment Scheme, no individual or family pays more than €144 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for

families and individuals incurring ongoing expenditure on medicines. In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of GP consultations.

Appointments to State Boards

225. **Deputy Niall Collins** asked the Minister for Health if he will provide, in tabular form, the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50015/13]

Minister for Health (Deputy James Reilly): In line with Government Decision S180/20/10/1424 of 2011, relating to the advertising for expressions of interest in vacancies on State Boards, my Department, in conjunction with the Public Appointments Service, currently advertises for board vacancies as they arise, where I, as Minister for Health, have nominating rights. Appointments may not necessarily be from the applications received through the advertising process, which is also in line with the Government Decisions. The first advertising campaign was launched in January 2012. The information requested by the Deputy is not readily available, but I will forward a detailed reply as soon as possible.

Medical Card Applications

226. **Deputy Bernard J. Durkan** asked the Minister for Health if a person (details supplied) in County Kildare will be allocated a GMS doctor card; and if he will make a statement on the matter. [50074/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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

Hospital Procedures

227. **Deputy Bernard J. Durkan** asked the Minister for Health the procedure to be followed for male circumcision in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [50077/13]

Minister for Health (Deputy James Reilly): As this is a service matter I have requested the Health Service Executive to investigate and respond directly to the Deputy.

Medical Card Reviews

228. **Deputy Bernard J. Durkan** asked the Minister for Health if he will review the refusal of a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [50078/13]

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.

Community Involvement Scheme

229. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport if funding will be made available for community involvement schemes in 2014; and if he will make a statement on the matter. [49849/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In February 2013, a circular issued from my Department to local authorities inviting applications for funding under a pilot Community Involvement Scheme (CIS). €10.6m has been allocated over 2 years (including 2014) for work to be undertaken at 377 locations with over 240kms of roads to be improved. I have not yet decided whether to initiate a new round of the CIS in 2014 and would welcome the Deputy's views on the matter.

Based on most recent returns from Local Authorities, it is expected that 291 schemes will be completed in 2013.

Haulage Industry Regulation

230. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport the action that can be taken regarding overheight trucks (details supplied); and if he will make a statement on the matter. [49960/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations, 2008 provide that with effect from November 1 2013 the maximum operating height for all vehicles in Ireland is 4.65 metres unless otherwise permitted by law.

The enforcement of road traffic legislation, including legislation relating to vehicle heights, is the responsibility of An Garda Síochána, and I will relay the Deputy's concerns to the Minister for Justice, Equality and Defence.

Driver Licence Data

231. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport in view of the data in response to a parliamentary question regarding applications for drivers' li-

cences and learner permits in 2012, if he is satisfied that the provision of driver licence centres in Limerick is adequate in comparison to the data relating to applications and distances from centres in counties Leitrim, Longford, Westmeath and Roscommon, which was raised with him by way of Topical Issue; and if he will make a statement on the matter. [49993/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The choice of locations for the front offices of the National Driver Licensing Service (NDLS) is a matter for the Road Safety Authority (RSA), and I have no role in it. However, I do note that when locations were being considered, there was a generally agreed principle of making the service available within 50 kilometres to 95% of the population, and I understand that this has been achieved.

Under the front office contract, provided by SGS Ireland Ltd on behalf of the NDLS, customer services are offered at 34 full-time centres and 2 part-time centres around the country. They are open from 9 am to 5 pm, Monday to Friday, and from 9 am to 2 pm on Saturdays. They also remain open through lunchtimes. These opening hours are more flexible than previously available. Furthermore, people will be able to use any of the offices to apply for or renew their licence rather than, as previously, just the centre in their own local authority.

As the Deputy is aware, the front office services provided by SGS Ireland Ltd. commenced only in the past few weeks and the level of service and location of centres will be kept under review.

Appointments to State Boards

232. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport if he will outline in tabular form the number of appointments to State boards under his Department's remit made since March 2011 to date in 2013; the number of vacancies in State boards under his Department's remit since March 2011 to date in 2013; the number of vacancies on State boards under his Department's remit publicly advertised since March 2011 to date in 2013; and the number of appointments to State boards under his remit drawn directly from the public advertisement process. [50020/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I announced new procedures for appointment to boards on Friday 8th April 2011 and all appointments from that date have followed these procedures. They include an open invitation for expressions of interest in serving on the board of any of the agencies under the remit of my Department. This invitation was renewed on 31 January 2013.

Details of all appointments and vacancies are published on <http://dtas.ie/corporate/english/state-board-membership-and-approved-fees> and I currently have a database of more than 500 individuals who have expressed interest. However, given the importance of ensuring the right mix of skills and experience on every board, appointments are not necessarily confined to those who have made such an expression.

I have made 120 new appointments to State boards (excluding the re-appointment of members already serving, CEOs, employee representatives and those made by the North/South Ministerial Council). Of these 120 appointments, some 66 (or 55%) had submitted expressions of interest, with the remainder headhunted for specific skills. In every case where expressions of interest are concerned, I give close consideration to individuals who I consider appropriate to promoting good governance at board level, and with experience or qualifications in finance (including audit capability and/or project assessment) law, corporate governance, marketing, IT, or with experience relevant to the transport, tourism and sports sectors.

Taxi Regulations

233. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport if the results of the SPSV text will be provided to applicants in a manner so that the answer and score for each question is visible; and if he will make a statement on the matter. [50048/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The regulation of the small public service vehicle (SPSV) industry, including the operation of the area knowledge test and SPSV Skills Development Programme, is a matter for the National Transport Authority (NTA) under the provisions of the Public Transport Regulation Act, 2009.

I have referred the Question to the NTA for direct reply. The Deputy should advise my private office if he does not receive a response within 10 working days.