

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 5, inclusive, answered orally.

Questions Nos. 6 to 65, inclusive, resubmitted.

Questions Nos. 66 to 73, inclusive, answered orally.

Traveller Culture

74. **Deputy Mick Wallace** asked the Minister for Justice and Equality in view of the fact that the recognition of Traveller ethnicity has been repeatedly called for by the UN in order for Ireland to comply with its obligations under the ICCPR, when and how he intends to recognise Traveller ethnicity; the official steps or progression his Department has made over the past 12 months; and if he will make a statement on the matter. [52666/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am aware of calls on the part of many Travellers, including a number of national Traveller movements, for recognition of Travellers as an ethnic minority but equally of the fact that this is not a universally shared view. I am also aware of calls for the Government to consider granting such status in the context of international conventions to which Ireland is a party. I have, against that background, previously undertaken to give serious consideration to the issue.

Travellers, of course, have the same civil and political rights as other citizens under the Constitution. Moreover, the key anti-discrimination measures, the Prohibition of Incitement to Hatred Act, 1989, the Unfair Dismissals Acts 1977, the Employment Equality Acts and the Equal Status Acts specifically identify Travellers by name as a group which are protected. The Equality Act 2004, which transposed the EU Racial Equality Directive, applied all the protections of that Directive across all of the nine grounds contained in the legislation, including the Traveller community ground. All the protections afforded to ethnic minorities in EU directives apply to Travellers because the Irish legislation giving effect to those EU directives explicitly protects Travellers.

The commitment I made to give the issue of recognising Travellers as an ethnic minority further consideration led to a Conference on the subject of Ethnicity and Travellers: An Exploration being convened by the National Traveller Monitoring and Advisory Committee with support from my Department in September 2012. That Conference provided an opportunity for various aspects of the issue of ethnicity to be discussed and built on earlier discussions within the framework of National Traveller Monitoring and Advisory Committee on the issue. That

Committee, as the Deputy will be aware, brings together all of the national Traveller organisations as well as senior officials from relevant Government Departments including officials from my own Department. The report from that Conference now forms part of the ongoing consideration of the issue.

My Department has in parallel been engaging with other Government Departments on the issue by way of the identifying any possible implications arising from the recognition of Travellers as an ethnic group. Those consultations are continuing and I expect them to be brought to a conclusion shortly. Those consultations will ensure that I have a full analysis of all aspects of granting of ethnic status to Travellers in framing any proposals on the matter that I may wish to bring to Government.

Legal Services Regulation

75. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Justice and Equality his views on whether it is now time to ensure the Law Society of Ireland is mandated to improve its procedures to deal with complaints against members for malpractice. [52655/13]

83. **Deputy Niall Collins** asked the Minister for Justice and Equality the steps he is taking in view of concerns raised regarding compensation to victims following the conviction of a rogue solicitor (details supplied); and if he will make a statement on the matter. [52660/13]

96. **Deputy Mick Wallace** asked the Minister for Justice and Equality in view of recent high profile cases regarding legal malpractice, if he is satisfied that there are sufficient safeguards and protocols in place; and if he will make a statement on the matter. [52667/13]

351. **Deputy Niall Collins** asked the Minister for Justice and Equality the steps he is taking in view of concerns raised regarding compensation to victims following the conviction of a rogue solicitor (details supplied); and if he will make a statement on the matter. [52680/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 75, 83, 96 and 351 together.

Under the Solicitors Acts 1954 to 2011 the Law Society is the designated authority responsible for the regulation of the solicitors’ profession in the State. As part of that function, particularly under Part IV of the Solicitors (Amendment) Act 1994 dealing with the ‘Protection of Clients’, the Law Society is obliged to continue to maintain and administer the Solicitors Compensation Fund. Where it is proved to the satisfaction of the Law Society that any client of a solicitor has sustained loss in consequence of fraud or dishonesty on the part of that solicitor or any clerk or servant of that solicitor arising from that solicitor’s practice as a solicitor within the jurisdiction of the State, then, subject to the relevant provisions, the Society is required to make a grant to that client out of the Compensation Fund. It is also provided that before a practising certificate can be issued to a solicitor, the solicitor in question must have paid the annual contribution to the Fund and the issuing of a practising certificate can be withheld until the payment has been made. As such, the Compensation Fund and its attendant inspection procedures under which, I am informed, around 400 inspections were carried out by the Law Society last year, provide an important protection against acts of fraud and dishonesty that may be perpetrated by solicitors in the handling of clients’ monies. As Deputies will be aware, the Fund has been relied upon in a number of high profile cases in recent times. In the five years of 2008 to 2012, I am advised the Fund paid out a total of €17.7 million in claims. The total in claims actually made for that same period was nearly €48 million. There was a 9% increase in the 266 claims made against the Compensation Fund in 2012 over the previous year’s 244 claims though this remains much less than the peak of 672 claims received in 2008. The net assets of the Solicitors Compensation Fund were valued at €18 million as at 30th June 2013. In the six months

up to that date 165 claims on the Fund were received which, excluding invalid claims refused, amounted to €1.16 million. The annual contribution to the Fund for 2013 is €760 per solicitor. Annual insurance cover for €50 million with an excess of €5 million is also in place. Under the Compensation Fund structures provided for under the Solicitors Acts, the Law Society is, therefore, able to respond immediately to serious financial complaints and has the right to carry out investigations, without notification, where justified by the circumstances. The Society can also apply to the High Court for orders to protect clients' funds when serious irregularities arise. Pay-outs by the Compensation Fund have a serious impact, including in terms of ongoing costs, across its entire solicitor membership. To that extent, the Fund has a capacity to strongly incentivise financial compliance by solicitors in the public interest while simultaneously avoiding the imposition of an undesirable burden on the State or public resources. It should also be borne in mind that, following the enactment of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, the Law Society is required to investigate compliance with anti-laundering regulations. Against this background, I would consider it prohibitive for the State to assume the enormous and ongoing liabilities that may arise directly or indirectly from the acts of fraudulent solicitors or the operation of the Solicitors' Compensation Fund. It would not be in the public interest to carry potential liabilities for solicitors' fraud of tens of millions of euro that would, under such an arrangement, have to be paid indefinitely out of the public purse. However, while it is my considered view that the Law Society should retain responsibility for the Solicitors Compensation Fund, I am happy to report that, under the Legal Services Regulation Bill which is at Committee Stage, any matters of professional misconduct or discipline that may arise from cases of solicitors' fraud or dishonesty are, in the future, to be dealt with independently under the aegis of the new Legal Services Regulatory Authority and the Legal Practitioners' Disciplinary Tribunal.

Garda Síochána Ombudsman Commission Remit

76. **Deputy Joan Collins** asked the Minister for Justice and Equality if he is satisfied that the Garda Síochána Ombudsman Commission has sufficient powers to investigate Garda malpractice, in view of statements made by both the ombudsman commission and the Garda Commissioner. [52653/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Síochána Ombudsman Commission was established under the Garda Síochána Act 2005 to provide independent oversight of complaints made against members of the Garda Síochána. The Garda Ombudsman Commission has a hugely important role in ensuring that public confidence in the Garda Síochána is safeguarded, and has extensive powers under the 2005 Act to enable it to carry out its responsibilities.

With regard to the case for additional powers, I have already said that the Garda Síochána Ombudsman Commission has extensive powers, including full police powers of investigation, these include powers relating to, for example, entry and search of any place pursuant to a warrant, arrest with or without a warrant, search of a person, detention and questioning, taking fingerprints, issuing a summons and bringing of a charge against a person.

Both the Commissioner and the Chairperson agreed on the need for the highest possible level of co-operation between the two organisations. Revised protocols were agreed and signed by the Chairperson of the Ombudsman Commission and the Garda Commissioner on the 23rd September 2013. These revised protocols put in place clear procedures for the timely sharing of information and more generally for enhanced co-operation. The new protocols will support the Ombudsman Commission in carrying out investigations in the most effective and timely

manner possible, to the benefit of both complainants and members of the Garda Síochána alike. They also reflect the commitment of the Garda Commissioner to the full co-operation of the Garda Síochána in these investigations.

As I have previously advised this House, I convened a meeting with the Garda Commissioner and the Chairperson of the Garda Síochána Ombudsman Commission on 23 July last to discuss the need for enhanced co-operation between the two bodies to ensure the effective and efficient investigation of allegations of Garda misconduct. I also informed the House in my earlier replies that I have established a committee chaired by a senior official of my Department, with senior representatives from the Ombudsman Commission and the Garda Síochána, to act as a forum where any future emerging issues concerning the protocols can be identified and appropriately addressed.

Insolvency Service of Ireland Application Numbers

77. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of applications that have been received under the Personal Insolvency Act in 2013. [52639/13]

Minister for Justice and Equality (Deputy Alan Shatter): In the interest of confidentiality, the Insolvency Service of Ireland (ISI) has stated that it will not be providing details or breakdowns of the numbers of applications for the various debt relief solutions received or being processed at this time. The ISI fully intends to provide quarterly statistics once a statistically meaningful number of applications have been processed.

It might be noted that the ISI has added a Statistics page to its website (<http://www.isi.gov.ie/en/ISI/Pages/Statistics>) which provides details of key information such as the number of approved practitioners, information requests to the ISI and associated pertinent information. I am advised that the statistics page will be updated on a monthly basis and I would encourage Deputies to consult that page in order to get the latest information.

Prison Education Service

78. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality his views on the operation of the prison education service and its levels of funding; and his plans to increase that funding. [52641/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that Educational services are available in all prisons and are provided in partnership with a range of educational agencies including the Education Training Boards (ETBs), Public Library Services, the Open University and the Arts Council. The teachers' salaries are funded by the Department of Education and Skills who provide an allocation of 220 whole-time teacher equivalents. Literacy, numeracy and general basic education provision is the priority and broad programmes of education are made available which generally follow an adult education approach. Programmes are adapted to take account of the diversity of the prisoner population and the complex nature of prison life. Junior and Leaving Certificate courses are available. FETAC accreditation is widely used with assessment by portfolio compilation.

Courses and programmes offered can be broadly categorised as follows:

- Basic Education - including literacy, numeracy, English as a second language and communications;

- Creative Arts - notably music, sound recording and production, drama, art, craft, stone work, creative writing, film production and photography.
- Technology - including woodwork, woodcarving, metalwork, computer-aided design, information technology and horticulture;
- General Subjects - incorporating history, languages, geography, home economics and English literature;
- Life Skills - personal development, interpersonal skills, anger management, parenting, child care, addiction studies, driver theory, food hygiene, etc.
- Healthy Living - notably physical education, sports, fitness and recreational activities, health education, diet and nutrition.

The following table illustrates the amounts spent each year for the past seven years on the education of prisoners. It is notable that the funding allocated to this area has been retained over the last 3 years (including the current year), despite the general budget cuts applied across the Prison Vote. Budgets for 2014 are yet to be set.

All Figures in €Million	Educational Services
2006	1.474
2007	1.800
2008	1.694
2009	1.320
2010	1.457
2011	1.240
2012	1.234

An average of 38.8% of the prison population attended educational classes in 2012, the last full year for which figures are available.

Garda Reports

79. **Deputy Mick Wallace** asked the Minister for Justice and Equality the progress of the separate investigation recommended at page 50 of the Garda professional services unit report regarding the widespread non-use of the mandatory comment box by An Garda Síochána; and if he will make a statement on the matter. [52664/13]

Minister for Justice and Equality (Deputy Alan Shatter): The report of April 2013 from the Professional Standards Unit in the Garda Síochána looked at the processes and systems which are in place concerning the cancellation of fixed charge processing notices. The report complements the report prepared by Assistant Commissioner John O'Mahoney of his examination into the allegations of irregularities in the operation of the Fixed Charge Processing System. These two reports recommended a number of changes aimed at ensuring that tighter administrative procedures are correctly followed throughout the Force in relation to the cancellation of fixed charge notices. The report from the Professional Standards Unit did not, however, include a specific recommendation for any separate investigation of the type referred to in the Deputy's question.

As I have previously advised, the two reports were published on my Department's website on 15 May 2013. In publishing the reports, I welcomed their recommendations for enhanced safeguards to ensure integrity in the Fixed Charge Processing System. In addition, in order to

provide even further public reassurance as to the effectiveness of these changes, and with the agreement of the Garda Commissioner, I asked the independent Garda Síochána Inspectorate to review the recommendations, to make any necessary supplementary recommendations, and to then review their implementation after 18 months. The Inspectorate is making progress with this work and I expect to receive their report shortly. The Inspectorate's assessment of the recommendations contained in the two reports, and any further recommendations in this area which the Inspectorate feels are warranted, will be put in the public domain via the Inspectorate's website.

A revised Fixed Charge Processing User Manual and Procedures must await the report of the Garda Inspectorate as it will be necessary to take account of any recommendations from that source. In the meantime the Garda Commissioner issued a directive on 30 August 2013 with revised cancellation procedures in relation to Fixed Charge Notices to all members of the Garda Síochána. This directive instructed that the cancellation functionality was to be centralised to the Fixed Charge Processing Office in Thurles. Accordingly all cancellations are now executed using the Fixed Charge Processing Office computer system and as a result the comment box on Pulse is no longer used when cancelling notices. I also provided the two reports to the Joint Oireachtas Committee on Justice, Defence and Equality for their consideration and for advice on any further recommendations or procedural or legislative changes which are desirable in this area. I have also consulted with my colleague the Minister for Transport in this matter.

I am absolutely committed, as is the Commissioner, to the introduction of whatever improvements are necessary to ensure continuing public confidence in the fairness and integrity of the implementation of road traffic laws by the Garda Síochána.

Garda Síochána Ombudsman Commission Reports

80. **Deputy Mick Wallace** asked the Minister for Justice and Equality if he is satisfied with the official response, action and protocol by the Garda Commissioner in respect of the section 80(5) report of the Garda Síochána Ombudsman Commission earlier this year; and if he will make a statement on the matter. [52665/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Report to which the Deputy refers raised issues relating to the management and use of Covert Human Intelligence Sources and more generally cooperation between the Garda Commissioner and the Garda Ombudsman Commission. I sought the observations of the Garda Commissioner on the report and its recommendations. The Garda Commissioner's observations pointed out the many changes which had been made to the system for the management and use of Garda Covert Human Intelligence Sources in recent years. These changes had been put in place following the report of the Morris Tribunal. As such, many of the recommendations were already incorporated into Garda procedures, including improved training for Gardaí, the development of an electronic system for maintaining records, placing emphasis on the necessity for Gardaí to comply with professional standards, and strict procedures for handling and disseminating intelligence as well as coordination between specialist units. The Commissioner also emphasised that informants are clearly instructed that they may not commit crimes or act as *agents provocateur*.

With regard to oversight, the Commissioner pointed out that, under the Garda Code of Practice for the management and use of Covert Human Intelligence Sources, robust internal auditing has been put in place together with independent external oversight by a retired Judge of the High Court. Following the receipt of the Ombudsman Commission's report I published the most recent such report by the Judge and gave a commitment to publish future reports. More generally, and as I have previously advised this House, I convened a meeting with the Garda

Commissioner and the Chairperson of the Garda Síochána Ombudsman Commission on 23 July last to discuss the need for enhanced co-operation between the organisations to ensure the effective and efficient investigation of allegations of Garda misconduct.

Both the Commissioner and the Chairperson agreed on the need for the highest possible level of co-operation between the two organisations. Revised protocols were agreed and signed by the Chairperson of the Garda Ombudsman Commission and the Garda Commissioner on 23rd September 2013. These revised protocols put in place clear procedures for the timely sharing of information, including sensitive information and access to Pulse, and more generally for enhanced co-operation. I also previously informed the House that I have established a committee chaired by a senior official of my Department, with senior representatives from the Ombudsman Commission and the Garda Síochána, to act as a forum where any future emerging issues concerning the protocols can be identified and appropriately addressed.

Magdalen Laundries Report

81. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if he intends to implement all recommendations contained within the Magdalene Commission report as prepared by Mr. Justice Quirke in May 2012 on the establishment of an ex gratia scheme and related matters for the benefit of those women who were admitted to and worked in the Magdalen laundries; the date on which legislation to provide enhanced medical services to eligible women similar to that available to applicable persons under the Health (Amendment) Act 1996 will be introduced; if, under the terms of the Magdalen redress scheme, an eligible woman already in receipt of the full State contributory pension and therefore not receiving any further top-up payment will have her existing full State contributory pension deemed free of income and other tax; and the progress that has been made regarding the implications of payments and supports to eligible women living in Britain, the US, Canada, Australia, Germany, Switzerland and other countries, as set out in recommendation 12 of the Magdalene Commission report. [52550/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Government has decided to implement the recommendations of Mr Justice Quirke but not always exactly in the way recommended by him. For example, his 10th Recommendation was that the provision in Nursing Homes Support Scheme Act 2009 allowing for a person to be appointed to act in the best interest of the vulnerable person should be extended to women who benefit under the ex gratia scheme. It has been decided that it would be more appropriate to introduce a specific provision in a separate piece of legislation unrelated to the 2009 Act to address the intent behind this recommendation.

I am not in a position to say at this stage what date legislation will be introduced to provide enhanced medical services. My officials are engaging with the Department of Health to facilitate early introduction of appropriate legislation. Mr Justice Quirke recommended that payments provided under the ex gratia scheme should be tax free but the Deputy is correct in drawing attention to the fact that he did not make any recommendation regarding existing payments outside the scheme. This matter is being addressed by section 77 of the Finance (No. 2) Bill 2013 as amended in the Select Committee on Finance.

Judge Quirke recommended dialogue at political level with the UK authorities to clarify whether payments under the ex gratia scheme would be disregarded in the context of either tax or means tested benefits. Nearly 20% of applicants reside in the UK. We have some knowledge of the situation in the UK and we have entered into a dialogue with the UK authorities on the matter. Judge Quirke recommended that the same should apply to women living in other jurisdictions. About 2-3% of applicants reside outside Ireland and the UK. Notwithstanding

the very small numbers, I am open to considering entering a dialogue as regards these other jurisdictions but there are complications because of lack of information on how such payments may be treated and the fact that some involve federal states where responsibility for taxation and benefits may be split.

Citizenship Applications

82. **Deputy Seán Kyne** asked the Minister for Justice and Equality the progress on reducing waiting times and achieving efficiencies in the citizenship application process since 2011; and the impact this has had on the number of persons in the direct provision system. [52635/13]

Minister for Justice and Equality (Deputy Alan Shatter): When I came into office in March 2011 one of my immediate priorities was to address the large backlog of citizenship applications for naturalisation pending a decision that had built up over several years. At that time there were approximately 22,000 applications awaiting decision, many of which had been waiting for 3 years or longer. Notwithstanding the significant increase of almost 60% in the volume of valid applications received - from 12,500 in 2010 to just under 20,000 in 2012 - some 68,000 decisions on valid naturalisation applications have been made since I came into office. In the past year I have decided over 30,000 applications and issued certificates of naturalisation to some 28,000 applicants. Quite clearly, this has also resulted in a huge reduction in processing times, with over 70% of standard applications now being decided within 5 months. This is a major reform given the 115% increase in valid application levels since 2008, when processing times were more than 4 times longer. At present, there are approximately 8,500 applications pending a decision. It is my intention that we will continue to build on this success in 2014 and to further reduce the time taken to reach a decision for most applications.

As the Deputy will appreciate, as well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation is also a major step for the State as it confers certain rights and entitlements, not only within the State, but also at European Union level. It is therefore vital that appropriate procedures are in place to preserve the integrity of the process. All applications are processed with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and are submitted to me for decision as expeditiously as possible. In some instances that can be established relatively quickly and in other cases completing the necessary checks can take a considerable period of time.

This successful tackling of the backlog of citizenship applications has no direct impact on the direct provision system as persons in direct provision have not yet had their protection applications determined. If a person is successful in a protection application, he or she may apply for a certificate of naturalisation when they are in a position to meet the statutory residency requirements. It is my objective to speed up the protection determination process to the greatest possible extent, consistent with natural justice and asylum law, to keep the number of persons housed in this system as low as humanly possible.

In conclusion, the Deputy may wish to note that the greater majority of successful naturalisation applicants are not asylum seekers and in fact are migrants who came to Ireland for work and other related reasons.

Question No. 83 answered with Question No. 75.

Garda Síochána Ombudsman Commission Investigations

84. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality further to

Parliamentary Question No. 129 of 13 November 2013, if he will amend legislative provisions in respect of the Garda Síochána Ombudsman Commission so that the Irish model would be similar to the model in place in Northern Ireland whereby a member of the Garda Síochána or a member of staff of the commission could not investigate a complaint against a member of An Garda Síochána in circumstances where the investigator had a conflict of interest. [52547/13]

Minister for Justice and Equality (Deputy Alan Shatter): As I informed the Deputy in my response to his Question of 13 November 2013, the Garda Síochána Ombudsman Commission requires the members of the Commission and all staff, on an annual basis, to submit a declaration in relation to any conflict of interest which may arise in the course of the performance of their functions or duties for inclusion in a Register of Interests. This declaration is separate from any declaration required under the provisions of Ethics in Public Office Act 1995. Where, during the course of the year covered by the declaration, a conflict of interest not previously declared arises, members and staff must submit a revised declaration which should include details of the interest. In this way the Garda Síochána Ombudsman Commission are in a position to act promptly in relation to any conflicts of interest which may arise.

The Protocols agreed and signed by the Chairperson of the Garda Ombudsman Commission and the Garda Commissioner on 23rd September 2013 contain general principles governing the appointment of members of the Garda Síochána as Investigating Officers which are aimed at avoiding any conflict of interest which may prejudice the outcome of a case. It seems to me that there are sufficient safeguards in place to deal with situations where a conflict of interest may arise, but of course the legislative provisions relating to the Ombudsman Commission are kept under general review.

Crime Investigation

85. **Deputy Denis Naughten** asked the Minister for Justice and Equality if he will have the case of the murder of Garda Richard Fallon on 3 April 1970 independently reviewed; and if he will make a statement on the matter. [52549/13]

Minister for Justice and Equality (Deputy Alan Shatter): The murder of Garda Richard Fallon was a terrible tragedy for his family and I want to, again, express my deepest sympathy to them. On top of that personal tragedy, his murder was also an event that can only be described as a heinous crime carried out by ruthless individuals with no respect for human life. In view of the fact that Garda Richard Fallon was carrying out his duties as a member of An Garda Síochána, his murder was also a direct attack on the institutions of this State.

The Serious Review Crime Team of An Garda Síochána is carrying out a review of this case. I am informed by the Garda Commissioner that the Serious Review Crime Team have met with members of the Fallon family, most recently in April this year, to update them on developments in their inquiries. Since then the family have been afforded an opportunity to meet with members of An Garda Síochána and contact has been maintained with the family on an ongoing basis by the Senior Investigating Officer from the Team. In the circumstances I think it would be best to await the outcome of the Garda review.

Ombudsman for Children Investigations

86. **Deputy Mick Wallace** asked the Minister for Justice and Equality when he will provide the Ombudsman for Children with powers under section 42 of the Garda Síochána Act, as amended, to allow her to commence her independent investigation into actions by An Garda Síochána in the Roma children controversy; and if he will make a statement on the matter.

[52663/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that the required Order under Section 42 of the Garda Síochána Act 2005, to allow for Ms Emily Logan to conduct an independent Inquiry into these events has been made. This Order has been made by way of a Statutory Instrument entitled “*Garda Síochána Act 2005 (Section 42)(Special Inquiries Relating to Garda Síochána) Order 2013*” notice of which will be published in Iris Oifigiúil. It is also my intention to lay the Order before the Houses of the Oireachtas.

Section 42 of the Garda Síochána Act 2005 provides significant powers for the carrying out of Inquiries. Under the provisions of that Section, Ms Logan can require a member of An Garda Síochána, or any other person, who possesses information or possesses or controls a document or thing that is relevant to the inquiry to provide the information, document or thing to her and, where appropriate, she may require the member or other person to attend before her for that purpose. The Section also provides strong powers to compel, if necessary, persons to cooperate with the Inquiry. The Deputy will be aware that Ms Logan has been furnished with a copy of a Report on these matters which was submitted to me by the Garda Commissioner.

The Terms of Reference for Ms Logan’s Inquiry are set out in the Statutory Instrument. These are to inquire into the events in question having regard to all relevant matters including:

- a) **The information available to An Garda Síochána at the relevant times;**
- b) The nature of any consultation or coordination with the Health Service Executive before or after the exercise of the powers under section 12 (amended by section 7 of the Child Care (Amendment) Act 2011 (No. 19 of 2011)) of the Child Care Act 1991 (No. 17 of 1991) in each case;
- c) The systems and policies for the sharing of information between An Garda Síochána and other relevant organisations involved in the events that are the subject of this Inquiry;
- d) The systems and policies for ensuring the maintenance of appropriate confidentiality in relation to the utilisation of section 12 (amended by section 7 of the Child Care (Amendment) Act 2011 (No. 19 of 2011)) of the Child Care Act 1991 (No. 17 of 1991);
- e) All relevant child protection considerations.

Having now established this Inquiry I think it appropriate that Ms Logan be given the appropriate time and space to undertake her work and I would like to take the opportunity to again thank her for agreeing to undertake this Inquiry.

Data Protection

87. **Deputy Catherine Murphy** asked the Minister for Justice and Equality further to Parliamentary Question No.162 of 21 November 2013, the reasons that exist under the Data Protection Acts for the non-return of seized data equipment by the Revenue sheriff to persons; the way the Revenue sheriff makes the information held about persons on such equipment secure; if his attention has been drawn to any breach of the Data Protection Acts by the Revenue sheriff in any regard but particularly with regard to the sale of seized equipment; and if he will make a statement on the matter. [52654/13]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that while revenue sheriffs are formally appointed by the Minister for Justice and Equality, their primary statutory function is to collect outstanding tax and interest liabilities on behalf of the Office of the Revenue Commissioners under section 962 of the Taxes Consolidation Act 1997, as amended. They are not accountable to the Minister for Justice and Equality for their performance of this statutory function.

The activities of revenue sheriffs in discharging this function are governed by a Code of

Practice which is published on the web site of the Revenue Commissioners (www.revenue.ie). The Code contains provisions governing contact between the revenue sheriff and taxpayers, as well as a procedure for handling taxpayer complaints. Under the Code, revenue sheriffs are required to investigate written complaints and respond as promptly as is practicable in the circumstances. A written appeal against such a response may be lodged with the Revenue Commissioners and the Commissioners may request the revenue sheriff to carry out a review of his or her decision. Where, following this review, the matter has not been resolved, the complaint may be referred to the Joint Standing Committee (JSC) of the Revenue Commissioners and the Sheriffs' Association for further review.

As I stated in responses to earlier Questions from the Deputy on this matter, revenue sheriffs are subject to the provisions of the Data Protection Acts 1988 and 2003. This means, for example, that appropriate security measures must be taken against unauthorised access to, or unauthorised alteration, disclosure or destruction of personal data coming into his or her possession. Where computer equipment containing personal data has been seized by the revenue sheriff, such 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. Such reasons could, of course, vary depending on the specific circumstances of the case.

I should add that enforcement of the data protection legislation is a matter for the Data Protection Commissioner. Any complaints in relation to alleged breaches of the legislation may therefore be referred to the Commissioner for independent investigation.

Personal Insolvency Practitioners

88. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will provide a county breakdown of the number of personal insolvency practitioners appointed to date; the number of applications received and the number processed; and if he will make a statement on the matter. [52658/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can advise the Deputy that there are a total of 86 Personal Insolvency Practitioners (PIPs) currently authorised by the Insolvency Service of Ireland (ISI). In addition, there are 53 individuals within 21 Money Advice and Budgeting Service (MABS) companies authorised to act as Authorised Intermediaries. Details on a county basis are set out in the following table. I am advised that the ISI is continuing to authorise Approved Intermediaries and Personal Insolvency Practitioners, therefore these numbers will increase in the coming months. The location and contact details of each practitioner are publicly available on the various Registers on the ISI's website, www.isi.gov.ie.

In the interest of confidentiality, the ISI has indicated that it will not be providing details or breakdowns of the numbers of applications for the various debt relief solutions received or being processed at this time. The ISI fully intends to provide quarterly statistics once a statistically meaningful number of applications have been processed. It might be noted that the ISI has added a statistics page to its website (<http://www.isi.gov.ie/en/ISI/Pages/Statistics>) which provides details of key information such as the number of approved practitioners, information requests to the ISI and associated pertinent information. I am advised that the statistics page will be updated on a monthly basis and I would encourage Deputies to consult that page in order to get the latest information.

TABLE: Number of PIPS and MABS Companies acting as Approved Intermediaries, by County

County	Number of Personal Insolvency Practitioners	Number of MABS companies acting as Approved Intermediaries
Cavan	1	1
Clare	2	1
Cork	8	2
Donegal	4	1
Dublin	32	5
Galway	11	1
Kerry	4	-
Kildare	3	-
Kilkenny	-	1
Laois	1	1
Limerick	2	-
Longford	1	1
Louth	4	-
Mayo	1	1
Meath	2	1
Monaghan	-	1
Offaly	2	-
Roscommon	-	1
Sligo	1	-
Tipperary	3	-
Waterford	2	1
Westmeath	-	1
Wexford	1	1
Wicklow	1	-
Total	86	21 (representing 53 individuals)

Cross-Border Co-operation

89. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the date he last met with Northern Ireland Minister David Ford; and if he raised with him the question of lateral entry or transfer between An Garda Síochána and the PSNI. [52637/13]

Minister for Justice and Equality (Deputy Alan Shatter): My latest meeting with the Northern Ireland Minister of Justice, David Ford MLA, was on Thursday last, 5 December, in the margins of the meeting of the EU Council of Justice and Home Affairs Ministers in Brussels. We had an informal discussion on a number of issues, including that of North-South police co-operation and the programme of personnel exchanges, secondments and lateral entry between An Garda Síochána and the PSNI.

Personal Insolvency Act

90. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the steps open to a family whose mortgage debt on their primary residence accounts for over 50% of their

secure debts to avail of the measures introduced in the Personal Insolvency Act. [52640/13]

Minister for Justice and Equality (Deputy Alan Shatter): It is a matter for a Personal Insolvency Practitioner to formulate an individual arrangement between an insolvent debtor and all of the creditors that may be involved in his or her financial situation. Details of Personal Insolvency Practitioners based around the country are available on the Insolvency Service of Ireland website at www.isi.gov.ie. There is also a *Guide to a Personal Insolvency Arrangement* available on the ISI's website. That Guide sets out the general eligibility conditions for persons wishing to apply for a Personal Insolvency Arrangement and also outlines the detailed steps involved in the process. There are also various detailed scenarios available which outline the Personal Insolvency Arrangement process.

I can advise the Deputy that a person with secured debts that are less than €3 million may be eligible for a Personal Insolvency Arrangement, provided that he/she meets the other conditions.

Location of Victims' Remains

91. **Deputy Brendan Smith** asked the Minister for Justice and Equality the contact he has had with the Secretary of State for Northern Ireland or members of the Northern Executive in relation to the work of the independent commission for the location of victims' remains; and if he will make a statement on the matter. [48974/13]

Minister for Justice and Equality (Deputy Alan Shatter): I meet regularly with my Northern Ireland counterparts to discuss a full range of cross-Border criminal justice and policing issues of mutual interest. Naturally, issues related to the victims of crime and of troubles-related incidents feature in our discussions. The House will be aware that there is one very particular group of victims created over the course of the conflict in Northern Ireland. There were a number of people abducted and murdered by paramilitary groups, and then buried in secret locations. They have become known as "the Disappeared".

The Independent Commission for the Location of Victims' Remains was established by the Irish and British Governments in 1999 as one of the actions taken in the context of the Peace Process to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation. Its purpose is to facilitate the location of the remains of the Disappeared in order that they may be returned to their families to receive a decent burial and that the families will then have a grave at which to grieve and to remember. These families have suffered a very particular cruelty in not only having to bear the tragedy of murder, but having been denied for so long information regarding the burial places of their loved ones.

Previously, the then Minister of State for Northern Ireland, Hugo Swire MP, and I met with the Commission and with the group of victims' families and heard of their suffering and their concerns at first hand. I pay tribute to the families' dignity and fortitude in the face of their suffering. Once again, I extend my deepest sympathy to them on their loss and assure them of my continuing support for their efforts to recover their loved ones. The Taoiseach met with the families and the Commission in July and he also assured them of the Government's continued support for them and its commitment to this humanitarian process.

The Commission, with the continuing support of the two Governments, has worked tirelessly over the years in pursuit of its task and it continues to so do. On the occasion of the National Missing Persons' Day event at Farmleigh last week, I met with Commissioner Frank Murray and he provided me with an update on the Commission's ongoing work. He emphasised to me once again that the Commission is continuing its inquiries in relation to the seven persons on the Commission's list whose remains have not yet been located but that the Commission re-

quires further information to progress its efforts.

I am sure Deputies will join with me in encouraging anyone with information that could help to locate those still missing to give that information to the Commission without delay. Information about the Commission and how to contact it are available on the Commission's website – www.iclvr.ie. I would emphasise that all information provided to the Commission will be treated as strictly confidential and can only be used to locate and identify the remains. The Commission's purpose is humanitarian. All the families want is to give their loved ones a decent burial, to have a place to grieve and, in some measure at least, to have closure. The Government remains committed to that aim and I call on all others to help bring it about.

Garda Síochána Ombudsman Commission Investigations

92. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of complaints received by the Garda Síochána Ombudsman Commission in the years 2010, 2011, 2012 and to date in 2013 from family members of persons who were killed or seriously injured in road traffic collisions where the complaint related to the conduct of the Garda or staff member; and the number of gardaí who have been disciplined as a result of these complaints. [52546/13]

Minister for Justice and Equality (Deputy Alan Shatter): I regret that the information sought by the Deputy is not readily available in the time allowed. I will write to the Deputy when the information is to hand.

Money Laundering

93. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which criminal gangland activity such as illegal drug trafficking relies on money laundering to continue in business; the ongoing efforts to curtail such activity; and if he will make a statement on the matter. [52633/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, money laundering is a method by which criminals seek to disguise the illegal origins of their wealth and protect their asset bases, so as to avoid the suspicion of law enforcement agencies and to prevent leaving a trail of incriminating evidence. While money laundering is an offence of itself, it would of course be reasonable to consider it closely associated with organised crime which generate significant financial gain. Addressing organised crime in all of its guises remains a key ongoing priority for both the Government and An Garda Síochána and these priorities are clearly reflected in the Garda Policing Plan for 2013.

In this regard, An Garda Síochána continues to develop and implement operations and strategies aimed at targeting, dismantling and disrupting criminal networks by utilising advanced analytical and intelligence methodologies. In addition, multidisciplinary approaches are used to ensure the activities of individuals and groups involved in criminal enterprise are effectively targeted including through the use of the proceeds of crime legislation, money laundering legislation and the powers of the Criminal Assets Bureau.

Specifically with regard to money laundering, the Deputy may wish to note that the Criminal Justice (Money Laundering and Terrorist Financing) Act, 2010 represents a radical overhaul of the anti-money laundering system in establishing a new framework of anti-money laundering regulation for credit and financial institutions and other “designated persons” in line with the 3rd EU Money Laundering Directive and the standards of the Financial Action Task Force (FATF). In addition, the Criminal Justice Act 2013 made further amendments to that Act in

order to align certain provisions more closely with international standards. Furthermore, in February 2012, the FATF further revised its standards with the aim of strengthening and protecting the systems in place to deal with money laundering and terrorist financing and proposals for a 4th EU Money Laundering Directive are currently being negotiated which will take into account the revised FATF recommendations.

In concluding, I can fully assure the Deputy that An Garda Síochána will continue to vigorously pursue all persons involved in organised criminal activity including money laundering.

Legal Services Regulation

94. **Deputy Clare Daly** asked the Minister for Justice and Equality the steps that can be taken by either his office or the Law Society to deal with a practising solicitor who suppresses information in his or her possession in relation to child sexual abuse, leading to a continuation of that abuse. [52651/13]

Minister for Justice and Equality (Deputy Alan Shatter): The investigation of any allegation of criminality is a matter for An Garda Síochána, and my office has no direct role in this regard. The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 makes it an offence for any person to deliberately withhold information regarding sexual and other serious offences committed against a child or other vulnerable person. Under section 2 of the Act, a person who knows or believes that an offence has been committed against a child and has information which he or she believes would be of material assistance in the apprehension, prosecution or conviction of that perpetrator and who fails to disclose that information to the Garda Síochána is guilty of an offence. That offence however is without prejudice to any right or privilege that may arise in criminal proceedings entitling a person to refuse to disclose information. The extent to which such right or privilege may arise would be a matter for a court to determine.

I understand that the Law Society has also taken steps to address this question in the updated and third edition of 'A Guide to Good Professional Conduct for Solicitors' which it published in October 2013. In dealing with issues of privilege and confidentiality, guidance is provided in the new Guide for solicitors in relation to cases involving abuse or neglect of children. This guidance anticipates that there may be exceptional circumstances involving children where a solicitor should consider revealing confidential information to a medical practitioner. Similarly, if a situation indicates continuing sexual or other physical abuse, or ongoing neglect of a child, but there is a refusal on the part of the client to allow disclosure of such information, if the situation is sufficiently serious, a breach of the over-riding duty of confidentiality may be justified. Under the guidance it is considered that in such cases, the solicitor should consider whether the situation is sufficiently serious to justify such a breach.

Proposed Legislation

95. **Deputy Luke 'Ming' Flanagan** asked the Minister for Justice and Equality if he will provide an update on any proposed legislation on the issue of the presumption of paternity; and if he will make a statement on the matter. [48107/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am considering amendments to the existing legislation on presumption of paternity within the proposed General Scheme of the Children and Family Relationships Bill which I hope to finalise shortly. I understand that under the current presumptions, particular birth registration difficulties can arise for women

who have children with a subsequent partner after the break-up of a marriage, but where they have not divorced and they do not have legal documentation of their separation by way of a deed of separation or a decree of judicial separation. I hope to propose a practical legislative response in consultation with my colleague, the Minister for Social Protection, who is dealing with certain consequences for the civil registration system.

Question No. 96 answered with Question No. 75.

Garda Divisional Headquarters

97. **Deputy Seán Kyne** asked the Minister for Justice and Equality if he will provide an update on the progress of a new divisional headquarters for An Garda Síochána in Galway; when construction is expected to commence; and if there are plans for realignment of districts in Galway city and county. [52636/13]

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

With regard to Garda Districts, the position is that, in accordance with the provisions of the Garda Síochána Acts, proposals to change Garda District geographical boundaries are a matter in the first instance for the Garda Commissioner and I am advised by the Garda authorities that there are currently no proposals to amalgamate or realign any Districts in Co. Galway.

Legal Services Regulation

98. **Deputy Lucinda Creighton** asked the Minister for Justice and Equality the measures in the Legal Services Bill 2011 that are likely to lead to the greatest cost savings to the consumer; and if he will make a statement on the matter. [52656/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Legal Services Regulation Bill 2011, which has completed Second Stage and is continuing Committee Stage, gives legislative expression to the commitment in the Programme for Government to “*establish independent regulation of the legal professions to improve access and competition, make legal costs more transparent and ensure adequate procedures for addressing consumer complaints*”. Furthermore, as a sectoral objective under the EU/IMF/ECB Troika Memorandum of Understanding, it supports the objectives of structural reform, national competitiveness and early economic recovery, building on the relevant recommendations of the Legal Costs Working Group and the Competition Authority. The Bill is, therefore, a key component of the Government’s strategy to reduce the burden of legal costs on consumers and enterprise.

The Bill, in three of the objectives it sets out in section 9 for the new Legal Services Regulatory Authority, balances the focus of regulation more evenly to the benefit of consumers of legal services. It does this in terms of ‘protecting and promoting the public interest, protecting and promoting the interests of consumers relating to the provision of legal services and, promoting competition in the provision of legal services in the State’.

Building on these key and consumer focussed objectives, the Legal Services Regulation Bill makes extensive provision, particularly in Part 9, for a new and enhanced legal costs regime that will bring greater transparency to how legal costs are charged along with a better balance between the interests of legal practitioners and those of their clients. The Bill sets out, for the first time in legislation, a series of Legal Costs Principles. These are contained in Schedule One and enumerate the various matters that may be taken into account if disputed costs are submitted for adjudication. These cost transparency measures will apply to barristers as well as to solicitors.

Under the Bill it will no longer be permissible to set fees as a specified percentage or proportion of damages payable to a client from contentious business. It will no longer be permissible to charge Junior Counsel fees as a specified percentage or proportion of Senior Counsel fees. Legal practitioners, whether solicitor or barrister, will be obliged to provide more detailed information about legal costs from the outset of their dealings with clients. This will be in the form of a Notice written in clear language which must be provided when a legal practitioner takes instructions. Among other things, the Notice must, as set out in Section 90 of the Bill, disclose the costs that are involved, or, where this is not practicable, the basis upon which such costs are to be calculated. A cooling-off period is to be allowed for the consideration of costs by the client. When there are any significant developments in a case which give rise to further costs, the Bill provides that a client must be duly updated and given the option of whether or not to proceed with the case in question.

The Bill also provides that a new Office of the Legal Costs Adjudicator will deal with disputes about legal costs – at present these are dealt with by the Office of the Taxing-Master. The new Office, headed by a Chief Legal Costs Adjudicator, will modernise the way disputed legal costs are adjudicated with greater transparency. The Office will be empowered to prepare Guidelines and will establish and maintain a publicly accessible Register of Determinations which will include the outcomes and reasons for its decisions about disputed legal costs. The Bill also facilitates the introduction of new business models for the delivery of legal services including alongside other services where costs efficiencies can be captured to the benefit of consumers. In other provisions the Bill lifts existing restrictions on direct access to a barrister and on barristers who share premises or costs from advertising themselves as such a group. The Bill also allows that a barrister in employment may provide legal services for his or her employer.

In support of new and more open regulatory and legal costs regimes, the Bill also provides for a new and independent regulator in the form of the Legal Services Regulatory Authority that will be bolstered by an independent complaints regime and an independent Legal Practitioners' Disciplinary Tribunal. This will provide a first port of call that is entirely independent of the legal professional bodies for members of the public who may have complaints about solicitors or barristers. The comprehensive range of relevant reform measures contained in the Bill is intended to better empower the consumer of legal services in terms of both the standard of those services and their cost.

Question No. 99 answered with Question No. 71.

Bail Provisions

100. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when he expects to be in a position to introduce the necessary legislation to discourage recidivism, with particular reference to the introduction of bail restrictions to impede those who commit crime while on bail for a previous offences; and if he will make a statement on the matter. [52634/13]

Minister for Justice and Equality (Deputy Alan Shatter): A decision to grant bail in a particular case is a matter for the court, which is, subject only to the Constitution and the law, independent in the exercise of its judicial functions. There is a constitutional presumption in favour of bail, since, in the eyes of the law, a person is innocent until proven guilty. The provisions of the European Convention on Human Rights also restrict the extent to which the right to bail can be limited.

Prior to the Sixteenth Amendment of the Constitution, bail could be refused essentially only on the grounds that a person would be likely to abscond or interfere with witnesses. Section 2 of the Bail Act 1997, which gave effect to the terms of the Sixteenth Amendment of the Constitution, provides for the refusal of bail to a person charged with a serious offence where it is reasonably considered necessary to prevent the commission of a serious offence by that person. Section 2(2)(d) provides that in exercising its jurisdiction under that section, a court shall take into account and may receive evidence or submissions concerning any conviction of the accused person for an offence committed while he or she was on bail. In addition, section 6 of that Act, as amended by section 9 of the Criminal Justice Act 2007, provides that every bail recognisance is subject to the condition that the accused person shall not commit an offence while on bail.

The criminal law takes a serious view of offences committed by persons on bail. Section 11 of the Criminal Justice Act 1984 provides that any sentence of imprisonment passed on a person for an offence committed while on bail must be consecutive on any sentence passed on him or her for a previous offence, or on the sentence last due to expire, if more than one is being served. It also provides that the fact that an offence was committed while on bail must be treated as an aggravating factor at sentencing and that the court shall impose a sentence that is greater than that which would have been imposed otherwise, unless there are exceptional circumstances.

I am conscious of public concern about the extent to which offences continue to be committed by persons on bail. I share that concern and believe that bail law must be continually reviewed to ensure that all possible avenues are taken to protect the public against the commission of crime, particularly serious crime, by persons on bail. Accordingly, my Department has been engaged in work to consolidate and update bail law with a view to presenting a clear, accessible and modern statement of the law. In the context of that modernisation of the law, I will be seeking to restructure the law so that it has a focus on the protection of the individual and of the public. The intention is that the new proposals will provide better guidance to the courts on how such protection might be provided. I intend to bring proposals to Government on the matter as soon as possible, having regard to other legislative priorities.

Judicial Working Group

101. **Deputy Niall Collins** asked the Minister for Justice and Equality the number of meetings he has held with the recently established judicial group; and if he will make a statement on the matter. [52662/13]

Minister for Justice and Equality (Deputy Alan Shatter): I understand that the Deputy is referring to the new arrangement that the Government has facilitated in the form of a Working Group chaired by the Chief Justice and comprising the Presidents of the Courts and other representative judges. The Attorney General, who has traditionally acted as the formal link with the Judiciary, also attends the Group accompanied by the Secretary General to the Government. There have been 4 meetings of the Group to date and it is intended that the Group will meet on an ongoing basis.

Sentencing Policy

102. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he is planning to publish legislation establishing a sentencing council and new sentencing guidelines for the Judiciary. [52638/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will appreciate, judges are independent in the matter of sentencing, as in other matters concerning the exercise of judicial functions, subject only to the Constitution and the law. The approach of the Oireachtas has generally been to specify in law a maximum penalty for an offence, so that a court, having considered all the circumstances of a case, may impose an appropriate penalty up to that maximum. The court is required to impose a sentence which is proportionate not only to the crime but to the individual offender, in that process identifying where on the sentencing range the particular case should lie and then applying any mitigating factors which may be present. An important safeguard rests in the power of the Director of Public Prosecutions to apply to the Court of Criminal Appeal to review a sentence she regards as unduly lenient.

The Superior Courts have developed a substantial body of case law setting out general principles of sentencing. Sentencing practice is also being developed by a steering committee of the judiciary which developed the Irish Sentencing Information System (ISIS) website, a pilot initiative designed to gather information about the range of sentences and other penalties that have been imposed for particular types of offences across court jurisdictions. ISIS is being developed as a valuable tool not only for members of the judiciary but also for lawyers, researchers and those concerned with the needs of victims and their families, and I very much welcomed the initiative led by the Judiciary through the Judicial Research Office in undertaking the detailed work of gathering and providing information via the website.

The Deputy may also be aware that I have established a Penal Policy Review Group to carry out a review incorporating an examination and analysis of all aspects of penal policy including sentencing policies. I expect the Group to report early in the new year and I intend to publish that report. It might be noted that a Sentencing Council was not advocated by the Law Reform Commission in its Report on Mandatory Sentencing which was published earlier this year. The report covers a number of complex issues and the recommendations contained in the report will be fully considered in my Department together with the report of the Penal Policy Review Group when it has been finalised.

Magdalen Laundries Issues

103. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality the position regarding forthcoming legislation which is part of the redress scheme for Magdalen women; the consideration that will be given in the legislation to the health needs of the surviving women who live outside the State; and if he will make a statement on the matter. [52552/13]

Minister for Justice and Equality (Deputy Alan Shatter): Legislation is required in order to implement Judge Quirke's recommendation with regard to the provision of medical services to the women who were admitted to and worked in the relevant institutions. My Department in consultation with the Department of Health are working on the preparation of the necessary legislation. The issue of providing medical services to women, eligible under the scheme, who reside outside the State will be considered by the Minister for Health.

Departmental Reports

104. **Deputy Robert Troy** asked the Taoiseach if his Department's annual report for 2012 has been published yet. [52553/13]

The Taoiseach: The Department of the Taoiseach Annual Report for 2012 was published on the departmental website and laid before the Houses of the Oireachtas on 23 May 2013.

Departmental Expenditure

105. **Deputy Peadar Tóibín** asked the Taoiseach if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52805/13]

The Taoiseach: My Department incurred no infrastructure or capital expenditure in the past five years.

EU Treaties

106. **Deputy Dominic Hannigan** asked the Tánaiste and Minister for Foreign Affairs and Trade if it is technically possible for section 48 of the Treaty on European Union to be amended so as to allow a part of an existing member state to continue to be part of the EU if that part were to secede from membership of the existing member state; if such were to occur, if a referendum would be required in Ireland to ratify the amended treaty; and if he will make a statement on the matter. [52862/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): No proposal to amend the EU treaties in the manner suggested in the Deputy's question has been put forward. Any such proposal would raise complex issues of considerable sensitivity and so the Government must be careful to avoid expressing views prematurely. In all such cases, the Deputy can be assured that we are following the debate and the issues raised very closely. It would be technically possible for the EU Member States, acting unanimously and in accordance with their own constitutional procedures, and having followed the steps set out in Article 48, paragraphs 2 to 5 of the Treaty on European Union, to amend the EU Treaties in order to make provision for new states seceding from existing EU Member States to stay within the Union. Whether they would wish to do so is a matter in the first instance for each Member State.

In such circumstances for Ireland, as with other Treaty revisions, the final text of any amending Treaty would be referred to the Attorney General for advice as to whether an amendment of the Constitution (and thus a referendum) would be required to enable its ratification.

Common Foreign and Security Policy

107. **Deputy Jack Wall** asked the Tánaiste and Minister for Foreign Affairs and Trade the recent developments in the Common Foreign Security and Defence Policy in the areas of civilian crisis management and Ireland's contribution to civilian crisis management in the EU; and if he will make a statement on the matter. [53118/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland attaches great importance to the role of the Common Security and Defence Policy (CSDP) of the European Union. CSDP is an integral part of the Common Foreign and Security Policy (CFSP), which encompasses the EU's international obligations towards the maintenance of international peace and security. There are currently 12 civilian CSDP missions deployed in the Western Balkans, the South Caucasus, Asia, Africa and the Middle East. One new civilian mission, EUBAM Libya was launched in May of this year. The mandate of EUBAM Libya is to support the Libyan authorities to develop capacity for enhancing the security of their land, sea and air borders in the short term, and to develop a broader Integrated Border Management (IBM) strategy in the long term.

During the year, it was decided to close two civilian CSDP Missions which had reached the end of their mandates: EUJUSTLEX Iraq and EUAVSEC South Sudan. EUJUSTLEX Iraq, a rule of law training mission for magistrates and prison administrators, was launched in 2005 and will close at the end of the year. EUAVSEC South Sudan, which was launched in June 2012 to assist the South Sudanese authorities with advice on aviation security and to help reinforce security at Juba Airport, will close in February 2014.

Ireland currently deploys eleven civilians and four members of An Garda Síochána to six civilian CSDP missions. These deployments include: two civilians to the EU Monitoring Mission in Georgia (EUMM Georgia); two civilians and four members of an Garda Síochána to the EU Rule of Law Mission in Kosovo (EULEX Kosovo); three civilians to the EU Police Mission to Afghanistan (EUPOL Afghanistan); two civilians to the European Union Integrated Rule of Law Mission for Iraq (EUJUSTLEX Iraq); one civilian to European Union Coordinating Office for Palestinian Police Support (EUPOL COPPS) and one civilian to the European Union Regional Maritime Capacity Building for the Horn of Africa and the Western Indian Ocean (EUCAP Nestor).

Corporate Social Responsibility

108. **Deputy Maureen O’Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he is preparing a national implementation plan on the Ruggie framework of UN guiding principles which includes as one of its priorities the recognition of living wages; the stage of the drafting of the national implementation plan; if he will attend the clean clothes campaign conference on floor wage taking place in Hong Kong in 2014; and if he will make a statement on the matter. [52599/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): On 16 June 2011, the UN Human Rights Council endorsed “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework”, which were prepared by the Special Representative, Mr. John Ruggie. The document stresses that the Principles should be understood as a coherent whole which aim to enhance standards and practices with regard to business and human rights, rather than the creation of new international law obligations. The Guiding Principles do not prioritise particular issues but rather act as guidance for respecting and protecting human rights in the actions taken by states and businesses.

The Commission Communication of October 2011, entitled “A renewed EU strategy 2011-14 for Corporate Social Responsibility” invited EU member States to develop national plans for the implementation of the UN Guiding Principles. The EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council of the European Union in June 2012, asked Member States to develop national plans on the implementation of the UN Guiding Principles in 2013. The Guiding Principles cover a range of issues which, in this State, span the policy responsibilities of a number of Government Departments and agencies. Consideration is being given as to how best to formulate Ireland’s national plan for their implementation, including through learning from other countries that have undertaken similar processes.

My Department does not currently have any information with respect to the conference to which the Deputy refers.

Diplomacy Issues

109. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will investigate the claim that the Israeli Embassy in Dublin is threatening the jobs of Irish citizens by complaining to employers that they are actively campaigning and raising

the Gaza issue; the recourse available to these citizens; and if he will make a statement on the matter. [52605/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): No claim has been made to me of this nature nor am I in possession of any information pertaining to the issues raised in the Deputy's question.

Civil Registration Documentation

110. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding a certificat de coutume in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52607/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Unfortunately, it is not possible for my Department to issue a letter as requested as we do not have access to the State's marriage records. Mr. Healy may wish to contact the General Register Office to seek a letter from them confirming there is no marriage record on file for him. The General Register Office can be contacted as follows: **Email Address:** gro@groireland.ie; **Telephone:** Direct Dial: +353(0)90 6632900 LoCall: 1890 252076; or **By Post:** General Register Office, Government Offices, Convent Road, Roscommon.

My Department will then be happy to authenticate a letter issued by the General Register Office for use in South Africa.

Diplomatic Representation

111. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Foreign Affairs and Trade the way in which the closure of Ireland's resident Embassy to the Holy See has served Ireland's interests, particularly at a time of heightened tensions in the Middle East; and if he will make a statement on the matter. [52608/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): In November 2011, the Government announced its decision to close Ireland's Embassy to the Holy See. This decision was driven by economic factors deriving from the need, at the time, to focus the modest resources of our diplomatic service on economic recovery. Following this decision, the Secretary General of my Department, Mr. David Cooney, was appointed non-resident Ambassador to the Holy See. Ambassador Cooney has travelled to the Holy See on numerous occasions since the announcement of the Embassy closure in November 2011 representing Ireland in meetings with Holy See officials and attending a range of functions.

I am satisfied that the current arrangement for Ireland's representation at the Holy See is the most effective possible in light of the resource constraints faced by my Department.

Diplomatic Representation

112. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Foreign Affairs and Trade if there are fewer than ten Irish officials in the Roman Curia at the Holy See, the number of these officials whom a person (details supplied) has met on his numerous visits to the Holy See; and if he will make a statement on the matter. [52609/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Ambassador to the Holy See and the Secretary to the Embassy have met with a number of Curia

officials on their visits to the Vatican, several of whom are Irish nationals. However, they have focused on meeting officials of direct relevance to the work of the Embassy and have not sought to meet with each and every Irish national working in the Curia.

Human Rights Issues

113. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has expressed any concerns to the Northern Ireland authorities and British Government with regard to a person (details supplied) in County Donegal who has been on remand in Maghaberry Prison for four years, against all international best practice in relation to justice and human rights in terms of the right to a speedy trial. [52688/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I am aware of the case to which the Deputy refers and understand that the person has been charged with attempted murder of a student police officer; possession of a firearm and ammunition with intent to endanger life or cause serious damage; and making use of a firearm with intent to prevent lawful arrest. He was committed for trial on 23 August 2011. An application for Judicial Review of the decision to commit the defendant for trial was taken, and was dismissed by the High Court in Belfast in a written decision issued on 22 October 2013.

Since the 2010 agreement at Hillsborough the Department of Justice in Northern Ireland and the Minister for Justice for Northern Ireland, David Ford MLA, have responsibility for policing and criminal justice policy in Northern Ireland. In the post Hillsborough period, co-operation on Justice issues has gone from strength to strength and cooperation between the PSNI and an Garda Síochána is outstanding. The Government's focus is to ensure that policing and justice systems which are in place in Northern Ireland are consistent with the principles and values of the Good Friday Agreement and the other agreements for which we are co-guarantors.

In this context, the detention of the person referred to does not arise by virtue of powers vested in the Secretary of State for Northern Ireland but under devolved powers vested in the Northern Ireland Courts which are independent in the exercise of their functions. This is in keeping with the devolved arrangements arising from the Good Friday Agreement and the Hillsborough Agreement. As the matter is still outstanding, it would not be appropriate for me to comment any further, or to seek to influence the matters to which the Deputy refers.

Foreign Conflicts

114. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has spoken to the Irish Honorary Consul in Kyiv recently regarding the ongoing violence there; and if he will make a statement on the matter. [52717/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I have been following the situation in Ukraine very closely since protests began following the announcement on 21 November by Ukraine's President, Viktor Yanukovich, of his decision to postpone preparations for the signature of the Association Agreement at last month's Eastern Partnership Summit in Vilnius. An estimated 350,000 took part in an anti-government rally in Kyiv on 1 December to demonstrate their support for Ukraine's political association and closer integration with the EU. The protests have focused on Independence Square and in the areas surrounding the Presidential Administration, the Prime Minister's Office and Parliament. There are also protests on a smaller scale in other parts of the country.

The rights to freedom of expression and freedom of assembly are enshrined in the European Convention on Human Rights and are fundamental in any society. I strongly believe that these rights should be fully respected by the Ukrainian authorities and would expect nothing less from the current holder of the Chairmanship-in-Office of the OSCE. The demonstrations have been largely peaceful though there have been reports of provocateurs being active among the crowds. The excessive use of force by the police over the weekend of 30 November-1 December in an effort to disperse peaceful protestors was not justified and has been, rightly, widely condemned.

I fully support the call made in Kyiv on 4 December by the Secretary General of the Council of Europe, Thorbjorn Jagland, for an immediate and thorough investigation into the violence. In that context, I welcome Prime Minister Azarov's apology to the people in Parliament on 3 December for the police actions and the announcement of measures to be taken against those who had used force. While I have not spoken to the Honorary Consul, I have been kept informed of developments by Ireland's Prague-based Ambassador to Ukraine who was in Kyiv from 2-4 December. She has reported to me on meetings which she attended during her visit with the Ukrainian authorities, with other resident Ambassadors and with Ireland's Honorary Consul.

As for the background to the demonstrations, I am on record as expressing our disappointment with Ukraine's decision to postpone the Association Agreement process while reiterating that the European Union's comprehensive and generous offer remains on the table. Together with the Deep and Comprehensive Free Trade Agreement this package was the most ambitious offer made to any partner by the EU. It was also one very much in the interests of Ukraine and its people in terms of the long term benefits it would bring.

I am encouraged that contacts are ongoing between the Ukrainian government and the EU and hope that the Association Agreement process can be resumed. This will require Ukraine to make further tangible progress on the conditions set out by the Foreign Affairs Council last December, including in the area of selective justice. Important progress by Ukraine had been achieved. I commend the European Parliament's monitoring mission, led by former President of Poland, Aleksander Kwaśniewski, and former President of the European Parliament, Pat Cox, for their intensive engagement with the Ukrainian authorities over many months on all areas of concern.

Of course, ultimately it is a matter for Ukraine to decide freely what kind of engagement it wishes to have with the EU. In the meantime, I urge the Ukrainian government to fully abide by its international commitments to respect the rights to freedom of expression and assembly. In this very tense and fluid situation, it is incumbent on all sides to show the utmost restraint and I would stress the importance of dialogue to help reduce the tension and to try to find an agreed way forward.

Foreign Conflicts

115. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has spoken to the Irish Honorary Consul in Bangkok recently regarding the ongoing violence there; and if he will make a statement on the matter. [52718/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I have been concerned by the reports of violence in Bangkok following recent protests there, and I note that all sides now appear to be exercising restraint. I also note that Prime Minister Yingluck Shinawatra has called elections for next February.

Ireland's Ambassador to Thailand, who is accredited from Kuala Lumpur, has been reporting to the Department of Foreign Affairs and Trade since the protests began. The Honorary

Consul in Bangkok, who is primarily responsible for consular matters under the guidance of the Embassy in Kuala Lumpur, has advised that no Irish citizens to date have been affected by the protests. The Embassy has been in regular contact with a range of sources in Bangkok including the Thai Foreign Ministry, the Head of the Delegation of the European Union, local Irish sources and various Non-Governmental Organisations. My Department's website is regularly updated to give Irish citizens the latest information on the situation in Thailand.

The Irish Government strongly supports the statement issued by the spokesperson of the EU High Representative Catherine Ashton, which called on all parties to respect the rule of law, avoid escalation and resolve differences through peaceful means. We will continue to use our sources to monitor the situation closely.

Departmental Expenditure

116. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52800/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): My Department does not operate a public capital programme. The Department's administrative capital budget is mainly in respect of ICT, passport production and accommodation, both in Ireland and at the Department's missions overseas.

The following table presents the capital expenditure for the two Votes for which my Department is responsible: Vote 28 (Foreign Affairs and Trade) and Vote 27 (International Co-operation) over the course of the past five years.

VOTE	2013 (year to date) - €000	2012 - €000	2011 - €000	2010 - €000	2009 - €000	2008 - €000	Total - €000
Vote 28 - FOREIGN AFFAIRS AND TRADE	1,130	2,288	1,985	6,745	11,331	14,730	38,209
Vote 27 - INTERNATIONAL CO-OPERATION	117	27	215	1,275	1,317	1,337	4,288
Total	1,247	2,315	2,200	8,020	12,648	16,067	42,497

Capital Programme Expenditure

117. **Deputy Kevin Humphreys** asked the Tánaiste and Minister for Foreign Affairs and Trade the reason for the underspend of €4 million in capital funding in the expenditure profile at end November as part of the most recent analysis of gross Voted expenditure Exchequer figures; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52951/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): My

Department's combined capital budget for 2013 is €6.350 m (including carryover). This is expended mainly to support the Department's ongoing investment in passport and ICT equipment and technology, as well as the maintenance of official premises at home and abroad. The Passport Service is in the process of upgrading its infrastructure as part of an ongoing multi-annual investment programme. Variance from profile is largely due to unavoidable delays in finalising the purchase of passport production equipment. However, it is anticipated that payments of the order of €1.6 million for new passport production machinery will be made shortly, with a further payment of a similar amount early in 2014. There will also be payments in relation to certain other ICT infrastructure and works on premises abroad. Accordingly, it is anticipated that capital expenditure will move substantially closer to profile by year end.

I can confirm that the sum of €400,000 was allocated to the Department in respect of capital carry-over for 2013. This sum will be spent fully on ICT and office accommodation requirements.

Foreign Conflicts

118. **Deputy Clare Daly** asked the Tánaiste and Minister for Foreign Affairs and Trade further to Parliamentary Question No. 41 of 3 December 2013, if he will correct his response where he says that the siege of Gaza has eased, given that the recent Amnesty report on Gaza from November clearly demonstrates that the siege has intensified to the point of utter catastrophe; and if he will support Amnesty's call for a lifting of the blockade, including by allowing the delivery of fuel and other essential supplies into the territory without restriction. [53122/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): My reply to the Deputy's Question on 3 December included the phrase: "There has been some easing of the blockade in recent years". This is simply a matter of fact. The terms of the ongoing Israeli blockade of Gaza have been eased in a number of respects in recent years, including the removal of most items from the forbidden list, some degree of movement of building materials, a very limited opening to certain exports, and some easing of the constraints on farmers entering land near the border fence and on fishermen at sea. The Deputy will also recall that my reply went on to state, as an important qualification of the preceding words: "...but far too little to allow the Gaza Strip to resume normal life". This is a point I have consistently stressed at all times, but it will not help our case to refuse to acknowledge such small improvements as there have been, which are well known to all. I am of course glad to see that Amnesty International support my consistent call for a lifting of the blockade.

The current worsening of actual conditions in Gaza relates in large measure to factors additional to the ongoing Israeli blockade. These are the loss of the additional supplies formerly obtained through the smuggling tunnels from Egypt, as a consequence of developments in that country, and an ongoing dispute between the Palestinian Authority and the Hamas authorities in Gaza, who have refused to pay for the fuel supplies which the PA formerly sent to them, and which were allowed through by Israel.

I repeat my call in reply to a recent Question on this topic for all relevant authorities in the area to consider the effects of their actions on the ordinary people of Gaza, who are helpless among these conflicting forces.

Charities Regulation

119. **Deputy Billy Timmins** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of funding his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures.

[53551/13]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The Government's international aid programme, Irish Aid, which is managed by my Department, is recognised internationally for its effectiveness in producing results for the poorest and most vulnerable communities. About a quarter of Ireland's overseas development assistance is channelled through Non-Governmental Organisations (NGOs). This reflects the strong contribution which Irish NGOs are making to the fight against world poverty and hunger, and the broad support which they continue to receive from the Irish public. Funding is provided to support the long-term development work carried out by NGOs in developing countries, as well as emergency humanitarian assistance and development education programmes.

Given the level of Government funding for the NGO sector, the issue of their internal governance arrangements is a matter of legitimate public interest. It is important to note, however, that NGOs are independent organisations. The salary levels of their employees are determined by the Board of the NGO and are typically funded from a variety of income sources, including general donations from the public, bequests and official funding. In relation to the funding provided through the Irish Aid programme, my Department appraises funding applications from the NGOs and assesses the cost efficiency and effectiveness of their projects and programmes and the basis of their expenditure decisions. Financing agreements between Irish Aid and NGO partners include clear parameters on certain cost categories, including administration costs. A limit of 6% of funding provided can be allocated to administration costs, with remuneration levels for senior executives being reviewed in the context of overall administration costs.

In 2012, Irish Aid entered into agreements for a new series of programme grants with the larger Irish development NGOs for their long term development work over a four year period. These agreements require these NGOs to follow best practice financial reporting standards for staff salaries as set out in the Statement of Recommended Practice in place in the UK. This British standard is currently used by Irish Aid, pending the establishment of the Charity Regulatory Authority. In line with the standard, these NGOs are required to set out in their published audited financial statements the number of staff receiving salaries above €70,000.

The statistical annexes to the Irish Aid Annual Report provide a detailed analysis of Ireland's ODA, across a range of metrics including details of funding to non-governmental and civil society organisations. The most recent data published relates to ODA for 2012 and is available on the Irish Aid website at www.irishaid.ie. Detailed statistical analysis of Ireland's ODA for 2013 will be compiled early in the New Year and will subsequently be published on the Irish Aid web site.

My Department provides funding for the Ireland-United States Commission for Educational Exchange (the **Fulbright Commission**), which is a registered charity, on an annual basis. A grant of €254,000 was provided to the Commission in 2013. The Commission was established by the Educational Exchange (Ireland and the United States of America) Act, 1991 to facilitate the administration of educational and cultural exchanges between Ireland and the United States of America. Under the Act, the approval of the Minister for Foreign Affairs and Trade and the Ambassador of the United States is required for the engagement of an Executive Director and other administrative and clerical staff. Terms and conditions (including salary levels) for the staff are set by the Commission itself. Details of the staff salary levels are made available to my Department. Members of the Commission do not receive remuneration. My Department is provided with annual financial statements of the Commission, as audited by the Comptroller and Auditor General. These financial statements are also laid before the Houses of the Oireachtas.

My Department's **Emigrant Support Programme (ESP)**, provides funding to non-profit organisations and projects to support Irish communities overseas and to facilitate the development of more strategic links between Ireland and the global Irish. Applicant organizations to the ESP should be established as registered charities, charitable bodies or voluntary/not for profit organizations. While the vast majority of funding under the Emigrant Support Programme (ESP) is provided to organisations overseas, almost 12% of the budget is allocated to Irish based organisations. Recipient organisations here are typically active in providing services to returning or departing Irish emigrants or in promoting Irish heritage and sport abroad. Organisations receiving grants under the Emigrants Support Programme (ESP) are required to submit a financial report for each programme funded and financial accounts or audited financial statement. Full details of all funding provided by the Emigrant Support Programme can be found here: <https://www.dfa.ie/our-role-policies/the-irish-abroad/emigrant-support-programme/>.

Through the **Reconciliation and Anti-Sectarianism Funds**, which support cross-community outreach in Northern Ireland and the border counties, cross-border co-operation and sensitive commemorative and cultural events, my Department has awarded a total of €1,751,183 so far in 2013. A table of all organisations awarded funding is set out below. Funding is awarded only for project costs. Salary costs are ineligible for support from the Funds. There are mechanisms for annual reporting and accounting by recipient organisations. Organisations in receipt of grants of €10,000 and above are required to submit a tax clearance certificate from the Revenue Commissioners and those in receipt of grants of €12,500 and above are required to submit independently audited accounts.

Departmental Funding

Organisation	Amount
15 Years On	€1,500
1825 Project	€17,000
36th (Ulster) Division Memorial Association	€20,000
APAC Ireland	€8,000
ARC Healthy Living Centre	€10,000
Ard Eoin Fleadh Project	€11,000
Ballymac Friendship Trust	€8,000
Belfast City Council: Shared History, Different Allegiances	€4,600
Belfast Interface Project	€10,000
British Irish Association	€20,000
British Irish Joint Study on Economic Relations	€43,083
Carrick Hill Residents Association	€10,000
Carrickfergus YMCA	€7,000
Centre for the Study of Irish Protestantism, Maynooth	€4,000
Charter NI	€25,000
City of Londonderry Grand Orange Lodge	€18,000
Clare Youth Service	€4,000
Coalisland Residents & Community Forum	€25,000

Organisation	Amount
Community Foundation for Northern Ireland	€30,000
Co-operation Ireland	€380,000
Co-operation Ireland - All Island Schools Choir Competition	€40,000
Corrymeela Community	€50,000
County Fermanagh Grand Orange Lodge	€9,000
Creggan Youth Drop-in	€10,000
Cumann Culturtha Mhic Reachtain	€5,000
Derry Theatre Trust	€10,000
Donegal Youth Service	€20,000
East Belfast Mission	€40,000
ECF - Links	€20,000
Epworth Methodist Church	€3,000
Fit Kidz	€11,000
Forge Family Resource Centre	€20,000
Fortwilliam & Macrory Presbyterian Church	€14,000
Friends of Aghadrumsee School	€5,000
Gasyard Wall Féile	€9,000
Gleann Amateur Boxing Club	€6,000
Glencree Centre for Peace and Reconciliation	€142,000
Greenore Greencastle Community Association	€20,000
Groundwork NI	€25,000
Harmony Community Trust	€20,000
Healing through Remembering	€24,000
Holy Cross Retreat, Ardoyne	€40,000
Interaction Belfast	€10,000
International Centre for Local & Regional Development	€25,000
Irish Association for Cultural Economic & Social Relations	€12,000
Kids in Control	€15,000
Kids' Own Publishing Partnership	€25,000
Kilcooley Women's Centre	€22,000
Knockconan Border Summer Camp	€5,000
Magherafelt Olympic Football Team	€2,000
Maiden City Festival Committee	€35,000
Mediation Northern Ireland	€14,000
Mullacreevie Development Association	€2,500
New Lodge Arts	€10,000
Newhill Football Club	€6,000
North Belfast Interface Network	€8,000

Organisation	Amount
North Down Community Assistance	€10,000
Northern Ireland Mixed Marriage Association	€12,500
Northern Ireland Trade Union Education & Social Centre	€50,000
Partners in Catalyst	€18,000
Partners, Training for Transformation	€15,000
Playhouse Theatre	€25,000
Quaker Service	€2,500
Queen's Park Women's Group	€8,000
Restorative Justice Forum c/o Quaker Service	€8,000
Rights Watch UK	€15,000
Rosario Youth Centre	€6,500
Seaview Enterprises	€8,000
Seven Towers Community & Cultural Education Association	€5,000
Shimna Integrated College	€25,000
Short Strand Women's Group	€5,000
Spectrum Centre	€15,000
St Columb's Park House	€2,000
St. John Vianney Youth Centre	€8,000
St. Teresa's Youth Club	€8,000
Stranorlar Meenglass & Kilttevogue Football Club	€2,000
Tara Centre	€45,000
Ulster Canada Initiative	€4,000
Unionist Centenaries Committee	€20,000
Youth Initiatives	€18,000
Youthlink NI	€25,000

Property Taxation Collection

120. **Deputy Terence Flanagan** asked the Minister for Finance if the deduction of local property tax from an invalidity pension has ceased in respect of a person (details supplied) in Dublin 13; and if he will make a statement on the matter. [52516/13]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that the deduction at source payment method in respect of Local Property Tax (LPT) from Department of Social Protection pensions commenced in July 2013. The system operates via an automated data exchange where Revenue electronically captures the information provided by the taxpayer and transfers it to the Department. The data exchange between the computer systems transfers the information exactly as provided by the taxpayer and Revenue cannot validate the accuracy of the details in advance. However, where a deduction fails or is not possible for whatever reason, the Department advises Revenue, who makes contact with the individual concerned.

In the specific case raised by the Deputy, the person in question filed his 2013 LPT 1 Return

in May 2013 and requested that payment be deducted from his widower's non-contributory pension. Revenue subsequently transferred the information to the Department of Social Protection, but the Department rejected the payment request because the person in question was not in receipt of such a pension and confirmed this to Revenue in July 2013. Revenue then made contact with the person in question and on the basis of clarifications provided by him, issued a new payment instruction to the Department in August 2013. Unfortunately this instruction was also rejected by the Department as the case was under review at that time and was outside of the normal processing channels.

On foot of the second rejection notice from the Department, Revenue wrote to the person informing him of the problem with the deduction at source instruction and requesting him to make alternative payment arrangements for both 2013 and 2014. Revenue also used the opportunity to outline the various payment options available to him in preference to deduction at source. Finally, Revenue has confirmed to me that given the circumstances of the case, a member of the LPT team will make direct contact with the person in the coming days and will explain the various payment options to him and will also offer any other assistance that might be required to help him meet his LPT obligations.

Budget Targets

121. **Deputy Olivia Mitchell** asked the Minister for Finance the reason neither GNP nor GDP is used as a key denominator to measure State costs in order to receive more accurate readings on public spending key performance indicators; and if he will make a statement on the matter. [52924/13]

Minister for Finance (Deputy Michael Noonan): Details of voted expenditure, including its presentation, are primarily a matter for my colleague, Brendan Howlin T.D., Minister for Public Expenditure & Reform. However, you may be aware that the Department of Public Expenditure & Reform publishes detailed information on the annual amount of Exchequer Expenditure in a number of documents, including on Budget Day and in the Revised Estimates for Public Expenditure. In the *Budgetary and Economic Statistics*, an annual publication which is available at www.finance.gov.ie, my Department provide a time series of Total Government Expenditure relative to GNP as well as other key fiscal information relative to both GNP and GDP. The 2013 update is due to be completed and published next week.

Our obligations as a member of the Eurozone, means that key fiscal information, including our fiscal targets, have to be measured relative to GDP. GDP is the metric that is used for international comparisons. It may also be useful to note that the Eurostat website provides time series estimates of general government expenditure as a percentage of GDP for all Member States. Accordingly, the fiscal forecasts and outturns prepared by my Department twice-yearly as part of the Stability Programme Update and the budgetary process show the main components of general government receipts and expenditures as a percentage of GDP. Other tables in the annex of these publications show key aggregates in percentage of GDP terms.

Property Taxation Collection

122. **Deputy Brendan Griffin** asked the Minister for Finance when a refund of deductions of local property tax from a local authority tenant's pension will be granted in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52468/13]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that a key aspect of the work undertaken in regard to Local Property Tax (LPT) was the development of a comprehensive register of residential properties in the State. During the compilation of the Property Register some matching difficulties were encountered when consolidating the various Government and non-Government data sources, and in certain instances the linkage of properties to their relevant owners was not correct. As part of its comprehensive LPT communications strategy, Revenue clearly stated that errors in the compilation of the Property Register were inevitable given the scale of the task and requested that anybody who received incorrect information on their properties should contact the LPT Helpline immediately to avoid unnecessary compliance interventions. Revenue also clearly indicated that such interventions could include mandatory deduction at source from income, pensions, or various other Government payments in accordance with Sections 64, 65, 66 and 67 of the Finance (Local Property Tax) Act 2012 (as amended).

In the specific case raised by the Deputy, I am advised by Revenue the difficulties occurred because the person in question failed to make contact with Revenue on foot of either the original issue of the LPT 1 Return in March 2013 or the subsequent reminder that issued to him in July 2013, to confirm that he is not the liable owner of the property. The July reminder specifically advised the person of the imminent commencement of mandatory deduction at source from his pension if he did not address the issue. Unfortunately, because the person did not contact Revenue to confirm the ownership status of the property, an instruction issued to his pension provider to commence mandatory deductions.

Revenue subsequently received notice in August 2013 from the local authority that the person is in fact a tenant and is not the liable owner of the property. On foot of this notification Revenue immediately instructed the pension provider to cease deduction at source and updated the Property Register to reflect the correct ownership details for the property. I am further advised that in September 2013, Revenue also received correspondence from the Deputy confirming that he would act on behalf of the person in regard to LPT. Revenue has assured me that a refund will issue as soon as evidence of payment is received from either the Deputy or from the person. Such evidence will not otherwise be available to Revenue until P35s are received and processed in March/April 2014.

Banking Sector Issues

123. **Deputy Pearse Doherty** asked the Minister for Finance if he has seen the recent health checks on AIB, Bank of Ireland and PTSB; if so, if he will provide a view on their contents; and if he will make a statement on the matter. [52473/13]

124. **Deputy Pearse Doherty** asked the Minister for Finance if he will instruct the Central Bank of Ireland to release publicly the full health checks assessments given to AIB, Bank of Ireland and PTSB last week; and if he will make a statement on the matter. [52474/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 123 and 124 together.

I can confirm to the Deputy that I have seen the results of the Balance Sheet Assessment as they were a commitment under our Funding Programme and, as with all other such commitments, my Department communicated them to the Troika by the appointed deadline. The results are very technical in nature and I am under a legal obligation to keep the details confidential.

As the BSA is seen as part of the ECB's Comprehensive Assessment, with the findings be-

ing included in the Assessment, the results of the BSA are not being published separately. The interpretation of the results is a matter for the Central Bank, but, I am pleased that the Governor has informed me that there will not be an additional regulatory capital requirement in the banks as a result of this process. It is a matter for the banks to decide regarding the publication of their individual results and I would refer you to the statements made by the individual banks.

Pension Provisions

125. **Deputy Gerald Nash** asked the Minister for Finance if he will consider allowing for partial encashment of PRSAs in certain limited circumstances; and if he will make a statement on the matter. [52484/13]

Minister for Finance (Deputy Michael Noonan): Section 782A of the Taxes Consolidation Act 1997 provides members of occupational pension schemes with a once-off opportunity to access their Additional Voluntary Contributions (AVCs), pre-retirement. The option is available for a three year period from 27 March 2013, the date that the Finance Act 2013 was passed into law. There are a number of reasons why, under existing policies, pre-retirement access to the main benefits from pension plans or schemes is not permitted, the principal one being that these arrangements (and the associated tax reliefs on contributions and pension fund growth) are designed to be long term savings vehicles based on the principle that the benefits will be “locked away” to help fund an adequate income in retirement.

The pre-retirement access to a portion of AVCs which I introduced in Budget and Finance Act 2013 is allowed on a tax-neutral basis – the contributions were tax-relieved at the individual’s marginal rate on the way in and are taxed at the individual’s marginal rate on withdrawal. The take-up of the measure to date has not been particularly significant. I would remind the Deputy, however, that this is a measure which was designed to enable rather than incentivise individuals to access part of their pension savings beyond their regular or compulsory pension contributions. It is important that individuals continue to provide for their retirement and, it would appear, most individuals with AVCs have to date decided to preserve their AVC pension savings. For these reasons, I have no plans to extend the measure beyond AVCs.

Currency Exchange

126. **Deputy Stephen S. Donnelly** asked the Minister for Finance if his attention has been drawn to the growing use of crypto-currencies such as Bitcoin; if he has concerns regarding the legality of using such currencies as de facto legal tender in any transactions in this jurisdiction; if he has any concerns regarding the use of such currencies to circumvent taxes and any potential loss to the Exchequer as a result; and if he will make a statement on the matter. [52492/13]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Central Bank that it does not regulate Bitcoin. Crypto-currencies are not legal tender in the Euro area. The Revenue Commissioners have advised me that e-commerce, including the use of virtual currencies, present a challenge to tax administrations throughout the world. Specifically, regarding the possible use of crypto-currencies (including Bitcoin) to circumvent taxes, the Revenue Commissioners and tax administrations in other countries are actively monitoring developments. Because Bitcoin is a combination of some factors that constitute a commodity and some that constitute a currency, the implications for taxation are varied.

If Bitcoins are received as payments in commerce, then the same rules in place for payments received in other foreign currencies also apply. If speculation on Bitcoin occurs, the taxation

rules that would apply to any gain are applicable. More specifically, VAT is generally chargeable on the total consideration for goods and services, including all taxes, commissions, costs and charges (excluding the VAT chargeable in respect of that supply). This general rule is based on the EU VAT Directive. Where the consideration does not consist of, or does not consist wholly of, an amount of money, VAT is chargeable by reference to what might reasonably be expected to be the open-market price of the good and services supplied. The VAT Regulations require that the amount of tax included on an invoice is expressed in Euro. The exchange rate to be used for non Euro currency transactions is either the latest selling rate for the foreign currency recorded by the European Central Bank or alternative method of determining the exchange rate that is agreed with the Revenue Commissioners.

More broadly, I am advised that shadow economy activity has always been attracted to cash businesses, in large part because of the difficulties in traceability and record keeping. Bitcoin may present a cash substitute for some tax evaders. While it has the potential to increase instances of non-compliance, I am advised that, currently, the threat posed to the Exchequer is likely to be small. It is probable too that for some evaders, it represents a new opportunity for existing non-compliance, rather than a new form of evasion.

Universal Social Charge Exemptions

127. **Deputy Gerald Nash** asked the Minister for Finance if he will give consideration to providing an exemption to the universal social charge in cases where medical expenses are greater than taxable income, particularly for residents of nursing homes; and if he will make a statement on the matter. [52562/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, the Universal Social Charge (USC) was introduced in Budget 2011 to replace the Income Levy and Health Levy. It was a necessary measure to widen the tax base, remove poverty traps and raise revenue to reduce the budget deficit. The USC is a charge on the gross income of individuals if their gross income exceeds the USC threshold of €10,036 per annum. It applies on a broad base with very few exceptions.

Section 469 of the Taxes Consolidation Act 1997 provides for tax relief in respect of health expenses in the provision of health care incurred by an individual or an individual's spouse or civil partner, on their own behalf or on behalf of someone else. Relief is provided at the standard rate except in the case of nursing home fees which are provided at the marginal rate.

There is no relief against Universal Social Charge for health expenses. However, it should be noted that payments from the Department of Social Protection such as the State Pension are exempt from the Universal Social Charge (USC). In addition, individuals aged 70 and over, provided their total income does not exceed €60,000, are not liable to the top rate of charge and payments from the Department of Social Protection will not be taken in to account in determining if an individual has exceeded the €60,000 threshold.

The Deputy will be aware that the Nursing Home Support Scheme Act 2009 was introduced to provide financial support for people assessed as needing long-term nursing home care. The scheme is founded on the core principles that long-term care should be affordable and that a person should receive the same level of State support whether they choose a public, voluntary or private nursing home. Since 27th October 2009, the Nursing Homes Support Scheme is the single funded means of accessing long-term nursing home care for all new entrants.

Any contribution made by an individual in defraying expenses in the nature of maintenance

or treatment in a nursing home, where that individual has received State support under section 3 of the Nursing Home Support Scheme Act 2009, is treated as health expenses qualifying for relief. This relief is given at the marginal rate of tax but cannot exceed an amount which reduces the income tax liability for the year to nil. As stated previously, this compares with tax relief at the standard rate for any other health expenses. Given the additional tax relief currently available for nursing home fees I would not be in favour of providing an additional relief from USC for such fees.

Bank Guarantee Scheme Administration

128. **Deputy Patrick O'Donovan** asked the Minister for Finance if he will provide details of the auditors who audited Irish banks prior to the introduction of the bank guarantee; if these audit companies continue to have an audit role within the same banks covered by the guarantee; and if he will make a statement on the matter. [52671/13]

Minister for Finance (Deputy Michael Noonan): May I bring to the Deputy's attention that the details of the auditors of individual banks are publicly available and published in the Annual Reports of the various institutions. For assistance you will find the details below.

AIB

2008 – 2012 KPMG

2013 Deloitte & Touche - following an open tender process

EBS

2008 – 2010 Ernst & Young

2011 KPMG when merged with AIB

BOI

2008 - 2013 Price Waterhouse Coopers (PWC)

ptsb

2008 - 2012 KPMG

2013 PWC – following an open tender process

IBRC

2007 Ernst & Young

2009-2012 Deloitte & Touche

The appointment of the auditors is a matter for the Board and shareholders of the institution as it is voted on at each Annual General Meeting.

Universal Social Charge Application

129. **Deputy John O'Mahony** asked the Minister for Finance the reason a person (details supplied) in County Mayo is being charged universal social charge on money saved before the charge was introduced; and if he will make a statement on the matter. [52690/13]

Minister for Finance (Deputy Michael Noonan): The position is that the Universal Social Charge (USC) was introduced from 1 January 2011 to replace the Income Levy and the Health Levy. It was a necessary measure to widen the tax base, remove poverty traps and raise revenue to reduce the budget deficit.

The USC is only charged on income and not on capital or savings, and it only applies where an individual has an aggregate income for a year in excess of €10,036. Where an individual in the PAYE system has income in excess of that amount, the rates of USC are as follows:

The first €10,036 @ 2%.

The next €5,980 @ 4% and

The balance @ 7%.

However, where an individual is aged 70 or over, or is the holder of a full medical card, and has income of €60,000 per annum or less, they will not be liable to the top rate of charge. For such individuals the rates of charge are as follows:

2% on the first €10,036 of income;

4% on all income over that amount.

I am advised by the Revenue Commissioners that the person in question is in receipt of an occupational retirement pension and is also in receipt of a small pension or distribution from an Approved Retirement Fund. As the person's aggregate income exceeds €10,036, both of these sources of income are liable to USC. As stated earlier, the USC is charged on annual income paid to the individual and is not charged on capital.

VAT Exemptions

130. **Deputy Martin Ferris** asked the Minister for Finance if registered charity shops are liable for VAT for the sale of goods including donated items; and if he will make a statement on the matter. [52697/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that, in general, many of the activities carried out by charities are considered to be either outside the scope of, or exempt from, VAT. Charities engaged exclusively in such activities are neither obliged nor entitled to register and account for VAT on their income. In certain circumstances the activities of a charity, such as the operation of charity shops, may be regarded as within the scope of VAT. Such circumstances are examined on a case by case basis.

Property Taxation Application

131. **Deputy Patrick Nulty** asked the Minister for Finance the reason a person (details supplied) has not received any contact from the Revenue Commissioners regarding the valuation sent of their property; if, given the entirely flawed estimate they received from them initially, they will be entitled to a rebate on their payment for 2013; and the rate they will be liable for in 2014. [52728/13]

Minister for Finance (Deputy Michael Noonan): I am informed by Revenue that, as Local Property Tax (LPT) is a self-assessed tax, it is a matter for the property owner to calculate the amount of tax due based on his/her assessment of the market value of the property at 1 May 2013.

I am further informed that if a liable person places an incorrect value on his/her property due to a genuine error or mistake, and as a consequence overpays the amount of LPT due, then Section 26 of the Finance (Local Property Tax) Act 2012 (as amended) provides that a claim for a refund of the overpaid amount may be made to Revenue, providing evidence for the revised valuation can be provided.

In the case raised by the Deputy, a completed form LPT 1 was submitted in respect of 2013 in April 2013 clearly indicating 'Band 2' as the appropriate valuation band. An amount of €112 was also paid, which is the correct amount in respect of 'Band 2' for the 2013 half-year.

A request to revise the valuation downwards to 'Band 1' was subsequently received by Revenue in October 2013. The request was supported with appropriate documentation confirming 'Band 1' as the correct valuation band.

Revenue has confirmed to me that the valuation band in this case has been amended from 'Band 2' to 'Band 1' on foot of the submission received in October and the surplus amount of €67 has been offset to the person's 2014 liability leaving a balance of €23 due in respect of that year.

Revenue will be making direct contact with the person in the coming days to confirm that the offset has been made and to advise the amount now due for 2014.

NAMA Portfolio

132. **Deputy Gerry Adams** asked the Minister for Finance if the Ard Deaglan complex in Dundalk, County Louth is a National Asset Management Agency owned property; if he considers the complex to be dangerous or derelict; and if he will make a statement on the matter. [52766/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware NAMA does not own properties. NAMA is subject to similar legal requirements as other lenders that preclude it from disclosing details relating to its debtors and their properties.

Capital Programme Expenditure

133. **Deputy Peadar Tóibín** asked the Minister for Finance if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department and on a regional basis and a county basis over the past five years. [52799/13]

Minister for Finance (Deputy Michael Noonan): The Capital spend from my Department over the past five years has primarily related to Centre for Management and Organisation Development (CMOD), now the Office of Government Chief Information Officer, Peace/Interreg projects and the Special EU Programmes Administrative body (SEUPB), all of which are now under the ambit of the new Department of Public Expenditure and Reform. A smaller amount relates to in-house IT and premises fit-out which, by its nature, is linked to the location of the Department's buildings (Dublin and Tullamore, County Offaly).

The Peace/Interreg projects are cross-border co-funded initiatives. If you require further detail of this expenditure we can request same from the managing authorities and send it to you under separate cover.

The history of the Department's capital spend over the past five years is set out in the below

table.

Year	Capital Spend - € '000
2009	934 (of which 571 CMOD, 363 Peace/Interreg/SEUPB)
2010	277 (of which 89 CMOD, 188 Peace/Interreg/SEUPB)
2011	0
2012	150
2013	150*

*estimate

Tax Reliefs Eligibility

134. **Deputy Seamus Kirk** asked the Minister for Finance if he will consider extending tax relief for land leasing to companies who own agricultural land and wish to lease same; and if he will make a statement on the matter. [52810/13]

Minister for Finance (Deputy Michael Noonan): Tax relief for land leasing aims to incentivise the long-term leasing of farmland through encouraging more retired and part-time farmers to lease their land to younger farmers, especially those who are Young Trained Farmers. Widening the scope of this relief to include companies could lead to calls from other business sectors for a similar tax exemption, for instance, on rental profits. In addition, any changes to the land leasing provisions may be subject to EU State Aid approval. In any event, it is not clear to me that there is a difficulty here as companies who own land would tend not to want to lease it to those younger farmers.

The Department of Finance is often asked to consider new tax reliefs and incentives across all sectors of the economy without a full picture of how existing reliefs are working. The wide range of existing tax expenditures for the farming sector have grown up over time, largely on a piecemeal basis. It is very difficult to assess the effectiveness of existing schemes and whether or not they maximise value for money. The most recent estimates on the tax forgone to the sector is estimated at over €350 million, although there are a number of areas for which the data cannot be separated from other tax returns.

That is one of the reasons why I announced in my Budget speech that I would be commissioning a Review of the tax reliefs available to the farming sector. This is in line with the Department of Finance policy to review all tax expenditures on a regular basis.

The purpose of the Review will be to assess the costs and benefits of the various agriculture tax expenditures with a view to ensuring that the maximum benefit to the sector and the wider economy is obtained. The overall objective is not to change the level of Exchequer support to the sector through the tax system but rather to maximise the benefits to the economy for the existing level of State support and to ensure tax policy aligns with the objectives set out in Food Harvest 2020. Any recommendations would be considered in the context of Budget 2015. The issue of land leasing to companies is something that will be looked at in this Review.

There will be an opportunity for farmers and all those involved in the sector to give their views, once the review process is launched in 2014.

Economic Policy

135. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 181 of 26 November 2013, the amount consultants (details supplied) are being paid in their consultative and drafting role; if the contract was tendered for or a direct award; and the person that decided which external consultants would be used. [52824/13]

Minister for Finance (Deputy Michael Noonan): An invitation to tender for assistance and analysis in the preparation of a Medium-Term Economic Strategy, including an analysis of recent medium-term economic strategies in countries/regions comparable to Ireland, and to provide related advice on the effective development and implementation of the Strategy was published on eTenders on 20th August 2013. The tender document was also forwarded directly to a number of economic consultancy firms. The award criteria upon which responses were to be evaluated were:

- Methodological Approach
- Understanding of assignment
- Relevant Experience of staff and resources to be provided to assignment
- Ultimate Cost

Two responses were received within the 10th September deadline. Following evaluation of both responses by an evaluation committee of Department of Finance officials, it was decided to award the consultancy contract to the consultants named by the Deputy on the basis that theirs was the most economically advantageous proposal, taking account of all the award criteria. This was also the lowest cost proposal.

The total VAT exclusive value of the contract is €39,873.

Economic Policy

136. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 181 of 26 November 2013, the value of the contract awarded to a company (details supplied); if the contract was awarded by public tender or direct award; and the person that decided the design of the medium term economic strategy would be outsourced. [52827/13]

Minister for Finance (Deputy Michael Noonan): The entity to which the Deputy refers is an ongoing local authority initiative to promote Irish design. The entity offered to provide assistance to the Department of Finance to develop a design scheme for the Medium-Term Economic Strategy document which will help ensure that its message and goals are communicated with maximum clarity to the widest possible readership in Ireland and abroad. This offer was accepted by the Department. The local authority entity has undertaken this work as part of its in-house design promotion programme, therefore no tendering process or contract were required.

Economic Policy

137. **Deputy Pearse Doherty** asked the Minister for Finance further to Parliamentary Question No. 181 of 26 November 2013, if the ESRI is being paid for its consultative work on the strategy; if so, the value of the payment-contract; if the contract was awarded by public tender or direct award; and the person who decided they would be used as consultants on the process. [52828/13]

Minister for Finance (Deputy Michael Noonan): As part of the preparation of a Medium-Term Economic Strategy, requests for tenders for assistance in modelling medium-term supply-side changes to the Irish economy were issued to three parties on 9th August. The goal of the modelling exercise was to quantify the impacts of potential supply-side economic reforms relative to a baseline scenario. Three responses were received within the 30th August deadline, with one party indicating they would not be submitting a tender. The award criteria set out in

the request for tender and used to assess submitted responses were:

- Cost
- Experience of the organisation in providing macroeconomic and fiscal modelling in Ireland
- Research history and knowledge of the Irish economy
- Understanding of the assignment
- Possession of a peer-reviewed macroeconomic model of the Irish economy which allows modelling of supply shocks to multiple sectors

Following evaluation of the two positive responses by an evaluation committee of Department of Finance officials, it was decided to award the consultancy contract to the ESRI on the basis that theirs was the most economically advantageous proposal, taking account of all the award criteria. The value of the contract is €28,750 (VAT exclusive).

In addition to the ESRI work related to modelling medium term supply-side changes to the Irish economy as set out above, a smaller direct award contract was made for a piece of work on spatial issues to the value of €3759 (excluding VAT). This work was approved through the normal channels in the Department.

Tax Credits

138. **Deputy Noel Harrington** asked the Minister for Finance if he will amend the regulations regarding the single parent tax credit for 2014 so that by agreement it can be split between the parents on a 75%-25% or a 50%-50% basis or that it can be claimed by both parents on alternate years; and if he will make a statement on the matter. [52854/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, the One-Parent Family Tax Credit (OPFTC) is being replaced with a new Single Person Child Carer Tax Credit from 1 January 2014. The Single Person Child Carer Tax Credit will be of the same value, i.e. €1,650, as the existing OPFTC and will also carry the same entitlement to the extended standard rate tax band of €36,800 per annum.

The proposed new credit, should the changes be approved by the Oireachtas, will operate differently from the One-Parent Family Credit, such that the credit will be available in the first instance, to the primary carer, that is, the single individual with whom the child resides for the greater part of the year. In addition I introduced an amendment at Committee Stage in the Dáil to allow the primary carer to relinquish the credit such that a non-primary carer can claim it in certain circumstances.

If the primary claimant relinquishes the credit, a secondary claimant may claim it. The child must reside with this individual for over 100 days in aggregate in the year, which is indicative of a level of involvement in the care of the child that is supportive of the primary claimant. For the purpose of this limit a day can include the greater part of a day.

The new credit will be an activation measure and it is designed to be an in-work benefit to support the primary carer to take up, or remain in, employment. It will assist single parents or carers with the cost of childcare. Where a primary carer chooses to relinquish the credit, it will assist a non-primary carer to take up or remain in employment. The purpose of relinquishment is to ensure that if the primary claimant has insufficient income or does not wish to avail of the credit, a secondary claimant with whom the child resides for over 100 days in the year may

claim it in recognition of their involvement with the child and the support they provide to the primary claimant.

I am advised by the Revenue Commissioners that this procedure of relinquishment means that two individuals could, by agreement among themselves, alternate claiming the credit with the primary claimant getting it in year one, and the secondary claimant in year two, and so on.

Given the difficult fiscal environment it is essential to review all tax reliefs, credits and incentives in order to ensure that they are properly targeted and if necessary re-focused in order that they can achieve the socio-economic objectives that are set for them.

Allocation of childcare responsibilities is primarily for parents to agree. Therefore, I have no plans to amend the legislation to allow for the splitting or apportioning of the new tax credit.

This new policy has been agreed by Government based on a recommendation put forward by the Commission on Taxation that the credit should be retained but that it should be confined to the principal carer only. I am satisfied that the restructuring of the credit will achieve such an outcome.

Consumer Protection

139. **Deputy Michael McGrath** asked the Minister for Finance the role of the consumer advisory group within the structure of the Central Bank; the number of times they have met in 2013; the reports, if any, that have been issued; and if he will make a statement on the matter. [52868/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Central Bank that the role of the Consumer Advisory Group (CAG) is to advise the Central Bank on the performance of its functions and the exercise of its powers in relation to protecting consumers of financial services. There are five members of the CAG. Appointments are for a three-year period and members serve on a voluntary basis. A list of the members is as follows:-

- Michael Culloty
- Dermott Jewell
- Elaine Kempson
- Bill Knight
- Dr Anthony Walsh

As the role of the CAG is an advisory one, they do not publish reports on their activities and recommendations. The Central Bank publishes a summary of items discussed at each meeting on its website.

The CAG has met four times in 2013 and a summary of each meeting is available on the Central Bank's website: www.Centralbank.ie.

IBRC Loans

140. **Deputy Pearse Doherty** asked the Minister for Finance if the overall valuation of Irish Bank Resolution Corporation's loan book was completed as scheduled on 30 November; the overall value of same; the way it compares to the valuation at February 2013; and if a further injection of money will be required by IBRC in 2014. [52876/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special

Liquidators that the overall valuation of Irish Bank Resolution Corporation's loan book was completed as scheduled on 30 November.

The information requested will not be published as it is commercially sensitive financial information which could potentially have a detrimental impact on asset recovery from the impending sale process.

The Minister for Finance will only be required to compensate NAMA if the amount raised from the sale of assets by the Special Liquidator is insufficient to cover amounts due to NAMA. The financial outcome of the liquidation will not be known with any certainty until the asset sale process has completed. However, the feedback received from the Special Liquidators thus far is that they are very pleased with the volume and value of bids received to date and a shortfall for NAMA is currently not expected.

Banking Sector Issues

141. **Deputy Seamus Healy** asked the Minister for Finance in view of the fact that any option to sell the preference shares to third party investors is a decision for the State alone, if he has decided to sell any of the preference shares held by the State in Bank of Ireland to third party investors; if he has, the portion of the preference shares that will be sold to third party investors; in view of the fact that the value of the preference shares to the State will automatically rise by 25% next March, the way such a sale serves the interests of the Irish people; and if he will make a statement on the matter. [52883/13]

Minister for Finance (Deputy Michael Noonan): Last Wednesday, December 4th, after the Deputy's question had been submitted; I announced the successful exit by the State from its €1.837 billion of Preference Shares held in Bank of Ireland.

The State has received 100% of par value on €537 million of the securities which the bank was entitled to redeem through the issuance of new equity and secured a price of 104.75% of par on the remaining €1.3 billion of preference shares which were sold to investors following a book build exercise by a consortium of banks.

The successful exit by the State from its Bank of Ireland Preference Shares is a very positive and welcome development and sees the State recoup circa €2.05 billion from this investment. These proceeds comprise the return of our principal which is €1.837 billion, a profit of €62 million, and accumulated interest of €151 million.

The Preference Shares, which date back to early 2009, form part of the €4.7 billion total investment made by the State in Bank of Ireland. Under the terms of the Preference Shares, the Bank was entitled, subject to regulatory capital considerations, to redeem the Preference Shares at any time. Therefore, a decision to hold onto the Preference Shares could not be made unilaterally. The step-up only crystallised in circumstances where the Bank was unable to redeem the Preference Shares before 31st March 2014. In this transaction the bank exercised its legal right to redeem up to €537m of the shares at par while the State took the decision to sell the balance of €1.3 billion for a premium.

In deciding whether to support the transaction the State had to assess the probability that the Bank might opt to execute a rights issue and use the proceeds to redeem all the Preference Shares at par. In this scenario, the State would have foregone this €62m profit. I was aware when making this decision that market conditions were extremely favourable at this time, enabling us to maximise the return to the State.

Following this transaction the State will have recouped a net positive cash return of circa €1.1 billion from its overall investment and support to the bank.

This net cash return is before account is taken of our continuing equity investment in Bank of Ireland which is worth a further €1.2 billion at current market prices. This value takes account of the issuance of new shares to investors, which will see the State's equity stake fall from 15.1% to circa. 14.0%. Hence the State expects to record a significant profit from its total support of and investments in Bank of Ireland.

Departmental Expenditure

142. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide a breakdown of the €55,782,000 of miscellaneous expenditure as outlined in Note 5 Non-Voted Current Expenditure in the November Exchequer statement; and if he will make a statement on the matter. [52885/13]

Minister for Finance (Deputy Michael Noonan): Of the €55.782 million of non-voted current expenditure presented as miscellaneous expenditure in the end November 2013 Exchequer statement, €55.765 million occurred during the month of November. This can be broken down into 2 different categories. The first category of €52.658 million represents a balance in respect of the Department of Social Protection (DSP) with the Central Fund on 30 November 2013. This funding was advanced to provide adequate cash flow to prefund monthly Departmental scheme expenditure.

Under Government accounting rules such advances may not be regarded as voted current expenditure until their disbursement. They may arise due to timing differences where there is prefunding at month end and matching expenditure at the start of the subsequent month. Such unspent advances issued from the Central Fund are recorded as cash equivalent assets of the Department at month end.

It should be noted that similar balances have occurred in respect of the DSP in previous years for the same reason of ensuring adequate cash flow to prefund and meet scheme expenditure as it arises.

The second category consisting of payments of €0.311 million and €2.796 million are in respect of Ireland's contributions in 2013 to the General Capital Increase (GCI) and the Selective Capital Increase (SCI) of the World Bank (International Bank for Reconstruction and Development (IBRD)).

In common with other international financial institutions and in the context of governance reforms to strengthen the representation of developing countries, the World Bank adopted Resolutions in 2010 providing for an increase in its authorised capital in order to ensure a sufficiency of resources to respond to increased lending requirements in the light of the financial crisis. Ireland's participation in the capital increase is in line with its existing pro-rata share of IBRD capital. Under the World Bank's Procedures for Subscriptions to the GCI and SCI, the paid-in element comprises 6% of the value of the additional shareholding, of which 10% (i.e. 0.06%) is paid in US dollars and the remainder in euro. The amounts of €0.311 million and €2.796 million correspond to the breakdown on this basis of the 2013 instalment. In line with the subscription arrangements, Ireland's contributions are being paid in approximately equal annual instalments in each of the years 2013 to 2016 inclusive in the case of the GCI, and 2013 to 2015 inclusive in the case of the SCI.

Banking Sector Issues

143. **Deputy Michael McGrath** asked the Minister for Finance the number of rent receivers appointed to date in 2013 by the Irish headquartered banks; and if he will make a statement on the matter. [52894/13]

Minister for Finance (Deputy Michael Noonan): The Central Bank has advised that it does not publish statistics on the number of rent receivers appointed by Irish headquartered banks. However, the covered institutions have provided me with the following details regarding their use of rent receivers.

Bank of Ireland's last reporting date in August for the end of June showed that there were 1,235 properties where a Fixed Charge Receiver has been appointed or approved.

AIB has informed me that to date the bank has appointed fixed asset receivers to over 540 residential properties with a further 250 properties expected to be appointed before the year end.

PTSB has advised that it has appointed 3 Receivers of Rent (Receivers) year to date in respect of buy-to-let (BTL) properties. 144 properties (on 110 accounts) have been affected by this appointment in the year to date. The bank has advised that its 'Receiver Strategy' for its BTL portfolio continues to be centred on a case-by-case analysis. Appointments are made where it is deemed to be the most appropriate outcome for both the customer and the bank. The appointment of a Receiver is currently pending on 10 BTL properties (10 accounts).

It should be noted that under the terms of the Relationship Framework that govern the relationship between the Minister for Finance and the State supported banks, the respective Boards and Management teams retain responsibility and authority for determining the banks' strategies and commercial policies and conducting their day-to-day operations. The appointment of rent receivers to properties therefore is an operational decision for the Boards and Management teams of those institutions.

Property Taxation Yield

144. **Deputy Michael McGrath** asked the Minister for Finance the amount of local property tax due for 2014 that has already been collected at the end of November 2013; and if he will make a statement on the matter. [52895/13]

Minister for Finance (Deputy Michael Noonan): Initial forecasts for Local Property Tax (LPT) receipts envisaged a yield of €250m for 2013 and €500m in 2014. In light of taxpayer payment patterns for the 2013 liability, the anticipated yield for 2013 was increased to €300 million to take account of potential payments in respect of 2014. I am advised by the Revenue Commissioners that by the end of November 2013, the total LPT that had been transferred to the Exchequer by Revenue amounted to approximately €287m. Of this amount, approximately €65m relates to 2014 LPT, with the balance of €222m relating to 2013 LPT.

Investor Compensation Company Limited

145. **Deputy Michael McGrath** asked the Minister for Finance if he will set out in tabular form the annual receipts and payments for each year for the period 2008-2012 in respect of the investor compensation fund; and if he will make a statement on the matter. [52896/13]

Minister for Finance (Deputy Michael Noonan): As requested by Deputy McGrath, the following table displays the annual receipts and payments in respect of the Investor Compensation Company Limited (ICCL) for each year in the period 2008-2012.

Financial year ended 31 July	2008	2009	2010	2011	2012	Total
Total Income	5,783,362	6,004,379	6,106,747	5,638,591	7,262,149	30,795,228

Financial year ended 31 July	2008	2009	2010	2011	2012	Total
Total Costs	(572,583)	(1,098,143)	(1,206,687)	(1,352,684)	(16,529,038)	(20,759,135)
To Reserves	5,210,779	4,906,236	4,900,060	4,285,907	(9,266,889)	10,036,093

The Investor Compensation Company Limited (ICCL) is a company which was established under the Investor Compensation Act, 1998. The main purpose of the scheme, as determined by the Investor Compensation Act, 1998, is to provide adequate funds out of which eligible investors of failed investment firms are compensated. The funds are generated solely from levies paid by investment firms.

The information requested by Deputy McGrath and further details concerning the funding arrangements of the ICCL is publicly available from the ICCL website:

www.investorcompensation.ie/publications.php.

Employment Investment Incentive Scheme

146. **Deputy Michael McGrath** asked the Minister for Finance if he will set out in tabular form the annual number of participants in the employment and investment incentive scheme since its inception; the cost in each year of the scheme; the approximate number of jobs it supports; and if he will make a statement on the matter. [52897/13]

Minister for Finance (Deputy Michael Noonan): The EII was introduced from 25 November 2011 and no investments were approved in 2011. For the year 2012, the latest year available, the estimated cost to the Exchequer for the EII was €4 million in respect of 376 investors including 2 EII funds. Full year data for the year 2013 will not be available until after the end of the year but indications are that the cost will be significantly higher.

I am informed by the Revenue Commissioners that data in relation to the number of jobs supported is not available at this stage but may become available from 2016 onwards. Under the terms of the scheme, relief in respect of 30% of the amount invested in a qualifying company is granted to the investor in the year of investment, while the balance is only due where it has been proven that employment levels have increased at the company at the end of the holding period (3 years) or where evidence is provided that the company used the capital raised for expenditure on research and development. Claims for the balance of the relief will be due from 2015 so that data on the number of jobs created under the scheme should become available from that year.

Fuel Laundering

147. **Deputy Bernard J. Durkan** asked the Minister for Finance further to Parliamentary Question No. 41 of 21 November 2013, the options available in the case of a person (details supplied) in County Kildare in view of additional information which illustrates that transfer of ownership of a vehicle was received on 27 August and not 7 October as stated by the Revenue Commissioners. [52942/13]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners to refer to previous replies to questions on this matter dated 24th September 2013 (Dáil Question No. 39398/13) and 21 November 2013 (Dáil Question No. 49879/13). As outlined in my reply of 21 November 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.

The Revenue Commissioners wrote to the owner of the vehicle on 5th September 2013, and offered a compromise arrangement to him in relation to the statutory penalty. Whilst the deadline for a 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. While the material supplied by the Deputy has been noted, if the person wishes to avail of the opportunity for a compromise, or provide any additional information, he should now reply to the Commissioners letter of 5 September 2013 as a matter of urgency.

Tax Code

148. **Deputy Martin Heydon** asked the Minister for Finance the reason a person (details supplied) in County Kildare has to pay additional tax after gaining employment after a period on jobseeker's benefit; and if he will make a statement on the matter. [52975/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that jobseeker's benefit is a taxable source of income and when a person resumes work their tax credits and standard rate cut-off point are normally reduced by the amount of their taxable jobseeker's benefit. In this case the taxpayer in question has given his Personal Tax Credit for 2013 to his spouse. Accordingly, the only tax credit available to the taxpayer for 2013 is the PAYE Tax Credit. This tax credit has been restricted so as to collect the tax that is due in respect of the jobseeker's benefit that the taxpayer in question received earlier this year. A Tax Credit Certificate taking these facts into account issued to the person concerned on 15 November 2013.

Banking Sector Remuneration

149. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form the number of staff that are receiving a total remuneration package including pension payments, allowances and benefits of between €100,000 and €200,000, between €200,000 and €300,000, between €300,000 and €400,000, and the number with more than €500,000 at all of the covered banking institutions, the National Treasury Management Agency and National Asset Management Agency. [52982/13]

153. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form, with respect to each of Bank of Ireland, Allied Irish Banks, Permanent TSB, the National Treasury Management Agency and the National Asset Management Agency, the number of staff whose current annual salary falls into bands of €400,000 and above, between €300,000 and €399,999, between €200,000 and €299,999, between €150,000 and €199,000, and between €100,000 and €149,999. [52986/13]

155. **Deputy Pearse Doherty** asked the Minister for Finance when he will publish the submissions from Bank of Ireland, AIB and PTSB following the Mercer report; and if any substantial contribution from the leadership of the banks on pay and pensions has materialised and to quantify this contribution. [52988/13]

156. **Deputy Pearse Doherty** asked the Minister for Finance the total final cost of the Mercer Report. [52989/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 149, 153, 155 and 156 together.

As the Deputy will be aware the Review of Remuneration Practices & Frameworks at the Covered Institutions (the “Mercer Report”) was published by my Department on 12 March 2013. The following breakdown of total salary and remuneration appears on page 43 of that review.

-	AIB	AIB	BOI	BOI
Number of Staff	Salary	Remuneration	Salary	Remuneration
€300,000- €399,999	7	11	20	34
€400,000- €499,999	3	11	12	15
€500,000 or over	0	0	6	11

Note 1: There are differences in data methodology, timing and exchange rates which account for differences in the data presented here and that shown in responses to parliamentary questions. Data for PTSB and IBRC is not shown for reasons of data protection.

There is a whole host of additional disclosures in the report that give further detailed breakdowns of pay across the banks, in particular the chart on page 42 and the table on page 46 which shows a breakdown by institution by grade of the number of staff, their salary and total remuneration, as follows.

-		AIB	BoI(2),	IBRC	PTSB
Chief Executive	Number of employees	1	1	1	1(4)
	Salary	€425,000	€623,000(3)	€500,000	€400,000
	Total Remuneration	€488,800	€776,400	€683,600	€460,000
Senior Executives (1)	Number of employees	8	8	7	9
	Salary	€327,200	€408,300(3)	€365,100	€209,300
	Total Remuneration	€434,200	€517,400	€535,700	€269,600
Executives	Number of employees	118	103	46	20
	Salary	€174,800	€198,700	€184,100	€173,900
	Total Remuneration	€230,100	€251,800	€253,900	€220,100
Senior Manager/Manager	Number of employees	2,199	3,326	291	271
	Salary	€87,100	€76,800	€87,200	€83,000
	Total Remuneration	€108,300	€96,600	€115,600	€109,200
Assistant Manager/Senior Specialist	Number of employees	3,508	2,405	219	554
	Salary	€51,500	€49,800	€55,100	€52,700

-		AIB	BoI(2),	IBRC	PTSB
	Total Remuneration	€62,300	€61,200	€61,900	€65,200
Senior Clerical/Specialist	Number of employees	1,584	3,617	237	518
	Salary	€44,100	€41,800	€40,400	€43,800
	Total Remuneration	€54,600	€49,900	€45,100	€54,900
Clerical	Number of employees	7,034	4,789	200	982
	Salary	€32,600	€29,600	€31,300	€30,000
	Total Remuneration	€37,300	€35,800	€34,500	€34,400

Notes:

1. The Leadership Team in AIB.
2. US employees are not included in the corporate grading structure and are therefore not included in this analysis.
3. Salary figures are net of a voluntary waiver where applicable.
4. 2012 Chief Executive data extracted from responses to recent Parliamentary Questions.

As I stated in earlier replies to Parliamentary Questions on this matter I can confirm that the three State supported banks responded with their individual strategies, designed to achieve the required savings, by the due date of 30 April as requested by the Government in response to the Mercer Report. I was not prescriptive in how this was to be achieved respecting their differing State ownership and investment and paths to profitability. I have reviewed the letters submitted and I am satisfied that the banks will deliver remuneration cost savings of 6% to 10%.

The Bank of Ireland letter focused on changes to the defined benefit pension scheme that will affect all staff who are members of this scheme and as the Deputy will be aware an agreement has now been reached with the IBOA in this regard. The AIB proposal included the closure of the defined benefit scheme to future accrual along with other changes including an increase in working hours which were agreed with the IBOA in July. The ptsb proposal centred on the wind-up of the defined benefit pension scheme for all staff who were members of this scheme.

For clarity senior management in the banks have made the following contributions: in the case of Bank of Ireland the proposed pension changes affect all staff in the BSPF scheme including the Chief Executive. AIB has taken the following specific actions to address remuneration levels: reductions in pay and benefits of higher earners ranging from 7.5% to 15% implemented in the second half of 2012 and it also should be noted that the AIB Leadership Team have all joined the bank since 2008 and receive reduced pension contributions from their predecessors. In the case of ptsb all senior management have been negatively impacted.

The National Treasury Management Agency published a table of salaries by salary band at the end of 2012 on page 35 of its annual report; the table shown below splits the staff into individuals who work for NAMA and the NTMA. It should be noted that staff in the NTMA and NAMA were subject to reductions in pay under the Financial Emergency Measures in the Public Interest ACT 2013.

NTMA Salaries by Salary Band at End 2012	NTMA (ex NAMA)	NAMA	Total
Up to €50,000	92	25	117
€50,001 to €75,000	71	49	120
€75,001 to €100,000	52	58	110
€100,001 to €125,000	21	39	60
€125,001 to €150,000	14	31	45
€150,001 to €175,000	11	9	20
€175,001 to €200,000	4	9	13
€200,001 to €225,000	2	0	2
€225,001 to €250,000	1	1	2
€250,001 to €275,000	3	1	4
€275,001 to €300,000	2	0	2
€300,001 to €325,000	0	0	0
€325,001 to €350,000	2	0	2
€350,001 to €375,000	0	2	2
€375,001 to €400,000	0	0	0
€400,001 to €425,000	1	0	1
€425,001 to €450,000	0	0	0
Total	276	224	500

Notes:

1. The public service pension deduction is applied to NTMA employees.

2. In December 2011 the Minister for Finance requested NTMA employees whose salaries exceeded €200,000 to waive 15 per cent of salary or such amount of salary as exceeds €200,000 if application of the full 15 per cent reduction would bring their salary to below €200,000. Reductions in respect of employees waiving such amounts are reflected in the above table.

The total cost of the Mercer report was €119,000 (ex VAT).

Banking Sector Remuneration

150. **Deputy Pearse Doherty** asked the Minister for Finance the total remuneration received by each of the chief executive officers of Bank of Ireland, Allied Irish Banks, Permanent

TSB, the National Treasury Management Agency and the National Asset Management Agency; if he will provide a listing and quantification for each of any additional benefits paid; and in respect of any expenses allowance, if such allowances are paid only in respect of vouched and receipted expenditure. [52983/13]

151. **Deputy Pearse Doherty** asked the Minister for Finance if the chief executive officers of Bank of Ireland, Allied Irish Banks, Permanent TSB, the National Treasury Management Agency and the National Asset Management Agency are employed on a temporary contract; if so, the date on which this contract was entered into; the termination date of this contract; and if he will quantify any termination payments provided for under the contract. [52984/13]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 150 and 151 together.

Chief Executive Officers' (CEO) remuneration for 2012 is included in the following table.

CEO Remuneration 2012	Gross Salary €000	Other Remuneration €000	Pension Contributions €000	Total €000
AIB (i)	475		71 (ii)	546
BOI (iii)	623	34 (iv)	186 (v)	843
ptsb	353	54 (vi)	(vii)	407
NTMA (viii)	416	30	(ix)	446
NAMA (x)	365	23	(ix)	388

Notes:

- (i) A reduction of 15% in total remuneration was applied with effect from 1 September 2012.
- (ii) 'Pension Contribution' represents agreed payments to provide post retirement pension benefits for Executive Directors from normal retirement date.
- (iii) The CEO has with effect from 1 May 2009, waived a portion of his salary (€67,000 for the year ended 31 December 2012). The salary shown in the table is the net amount after that waiver. The voluntary waiver has been extended until 31 December 2013.
- (iv) The figure includes car allowances and, where applicable, benefits in kind.
- (v) The amount relates to the Bank's pension funding contribution in respect of the pension benefit they accrued in line with their contractual entitlement during 2012.
- (vi) Executive Directors are entitled to a company car or car allowance. The Group also pays private health insurance on behalf of the Executive Directors and their families. In addition, Executive Directors may avail of subsidised house purchase loans. Loans to Executive Directors are on the same terms and conditions as loans to other eligible ptsb management. The CEO took up his position at the end of February 2012.
- (vii) The CEO is a member of ptsb Defined Contribution Pension Scheme. The Group contributes to this pension scheme and contributions are determined solely in relation to basic salary. The Employer Pension contribution in 2012 was €53,000 from the end of February 2012.
- (viii) The remuneration of the CEO is determined by the Minister of Finance after consultation with the Advisory Committee. The CEO agreed to waive 15% of his salary following a request by the Minister of Finance and this adjustment is reflected above. The remuneration consists of basic salary, taxable benefits (car and health insurance) and a performance related payment of up to 80% of annual salary. The CEO waived any consideration for performance related pay in respect of 2012 (as he did previously in respect of 2011 and 2010).
- (ix) The CEO's pension entitlements are within the standard entitlements in the model public sector defined benefit superannuation scheme.
- (x) The remuneration of the CEO is determined by the NTMA CEO after consultation with

the NTMA Advisory Committee. In giving advice on remuneration, the NTMA Advisory Committee is informed by the views of the NTMA Remuneration Committee. The remuneration of the CEO consists of a basic salary, taxable benefits and a performance related payment of up to 60% of annual salary. The CEO was entitled to be awarded a performance payment for 2012, but in view of the economic challenges facing the country, waived his entitlement to this payment. The 2012 salary reflects a 15% voluntary reduction.

As regards the CEO contracts, I received the following information from the banks.

AIB

David Duffy was appointed as Chief Executive Officer of Allied Irish Banks, p.l.c. in December 2011 on a fixed term contract of three years with an option to renew for up to a further three years by mutual agreement and a six months' notice period subject to a maximum compensation of six months' salary.

BOI

Information regarding the appointment and remuneration of Bank of Ireland Directors, including Group CEO, is contained within the 2012 Annual Report (pages 115-134).

PTSB

The CEO is not on a temporary contract so the detail does not apply. In accordance with the CBI code there are no Director's service contracts with notice periods exceeding twelve months or with provisions for pre-determined compensation on termination which exceeds one year's salary and benefits.

NTMA

The Chief Executive of the NTMA has a fixed term contract. No termination payments are provided for under the contract.

NAMA

The Chief Executive of NAMA has a specified purpose contract. No termination payments are provided for under the contract.

Banking Sector Remuneration

152. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide in tabular form for each of Bank of Ireland, Allied Irish Banks, Permanent TSB, the National Treasury Management Agency and the National Asset Management Agency, the number of retired employees currently being paid a pension; if he will provide separately the number currently in the employment of the covered institution but who will in due course be entitled to a pension of between €100,000 and €200,000, between €200,001 and €300,000, between €300,001 and €400,000, between €400,001 and €500,000, and in excess of €500,000. [52985/13]

Minister for Finance (Deputy Michael Noonan): The following are the details of the number of retired employees at each of the institutions.

Institution	No. of retired employees in receipt of a pension
Bank of Ireland	5,400
Allied Irish Bank(i)	3,821
permanent tsb (ii)	295

Institution	No. of retired employees in receipt of a pension
National Treasury Management Agency	14
National Asset Management Agency	-

Notes:

- i) AIB numbers as at 30 September 2013
- ii) ptsb numbers as at 31 December 2012

In relation to your enquiry regarding the number of current staff who will receive pension payments on retirement of various levels, unfortunately, it is not possible to accurately forecast entitlements given the huge number of variables involved and then provide this on a comparable basis. For example in one institution there are 12 different pension schemes with 12 different sets of terms and conditions. Further given the fluidity of the current employment situation in the institutions e.g. the current schemes for early retirements and voluntary redundancies, freedom of personnel to leave on notice and the individual nature of retirement packages especially at executive level (transfer in arrangements), it is not possible to forecast figures in relation to future entitlements.

While the trustees of the schemes have actuarial models which allow them to forecast the financial state of the various schemes, these models are not available to my department and the institutions rely on their pension trustees for forecasting. In addition to the points above, due to the small number of individuals in some institutions, even if it were possible to calculate the data, it would not be possible to release the information due to data protection constraints on personal data.

NTMA employees are members of the NTMA defined benefit superannuation scheme or else have Personal Retirement Savings Accounts. The pension benefits of members of the NTMA superannuation scheme prior to 1 January 2010 are based on final salary. The pension benefits of members who joined the scheme on or after 1 January 2010 are based on career average earnings. Unlike most public pension schemes which are funded on a pay as you go basis, the NTMA superannuation scheme is a funded scheme. Pension entitlements are within the standard entitlements in the model public sector defined benefit superannuation scheme. Pension contributions are not paid to individual employees – they are paid into the scheme. The level of potential pension payments to members is dependent on length of service, based on final salary or career average earnings, with 1/80th of salary accruing for each year of service.

Question No. 153 answered with Question No. 149.

Banking Sector Staff Issues

154. **Deputy Pearse Doherty** asked the Minister for Finance the number of staff who have left Irish Bank Resolution Corporation Limited or the National Treasury Management Agency since 1 January 2011 to join AIB, Bank of Ireland or Permanent TSB; if he will provide details of the posts which these persons vacated at Irish Bank Resolution Corporation and the posts they took up in AIB, Bank of Ireland or Permanent TSB; and the month in which they took up these positions. [52987/13]

Minister for Finance (Deputy Michael Noonan): I have been informed that the institutions do not track or disclose this information. Due to data protection disclosures the Banks do not comment on individual staff matters. Employees are recruited through open market selection on the basis of skills and experience to meet the job requirements.

Questions Nos. 155 and 156 answered with Question No. 149.

NAMA Accounts

157. **Deputy Pearse Doherty** asked the Minister for Finance the latest volume of cash holdings by the National Asset Management Agency following the redemption of €500 million of senior bonds on 4 December. [52997/13]

Minister for Finance (Deputy Michael Noonan): NAMA's cash balance following its redemption of €500m of Senior Bonds on 4th December is €3.6bn.

Banking Sector Regulation

158. **Deputy Michael McGrath** asked the Minister for Finance his views on whether there are grounds for the appointment here of an independent professional to review possible mistreatment of small business customers in financial difficulty in a manner similar to the appointment by the Financial Conduct Authority in the UK of an independent professional into Royal Bank of Scotland; and if he will make a statement on the matter. [53002/13]

Minister for Finance (Deputy Michael Noonan): I am aware of the content of the report to which the Deputy refers. My officials met with Ulster Bank officials on 27 November after the publication of the report. The report contained allegations about West Register and my officials were assured that West Register was involved with a very small number of Irish businesses. There is no reference to Ireland in the report. I understand that RBS has appointed Clifford Chance to independently review the treatment of distressed customers by the Global Restructuring Group and report early in the New Year. I also understand that the findings will be applied across the RBS Group.

I would refer the Deputy to the revised Code of Conduct for Business Lending to SMEs, which came into effect on 1 January 2012. A specific focus of the Code is the treatment of borrowers in financial difficulties. Lenders are required to provide information to SMEs in relation to the importance of engaging with the lender to address their financial difficulties, the procedures for dealing with SMEs in financial difficulties including timeframes, details of fees which may apply, the type of information they require in assessing cases and information on their right of appeal. Lenders must assess whether an alternative repayment arrangement can be put in place and allow the SME appeal that decision and meetings with SMEs which approach them with concerns about meeting repayments.

The banks are required to comply with the Code as a matter of law. The Code makes it clear that anybody acting for or on behalf of a bank is subject to its provisions. The Central Bank can invoke its statutory powers to require compliance with the Code. A breach of the Code is a breach of a regulatory requirement and may be the subject of enforcement action by the Central Bank. Additionally, as the Deputy is aware, the two main banks are subject to oversight by the Credit Review Office and the CRO has been active in overturning rejections by the banks of credit applications from the SME sector.

However, the Deputy can be assured that this is an area that I will keep under review given the importance of the SME sector to fostering and supporting economic recovery.

Tax Clearance Certificates

159. **Deputy Damien English** asked the Minister for Finance if an application for a tax clearance certificate by a community sporting organisation (details supplied) in County Limer-

ick has been received; if a decision will be made shortly on this application; and if he will make a statement on the matter. [53013/13]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that the person in question applied online for a Tax Clearance Certificate on 2 July 2013. A Tax Clearance Certificate issued to this person on 5 July 2013. This Certificate is valid until 4 July 2014.

VAT Rate Application

160. **Deputy Mattie McGrath** asked the Minister for Finance further to the VAT rates section of the Revenue Commissioner's website which contains a subpage with respect to the supply and fit of cow mats, if he will provide details of when this subpage was published; the contents of this initial subpage; the changes that have been made to this subpage since it was initially published; the person who requested each one of these changes and the date of same; the person who approved these changes; the grade of the approving official; if there have been any requests for any of the details requested above by any Revenue district offices; when any such requests were made; the person who requested this information; if this information was provided on his behalf; and who is tasked with the responsibility of maintaining this critical and very important document. [53027/13]

161. **Deputy Mattie McGrath** asked the Minister for Finance if he will indicate the way in which the Revenue Commissioners determine that a supplier invoice specified the reduced 13.5% VAT rate incorrectly and the standard 23% VAT rate was in fact applicable, that it is irrelevant whether the supplier invoice specified 13.5% if the applicable VAT rate is 23% and that the Revenue Commissioners consider the invoice to be charged at 23%, that VAT is calculated on the gross total and thereby the supplier has a liability for the difference between the lower rate included in the supplier's annual returns and the higher rate which the Revenue Commissioners deem the invoice to be charged at, proceedings are commenced to collect; if the person to whom the invoice was made out is also entitled to assume that the gross amount of the invoice included the 23% VAT; if, where the invoiced person is a registered farmer for VAT purposes, they are they entitled to a further VAT rebate for the difference in the lower and the higher VAT rates. [53028/13]

162. **Deputy Mattie McGrath** asked the Minister for Finance if the Revenue Commissioners' practice or interpretation is that agricultural buildings' non-residential immovable goods are subject to the two thirds rule for VAT purposes; and if the Revenue Commissioners implement this position in practice. [53029/13]

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

I am informed by the Revenue Commissioners that responsibility for the VAT (value added tax) pages of their website rests with Revenue's Indirect Taxes Division, which is responsible for VAT legislation, interpretation and information. Updates and changes to these pages are made exclusively by Indirect Taxes Division.

The Taxes and Duties section of the Revenue website contains a range of information regarding VAT. The VAT rates database, which contains details of an extensive listing of products and services, links to the applicable rate of VAT and other related information. The VAT treatment indicated is based on current practice and is not to be regarded as a statement of law or as a substitute for consulting the legislation.

The entire database is updated on a regular basis with rates on new goods or services or

amendments to previously published rates based on changes in legislation, appeal decisions or the nature of the goods and services. When the database is updated, the rate shown for each good and service, whether it has been changed or not, is given the same update date. At present rates show an update date of 23 July 2013.

The ‘cowmats’ entry has been on the website database since the 1990s. The original entry read “Cowmats - Supply and Install Rate 21%”, which was the standard rate of VAT at the time. In conjunction with the introduction of the Value-Added Tax Consolidation Act 2010 the database was upgraded to include an enhanced remarks field. Since 2010, the entry on the database makes reference to the two-thirds rule that may apply to cowmats in very exceptional circumstances. The entry on the database since the introduction of the VAT Consolidation Act 2010 reads “*Cowmats – Supply and Fit Rate Standard Value-Added Tax Consolidation Act 2010 Ref: Section 46(1)(a) Remarks; However, some cowmats may be regarded as fixtures e.g. mats set in wet concrete or stuck down over their entire surface qualify as fixtures, subject to the 2/3 rule.*”

Section 41 of the VAT Consolidation Act 2010 specifies that where the value of movable goods provided under an agreement for the supply of services exceeds two-thirds of the total consideration under the agreement for the provision of those goods and the supply of the services the consideration shall be deemed to be referable solely to the supply of the goods and tax shall be charged at the VAT rate appropriate for the goods. This is known as the two-thirds rule. The two-thirds rule applies to construction services for agricultural buildings and non-residential immovable goods. The two-thirds rule has been a feature of VAT since its introduction and is applied in all relevant cases.

Revenue select cases for intervention using a risk-based approach that considers the presence of various risk indicators and other information available, with the aid of their computerised risk analysis system, REAP. The type of intervention to be undertaken is, in any particular case, the one considered to be the most appropriate to target the specific risk identified. In many cases this may lead to a single tax head, multi tax head or single-issue audit rather than a comprehensive audit.

Section 46 of the VAT Consolidation Act 2010 provides that tax shall be charged in relation to the supply of goods or services at the rates set out in that section. Where an intervention results in the conclusion that a supplier has charged the incorrect rate of VAT, Revenue may recover the underpaid VAT by raising assessments under section 111 of the VAT Consolidation Act 2010. The recipient of a VAT invoice has an entitlement to an input credit only for the VAT shown on the invoice where the goods or services are used by him or her for the purpose of VAT-able supplies. The issuer of an invoice which shows VAT at a lower rate than the correct rate for the transaction may seek to justify their failure to correctly operate the VAT system by claiming that a loss of revenue does not arise where the recipient of the invoice, such as a VAT registered farmer, had full recoverability for the VAT.

Revenue has a clear responsibility to ensure the correct operation of the tax system, and the onus of proof that ‘no loss of revenue’ arises rests clearly with the taxpayer and the taxpayer and/or the tax adviser in any case must engage directly with their Revenue district to establish this. The procedures in relation to ‘no loss of revenue’ are clearly set out in Revenue’s Code of Practice.

Banking Sector Staff Issues

163. **Deputy Michael McGrath** asked the Minister for Finance if AIB has any plans to outsource certain jobs from Ireland over the next number of years as part of Project Orion; if he will provide details of this project including the cost, the number of jobs involved and the

functions that may be transferred; and if he will make a statement on the matter. [53063/13]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware under the Relationship Framework the State does not intervene in the day to day operations of the bank or their management decisions regarding commercial decisions. I have been informed that AIB has previously indicated that as part of its restructuring plan to reduce costs and increase efficiencies, outsourcing of certain functions would be considered in consultation with the IBOA and affected staff.

Mortgage Data

164. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank data on mortgage arrears can be subdivided into accounts who have historic arrears and those which are continuing to accumulate arrears; and if he will make a statement on the matter. [53129/13]

165. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank data on mortgage arrears which indicates that 79% of restructured mortgages are meeting the terms of the restructure; if this data can be broken down by type of restructure; and if he will make a statement on the matter. [53130/13]

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

The Deputy will be aware that the Central Bank recently published mortgage arrears and restructure statistics for the quarter ending September 2013 (<http://www.centralbank.ie/press-area/press-releases/Pages/ResidentialMortgageArrearsandRepossessionsStatisticsQ32013.aspx>). While this data shows, inter alia, the mortgage accounts that have accumulated arrears and also the amount of those arrears, the Central Bank has informed me that it does not publish data on how the arrears accumulated. However the Deputy will note from the Central Bank's recent publication that of the 80,555 PDH mortgage accounts categorised as restructured, almost 80 per cent were deemed to be meeting the terms of their arrangement and so were not accumulating new arrears. In the BTL category, 78 per cent of the 21,607 restructured accounts were meeting the terms of their restructure arrangement.

Regarding restructure type and the portion of which individual type are meeting the terms of the restructure arrangement, the Central Bank has advised that while it does publish a breakdown of the total restructures, it does not publish a further breakdown in the format requested by the Deputy.

Charities Regulation

166. **Deputy Billy Timmins** asked the Minister for Finance the amount his Department gives to Irish charities; the names of each organisation that receives funding; the amount each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53550/13]

Minister for Finance (Deputy Michael Noonan): The information requested by the Deputy could not be collated in the time available. My Department will respond directly to the Deputy as soon as possible.

SOLAS Training and Education Programmes Provision

167. **Deputy Clare Daly** asked the Minister for Education and Skills if funding will be

available to a hairdresser and beauty therapist who hopes to train students with mild and moderate special needs to undertake work experience and courses in this regard. [52726/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Persons and companies who wish to apply for the allocation of places through the former FÁS contracted training provision should contact their local Training Centre for information. These training centres are currently part of SOLAS, the new further education and training authority, but will be transferring to the newly established education and training boards during 2014.

SOLAS Administration

168. **Deputy Martin Ferris** asked the Minister for Education and Skills the reason a person (details supplied) with 28 years experience as a welder-fabricator was, after a four-month delay, denied a certificate by FÁS recognising their qualifications thus denying them a job opportunity abroad; and if he will make a statement on the matter. [53012/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): This is a day to day operational matter for SOLAS. I am informed that SOLAS was contacted by a representative of the individual in question in relation to obtaining a craft qualification. The representative was advised that, as the individual was not registered as an apprentice, the only route available for him to attain a craft qualification was through the apprenticeship system. The steps which would be necessary for him to take were outlined as follows: 1. Secure employment with a FÁS registered employer 2. Register as an apprentice with FÁS 3. Submit an application for recognition of prior learning (RPL) with a portfolio of evidence outlining his experience and training 4. Complete the balance of the apprenticeship for the award of the QQI Advanced Certificate - Craft.

On 16th July 2013 an appeal application was received. This appeal application was considered by the National Apprenticeship Appeal Committee on 15th October 2013, at which they endorsed SOLAS' decision. The individual in question was advised of the outcome of the appeal on 17th October 2013. Following a further representation to the Tralee Training Centre on 4th December 2013, the person in question has been requested to contact the Training Centre Manager to arrange an assessment of his current range of skills, with a view to completing the appropriate welding test leading to industry standard welding certification.

School Enrolments

169. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if the feeder area of a school (details supplied) has been changed, or is to be changed; the criteria which were used to make the said change; and if he will make a statement on the matter. [52470/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The feeder area for the school to which the Deputy refers remains the same. There is an Irish language school already located in the area. The question of location for the school in question was considered in the context of providing access to both Irish language schools to the greatest number of pupils across the area.

Quality and Qualifications Ireland Accreditation

170. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if his attention has been drawn to the FETAC and FÁS arbitrary increasing of fees for special purpose certi-

fication without a reasonable notice period that affects essential health and safety training on the FÁS construction skills certification scheme and is passing the burden of the increase on to small business and training providers; his plans to address the matter. [52478/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy will be aware, FETAC was dissolved in November 2012 and its functions were assumed by Quality and Qualifications Ireland (QQI), an amalgamated qualifications and quality assurance body covering both further and higher education and training. Since its establishment, QQI has been undertaking a comprehensive policy development programme, involving structured consultation with a wide range of stakeholders, in order to formulate the policies and criteria required for the performance of its functions. QQI adopted a number of revised policies in September and also determined the related fees. Under the Qualifications and Quality Assurance (Education and Training) Act, 2012, QQI must receive the consent of both the Minister for Education and Skills and the Minister for Public Expenditure and Reform to the fees which it determines, and that consent was granted in October.

With regard to the introduction of fees for Level 4 Special Purpose awards, the revised fees schedule provides that fees are to be charged for the first time for all Level 4 QQI awards, as they already are for all Level 5 or 6 awards. The fee has also been set at the same level as the relevant fee for Level 5 or 6 awards. It should be noted that in 2012 FETAC made approximately 50,000 awards at Level 4, out of a total of approximately 300,000 awards. Given the costs to QQI of certification and of the maintenance of awards standards, it is not sustainable for QQI to continue to make these awards at no cost.

In order to give adequate notice to learners and providers, QQI has deferred the introduction of these new certification fees until 1 July 2014. Certification fees would usually be paid by learners themselves, rather than providers, and a system of waivers is in place. These waivers mean that recipients of social welfare benefits and/or Medical Card holders are exempt from fees. In addition, certain centres are exempt from fees, including Youthreach/VTOS.

Student Grant Scheme Applications

171. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will confirm that documents sent by a person (details supplied) in County Kildare on 23 November 2013 have been received by Student Universal Support Ireland; if and when final determination in this case will be reached; and if he will make a statement on the matter. [52488/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that in the case of the student referred to by the Deputy, the documents have been received. The student applied under a change of circumstances and further supporting documentation is required. The applicant will be contacted directly by SUSI and advised of the outstanding documents. When this information is received and considered, the student will be notified directly of the outcome.

Schools Building Projects Status

172. **Deputy Dara Murphy** asked the Minister for Education and Skills if funding will be made available for the refurbishment of a building to be transferred to the State (details supplied); when this funding will be released; when the building will be transferred; and if he will make a statement on the matter. [52556/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The legal arrangements associated with the donation of the building referred to by the Deputy for school purposes have now been concluded. The matter of progressing with a refurbishment project at the school in question is now being considered and my Department expects to be in a position to make contact with the school authority shortly.

Student Grants Data

173. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will provide in tabular form the number of students during each of the past ten years who have applied for higher education grants assessed on the basis they are estranged from their parents; the number of these grants that were granted. [52571/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The process of assessing eligibility for student grants between 2003 and 2012 was carried out by 66 grant awarding authorities. The reporting systems in the grant awarding authorities do not collate the information in the format requested by the Deputy.

Student Grant Scheme Administration

174. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of times each month since its establishment that Student Universal Support Ireland issues regular payments to students; the number of times SUSI have transferred money to a student in an emergency situation outside of the days where payments have been made automatically because of late processing of the application on the part of SUSI; and if he will make a statement on the matter. [52572/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that payments are made on a regular monthly basis in arrears with students in higher education being paid on the third Friday of each month and student in further education receiving payment on the fourth Friday. The full payments schedule is published on www.susi.ie. At the start of the academic year as awards are finalised and confirmation of registration received from colleges, SUSI makes payments on additional dates to facilitate students who then enter the regular monthly payment process. SUSI does not have an emergency payment system.

Schools Administration

175. **Deputy Charlie McConalogue** asked the Minister for Education and Skills when the Rules for National Schools book was last updated; his plans to update same; and if he will make a statement on the matter. [52573/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Rules for National Schools were published in 1965 and over the course of the intervening period they have been updated, amended and supplemented mainly by circular letters but also by certain provisions of both primary and secondary legislation that have since been enacted. Given the many other more pressing work priorities and also the on-going changes in the primary education sector, my Department has no plans at present to prepare a consolidated version of the Rules to reflect the aforementioned changes.

Student Grant Scheme Eligibility

176. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if his attention has been drawn to the fact that when a student under 23 is estranged from their parents that Student Universal Support Ireland will only accept evidence of estrangement from a Health Service Executive social worker for the purposes of attesting to the veracity of the claim for the purposes of the student grant system; that students who do not have previous social worker involvement will be unable to comply with this, as a HSE social worker will not see them if they are over 18; the ways in which a student may prove their estrangement from their parents in the absence of ability to see a HSE social worker; and his plans to address this barrier to accessing education for students. [52589/13]

Minister for Education and Skills (Deputy Ruairí Quinn): For student grants purposes, a student may be assessed as an independent student if he/she has attained the age of 23 on the 1st of January of the year of first entry to an approved post leaving certificate course or an approved higher education course, or of re-entry to an approved course following a break in studies of at least three years, and is not ordinarily resident with his/her parents from the previous 1 October. Otherwise he/she would continue to be assessed on the basis of his/her parents' income. In recognition of the fact that a student under 23 years of age can be estranged from his/her parents, it is possible under the student grant scheme, as an exceptional measure, for such a student to be assessed without reference to his/her parents/guardians income.

However, compelling independent evidence of estrangement must be provided to the grant awarding authority to enable this. The type of independent evidence includes a letter from a social worker or other appropriate officer of the Health Service Executive explaining the circumstances of the estrangement. Confirmation that a student is living separately from his/her parents/guardians is not sufficient.

A decision on grant eligibility is a matter for a candidate's local grant awarding authority in the first instance. The awarding authorities are obliged to satisfy themselves beyond doubt that an acceptable degree of proof is submitted by the grant applicant in establishing eligibility under all aspects of the scheme including estrangement. 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 Grants Appeals Board. The relevant appeal form will be available on request from SUSI. I have no plans at present to change the eligibility arrangements in respect of students under the age of 23 who apply for a student grant.

Student Grant Scheme Applications

177. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will expedite a student grant application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52619/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the student referred to by the Deputy applied as an independent student and has been requested to provide documentation in support of her claim. When this information is received and considered, the student will be notified directly of the outcome.

Student Grant Scheme Eligibility

178. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the supports that are available to students who have been eligible for student maintenance grants for

the majority of their degree, for example the first three years of a four-year degree, but then become ineligible for the grant in the latter part of their studies due to changes in the eligibility criteria. [52620/13]

Minister for Education and Skills (Deputy Ruairí Quinn): A grant is payable for the normal duration of an approved course and is renewed annually subject to ongoing compliance with the terms and conditions of the student grant scheme including the income thresholds. There was no policy change in Budget 2013 to the Student Grant Scheme or to any of the student grant rates including the non-adjacent or adjacent rates of grant, or the higher special rate of grant. However, Budget 2013 provided for a 3% reduction in grant income thresholds in the 2013 grant scheme. The measure applies to both new and renewal applications. This reduction in thresholds does not apply to the threshold for the special rate of grant and the threshold for the €2,000 contribution at postgraduate level which remains at €31,500 for the 2013/14 academic year. The income limits for grant eligibility are increased relative to the number of students in a family applying for a grant.

Students in third-level institutions experiencing exceptional financial need can apply for support under the Student Assistance Fund. This Fund assists students, in a sensitive and compassionate manner, who might otherwise be unable to continue their third level studies due to their financial circumstances. Information on the fund is available through the Access Officer in the third level institution attended. The fund is administered on a confidential, discretionary basis.

School Patronage

179. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the reasons the vocational education committee, VEC, was awarded patronage of the new schools in Maynooth, County Kildare; and his plans to hold an inquiry into this matter. [52622/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The patronage of the new post-primary school for Maynooth was decided in accordance with the criteria for patronage determination for new schools, which I announced and published in June 2011. All of the documents relating to my decision on the patronage for this school are also published on my Department's website. In accordance with this decision, the school will be commencing operation in 2014 under Education and Training Board patronage.

Summer Works Scheme Applications

180. **Deputy Lucinda Creighton** asked the Minister for Education and Skills further to Parliamentary Question No. 65 of 13 November 2013, if he will detail the 14 schools unsuccessful in their applications; the most common reasons for their failure to succeed; and if he will make a statement on the matter. [52624/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that further to Parliamentary Question 65, details of the 14 schools in question were furnished directly to the Deputy on 28 November last. There were a number of reasons why these schools were unsuccessful in securing funding. Due to the scale of demand for funding, it was not possible to grant aid all applications received. Accordingly, commensurate with the level of funding available for the Scheme, applications were assessed on a top down basis in accordance with the prioritisation criteria outlined in the Circular accompanying the Scheme. In addition, some applications included new build elements which were outside the scope of the Scheme while others applied for works that were of a maintenance nature and were appropriate to be

funded from the school's capitation grant and/or Minor Works Grant Scheme in the case of primary schools. In other cases, plans were in train to upgrade schools as part of major capital projects and the proposed works therefore would have been addressed as part of the capital projects concerned.

As I advised the Deputy in my letter of 28 November, my announcement on 7th November of an additional €70 million for school improvement works will facilitate schools carrying out small and medium scale building works that will improve and upgrade existing school buildings. This comprises a once-off payment of over €28 million to primary schools as part of the Minor Works Scheme and a further €40 million to facilitate the re-introduction of the Summer Works Scheme for 2014.

Schools Building Projects Status

181. **Deputy Gerald Nash** asked the Minister for Education and Skills the position regarding the development of a new school (details supplied) in County Louth; and if he will make a statement on the matter. [52630/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to confirm to the Deputy that the school in question has submitted an application to my Department for major capital funding. In considering the application, my Department carried out a technical inspection at the school. Following the inspection, my Department sought further information from the school and this is awaited.

Redundancy Payments

182. **Deputy Charlie McConalogue** asked the Minister for Education and Skills further to Parliamentary Questions Nos. 265 to 267, inclusive, of 5 November 2013, which states his Department has directed third level institutions to apply the terms of the collective agreement on enhanced redundancy, the reason an institution (details supplied) in County Galway is not complying with these agreements, resulting in research staff recently made redundant having to apply to the Labour Relations Commission to claim redundancy; if this institution's decision to not comply with the agreement has the approval of his Department; and if he will make a statement on the matter. [52648/13]

183. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding a Labour Relations Commission case (details supplied); and if he will make a statement on the matter. [52649/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 182 and 183 together.

The payment of an ex gratia amount in addition to statutory redundancy is not an automatic entitlement and while institutions are precluded from exceeding the terms of the collective agreement on enhanced redundancy, it is entirely a matter for an individual employer to decide whether to seek the sanction of the Department to make an enhanced payment in line with the agreement. It is my understanding that the University in question has an existing policy in relation to the payment of redundancy which pre-dates the collective agreement and which it has consistently applied in the case of the termination of all fixed-term contracts, including research contracts.

School Uniforms

184. **Deputy Sandra McLellan** asked the Minister for Education and Skills further to Parliamentary Question No. 221 of 26 November 2013, his views on whether it is discriminatory

that schools require girls to wear skirts; and if he will make a statement on the matter. [52724/13]

Minister for Education and Skills (Deputy Ruairí Quinn): As stated in my reply to Parliamentary Question No. 221 of 26 November 2013 I will not be intervening in the dress codes that schools have put in place. It is a matter for the parents in conjunction with the relevant school authorities to decide on the dress code for each school. You may wish to refer the matter of the wearing of skirts to the Equality Authority; that body holds a remit pertaining to gender related issues.

Student Grant Scheme Payments

185. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of students who had been awarded grants from Student Universal Support Ireland but not yet received a payment from SUSI as of 1 December 2013. [52732/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that 3,217 applicants were awarded a grant but not yet in payment as at 1 December 2013. Over 600 of these applicants are not in payment due to lack of bank details or incorrect bank details entered by the applicant. The balance of students awaiting payment are recently awarded applicants for whom the registration confirmation is awaited from their colleges prior to being approved for payment. The Deputy will be aware from his visit to SUSI that, when an applicant is awarded a grant, a verification file is sent to the applicant's college to confirm registration. This process takes a maximum of 10 working days.

School Accommodation

186. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills if he will confirm that Educate Together will be moving into the former Scoil San Shéamus in Basin Street, Dublin 1; and if it is intended to allow access to the facility to the community, as has been the case in the past. [52735/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department is working closely with the Educate Together Patron Body in relation to operating a school from the former school premises in Basin Street. It is intended that the community will continue to have access to the facilities.

Summer Works Scheme Eligibility

187. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the way colleges of further education will fund major repairs to their buildings if they can no longer apply or qualify for the summer works programme. [52736/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I wish to advise the Deputy that only eligible schools can apply for funding under the Summer Works Scheme. However, in an emergency situation, it is open to Education and Training Boards to submit applications for funding for works, such as those referred to by the Deputy, on behalf of further education colleges and these will be considered in the light of competing demands and available resources.

Schools Building Projects Applications

188. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position

regarding funding in respect of a school (details supplied) in County Kerry; and if he will make a statement on the matter. [52738/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The school to which the Deputy refers has submitted an application in recent weeks for a major capital project to provide additional accommodation and refurbishment of the existing building. The application is currently being assessed and as part of that process my Department will liaise with the school shortly in respect of the accommodation issues arising.

School Funding

189. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the average payment of voluntary contributions by parents per student for each of the past three years. [52749/13]

190. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the top 30 rates of voluntary contributions required by schools here; the names of these schools; and if he will make a statement on the matter. [52750/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 189 and 190 together.

Apart from the recognised fee-charging second level schools, recognised primary or post-primary schools are not permitted to charge school fees. Voluntary contributions by parents are however permissible provided it is made absolutely clear to parents that there is no question of compulsion to pay. The manner in which contributions are sought and collected is a matter for each school management; however their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character. Given that such matters are dealt with at individual school level, the data requested by the Deputy is not available within my Department.

Departmental Expenditure

191. **Deputy Peadar Tóibín** asked the Minister for Education and Skills if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52797/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The capital expenditure incurred by my Department in each of the years 2009 to 2013 is as follows:

Year	Expenditure
2009	€765.794m
2010	€786.615m
2011	€556.295m
2012	€409.972m
2013 (to date)	€381.775m

I wish to advise the Deputy that certain elements of capital expenditure do not lend themselves to a county breakdown and are categorised as “unassigned” in the data provided. Further, as regional can be classified in a number of different ways the county breakdown will allow the Deputy to combine counties in a manner which best meets his intent.

Capital Expenditure (Department of Education and Skills)

COUNTY	2009	2010	2011	2012	2013 (to date)
CARLOW	5,652,332.04	13,384,306.17	7,848,823.41	9,236,217.74	8,394,479.31
CAVAN	6,432,228.92	10,256,430.92	9,640,998.27	8,805,051.46	4,007,793.00
CLARE	10,391,485.56	9,183,350.47	4,911,862.71	3,482,686.32	9,067,786.50
CORK	76,655,841.43	68,518,748.23	43,686,930.13	33,237,152.39	44,112,331.50
DONEGAL	19,919,516.53	28,080,126.03	16,397,277.79	11,567,092.00	7,137,522.36
DUBLIN	202,820,793.71	182,559,275.45	155,906,310.02	107,954,663.72	119,154,692.98
GALWAY	47,636,979.43	43,000,331.65	24,172,365.04	14,347,115.53	22,186,185.47
KERRY	14,153,298.09	13,826,327.31	13,564,146.88	11,995,868.04	5,848,727.46
KILDARE	46,517,811.72	46,652,373.81	57,080,872.64	24,904,643.26	14,851,842.60
KILKENNY	10,189,093.99	6,736,961.77	6,616,474.36	4,410,479.04	7,643,550.38
LAOIS	16,406,267.33	6,134,615.30	8,697,729.22	6,309,335.31	12,239,597.38
LEITRIM	3,403,240.37	2,372,695.54	1,968,342.59	447,646.16	1,387,653.89
LIMERICK	38,532,951.61	40,894,047.47	21,623,244.30	16,385,729.78	10,299,488.41
LONGFORD	5,425,776.30	4,920,665.52	2,627,937.31	1,234,176.86	2,965,868.41
LOUTH	31,934,944.54	20,733,248.71	20,553,322.06	16,027,299.09	11,933,421.85
MAYO	18,377,228.17	15,400,768.00	9,736,736.70	5,774,516.39	5,082,360.87
MEATH	31,993,786.71	22,921,324.01	21,974,097.25	19,922,822.55	36,169,292.42
MONAGHAN	9,731,257.97	11,527,355.17	6,600,929.60	34,310,401.18	3,138,023.79
OFFALY	4,969,966.08	9,132,403.10	12,534,812.02	5,658,855.65	3,035,095.49
ROSCOMMON	5,063,125.33	5,664,284.10	3,890,887.60	1,889,501.34	1,323,455.35
SLIGO	5,243,217.41	10,789,626.12	9,317,943.27	11,736,323.80	4,670,766.08
TIPPERARY	14,613,589.12	16,939,061.35	15,114,168.21	18,611,363.62	10,326,508.98
WATERFORD	15,715,881.59	19,148,570.32	15,297,539.98	4,712,545.99	4,559,890.69
WESTMEATH	17,022,180.21	15,873,530.47	12,965,556.64	11,378,451.57	5,980,118.97
WEXFORD	17,470,550.06	24,819,409.94	16,347,701.84	11,392,816.74	8,050,516.01
WICKLOW	14,092,212.33	14,944,168.29	14,161,692.11	5,415,802.68	11,307,886.20

COUNTY	2009	2010	2011	2012	2013 (to date)
UNASSIGNED	75,428,443.45	122,200,994.78	23,056,298.05	8,823,441.79	6,900,143.65
CAPITAL- SPEND TOTAL	765,794,000.00	786,615,000.00	556,295,000.00	409,972,000.00	381,775,000.00

School Transport Eligibility

192. **Deputy Robert Troy** asked the Minister for Education and Skills the reason only one child of a person (details supplied) is covered by the school transport scheme. [52807/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The Deputy will be aware that from the commencement of the 2012/13 school year, school transport eligibility for post primary pupils is determined by reference to the distance they reside from their nearest post-primary education centre. Pupils who were eligible for school transport prior to the introduction of the above change retain their transport eligibility for the duration of their post primary education cycle provided there is no change to their current circumstances. Siblings of these pupils and other pupils, who are not attending their nearest education centre and who are therefore not eligible for school transport, may only apply for transport on a concessionary basis. Only children who are eligible for school transport and who hold valid medical cards (GMS Scheme) are exempt from paying the annual charge. The changes to the Post Primary School Transport Scheme are being applied equitably on a national basis.

Special Educational Needs Services Provision

193. **Deputy Pat Breen** asked the Minister for Education and Skills further to Parliamentary Question No. 283 of 5 November 2013, the position regarding an application for a special needs assistant in respect of a child (details supplied) in County Clare; and if he will make a statement on the matter. [52816/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOS), is responsible for processing applications from schools for special educational needs supports, including the allocation of Special Needs Assistants (SNAs) to schools. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department. All schools were advised to apply to the NCSE for resource teaching and SNA support for the 2013/14 school year by 15th March, 2013. The NCSE published details of all of their allocations for resource teaching and SNA support for the 2013/2014 school year in June of this year. The NCSE has also now published details of the additional SNA allocations which have been made to schools since the initial allocations were made to schools in June. The NCSE published details of these revised allocations on 21st October, 2013. These details are now available on the NCSE website, www.ncse.ie, and detail the allocations made for each school on a per county basis.

The NCSE allocates a quantum of SNA support for each school annually taking into account the assessed care needs of children qualifying for SNA support. The deployment of SNAs within schools is then a matter for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements

of the children enrolled in the school for whom SNA support has been allocated. It is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised. The level of support required by pupils with special educational needs may change from year to year, in line with their changing care needs including diminishing care needs as they mature and become more independent over time, for example. The NCSE takes these factors into account when allocating SNAs to schools. Schools can contact the NCSE if they have enrolled children who were not considered at the time that the revised SNA allocations were made to schools, or where they are seeking a revision to the quantum of SNA support which has been allocated to them. In general, a revision to SNA allocations will only be made in circumstances where schools have enrolled new pupils, or where schools can demonstrate that they do not have sufficient SNA posts to cater for the care needs of all of the qualifying children in their school. I understand from officials at my Department that a response will issue to the Deputy from the National Council for Special Education by the end of this week regarding the individual case referred to him in this question.

State Examinations Statistics

194. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of fee-paying schools here; and the number of fee-paying schools that offer the leaving certificate applied programme. [52845/13]

Minister for Education and Skills (Deputy Ruairí Quinn): There are currently 55 fee charging second level schools. Returns submitted by these schools to the Department show that they have no students enrolled on the Leaving Certificate Applied Programme in the 2013/14 school year.

State Examinations Statistics

195. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of non fee-paying schools here; and the number of non fee-paying schools that offer the leaving certificate applied programme. [52846/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The information requested by the Deputy for the school year 2013/14 is that there are 668 non fee paying post-primary schools. The number of these schools which offer the Leaving Certificate Applied is 270.

Student Grant Scheme Appeals

196. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the number of times a student may appeal a Student Universal Support Ireland decision; the steps in the appeals mechanism in total; the point at which an appeal may reach him or his Department; and if he will make a statement on the matter. [52858/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The right of Appeal and the Appeals process are set out in Sections 20, 21 and 25 of the Student Support Act 2011 and Articles 40 and 41 of the Student Grant Scheme 2013. There are two steps in the appeals mechanism. If an individual applicant considers that she/he has been unjustly refused a student grant, or that the rate of grant awarded is not the correct one, 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 Grants

Appeals Board. The relevant appeal form is available to download from http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf. Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the appeals procedure is detailed on www.susi.ie and the appeals option advised in writing to all applicants in receipt of both award and refusal letters. As the Deputy is aware there are a number of eligibility criteria that an applicant must meet to be considered for a student grant and therefore it is possible for an applicant to appeal on any or all of these grounds when they receive a SUSI decision. When an applicant appeals to SUSI on a particular eligibility grounds and that appeal is refused by SUSI the applicant then has recourse to the Student Grants Appeals Board. SUSI has also introduced an option to Request a Review of a grant decision without going through the formal appeals process and full details of this option are published on www.susi.ie. If the applicant is not happy with the outcome of the review he/she can then avail of the appeals process.

Special Educational Needs Staffing

197. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he intends to review the special needs assistant contract scheme to ensure that all schools are compliant with his Department's circulars. [52872/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The contractual position in respect of SNAs is outlined in their contract of employment. Links to the SNA Contracts of Employment are as follows: Department of Education and Skills Circular SNA 12/05 (Post-Primary) http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/sna12_05.pdf Department of Education and Skills Circular SNA 15/05 (Primary) <http://www.education.ie/en/Circulars-and-Forms/Popular-forms/SNA-15-05-Contract-Form.pdf>. This contract of employment is augmented by all of the relevant Departmental Circulars governing Special Needs Assistants which detail the standardised terms and conditions of employment for SNAs. These Circulars are amended and new Circulars are issued by the Minister for Education and Skills from time to time. Furthermore, it should be noted that my Department has published a Value for Money (VFM) and Policy Analysis Review of the Special Needs Assistant scheme. This review is available on my Department's website: www.education.gov.ie. The Review has shown that the SNA Scheme has been successful in supporting schools in meeting the needs of students with disabilities who also have significant care needs. However, the review also found that the allocation process and the purpose of the scheme is not always fully understood. The review recommended that the SNA scheme should be restated to ensure an efficient allocation of SNA resources and to clarify the 'care' nature of the SNA role for parents, schools and professionals.

The National Council for Special Education recently published its report on Supporting Students with Special Educational Needs in Schools, which also recommended that my Department should clarify the role of the SNA, as recommended in the VFM report. It is my intention that a new Circular will be issued to schools in the near future which will provide further clarification for schools and parents with regard to the role of the SNA and the purpose of the SNA scheme.

School Accommodation

198. **Deputy Jim Daly** asked the Minister for Education and Skills if his Department has agreed to the provision of additional accommodation for an ASD unit at a school (details supplied) in County Cork; and if he will make a statement on the matter. [52913/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is in receipt of an application from the school, to which the Deputy refers, for additional accommodation to

provide an ASD Unit. The application is currently being assessed and as part of that process my Department is in contact with the NCSE (National Council for Special Education) in the matter. When a final decision has been reached, my Department will be in direct contact with the school authorities concerned.

School Enrolments

199. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills if schools can amend admissions policies to prioritise children of a particular faith in instances where their applications for patronage stated they will embrace children of all faiths and none; and if he will make a statement on the matter. [52923/13]

Minister for Education and Skills (Deputy Ruairí Quinn): It is the responsibility of the managerial authorities of schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. New schools are expected to formulate enrolment policies consistent with the criteria that applied with the award of patronage.

Where a school is awarded patronage it is expected to prioritise children from the area where the school is located on this basis. I would not expect to see any prioritisation for a particular faith group in the enrolment policy of such a school.

Teachers' Remuneration

200. **Deputy Mattie McGrath** asked the Minister for Education and Skills the number of serving teachers on his Department's payroll; the number of retired teachers on his Department's payroll; the number of serving departmental staff to whom moneys due to be paid in September, October and November 2013 are still awaiting payment; and if he will make a statement on the matter. [52928/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is awaiting bank account details from a total of 5 people so that their salary/pension can issue to them. Bank details are awaited from 1 serving teacher, 3 personnel paid on the payroll for retired teachers and non teaching staff of Primary, Voluntary Secondary/Community and Comprehensive schools and their spouses and children and 1 serving staff member of my Department.

All Government Departments ceased to issue Payable Orders with effect from 30 August 2013 under the Public Service Reform Plan. On receipt of the outstanding bank account details for each of the 5 people, my Department will immediately arrange to issue their salary/pension to them.

Momentum Programme Issues

201. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the number of participants currently on Momentum. [52935/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): This is a day to day operational matter for SOLAS who manage the Momentum programme. I understand that 5,637 participants started on the Momentum programme between 1 January and 31 October 2013.

School Transport Provision

202. **Deputy Luke 'Ming' Flanagan** asked the Minister for Education and Skills the last year in which his Department saw independent proof that Bus Éireann do not make a profit from school transport; the name of the independent body that produced this report; the year it was produced; if he will provide a copy of the report; and if he will make a statement on the matter. [52945/13]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The agreed document of 1975 provides the basis for payment to Bus Éireann in respect of the arrangements between my Department and Bus Éireann under which the school transport scheme operates. The Department receives a copy of the Statement of Account for School Transport, prepared by the CIE Group auditors, each year which confirms that, in the opinion of the auditors, the Statement of Account has been prepared, in all material respects, in accordance with the Summary of Accounting Arrangements relating to the Transport Scheme for Primary and Post-Primary School children dated 1 January 1975 and with the bases and assumptions disclosed therein. This Statement of Account is not required to contain any statement to the effect that Bus Éireann do not make a profit from school transport and the account is completed in all of the respects set out in the agreed document. Bus Éireann has confirmed to the Department that they do not make a profit on school transport and my Department accepts this confirmation. My Department has not commissioned a report in this regard.

Capital Programme Expenditure

203. **Deputy Kevin Humphreys** asked the Minister for Education and Skills of the €7 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52948/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has a capital allocation of almost €433m for 2013 and at the beginning of the year profiled that allocation on the basis of expected expenditure likely to be incurred during each month of 2013. Due to a myriad of factors expenditure on a monthly basis is usually most unlikely to correspond exactly with the profiled amounts as positioned last January. The capital expenditure position at the end of November was €7m behind profile and this arose primarily on two subheads. The Higher Education Sector subhead was over €5m behind profile but will spend its full allocation by year-end. Expenditure on the schools subhead was almost €331m at the end of November and the very small variation from profile of €1.2m has no consequence for the school building programme. The remaining €0.8m relates to variations on other capital subheads. My Department carried over €19m from 2012 into 2013. €10m of the carryover related to schools capital and was expended in April 2013 on the large scale school projects underway at that time. €9m was in respect of the Higher Education Sector and was expended over the months April, May and June 2013 on claims in respect of Higher Education projects.

Child Safety

204. **Deputy Luke 'Ming' Flanagan** asked the Minister for Education and Skills the reason his Department does not always report allegations of criminality to An Garda Síochána in view of its grim record of funding industrial schools, work laundries and other institutions where paedophilia thrived in the past; and if he will make a statement on the matter. [52968/13]

Minister for Education and Skills (Deputy Ruairí Quinn): There is a rigorous and comprehensive system of reporting concerning incidents impinging on the health and well-being of children. While the primary statutory responsibility for child protection lies with the Health Service Executive, my Department's role is to provide guidance and support to schools in implementing child protection policy and to refer any allegations the Department receives to the appropriate authorities, the HSE and Garda, for investigation. If the Deputy is aware of circumstances in which my Department has failed to report such allegations, he should bring them to the attention of my Department.

School Inspection Reports

205. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills his plans to address the situation where whole-school evaluation reports identify inadequacies in teaching and where the Department's inspectorate is not in a position to act on those findings for second level inspections; and if he will make a statement on the matter. [53006/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I am satisfied that robust external inspection arrangements are in place that predominantly focus on evaluating the quality of learning and teaching in schools. During all whole school evaluations, inspectors provide individual teacher feedback and whole-school feedback highlighting good practice and aspects of practice that require improvement. The reports arising from whole school inspections and subject inspections are published so that there is a clear record of the strengths of the school and the areas that require improvement.

To complement these evaluation models the Inspectorate conducts unannounced incidental inspections focussed also on evaluating the quality of teaching and learning in classrooms. Since the introduction of unannounced incidental inspections in November 2011 some 700 unannounced inspections have been conducted in post-primary schools. The inspectorate has also commenced specific follow-through evaluations where inspectors monitor the implementation by schools of recommendations from previous inspections and it is expected that these reports will also be published from 2014. The Inspectorate has been and continues to be engaged in an ongoing programme to review existing inspection models such as whole-school evaluation, and to develop and introduce new models of inspection and reporting on schools in line with section 13(8) of the Education Act, 1998. Responsibility for addressing shortcomings in learning and teaching in a school rests primarily with the school's board of management and its leadership team in the case of voluntary secondary and community and comprehensive schools and with the school leadership team and the relevant Education and Training Board in the case of schools run under the auspices of Education and Training Boards. This responsibility placed on schools to address any inadequacies in teaching is underpinned by the provisions of Section 24 of the Education Act and related circulars. Procedures for dealing with professional competence and disciplinary matters for teachers are in place for all schools. Under the penultimate stage of these formal procedures, boards of management are required to seek an independent evaluation of the work of a teacher where the board of school is dissatisfied with the professional standards of the teacher's work. The Inspectorate has responded to all such requests from boards of management and has conducted the requisite inspection visits and provided reports to the boards of management involved.

In the small number of schools where the Inspectorate has identified serious weaknesses in the quality of teaching and learning or in the leadership and management of schools, the Department has engaged with the patron, trustees or management of the school to ensure that the need for improvement and change is fully appreciated by the school and by those responsible for its management.

School Inspection Reports

206. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if he will provide in tabular form by county, the number of inspections carried out by the Chief Inspector in 2012; the number of inspections that were carried out as a result of a request from the building and planning units; and if he will make a statement on the matter. [53009/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The inspectorate conducted a total of 2,146 inspection or advisory visits to primary and post-primary schools in 2012 (probationary teacher inspections not included). Details of the breakdown of these visits, by county, are provided in the table below.

Details of inspections conducted at the request of the planning and building unit in the period are not readily to hand but will be compiled and provided to the Deputy as soon as possible. It should be noted that when inspectors identify serious shortcomings in relation to school facilities in the course of their general inspection work these matters are raised with the school authorities and brought to the attention of the planning and building unit.

Table 1: Primary Inspection and Support Visits 2012

Primary School Inspection and Support visits – tabulated by County

2012	WSE and WSE-MLL	Incidental Inspection	ASD Evaluations	Follow-through Inspection	HSU Inspection	Other	SSE Support Visits	Grand Total
Carlow	5	2	1	-	-	-	2	10
Cavan	9	9	-	4	-	-	10	32
Clare	10	14	-	5	-	-	28	57
Cork	20	28	1	15	1	-	29	94
Donegal	18	14	-	2	-	1	17	52
Dublin	27	46	4	15	4	-	40	136
Galway	20	19	1	3	-	-	37	80
Kerry	12	10	-	6	-	-	12	40
Kildare	8	10	1	2	-	-	22	43
Kilkenny	11	6	2	3	1	-	9	32
Laois	6	6	-	2	-	-	1	15
Leitrim	5	6	-	-	-	-	7	18
Limerick	9	15	-	3	1	-	11	39
Longford	3	7	-	-	-	-		10
Louth	2	6	1	2	-	-	2	13
Mayo	15	20		5	-	-	13	53
Meath	7	25	1	5	-	-	25	63
Monaghan	9	11		1	1	-	9	31
Offaly	7	7	-	4	-	-	10	28
Roscommon	10	13	-	6	-	-	4	33
Sligo	5	6	-	2	-	-	6	19
Tipperary	12	3	-	-	2	-	32	49
Waterford	7	14	-	3	-	-	15	39
Westmeath	11	13	1	5	-	-	18	48
Wexford	4	9	-	4	-	-	7	24
Wicklow	10	7	-	3	-	-	2	22

2012	WSE and WSE-MLL	Incidental Inspection	ASD Evaluations	Follow-through Inspection	HSU Inspection	Other	SSE Support Visits	Grand Total
Grand Total	262	326	13	100	10	1	368	1080

Table 2: Post-primary Inspection and Support Visits 2012**Post-primary School Inspection and Support visits – tabulated by County**

2012	WSE and WSE-MLL	Subject Inspection	Incidental Inspection	Follow-through Inspection	Other Inspection	SSE Support Visit	Youth-reach Centres	Grand Total
Carlow	3	5	7	-	-	4	-	19
Cavan	2	3	5	1	-	1	1	13
Clare	1	8	10	3	-	5	1	28
Cork	11	47	53	15	-	21	2	149
Donegal	4	12	12	-	-	-	-	28
Dublin	22	95	93	18	-	44	2	274
Galway	4	16	17	5	-	10	-	52
Kerry	1	13	11	4	-	11	-	40
Kildare	6	9	16	2	-	9	-	42
Kilkenny	-	14	10	1	-	4	-	29
Laois	1	2	8	-	-	4	-	15
Leitrim	2	4	1	1	-	-	-	8
Limerick	2	23	11	1	-	6	-	43
Longford	1	6	2	2	-	3	-	14
Louth	1	9	10	2	-	2	-	24
Mayo	5	12	7	3	-	5	-	32
Meath	1	9	6	2	-	3	1	22
Monaghan	1	6	5	-	-	2	-	14
Offaly	1	8	3	2	-	3	-	17
Roscommon	1	3	4	-	-	1	1	10
Sligo	1	8	2	-	-	1	-	12
Tipperary	3	20	10	1	2	4	-	40
Waterford	3	21	7	4	-	3	1	39
Westmeath	3	7	8	3	-	2	-	23
Wexford	1	17	12	4	-	6	-	40
Wicklow	3	12	13	5	-	6	-	39
Grand Total	84	389	343	79	2	160	9	1066

School Equipment

207. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the reason a laser machine is not included in the official Department list of equipment; when he expects that a laser machine will be included on the official Department list; if a school can purchase a laser machine even though it is not on the list; and if he will make a statement on the matter. [53043/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Department considers that while it is important to display the principle of computer controlled equipment, this can be achieved using a wide range of tools and there are other pieces of equipment on the Department's equipment list that meet the same educational purpose allowing students to observe and use modern technology in the working of materials. Students are not disadvantaged by the absence of a laser cutter where other pieces of equipment demonstrate the principles involved. The equipment lists are reviewed regularly by the Department and other items of equipment may be considered for addition on an educational basis from time to time and in the context of the prevailing financial situation at the time. It is open to a school to purchase this equipment from its own resources. In considering this, schools should be mindful of the need to ensure that Health and Safety requirements are observed and appropriate training is provided to the personnel using the equipment.

School Patronage

208. **Deputy Joan Collins** asked the Minister for Education and Skills if he has been contacted by the patron regarding the reorganisation of four schools (details supplied) in Dublin 10, [53068/13]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that my Department has not received any proposals from the Patron in relation to the future accommodation arrangements for the four schools referred to by the Deputy. The initiative for any amalgamation or re-organisation may come from a variety of sources, such as parents, staff, Boards of Management and patron. Any such proposal to amalgamate schools must involve consultation with all of the relevant stakeholders and follow decisions taken at local level. The decision making authority for any amalgamation, including any appropriate arrangements, belongs to the Patron of a school subject to the approval of the Minister for Education and Skills. I understand that as part of the process of proposed reorganisation, the Patron intends holding a ballot of parents/guardians in the four schools in January 2014 and if parents are in favour of co-education, any changes introduced would be on a phased basis. I understand also that the views of parents as expressed in the ballot will inform the decision of the Patron as to the future reorganisation of the schools in the Parish.

Student Grant Scheme Eligibility

209. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the reason a person who applied for a special rate Student Universal Support Ireland grant, who meets all income limits and benefit entitlements was refused because their stepfather is not their legal guardian or biological father. [53114/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant and the rate of grant to be awarded is a matter in the first instance for the awarding authority. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application in relation to nationality, residency, previous academic attainment and means, it would not be possible for me to say whether or not a student would qualify for the special rate of maintenance grant. To qualify for the special rate of grant an applicant must meet the following conditions: reckonable income must not exceed €22,703; on 31 December of the relevant period the reckonable income must include an eligible long-term social welfare payment prescribed under the scheme.

In the case of a student whose parents are divorced, legally separated or it is established to the satisfaction of the awarding authority that they are separated, the reckonable income shall be that of the applicant and the parent with whom the applicant resides. The income of a step-

parent who is not a legal guardian is not included in determining reckonable income. Where the reckonable income does not include a long-term social welfare payment, as listed in the Student Grant Scheme, the special rate of grant is not payable.

Irish Language Issues

210. **Deputy Seán Kyne** asked the Minister for Education and Skills the strands and aspects of education being examined in the context of the review of education in the Gaeltacht; if international practice regarding other languages existing alongside a dominant language, such as Welsh, is being examined; and when the review will be complete and published. [53127/13]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department's review of education in the Gaeltacht will primarily seek to identify options for the delivery of education in primary and post-primary schools of various linguistic profiles and to clarify policy with regard to teaching through Irish in such schools. In collaboration with the Department of Arts Heritage and the Gaeltacht, it will also look at the impact of pre-school provision on primary education in Gaeltacht areas. Furthermore, the review will identify support measures for teachers' practice that would be required to improve teaching through Irish in Gaeltacht schools.

A key part of the review work will be an examination of relevant literature, national policies and practice elsewhere in sociolinguistic contexts that are similar to Gaeltacht areas. These will include Welsh in Wales, Basque and Catalan in Spain, Frisian in the Netherlands, Scottish Gaelic and Maori in New Zealand. Other strands of the review include an analysis of supply and demand for pre-school, primary and post-primary schooling in Gaeltacht areas, surveys of stakeholders, and case studies on Irish medium practice in Gaeltacht schools. Further detail is available in the terms of reference for the Review that are available on my Department's website. It is expected that the review will be completed and a report published by the end of 2014.

Irish Language Issues

211. **Deputy Seán Kyne** asked the Minister for Education and Skills in the context of the findings of the school inspector's report relating to the teaching of the Irish language, if consideration will be provided to introducing a requirement for Irish language teachers, at all levels of education, to undergo refresher and skills intensive language courses in the Gaeltacht per annum; and if he will make a statement on the matter. [53128/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Chief Inspector's report highlights a number of areas in relation to the teaching of Irish where improvement is required and indicates that teachers' competence and confidence in using Irish has an effect on pupils' learning opportunities. While there are no specific requirements for teachers of Irish to undergo refresher courses, all teachers have a professional responsibility to ensure that they keep their knowledge and skills up to date by evaluating their practice on an ongoing basis and engaging in appropriate continuing professional development (CPD). This is part of the standard set out by the Teaching Council in the Code of Professional Conduct for Teachers, and it is something that society and students can reasonably expect from their teachers.

My Department supports teachers in this endeavour by providing a wide range of CPD opportunities. In relation to Irish in particular there has been significant investment in CPD in recent years, such as:- CPD in relation to the national literacy and numeracy strategy for primary teachers and post-primary teachers, including specific provision for teachers in Irish medium schools and a commitment to offering 20 hours of CPD over the course of 5 years to certain teachers.

- CPD for post primary teachers of Irish from 2007-2012 provided by the Seirbhís Tacaíochta Dara Leibhéal don Ghaeilge. This team has now been integrated with the Professional Development Service for Teachers and continues to provide CPD for teachers of Irish as part of the literacy strategy

- CPD provided by the Tús Maith team at primary level from 2006

- CPD for post-primary teachers of Irish in the context of the new junior cycle

Irish specification will begin in the school year 2014/15.

At initial teacher education stage, measures to enhance the development of Irish teaching skills are key parts of the reconfiguration of primary and relevant post-primary programmes. The 20 year Strategy for the Irish Language 2010-2030 also contains a number of other actions relating to improving the quality of Irish Teaching. This Government is committed to supporting the overall thrust of the strategy and will deliver on the achievable goals and targets proposed. An update on progress on the education actions underway is available on my Department's website.

These actions are occurring in tandem with the implementation of the National Strategy, developments in initial teacher education and reform of the Junior Cycle. I am convinced that, in time, the measures outlined above will have a positive impact on the quality of Irish teaching in our schools.

Book Rental Scheme

212. **Deputy Dara Calleary** asked the Minister for Education and Skills the details of the new book rental scheme as announced in budget 2014; if he will confirm that the new scheme will apply to all schools; if he will confirm that schools currently offering a limited book rental scheme will be eligible for the new scheme; and if he will make a statement on the matter. [53131/13]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware from Budget 2014 that additional funding has been provided which will involve an investment of €15m to support the establishment of book rental schemes in primary schools that do not currently operate them. The Department will provide €5m in seed capital per annum over a three year period to such schools. I want to achieve a position where every primary school has a book rental scheme in operation in the 2014/2015 school year. The Department will be contacting primary schools that do not currently operate a book rental scheme early in the New Year to advise them of the application process. To qualify for seed capital funding, schools will have to undertake to establish a book rental scheme from September 2014 and in return the Department will commit to the provision of such funding in 2014, 2015 and 2016. This scheme will be confined to primary schools that do not currently operate such a scheme. To extend it to all schools, as implied in the Deputy's question, would mean that the funding available to each school would be diluted to such an extent as to have little impact. I wholeheartedly commend schools that have established book rental schemes to date. However, I regret that they will not be eligible to apply for funding under this scheme. I can confirm to the Deputy that the Department will continue to provide a book grant to all primary schools. This grant, which provided €7m to primary schools in 2013, can be utilised for the purposes of a school's book rental scheme.

Charities Regulation

213. **Deputy Billy Timmins** asked the Minister for Education and Skills the amount of funding that his Department gives to Irish charities; the name of each organisation that receives

funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53549/13]

Minister for Education and Skills (Deputy Ruairí Quinn): Details regarding payments from my Department in 2012 and up to 30 November 2013, to bodies that have been granted charitable tax exemption under Section 207 of the Taxes Consolidation Act, 1997, are set out in the following table. Excluded from this list are payments made to schools, teacher education bodies or bodies representing groups of educational institutions. Cases where the amount of payment made in both years is less than €5,000 are also excluded. In a number of cases bodies receiving funding from this Department would also be in receipt of funding from other Government Departments and bodies. Full details regarding reporting and accounting arrangements in respect of each of the charitable bodies listed are currently not available centrally. In general, however, such bodies in receipt of funding from my Department under various educational-related programmes are required in the first instance to satisfy the Department that they meet the qualifying conditions governing the operation of these programmes. They are also required to account clearly for the receipt and expenditure of Departmental funding in their annual reporting processes. Bodies in receipt of Departmental funding would also be subject to periodic review in respect of this funding. My Department does not collate centrally details of payments to charities made by bodies who themselves are in receipt of funding from the Department. Assembling this information would require significant administrative resources. However, should the Deputy have a specific interest in a particular body in this regard, my officials will request the relevant organisation to supply details insofar as is possible.

List of bodies paid by Department of Education and Skills who have been granted charitable tax exemption under Section 207, Taxes Consolidation Act, 1997.	Amount Paid in 2012 - €	Amount paid to 30 Nov 2013 - €
ABILITY WEST	177,015	148,834
AGE ACTION IRELAND	70,000	70,000
AONTAS	915,000	941,750
ARCHDIOCESE OF DUBLIN	33,033	0
BARNARDOS	421,282	280,355
BELONG TO	0	108,385
BITE - BALLYMUN INITIATIVE	50,000	50,000
BLANCHARDSTOWN AREA PARTNERSHIP	60,000	0
BROTHERS OF CHARITY SERVICES CLARE	41,973	62,176
BROTHERS OF CHARITY SERVICES GALWAY	81,095	57,409
BROTHERS OF CHARITY SOUTHERN SERVICES	0	82,753
BUSINESS IN THE COMMUNITY IRELAND	29,826	0

List of bodies paid by Department of Education and Skills who have been granted charitable tax exemption under Section 207, Taxes Consolidation Act, 1997.	Amount Paid in 2012 - €	Amount paid to 30 Nov 2013 - €
CARLINE CENTRE OF LEARNING	131,367	138,236
CARLOW COMMUNITY ENTERPRISE CENTRE LTD	8,971	5,711
CHILDRENS LANGUAGE DEVELOPMENT PROJECT LTD	51,509	0
CO WEXFORD COMM WORKSHOP	63,278	58,166
COMHARCHUMANN FORBARTHA CHORCA DHUIBHNE TEO	324,081	637
CO-OPERATION IRELAND	73,768	0
COPE FOUNDATION	413,833	383,229
CROSS BORDER ORCHESTRA OF IRELAND	120,000	0
DRUMLIN HOUSE VTC *	179,283	92,783
DYSLEXIA ASSOCIATION OF IRELAND	200,500	200,500
EDUCATION RESEARCH CENTRE	575,912	498,417
ENABLE IRELAND	21,690	0
FINGLAS M.A.B.S. LTD	29,100	3,381
GLOR NA NGAEL	7,250	16,500
HOLOCAUST EDUCATIONAL TRUST OF IRELAND	92,478	92,778
IRISH COUNCIL FOR INTERNATIONAL STUDENTS	20,436	0
IRISH COUNTRYWOMEN'S ASSOCIATION	0	22,000
IRISH DEAF SOCIETY	187,000	187,850
IRISH GUIDE DOGS FOR THE BLIND	68,886	68,886
IRISH PROGRESSIVE ASS FOR AUTISM CO LTD	0	41,159

List of bodies paid by Department of Education and Skills who have been granted charitable tax exemption under Section 207, Taxes Consolidation Act, 1997.	Amount Paid in 2012 - €	Amount paid to 30 Nov 2013 - €
IRISH SCIENCE OLYMPIAD	8,000	0
LEARGAS	1,391,094	1,226,547
LIMERICK COMMUNITY BASED EDUCATION INITIATIVE	49,000	49,000
MIDWAY LTD	83,945	84,181
NALA NATIONAL ADULT LITERACY AGENCY	1,773,250	1,710,000
NATIONAL COUNCIL FOR THE BLIND	81,994	50,429
NATIONAL YOUTH ORCHESTRA OF IRELAND	100,000	98,000
NEWBRIDGE VTC-KARE	217,844	93,070
NORTHSIDE PARTNERSHIP	20,000	20,000
PEOPLES COLLEGE	97,000	97,000
RASP LTD	138,840	138,840
SAOL PROJECT LTD	13,423	15,278
ST HILDAS VTC	33,269	17,679
ST MICHAEL'S HOUSE	393,178	189,958
ST RAPHAEL'S VTC	0	64,393
ST. GABRIEL'S CENTRE	173,123	184,296
ST. CHRISTOPHERS SERVICES LTD	45,205	36,742
STEWARTS CARE LIMITED	246,362	155,117
SUNBEAM HOUSE VTC	100,187	56,220
THE CATHOLIC INSTITUTE FOR THE DEAF PEOPLE	11,250	0
THE PUSHKIN TRUST	0	27,000
YOUNG SOCIAL INNOVATORS	35,000	35,000
Total	9,460,529	7,960,642

*VTC - Vocational Training Centre

Flood Relief Schemes Funding

214. **Deputy Luke 'Ming' Flanagan** asked the Minister for Public Expenditure and Re-

form the persons who are on the Athleague drainage committee; the way they were involved in allocating €270,000 to Roscommon County Council for drainage works; and if he will make a statement on the matter. [53042/13]

215. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Public Expenditure and Reform when the Athleague flood elevation committee agreed to drop both the creation of a weir at Tobervaddy and the opening of the bridge at Athleague; and if he will make a statement on the matter. [53051/13]

Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes): I propose to take Questions Nos. 214 and 215 together.

The appointment of members of Drainage Committees is the statutory responsibility of individual County Councils under the direction of the Minister for the Environment, Community and Local Government. I have no function in the matter.

The €270,000 funding which the Deputy refers to in his question in relation to the flood relief works in Athleague was provided by the Office of Public Works directly to Roscommon County Council under the former’s Minor Flood Mitigation Works Scheme. Local Authorities may apply for funding under the Scheme and funding of up to 90% of the cost of works/studies is available for approved projects, with the balance being funded by the local authority concerned. The planning, procurement and progression of the works is a matter for the Council.

I am advised that, before undertaking works, Roscommon County Council engaged a firm of consulting engineers to undertake a more detailed study and assessment of the catchment of the River Suck in the vicinity of Athleague and to recommend flood alleviation measures. The Council did not proceed with the construction of a diversion weir and channel (bypass culvert) upstream of Castlestrange Bridge as the consultant’s report concluded that this would not provide an appropriate level of flood protection in Athleague. The Council now intends to carry out site investigations prior to the construction of the final element of the flood alleviation works - a proposed embankment along the Silver Stream. The Council expects the site investigations to begin shortly and has confirmed to the OPW that the works being undertaken will mitigate flood risk in Athleague in line with the Minor Works Scheme application.

Athleague is an Area for Further Assessment (AFA) under the Shannon CFRAM (Catchment Flood Risk Assessment and Management) study, which is ongoing. The study will produce flood maps and a detailed flood risk management plan with recommendations on how best to address the flooding problems in the town. These documents will be available for public consultation at draft stage. Details are available on the website www.shannoncframstudy.ie.

Public Expenditure Statistics

216. **Deputy Noel Grealish** asked the Minister for Public Expenditure and Reform the amount his Department has contributed towards the extra €51 million allocated to the Department of Justice and Equality for the Garda Síochána; the amount his Department contributed to the extra €50 million allocated to the Department of Transport, Tourism and Sport towards the roads budget; the amount his Department has been asked to contribute to the extra €300 million required in the Department of Health; and if he will make a statement on the matter. [53150/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Deputy will be aware from the Exchequer returns information published monthly by the Department of Finance and my Department (available at <http://www.finance.gov.ie/viewdoc.asp?DocID=7926>) that, at the end of November 2013, total gross voted expenditure was €48.9 billion, which is

1.3% or €644 million lower than profile. This showed expenditure is being managed within profile, although there were some pressures in the Justice and Health Groups of Votes.

Some additional funding is being allocated by way of Supplementary Estimates to the Justice, Transport, Tourism and Sport, and Health Vote Groups:

- A supplementary estimate of €51 million has been required in the Justice Group, primarily to deal with pressures relating to Garda pay, and also to allow for certain other additional expenditure including the first of the payments to the women who were admitted to and worked in the Magdalene Laundries. This additional requirement is partially funded by savings from elsewhere in the Justice Vote group which amount to at least €23.5 million.
- As previously indicated, the HSE will require a supplementary estimate of €219 million in 2013. However, €20 million of this amount will be offset against savings made in the Department of Health. The position in relation to the Health estimate has been closely monitored and the Department of Public Expenditure and Reform continues to work closely with the Department of Health and the HSE to ensure that the appropriate measures are being undertaken to contain Health expenditure.
- A supplementary estimate of €50 million was required for the Department of Transport in respect of local road maintenance projects in order to carry out much needed surface restoration and road reconstruction works. This funding will be provided from the stimulus package funding I announced earlier this year.
- A small number of supplementary estimates are also required to allow for some movement of financial allocations but which, between them, will have an exchequer neutral effect.

The additional expenditure related to these Supplementary Estimates is being funded from the savings that will be arising by year end across the remaining Vote Groups. Details of the actual end year position for all Votes will be clear at that point.

Departmental Funding

217. **Deputy Billy Timmins** asked the Minister for Public Expenditure and Reform the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [52489/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question I can confirm that my Department does not provide any funding to Irish charities.

Haddington Road Agreement Implementation

218. **Deputy Stephen S. Donnelly** asked the Minister for Public Expenditure and Reform if new sick leave entitlements under the Haddington Road agreement, which amount to three months full pay and three months half-pay in a four-year period, will be applied retrospectively to affected public servants; or if the measure will only affect those applying for sick leave after the implementation of the changes; and if he will make a statement on the matter. [52496/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As the Deputy will be aware, in July 2012 sick leave arrangements for all public service employees were the subject of a Labour Court recommendation relating to the introduction of a reformed sick leave scheme. The rationale for the new scheme was the need to reduce the unsustainable cost of

sick leave for the public service overall which is to be achieved through a substantial reduction in the period of time for which paid sick leave will be available from one year at present (comprising six months at full pay and six months at half pay – subject to certain conditions) to six months (i.e. three months full pay and three months half pay).

The issue of transitional arrangements and specifically how employees who are on sick leave at the time of commencement of the new scheme as well as the approach taken to employees' prior sick leave record was addressed by the Labour Court in its recommendations. It was recommended by the Labour Court that anyone who is on sick leave at the time of the introduction of the new scheme will continue to avail of the current sick leave scheme and will be provided with access to six months full pay and six months half pay (over a four year rolling period) for the duration of that particular illness.

In relation to the issue of retrospection it was agreed by the Labour Court that an employee's sick leave records over the last four years will, as is currently the case, be used to determine whether an individual has access to sick pay or not. In the case of a non-critical illness there will, however, be a reduction in the number of days sick leave absences in the preceding four year period above which there will be no entitlement to paid sick leave – other than Temporary Rehabilitation Pay - from 365 days to 183 days. The new sick leave arrangements were agreed under the Croke Park Agreement and did not form part of the Haddington Road Agreement. The parameters of the new sick leave scheme are contained in the Labour Court Recommendation and the scheme will be implemented in accordance with this recommendation.

Oireachtas Members' Remuneration

219. **Deputy John Paul Phelan** asked the Minister for Public Expenditure and Reform if he will provide in tabular form for each of the years 2007 to 2013, inclusive, the gross annual salary of a Member of Dáil Éireann; the gross annual salary of a Member of Seanad Éireann; the total amount paid to all Members of Dáil Éireann in expenses and allowances; the total amount paid to Members of Seanad Éireann in expenses and allowances; and if he will make a statement on the matter. [52780/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Significant reductions have been made to the pay and allowances of public servants, including TDs and Senators, through a series of measures since 2009. The gross annual salaries of TDs and Senators, from 2007 to 2013 are set out in the following table. The cumulative effect of these reductions is that a TD today is paid 13% less than they would have been in 2008, and a Senator is paid 7% less.

Long service increments were abolished with effect from the formation of the current Dáil in March 2011 for all Members. The percentage reductions in gross pay for members who had been in receipt of these increments amount to 18% for TDs and 13% for Senators. All of these reductions are exclusive of the Pension Related Deduction, which also applies to all members of the Oireachtas, and reduces their income by a further 8% in the case of TDs and 7% for Senators.

Gross salaries of TDs and Senators, 2007 - 2013

Post	1.06.07 To-wards 2016 Phase 2	1.03.08 To-wards 2016 Phase 3	1.09.08 To-wards 2016 Final Phase	1.01.10 Pay Adjustment (FEMPI No. 2 Act 2009)	1.01.11 Pay Adjustment (FEMPI Act 2010)	10.03.11 31st Dáil	1.07.2013 FEMPI Changes
TD - basic	€95,363	€97,747	€100,191	€92,672	€92,672	€92,672	€87,258
- 1st LSI	€98,407	€100,867	€103,389	€95,550	€95,550	-	-
- 2nd LSI	€101,446	€103,982	€106,582	€98,424	€98,424	-	-

Post	1.06.07 To-wards 2016 Phase 2	1.03.08 To-wards 2016 Phase 3	1.09.08 To-wards 2016 Final Phase	1.01.10 Pay Adjustment (FEMPI No. 2 Act 2009)	1.01.11 Pay Adjustment (FEMPI Act 2010)	10.03.11 31st Dáil	1.07.2013 FEMPI Changes
Senator - basic	€66,754	€68,423	€70,134	€65,621	€65,621	€65,621	€65,000
- 1st LSI	€68,884	€70,606	€72,371	€67,634	€67,634	-	-
- 2nd LSI	€71,013	€72,788	€74,608	€69,647	€69,647	-	-

The system of allowances in the nature of pay paid to members of the Oireachtas was substantially overhauled by this Government in 2011 upon taking office. The estimated current cost of these allowances is now less than €300,000, a reduction of nearly 80% from 2008 levels. The new Oireachtas expense allowance system has been substantially overhauled since 2010, most recently on 1 January 2012, when I reduced the travel and accommodation allowance by an average of 10% with a higher cut of 25% for Dublin Members. The expenses paid under the Public Representational Allowance are also now vouched.

The total amount of allowances and expenses paid to TDs and Senators by the Houses of the Oireachtas Commission for each of the years 2007-2013 inclusive will be provided directly to the Deputy by the Commission. In relation to other funding, the Party Leader's Allowance is paid to leaders of qualifying parties and to members elected as independent TDs or Senators. I have recently brought forward legislation to reduce the amount of this allowance by 10%, and to provide for improved transparency measures.

Public Sector Staff Remuneration

220. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform the gross cost to the Exchequer of all increments due to be paid to civil and public servants in 2014. [52825/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Based on the information available to my Department on the total cost of increments in a full year in the various sectors, the full year cost of increments in the public service (excluding the Local Authority sector), prior to the implementation of the Haddington Road Agreement, was estimated at some €150 million per annum. Significantly reduced recruitment, the ongoing substantial fall in numbers of public servants and higher numbers reaching the maxima of scales has reduced the cost of increments. This cost will continue to fall over the coming years.

Additionally, it should be noted that, as agreed under the Haddington Road agreement, there will be a number of increment freezes implemented from 2014 and over the lifetime of the Agreement, which will deliver a reduction of €60 million in the cost of increments. These increment freezes will be for varying lengths of time, on a progressive basis, ranging from a single three month pause for those earning under €35,000 to a three year pause for those earning over €100,000.

Public Sector Staff Remuneration

221. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform his estimate of the overall change to the public sector pay bill in 2014 over 2013. [52826/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The latest available figures requested by the Deputy are set out in table 4 of the expenditure report 2014 published on budget day. That table shows that the voted Exchequer provision for public service pay in 2013 is €15,068,747 and the provision for 2014 is €14,518,966. This equates to an

estimated saving of 3.6% or some €550 million year-on-year.

Capital Programme Expenditure

222. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform the reason capital spending was significantly below profile in the November Exchequer figures; and to account for capital spending by Department relative to the profile for each. [52829/13]

224. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform if he is concerned at the large capital underspend across all Government Departments of €389 million at the end of November as outlined in the end of November gross Voted expenditure statement, equivalent to 13.9% of the capital budget for the year to date; if capital spending is being deliberately held back to ensure budget discipline in line Departments; if this money will be spent by the end of the fiscal year; and if he will make a statement on the matter. [52960/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 222 and 224 together.

As stated in previous replies, the actual roll-out of capital expenditure is a matter for individual line Departments and their agencies, operating within the annual allocations approved by Government and the delegated sanction arrangements issued by my Department. As the Deputy will be aware, capital spending has general characteristics which influence the allocation draw-down pattern. Expenditure on capital projects typically occurs in large tranches at fixed milestones, unlike current expenditure which is generally continuous throughout the year. Obviously, this affects the phasing and profiling of capital expenditure. The profiling of capital expenditure is carried out by individual Departments on the basis of the likely timing of payments related to capital projects and programmes which they deliver.

While gross capital expenditure was 13.9% behind profile at the end of November, information supplied by Departments indicates that the majority of their remaining capital budgets will be spent by year end. The spending pattern is in line with trends from previous years which show that the bulk of capital expenditure takes place towards the end of the year. Where it is not possible to spend their capital allocation in full by year end, Departments may apply to carry over unspent capital (up to a maximum of 10% of their Voted capital allocation) into the next year. Any underspends in the capital budget which are not carried over into 2014 will be returned, as a saving, to the Exchequer.

In the context of the requirement to meet our deficit targets and restore our economic sovereignty, each Department must ensure that the Vote level allocations are adhered to and that both capital and current expenditure are managed from within the overall allocation for the Vote. My Department actively monitors all expenditure during the year to ensure that our deficit targets are met.

Capital Programme Expenditure

223. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform of the €5 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52959/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I should point out that the figure of €5 million published in the figures refers to my Vote group which includes

Votes 11 to 19. Of these Votes, only three have a capital allocation – Vote 11 Public Expenditure and Reform, Vote 13 Office of Public Works and Vote 18 Shared Services. While the group is showing an underspend against profile at the end of November, it is expected that the complete allocation will be spent by the end of the year. In addition, capital expenditure has been allocated by way of a technical supplementary estimate for Vote 18 amounting to some €3.72 million. I can confirm that none of the €107.2 million capital carryover in 2012 relates to my Vote group.

Question No. 224 answered with Question No. 222.

Capital Programme Expenditure

225. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform the average job creation potential for every €1 million in Government capital spending; and if he will make a statement on the matter. [52961/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): A 2009 survey, carried out by the Department of Finance, found that the labour intensity of capital projects generally falls within the range of 8 to 12 jobs for every €1 million invested. While this estimate for labour intensity is used as a general rule of thumb, it is important to note that the amount of employment generated by capital expenditure depends on how that expenditure is invested. For example, the purchase of new rail rolling stock would typically generate little direct employment in Ireland as such stock is generally produced abroad. Furthermore, different types of public construction project have different levels of labour intensity. For example, smaller scale projects such as school building and repair, or smaller local and regional road-works, tend to be more labour intensive than major national infrastructural projects.

The Exchequer capital framework for the period 2012 to 2016 was set following a Government-wide review of the public capital programme conducted in 2011. The focus of that review was the identification of infrastructural investment that can aid economic growth, generate sustainable jobs in the medium term, and address urgent social requirements. Much of the capital programme for the five year period of the Framework is geared towards smaller, more labour intensive projects. It is also noteworthy that investment in enterprise supports has the highest direct employment impact. Accordingly, the capital Framework made a point of protecting supports to the enterprise sector primarily through agencies such as Enterprise Ireland and the IDA.

Since the capital plan was launched in 2011, the Government has been able to announce a number of increases to its infrastructure investment through the introduction of a new PPP pipeline and the use of the proceeds from the State asset and Lottery licence transactions. This additional investment is expected to support significant numbers of jobs across the country. The previous analysis of each sector indicates that the investment in the PPP Pipeline may support in the region of 13,000 direct jobs and many more indirect jobs. In addition to this, it is envisaged that the additional Exchequer funding of €150 million, which I announced in June of this year, can support up to 3,000 jobs. These initiatives will of course also create much needed social and economic infrastructure and aid economic recovery. The Exchequer projects, in particular, involve mostly smaller scale capital works which are known to be labour intensive.

It is my intention that a review of the public capital investment framework will be undertaken in 2014 in parallel with the Comprehensive Review of Expenditure. Following this, a new five year capital envelope will be set. Of course, employment creation will be a key consideration in the setting of the new envelope.

Capital Programme Expenditure

226. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform if

he will confirm the €107.2 million capital budget carry-over from the 2012 fiscal year has been spent; if he will provide a breakdown of the Departments in which it arose; and if he will make a statement on the matter. [52962/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The capital carryover facility, which allows Departments to carryover unspent capital of up to 10% of their Voted capital allocation from one financial year into the next, was established under Section 91 of the Finance Act, 2004. The specific rules under which the carryover facility operates are set out in Department of Public Expenditure and Reform Circular 06/2013 which is available at <http://circulars.gov.ie/>.

Departments are required to report to my Department on a monthly basis in relation to progress on carryover spend as part of their overall monthly expenditure reporting requirements. Reports received at end November indicate that €99 million of the total capital carryover of €107.2 million into 2013 had been spent by Departments. A breakdown of carryover by Department into 2013 and spend to end November is set out in the following table.

As set out in the legislation governing capital carryover, the Minister for Public Expenditure and Reform must make a Ministerial Order specifying the definitive amounts of capital carryover by subhead no later than 31 March of the year into which carryover will occur. Until the Ministerial Order is signed, capital expenditure for the relevant subheads can only be met from the current year's capital allocation; once the Order is signed, the unspent capital moneys deferred from the preceding year become the first next charge against the subheads concerned. Carryover must then be spent in full before any other moneys can be spent under the relevant subheads. If the amount of capital carried over by a Department is not spent in the second financial year it must be definitively surrendered to the Central Fund at the end of that year.

Vote	Capital Carry-over into 2013 Position at End November	Carried into 2013	Spend to end November	Amount left to spend
-	-	(€000's)	(€000's)	(€000's)
24	Justice and Equality	287	0	287
25	Environment, Community & Local Government	43,000	35,465	7,535
26	Education and Skills	19,000	19,000	0
28	Foreign Affairs and Trade	400	270	130
29	Communication, Energy & Natural Resources	10,400	10,400	0
30	Agriculture, Food and Marine	6,000	6,000	0
32	Jobs, Enterprise and Innovation	25,000	25,000	0

Vote	Capital Carry-over into 2013 Position at End November	Carried into 2013	Spend to end November	Amount left to spend
33	Arts, Heritage and the Gael-tacht	1,200	1,200	0
36	Defence	900	900	0
37	Social Protection	1,050	1,050	0
Total	-	107,237	99,285	7,952

Public Sector Staff Remuneration

227. **Deputy Simon Harris** asked the Minister for Public Expenditure and Reform if public servants or civil servants receive any additional remuneration for serving on a board or for holding any position in any organisation or association which receives public funding and which they attend during their working day; his position on this matter; and if he will make a statement on the matter. [53036/13]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): It is a long-standing general principle of pay policy that the payment of additional remuneration to public servants for undertaking additional duties is not permitted. Any exceptions are subject to the sanction of my Department and must meet certain strict conditions. The payment of fees to public and civil service staff who sit on state boards was discontinued with effect from 1 November 2011.

Company Registration

228. **Deputy Robert Dowds** asked the Minister for Jobs, Enterprise and Innovation if he will consider introducing legislation to create a public register of companies which would contain details on the identity of the true owners of each company operating in the State, as is set to be introduced in the UK; and if he will make a statement on the matter. [52940/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The proposed 4th Anti-Money Laundering Directive seeks to update the 3rd Directive to take account of the February 2012 revision of the international standard for anti-money laundering requirements – the recommendations of the Financial Action Task Force (FATF). It includes proposals for the registration of the beneficial owners of companies and other entities.

The generality of the Proposal falls under the remit of my colleague the Minister for Finance. Following consultation with my Department I understand that, at European Council, Ireland had supported the Presidency approach which would require that Member States ensure that the beneficial ownership information on companies incorporated within their territory is held in a specified location for example in one or more registries or by means of other suitable mechanisms.

I understand that negotiations are continuing on the Directive at the Council of the EU and that the final provisions on beneficial ownership will only be agreed as part of the overall compromise. I understand also that the negotiations are proceeding with a view to agreement with

the European Parliament before the end of its current term in May 2014.

Industrial Relations Issues

229. **Deputy Lucinda Creighton** asked the Minister for Jobs, Enterprise and Innovation when the heads of a Bill reforming the law on employees' right to engage in collective bargaining under the Industrial Relations (Amendment) Act 2001 will be introduced; if this legislation will include compulsory collective bargaining for all companies in the State; and if he will make a statement on the matter. [52600/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Programme for Government contains a commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights. With this in mind, in late 2012 I wrote to relevant stakeholders inviting their observations on the matter. Submissions were subsequently received and a series of initial first step meetings took place between Departmental officials and stakeholders around mid-2013. Discussions with stakeholders are ongoing. I hope to be in a position to bring the matter to Cabinet soon.

I am certain that the existing legislative provisions in this area can be improved and secured while respecting Ireland's voluntarist system of industrial relations. I expect that any proposals arising from ongoing discussion with stakeholders will reconcile Ireland's constitutional, social and economic traditions, and international obligations, whilst at the same time ensuring continued success in building Ireland's domestic jobs-base and in attracting overseas investment into the economy.

IDA Jobs Data

230. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the number of jobs created by the Industrial Development Agency from 2001 to date in 2013; the number of IDA-backed companies which received Irish work permits and visas; and if he will provide a breakdown of salaries of the IDA-backed companies which applied for Irish work permits in that period. [52722/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Forfás Annual Employment Survey reports on job gains and losses in companies that are supported by the industrial development agencies. Data is compiled on an annualised basis and is aggregated at county level. Figures for 2013 will not be available until year end. Details of the number of new full time jobs created in IDA Ireland's client companies for each of the years from 2001 to 2012 are set out in the following table.

In relation to employment permits, the Department only captures statistics in relation to individual applications submitted with support from IDA and this information is available since 2011. Figures from 2011 to date in 2013 are set out hereunder.

New Jobs Created in IDA Ireland's Client Companies 2001-2012

Employment Data	Total New Jobs Created (Full-Time)
2001	13,514
2002	11,407
2003	9,357
2004	10,846
2005	12,176

Employment Data	Total New Jobs Created (Full-Time)
2006	12,531
2007	10,401
2008	9,203
2009	5,239
2010	9,075
2011	11,594
2012	11,790

Employment Permits Issued with IDA support 2011-2013 (9th December 2013)

Year	Salary	Total
2013	-	697
-	< €30,000	45
-	€30,000 - €35,000	66
-	€35,000 - €40,000	116
-	€40,000 - €45,000	97
-	€45,000 - €50,000	54
-	€50,000 - €55,000	50
-	€55,000 - €60,000	40
-	> €60,000	229
2012	-	737
-	< €30,000	32
-	€30,000 - €35,000	66
-	€35,000 - €40,000	134
-	€40,000 - €45,000	83
-	€45,000 - €50,000	60
-	€50,000 - €55,000	40
-	€55,000 - €60,000	60
-	> €60,000	262
2011	-	472
-	< €30,000	26
-	€30,000 - €35,000	67
-	€35,000 - €40,000	76
-	€40,000 - €45,000	47
-	€45,000 - €50,000	30
-	€50,000 - €55,000	30
-	€55,000 - €60,000	18
-	> €60,000	178

Innovation Vouchers Initiative

231. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of innovation vouchers issued; the number redeemed; their total value; the number extended; and the number elapsed for each year of the programme. [52755/13]

232. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of enterprises which received multiple innovation vouchers according to the number of vouchers received, that is, the number of enterprises which received a single voucher, two vouchers, three vouchers and so on. [52756/13]

233. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of innovation vouchers received by spin-off companies or companies associated with multinationals; the number received by small and medium-sized enterprises; and the number received by microenterprises. [52757/13]

234. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the average timescale between an innovation voucher being awarded to a payment being drawn down. [52758/13]

235. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the process by which an assessment is made as to how the objectives of an application for innovation vouchers have been fulfilled; the number of innovation vouchers that have achieved all objectives set; the number that have partially met their objectives; and the number that have failed to meet their objectives. [52759/13]

236. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the way knowledge providers are informed of awards innovation vouchers; and the way the competence of individual knowledge providers is assessed. [52760/13]

237. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the way work undertaken on innovation vouchers by knowledge providers is additional to the work they are funded to provide. [52761/13]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): I propose to take Questions Nos. 231 to 237, inclusive, together.

The Enterprise Ireland Innovation Voucher Initiative was established in 2007 in order to drive an on-going innovation cultural shift within small enterprise by promoting and encouraging a transfer of knowledge between Ireland's public knowledge providers and the small business community and creating greater synergies between the two. Under the initiative, vouchers worth €5,000 are allocated to small businesses whose proposals, to work with public knowledge providers on specific innovation questions, meet simple criteria.

The following table illustrates the number of Innovation Vouchers issued; the number redeemed and their respective total values since the programme commenced.

Innovation Vouchers Approved and Redeemed for years 2007 to 2012

-	2007	2008	2009	2010	2011	2012	Totals
Vouchers Redeemed	4	206	526	524	518	525	2303
Vouchers paid €	18,264	1,014,935	2,406,334	2,591,145	2,573,568	2,547,178	11,151,424
Vouchers Issued	428	588	798	855	757	767	4193
€ Amt approved	2,140,000	2,940,000	3,990,000	4,275,000	3,785,000	3,835,000	20,965,000

At the end of 2012, 55% of Vouchers issued were redeemed while 45% of approved Vouch-

ers were not redeemed within the one year period of validity which is broadly typical for this form of innovation support. For example, in the Netherlands where this scheme was originally established, 40% of issued Vouchers were never redeemed. The Vouchers target small companies who may decide not to pursue the Voucher for a number of reasons including a change of company direction in the interim or a change of R&D or innovation ambitions. The projected outturn for 2013 is positive with 1,007 Vouchers issued so far with a value of €5,035,000. In addition, 491 Vouchers have been redeemed to date with a value of €2,360,337. Under the current guidelines for the programme companies may make use of a maximum of three vouchers, one of which must be a 50-50 co-funded voucher between Enterprise Ireland and the company. Excluding cancellations 3,337 companies have received vouchers to date, 76% received one voucher, 21% two vouchers and 3% have received 3 vouchers.

The timescale between the award of an Innovation Voucher and a payment being drawn down differs as each project is distinct and the time to completion varies widely depending on the circumstances of the company, the knowledge provider and the nature of the project. Many voucher projects are completed within a month of project commencement whereas others may take up to one year to complete depending on the nature of the work. Vouchers are valid for one year from the date of issue and in general are redeemed within that period unless an extension is granted. A formal procedure exists to enable companies to apply for an extension of the voucher, however, information on this specific data set is not available. Enterprise Ireland believes that the number of Vouchers that have received an extension would represent a very small proportion of the total Vouchers redeemed.

Enterprise Ireland carry out regular independent programme evaluations to assess the effectiveness of all programmes. The most recent external evaluation of the Innovation Voucher programme in 2012 indicated high levels of programme effectiveness and company satisfaction. As part of this evaluation 94% of companies said that they would be willing to participate in an Innovation Voucher project in the future and 93% would be willing to recommend the programme to other businesses. A further 82% stated that participation in the project has increased their desire to work with research partners in the future. One of the key objectives of this programme is to improve links between industry and academia – these findings suggest that the Voucher programme has been successful in doing this. The findings also demonstrate a very positive company experience and indicate how beneficial companies found the Innovation Voucher programme.

The evaluation noted that the programme has delivered direct benefits for 69% of companies including new and improved products and processes to the company and to the commercial market. The evaluation also found that the scheme achieved €7.65 in company turnover per €1.00 invested by Enterprise Ireland to date. This evaluation also found that most companies were either satisfied or very satisfied with their partner institutes when asked about the following aspects:

- overall role of the provider (72%)
- partner institute's role in the setting up of the project (67%)
- partner institute's role in supporting the project (68%)
- partner institute's role in following up the partnership after completion (57%)

As a more immediate measure of the achievement of the Voucher's objectives, at the completion of an Innovation Voucher project the company must sign a declaration to confirm that the knowledge provider has completed the project to their satisfaction. On receipt of the signed declaration Enterprise Ireland can issue a payment in respect of the Voucher.

Innovation Voucher projects are independent projects carried out by the knowledge provid-

ers at the company's behest. The company requires the skills and expertise which is available within the third level research community to help them address a particular technical issue or challenge that the company faces. These projects are defined by companies and are in the research domain of the knowledge provider involved. They are distinct and additional projects to the knowledge provider's core work and are paid for via the Innovation Vouchers.

A full list of approved knowledge providers who have agreed to participate in the programme is available on the Innovation Voucher website www.innovationvouchers.ie. This provides a directory of the skills and expertise available within each third level institute and a designated contact person for each knowledge provider. Enterprise Ireland advise companies who have been awarded Vouchers to use this directory to assist them to contact and select the most appropriate knowledge provider for their project. The competence of the knowledge provider in relation to providing knowledge to the companies participating in the Innovation Voucher programme is validated by the companies' level of satisfaction and through Enterprise Ireland's evaluation of the programme.

The Innovation Voucher programme is restricted to small companies* (less than 50 employees) and medium size companies are not currently eligible to apply for a Voucher. Specific data breaking down further the "small company" designation into further strata such as spin off companies or micro enterprises is not available.

*For the purposes of the Innovation Voucher Initiative, a Small Enterprise is defined as a company or (if part of a group) a group of companies where the total number of full-time employees in the company (or the entire group) is less than 50 and has either an annual turnover and/or an annual Balance Sheet total not exceeding €10m. (Exclusions: small enterprises in the agricultural sector are excluded in line with EU State aid guidelines).

Job Losses

238. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of job losses or forecasted job losses announced by Industrial Development Authority support enterprises over the past 12 months. [52762/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Forfás Annual Employment Survey reports on jobs gains and losses in the enterprise development agencies. The information is gathered on an annual basis and aggregated at county level. Information is given by companies on a confidential basis for statistical purposes only. The numbers of job losses in each of the past three years in IDA supported companies is set out in the following table. Figures for 2013 will not be available until year end.

Table showing the number of jobs lost in IDA client companies in each of the years 2010, 2011 and 2012

Years	2010	2011	2012
Job Losses	-10,551	-7,447	-6,152

Source: Forfás Employment Survey

Job Losses

239. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the number of job losses or forecasted job losses announced over the past 12 months in the manufacturing and financial services sectors of the economy. [52763/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Forfás Annual Employment Survey provides an analysis of employment trends and levels in Industrial

and Services companies under the remit of IDA Ireland, Enterprise Ireland, Shannon Development and Údarás na Gaeltachta. This research also gives details of job losses and job gains. This work is undertaken on a calendar year basis and the survey to identify outcomes for 2013 will be undertaken early next year. Net job gains have been forecasted for both the Manufacturing and Financial Services sectors in two recent relevant Government Strategies.

In the case of Manufacturing, Forfás published a Strategy for the Manufacturing Sector earlier this year - entitled Making it in Ireland: Manufacturing to 2020 - which includes a target to create an additional 20,000 jobs in the sector by 2016. A range of initiatives are in hand by my Department and relevant Agencies to drive this target. With regard to the Financial Services Sector, the Strategy for the International Financial Services Industry in Ireland, was published by the Department of the Taoiseach in 2011. The Strategy sets an objective to increase employment in this sector by 10,000 by 2016 and a range of measures are proposed. Implementation of that Strategy is being driven by the IFSC Clearing House Group, which operates under the aegis of the Department of the Taoiseach.

Departmental Expenditure

240. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide a breakdown of annual infrastructure and capital expenditure by the Department on a regional and county basis over the past five years. [52802/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Given the number of agencies involved, and within the timeframe available, my Department has been unable to collate the information requested. However, my Department is in the process of doing so and will provide the information directly to the Deputy as soon as all the information is assembled.

Joint Labour Committees Agreements

241. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the provisions being made in the proposed joint labour committees legislation in relation to wage structures for symbol operated stores, shops and supermarkets, for such stores that operate under an umbrella marketing plan yet remain independently owned; his views on whether small store owners operating in such circumstances should not have JLC restrictions imposed upon them; and if he will make a statement on the matter. [52882/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Industrial Relations (Amendment) Act 2012 provides that reviews of each Joint Labour Committee (JLC) be carried out by the Labour Court, as soon as practicable after the commencement of the Act, and at least once every 5 years thereafter. The review assisted the Labour Court's deliberations as to whether any JLC should be abolished, maintained in its current form, amalgamated with another JLC or its establishment order amended and the Labour Court is required to make recommendations to the Minister to this effect. On 1 October last, I published the Report of the Labour Court's Review of the 10 existing JLCs.

In relation to the Retail Grocery JLC, the recommendation from the review was to confine the scope of the retained JLC to those establishments which are defined as multiples and symbol operators within the sector. The review recommended that independent grocery shops, garage shops that do not have symbol shops attached, shops that are fish shops or butchers or cake and bread shops or vegetable shops should not be comprehended by the Retail Grocery JLC in future.

It is important to remember that the JLC Establishment Orders envisaged will provide only

a framework within which employers and employee representatives can come together voluntarily and negotiate terms and conditions of workers in their respective sector. For vulnerable workers, the advantage of JLCs is that they see fair terms and conditions such as wage rates, sick pay etc. agreed and given effect by ERO, while for some employers, the advantage of the JLC system, based as it is on the principle of self-governance, means that they can agree and set minimum pay and conditions, agree on work practices which are custom-made to their industry – a flexibility which cannot be achieved by primary legislation. Where both parties to a JLC see commonality of purpose and outcome then an agreement may emerge.

The net effect of changing the scope in the ways recommended is intended to reduce the overall size of the JLC to more closely match the majority share of the competitive grocery market; to extend the scope to cover all of the relevant employees that fall within the remit of the JLC and to make it more flexible and simpler to follow and to enforce. While some shops that are currently covered by the JLC would be excluded, these were not considered by the review to be a significant proportion of the main competitive market of the sector as a whole.

The Office of the Parliamentary Counsel has been requested to prepare new orders to give effect to the Labour Court recommendations. In addition, I am considering legal advice received from the Attorney General and I hope to deal with this issue and other establishment orders shortly.

Capital Programme Expenditure

242. **Deputy Kevin Humphreys** asked the Minister for Jobs, Enterprise and Innovation of the €23 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52953/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The €23million in capital expenditure referred to in the Deputy's question represents the difference between the capital expenditure from my Department's Vote as reported in the End November Expenditure Return published by the Minister for Finance and the amount of capital expenditure originally profiled for that period at the beginning of the year. In this regard, as part of assisting the Department of Public Expenditure and Reform's oversight of exchequer expenditure, Government Departments, including my own Department, are required to prepare a monthly profile of expected expenditure, including capital expenditure, from their Votes at the beginning of each year. It is the case that as the financial year progresses there can be a number of reasons why monthly expenditure may deviate from the initial monthly profile, resulting in capital underspends or overspends at the end of a particular month.

Capital expenditure from my Department's Vote is essentially expended by the enterprise development agencies such as IDA Ireland, Enterprise Ireland and Science Foundation as well as the County Enterprise Boards. Typically this funding is by way of grant provision to private industry and to the higher education institutions. The drawdown of exchequer financial support by companies or other bodies, such as the higher education institutions, is demand-led and funding is provided on the basis of matured liabilities. It will be appreciated, therefore, that such funding provision can only take place if the entity in question has progressed a given project in line with the agreement entered into with the State. In addition, there can also be factors such as timing issues relating to the finalisation of legal agreements or the securing of matching private funding by the successful grant applicant to ensure eligibility to drawdown the grant.

Given these factors, it is important to point out that the €23 million referred to by the Deputy represents just 4.7% of the overall Departmental capital budget for 2013.

Insofar as 2012 situation is concerned, the total Government capital carryover of €107.2 million referred to by the Deputy included an amount of €25 million in capital carryover in respect of my Department's Vote. I would point out that as part of the conditions associated with any annual capital carryover provision, a Ministerial order approved and signed by the Minister of Public Expenditure and Reform, requires that carryover money must be expended in the early part of the following financial year to support on-going activity. Such carryover provision must be exhausted prior to expending any of the capital funding provision approved in the Vote allocation as published on Budget Day.

As regards the Deputy's request for a breakdown of capital projects in this area, it is the case that as there can be several thousand live grant awards and initiatives being supported across the enterprise agencies at any particular point in time, it would not be feasible to provide the Deputy with specific details regarding the status of projects per profiled expenditure. The capital expenditure programme overseen by my Department is undoubtedly a key element in supporting Ireland's jobs, enterprise and research activities. The total capital allocation of €479.5m for 2013, which includes the aforementioned €25m in carryover from 2012, represents a very significant and vital stimulus in the on-going and increasingly successful challenge of promoting enterprise and creating jobs for our citizens.

Job Creation Data

243. **Deputy Jonathan O'Brien** asked the Minister for Jobs, Enterprise and Innovation the number of jobs created and the number of jobs lost for each year since 2007 in the manufacturing and in the financial services sector; the way these figures are determined; and if the recent figures are in line with the targets set by the Government for these sectors. [53033/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The total number of jobs lost and gained for the Manufacturing and Financial Services Sectors, for the period 2007-2012, is set out in the tables below. Both sets of figures are compiled by Forfás as part of that agency's business information monitoring and are updated, if necessary, in Forfás' Annual Employment Survey. The figures show an overall gain of approximately 3,000 in manufacturing jobs in 2012 over 2011, and a slight gain in financial services jobs in the same period.

As you are aware, Forfás published a Strategy for the Manufacturing Sector earlier this year – *Making it in Ireland: Manufacturing to 2020* - which includes a target to create an additional 20,000 jobs in the sector by 2016. With regard to the Financial Services Sector, the *Strategy for the International Financial Services Industry in Ireland*, published by the Department of the Taoiseach in 2011, calculated that there were 33,000 people employed directly in Ireland in international financial services (i.e. excluding banking and related financial services activity in the domestic sector) at that time. The Strategy sets an objective to increase employment in this sector by 10,000 by 2016 and a range of measures are proposed. Implementation of that Strategy is being driven by the IFSC Clearing House Group, which operates under the aegis of the Department of the Taoiseach. In addition, the *Action Plan for Jobs* includes a series of actions across a wide number of sectors including manufacturing and services. By implementing the 2013 *Action Plans for Jobs* and the new 2014 *Action Plan for Jobs*, to be developed in the New Year, the Government is confident that further growth in employment in both sectors will be achieved.

Manufacturing

-	2007	2008	2009	2010	2011	2012
Job Gains	12,800	10,299	6,919	8,151	11,359	10,704
	2007	2008	2009	2010	2011	2012
Job Losses	-15,108	-20,194	-28,525	-14,108	-11,004	-7,987

Financial Services

-	2007	2008	2009	2010	2011	2012
Job Gains	3,360	2,298	1,027	1,643	2,398	2,505
	2007	2008	2009	2010	2011	2012
Job Losses	-565	-1,247	-1,973	-1,677	-1,245	-1,855

Job Losses

244. **Deputy Seán Crowe** asked the Minister for Jobs, Enterprise and Innovation following the disappointing news that Pfizer Ireland has announced 150 job losses in Newbridge, County Kildare, the measures being taken to reskill and-or retrain the staff who have been let go, many of whom have been with the company for many years; and if a training package and grants, such as that received by the TalkTalk workers in Waterford, will be made available to Pfizer staff in Newbridge. [53062/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Pfizer recently undertook a review of its worldwide manufacturing capabilities to improve its overall operational effectiveness. The Global Pharmaceutical industry is experiencing a number of challenges due to patent expiry and over-capacity in manufacturing and Pfizer is no exception. Greater efficiencies and competitiveness are continually being sought across all Pfizer's sites in order to compete in the changing landscape. It is regrettable that this process has resulted in 150 job losses in Newbridge. The relevant State agencies will work closely to ensure the best possible outcome for the affected staff.

In relation to the European Globalisation Adjustment Fund, or EGF, the Managing Authority for that Fund is part of the Department of Education and Skills. That Authority monitors collective redundancies in order to assess whether the strict requirements and criteria can be met to make sustainable applications for EU co-financing of approved programmes of guidance, training, education and enterprise supports through the Fund. Ireland has made seven successful EGF applications to date since 2009, assisting over 9,760 redundant workers affected by the adverse impacts of globalisation. Applications are normally made where, inter alia, at least 500 workers are made redundant within prescribed reference periods.

In this context, my Department have been in touch with the EGF Managing Authority, who, in turn, have been in contact with IDA Ireland and contacts are being made with the Pfizer company seeking to ascertain in the first instance whether the conditions may exist whereby a sustainable application for EGF co-financing assistance can be progressed in due course, including potentially on a broader sector wide or exceptional circumstances basis, under the terms of the new EGF Regulation coming into force from 2014.

I am informed that the total EU funding available annually under the new funding EGF round 2014 – 2020 has been reduced by 70% and care must be taken to ensure that only those applications with the most favourable prospects of success in support of redundant workers are submitted by Member States.

Charities Regulation

245. **Deputy Billy Timmins** asked the Minister for Jobs, Enterprise and Innovation the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53553/13]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department provides funding to two entities who are registered with charitable status as approved by the Revenue Commissioners. The first such body is the Consumers' Association of Ireland. Funding is provided to the Association to support suitable projects to enhance its capacity to address the needs of consumers. Funding in the amount of €48,484.90 was provided to the Association in 2012. An application for funding in 2013 is currently being considered. The salary costs incurred by the Association are included in its Annual Reports.

The second body is Microfinance Ireland Ltd. Microfinance Ireland, which is a subsidiary of Social Finance Foundation, was established in 2012 pursuant to the Microenterprise Loan Fund Act 2012 and is also a limited company with registered charitable status. The stated purpose of Microfinance Ireland Ltd is to manage the Microenterprise Loan Fund by making loans to microenterprises in accordance with the requirements of the 2012 Act. My Department with the consent of the Departments of Finance and Public Sector and Reform provided a grant of €10 million to Microfinance Ireland in 2010. The salary costs incurred by Microfinance Ireland are published in the company's annual report.

Civil Registration Legislation

246. **Deputy Jim Daly** asked the Minister for Social Protection the decision made on a marriage licence application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [52914/13]

Minister for Social Protection (Deputy Joan Burton): The Registrar General is the person with statutory responsibility for the administration of civil registration in the State. Where, as in this case, a person has been divorced in another jurisdiction these divorces are required to be recognised under the law of the State before any of the parties to the divorces may marry in the State. I have made enquiries of the Registrar General and I understand that in the case in question the General Register Office has informed the person as to the evidence required in respect of previous divorces. The evidence furnished to date is insufficient to enable the GRO to definitively determine the matter. The person concerned has been informed of this and further evidence is awaited.

Social Welfare Benefits

247. **Deputy Olivia Mitchell** asked the Minister for Social Protection in view of the restrictions on access to benefits and housing to be introduced in the UK, if similar measures will now be required here on 1 January when citizens of both Romania and Bulgaria will have completely free mobility throughout the EU; and if she will make a statement on the matter. [53177/13]

248. **Deputy Patrick O'Donovan** asked the Minister for Social Protection if she has considered recent suggestions from the British Prime Minister in relation to the issue of welfare tourism, specifically that it is the intention of the UK Government not to pay benefits to persons immigrating to the UK for the first three months and that, on approval for benefits, they would be paid for a maximum of six months; her plans to introduce similar measures here; and if she

will make a statement on the matter. [52477/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 247 and 248 together.

Free movement of workers and other citizens of the Union is a fundamental right granted by the EU Treaties and one which can bring benefits, economic and otherwise, to the individual and to the EU as a whole. Accordingly, it is something to be facilitated and encouraged. However, we must also ensure that the right of free movement is used for the right motives and is not abused through unjustified claiming of benefits. Restrictions on Bulgarian and Romanian citizens accessing the Irish labour-market were lifted with effect from 1 January 2012 and so citizens of those countries are already entitled to live and work in Ireland. Restrictions on these citizens will be lifted in the UK and other countries from 1 January 2014.

The UK recently announced a series of measures in relation to the welfare entitlements of EU migrants. These include a ban on EU migrants receiving out-of-work benefits for the first three months of residence and restrictions on the claiming of jobseeker's allowance for more than six months, unless a person can prove that they have made serious efforts to secure employment and that they have a genuine prospect of securing work. In relation to the former, under the EU Residence Directive, member states already have the right to refuse support under their social assistance systems to certain migrants for the first three months of residence.

Access to social assistance payments in Ireland is subject to the habitual residence condition. Accordingly, those receiving such payments are deemed to have established their centre of interest in Ireland and to have significant contacts with the country. As well as satisfying habitual residence conditions a person claiming jobseeker's allowance must, inter alia, be available for and genuinely seeking full-time employment. Any person who does not satisfy these conditions will not receive a jobseeker's allowance payment.

I am satisfied that the provisions of the Irish welfare system, and EU regulations in this area, are being used to the fullest extent possible to deter unjustifiable claiming of benefits in this country. I am not proposing any changes in practises here at present but I will continue to monitor developments here and in the UK and other countries, with a view to establishing potential implications and learning for this jurisdiction.

Social Welfare Fraud Investigations

249. **Deputy Patrick O'Donovan** asked the Minister for Social Protection further to Parliamentary Question No. 112 of 21 November, in relation to social welfare fraud detection at airports, if she will extend the detection to the other airports in the State and the passenger ferry terminals; and if she will make a statement on the matter. [52479/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Act 2012 made provision for social welfare inspectors to undertake power of enquiry at ports and airports. In line with the powers that are provided for in the legislation, social welfare inspectors have the authority to attend and make enquiry at any port or airport. These powers are designed to deal specifically with incidences of welfare tourism or non-residency.

My Department reviews and adjusts the approach to control activity and fraud investigations in the light of operational experience and evidence; this includes its activity in ports and airports. In this regard, increased activity at ports and airports is being considered.

Invalidity Pension Appeals

250. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an appeal for

invalidity pension will be reviewed in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52480/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence has disallowed the appeal of the person concerned. Following receipt of additional Medical Evidence including that supplied by the Deputy, the case was reviewed by the Appeals Officer who advised that a revision of his decision was not warranted.

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

Child Care Services Funding

251. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if she plans to cut funding to child care centres currently funded under the community services programme. [52483/13]

Minister for Social Protection (Deputy Joan Burton): The Community Services Programme operates under the aegis of my Department and provides grants in the form of a financial contribution to the costs of employment management and operative staff in supporting the delivery of services of benefit to communities where gaps in services exist or to ensure that existing community and public investment is utilised. A very broad range of services, including the provision of community childcare is supported under the programme. Contracts are generally offered on a three year cycle and reviewed within this cycle to confirm eligibility, value for money, compliance with programme rules and continued relevance of the service.

I propose to provide some €45.1 million of this programme in 2014 which is equivalent to the same funds provided in 2013. The level of funds offered to a contractor may vary over time to reflect the outcome of the regular review process. Where funds become available, there are allocated to other contracts where services are expanding or to fund new proposals. The Deputy may wish to note that a number of contracts will transfer from the programme to another State agency in 2014 which will see a reduction in the total allocation to the programme under this Department. There have been no cuts in the funds available to the remaining contracts.

Farm Assist Scheme Appeals

252. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their farm assist appeal; the reason for the delay; and if she will make a statement on the matter. [52575/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered on 3 September 2013. The appeal was referred to an Appeals Officer on 25 November 2013, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

Jobseeker's Allowance Eligibility

253. **Deputy Noel Harrington** asked the Minister for Social Protection if she will review the case of an person (details supplied) for jobseeker's allowance whose allowance has been reduced by over 50% because their uninhabitable home is being assessed as income; and if she

will make a statement on the matter. [52601/13]

Minister for Social Protection (Deputy Joan Burton): Social welfare legislation provides that the yearly value of “property owned but not personally used or enjoyed” is assessable for means testing purposes. Such property includes houses and premises owned by a claimant which may or may not be put to commercial use. However, it does not include property such as the home or, for example, a premises used by the claimant in carrying out a business. Where a claimant considers that a decision on his or her claim is based on a market value of a property which is too high, he or she may appeal that decision to the Social Welfare Appeals Office.

The person concerned has been assessed with means, derived from the capital value of a property and self-employment. The Deputy’s parliamentary question is being treated as a request for a review of the means of the person concerned and the papers are being referred to the Social Welfare Inspector for investigation. When the investigation is complete a decision will be given by a deciding officer and the person concerned will be advised of the outcome as soon as possible.

Social Welfare Benefits Data

254. **Deputy John Lyons** asked the Minister for Social Protection the number of casual and part-time employees in receipt of social welfare payments such as jobseeker’s allowance, jobseeker’s benefit and family income supplement; if these figures can be grouped by economic sector according to Nace Rev. 2 codes; and if the figures can be grouped according to occupation type, by UK SOC, if possible; and if she will make a statement on the matter. [52615/13]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy in relation to the number of casual and part-time employees in receipt of jobseeker’s allowance or jobseeker’s benefit is not available. I am however informed that at the end of November there were 81,489 casual employees on the live register and a breakdown of this number grouped by the economic sector of their employer activity according to Nace Rev. 2 industrial sector codes and grouped by their occupation according to the UK Standard Occupational Classification, or UKSOC, where possible is detailed in the following tables. Occupation is recorded at the start of each jobseeker’s claim, i.e., relates to previous occupation, while industrial sector is for current casual employment.

With regard to recipients of the family income supplement scheme it is not possible to differentiate between persons who are in full, casual or part-time employment.

Casual Jobseekers on the Live Register at end November 2013 - By employer activity	-
Sector of Employer activity*	Persons
A Agriculture, Forestry and Fishing	1,809
B Mining and Quarrying	272
C Manufacturing	5,891
D Electricity, gas, steam and air conditioning supply	25
E Water supply; Sewerage, waste management and remediation activities	398
F Construction	7,324
G Wholesale and Retail Trade; Repair of Motor Vehicles and motorcycles	16,663
H Transportation and storage	3,260
I Accommodation and food service activities	13,397
J Information and communication activities	989
K Financial and insurance activities	1,008

Casual Jobseekers on the Live Register at end November 2013 - By employer activity	-
L Real Estate activities	983
M Professional, Scientific and Technical activities	2,800
N Administrative and support service activities	7,279
O Public Administration And Defence; Compulsory Social Security	2,293
P Education	2,692
Q Human Health And Social Work activities	5,012
R Arts, entertainment and recreation	2,191
S Other Service activities	4,160
T Activities of Households as employers and U Activities of Extra-territorial Organisations And Bodies	485
Unclassified or unknown	2,558
All casuals at end-November 2013	81,489
* using NACE Rev. 2 classification of employer economic activity	-

Casual Jobseekers on the Live Register at end November 2013	-
By occupation group	
Major Occupation Groups*	Persons
Managers and Administrators	1,982
Professional Occupations	4,954
Associate Professional And Technical Occupations	1,906
Clerical And Secretarial Occupations	8,006
Craft and Related Occupations	16,376
Personal And Protective Service Occupations	15,313
Sales And Customer Service Occupations	12,025
Plant And Machine Operatives	13,018
Other Occupations	6,546
Unknown or no stated occupation or those who never worked	1,363
All casuals at end-November 2013	81,489
* using the UK Standard Occupational Classification, 1990 classification	-

Work Placement Programmes

255. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the schools and educational institutions in which JobBridge interns have been taken on and in which they are cur-

rently employed since its inception; and if she will make a statement on the matter. [52617/13]

264. **Deputy Sandra McLellan** asked the Minister for Social Protection with regard to JobBridge, if the employer is obliged to offer the intern a position after the six or nine months; if the employer does not offer the intern a position, if they are allowed to advertise the same job seeking another intern for the same position; and if she will make a statement on the matter. [52764/13]

273. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the number of participants on JobBridge who are receiving the lower jobseeker's allowance rates of €100 and €144, respectively. [52936/13]

274. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the number of staff assigned to administer and monitor the JobBridge scheme; if these same staff have responsibilities relating to other schemes also; if so, the extent of same; and if she will make a statement on the matter. [52937/13]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 255, 264, 273 and 274 together.

The JobBridge scheme was launched on 1 July 2011. As at end November 2013, a total of 486 schools, including both primary and secondary, had participated in the scheme.

Host organisations participate in the scheme on a voluntary basis and receive no payment or other benefit from the State in respect of their participation in the scheme. I believe that in these circumstances the organisations concerned have a legitimate expectation that their participation on the scheme will remain confidential, and accordingly do not propose as a matter of course, to publish names of any host organisations. JobBridge is a voluntary scheme. Host organisations are not obliged to offer an intern employment at the end of their internship. However, a six-month cooling-off period applies where the host organisation cannot advertise for another intern for the same area of activity. This is to prevent potential displacement.

As at end of November, 2013, there were over 6,500 jobseekers participating on the scheme. Of which, there were 393 participants on the €100 jobseekers rate and 739 participants on the €144 jobseekers rate. An additional €50 weekly top-up payment is made to all participants.

JobBridge is administered and monitored by the Department's regional offices comprising over 2000 staff. These are supported by a central JobBridge team comprising 6 staff and the National Contact Centre comprising 18 staff. It is worth highlighting that over 4,000 on-site monitoring visits have been conducted by Departmental officers to ensure on-going compliance with scheme criteria.

Employment Support Services

256. **Deputy Thomas P. Broughan** asked the Minister for Social Protection further to Parliamentary Question No. 107 of 20 November 2013, the specific programmes or targeted measures which are being or will be put in place to support citizens, particularly younger citizens, who are in part-time employment in one field but who have academic experience or training in another field of expertise and therefore could be said to be underemployed. [52623/13]

Minister for Social Protection (Deputy Joan Burton): The Government's primary employment strategy is to increase full-time employment opportunities, including for young people, by creating the environment for a strong economic recovery by promoting competitiveness and productivity through the Action Plan for Jobs. Economic recovery will underpin jobs growth and thus increase employment. Increasing full-time employment opportunities will

benefit both the unemployed and those who are currently under-employed. In terms of measures such as access to training and education, internships and other labour market interactions, government policy is to prioritise these opportunities for people who are full-time unemployed.

However, young people who are currently underemployed and seeking alternative employment can avail of the public employment services at their local Intreo office where a range of job-search facilities are available and where vacancies from the JobsIreland website are advertised.

Carer's Allowance Applications

257. **Deputy Patrick Nulty** asked the Minister for Social Protection if an application for carer's allowance will be expedited in respect of a person (details supplied) in Dublin 15; the reason for the delay; and if she will make a statement on the matter. [52625/13]

Minister for Social Protection (Deputy Joan Burton): I confirm that the Department received an application for carer's allowance from the person in question on 15 March 2012. The person concerned was refused carer's allowance on the grounds that she was not providing full time care and attention as required. She was notified of this decision on 11 April 2013. The person in question requested a review of this decision and file was forwarded to a social welfare inspector (SWI) for assessment of the level of care being provided and for a means assessment and confirmation that all the conditions for receipt of carer's allowance were satisfied. The person in question was invited to attend for interview with the SWI but failed to attend without providing good reason.

Following the review the decision remained unchanged. The person in question was notified of the review outcome on 14 October 2013 and of her right to appeal the decision to the Social Welfare Appeals Office (SWAO) within 21 days. There is no record of an appeal being registered in this case.

If the person in question wishes to make a new application for carer's allowance, she may do so by completing and submitting a claim form. If she makes a new application, it is likely that the application will need to be referred to a SWI for investigation. In that event, it is important that the person in question complies with all reasonable requests from the SWI in relation to the investigation of her application for carer's allowance.

Pensions Legislation

258. **Deputy Olivia Mitchell** asked the Minister for Social Protection if the changes to the allocation of funds proposed in the pensions Bill could be extended to include funds currently in wind-up but where the funds have not yet been distributed by the time of enactment. [52644/13]

Minister for Social Protection (Deputy Joan Burton): This matter was considered during the deliberative process. However, based on advice received, the provisions in the Bill will apply to any scheme which commences wind up after the passing of the Social Welfare and Pensions Act 2013.

Carer's Allowance Appeals

259. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding an appeal for carer's allowance in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [52683/13]

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 5th July 2013. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 21st November 2013 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Mortgage Interest Supplement Eligibility

260. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the position regarding eligibility for mortgage interest relief in the case of persons (details supplied) County Kildare; and if she will make a statement on the matter. [52689/13]

Minister for Social Protection (Deputy Joan Burton): The mortgage interest supplement payment to the persons concerned was suspended pending receipt of information requested on 23rd September 2013. The information requested remains outstanding thus preventing a decision on eligibility.

Exceptional Needs Payment Applications

261. **Deputy Pat Deering** asked the Minister for Social Protection when a person (details supplied) in County Carlow will receive a reply to their application for an exceptional needs payment; and if she will expedite the matter. [52709/13]

Minister for Social Protection (Deputy Joan Burton): The Mid Leinster Rents Unit of the Department is awaiting information regarding an Exceptional Needs Payment of the client concerned. On receipt of this information, a decision will be advised to the client.

Invalidity Pension Appeals

262. **Deputy Pat Breen** asked the Minister for Social Protection the position regarding an invalidity pension appeal in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [52741/13]

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 22nd October 2013. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 31st October 2013 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Departmental Expenditure

263. **Deputy Nicky McFadden** asked the Minister for Social Protection the amount of overall estimated spending of €1.08 billion on community employment, Tús and JobBridge that

is expected to be allocated to counties Longford and Westmeath in 2014; and if she will make a statement on the matter. [52751/13]

Minister for Social Protection (Deputy Joan Burton): The estimates for expenditure for 2014 are still subject to confirmation within my Department. The working estimates for each of the programmes mentioned are set out in the following table. Estimates of likely expenditure on a county basis are not generally provided due to variability in factors affecting work programme. I have however, provided data in respect of the number of placements allocated under each of the Department's initiatives as of December 2013.

WORKING AGE - EMPLOYMENT SUPPORTS	2014 Provisional Estimate €'000	National Allocation (placements)	Longford Allocation (placements)	Westmeath Allocation (placements)
Community Employment Programme	357,500	25,300	302	546
Tús Community Work Placement	120,100	7,500	100	140
National Internship Scheme - JobBridge	82,250	8,000	*	*

*There is no specific allocation for individual counties. The number of JobBridge placements to-date has been 23,845, of which 566 placements have been in County Westmeath and 177 placements have been in County Longford.

Question No. 264 answered with Question No. 255.

Question No. 265 withdrawn.

Disability Allowance Appeals

266. **Deputy Dara Calleary** asked the Minister for Social Protection the position regarding a disability benefit appeal in respect of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [52769/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to disallow the appeal of the person concerned by way of a summary decision. The person concerned has been notified of the Appeals Officer's decision.

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

Departmental Expenditure

267. **Deputy Peadar Tóibín** asked the Minister for Social Protection if she will provide a breakdown of the annual infrastructure and capital expenditure by her Department on a regional basis and a county basis over the past five years. [52804/13]

Minister for Social Protection (Deputy Joan Burton): The details requested are not immediately available. However, my Department will write to the Deputy with these details as soon as they are available.

Social Welfare Appeals Status

268. **Deputy Michael Ring** asked the Minister for Social Protection if an appeal will be reopened in respect of a person (details supplied) in County Mayo in view of the new evidence supplied; and if she will make a statement on the matter. [52819/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, decided to disallow the appeal of the person concerned by way of a summary decision on 20th September 2013. Under Social Welfare legislation, the decision of an Appeals Officer is final and conclusive and may only be reviewed in the light of additional evidence or new facts.

I am advised that the additional evidence submitted by the Deputy on 15th October has been forwarded to an Appeals Officer who has agreed to review the case. The person concerned will be contacted when the review of his appeal has been finalised.

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

Personal Public Service Numbers

269. **Deputy Pat Deering** asked the Minister for Social Protection when a person (details below) will receive a response to their application for a PPS number; and if she will expedite an answer. [52844/13]

Minister for Social Protection (Deputy Joan Burton): The Personal Public Service Number (PPS Number) is the individual's unique reference number for all dealings with Government Departments and public bodies.

A PPS Number is automatically issued in the case of children born in Ireland. In other cases PPS Numbers are issued following a controlled allocation procedure which takes approximately 20 minutes and involves personal attendance at one of the Department's PPS Number allocation centres, the completion of a written application form, the submission of appropriate identity documents and the proving of identity.

In circumstances where a person is not resident in the State, but requires a PPS Number, s/he, or someone acting on his or her behalf, must apply by post to the Department submitting the required documentation. This is the case in respect of the application referred to by the Deputy.

The Department processes some 17,000 of these applications annually. The vast majority of such requests are for reasons such as probate or property purchase. However some requests are from individuals who are employed outside of the State by an Irish employer and require a PPS Number in that context. Where these requests are identified, they are given priority by the Department. Apart from these, requests are dealt with in the date order in which they are received. It normally takes between 3-4 weeks to finalise the allocation of such PPS Numbers. In all cases, once it becomes apparent that a person will require the allocation of a PPS Number, I would urge that the application be submitted immediately, rather than waiting until the last minute, in order to ensure that it will be available when required.

The application referred to was received in my Department on 18th of November and a PPS

Number was allocated on 4th of December.

State Pension (Contributory) Eligibility

270. **Deputy Michael McCarthy** asked the Minister for Social Protection the position regarding determination of entitlement to a contributory pension in the case of a person (details supplied) in County Cork; if she will provide a breakdown of the calculations in this case; the reason all arrears have not been paid from the date of entitlement; the reason the applicant was not informed of their right to make voluntary contributions to ensure an entitlement to a full contributory pension; and if she will make a statement on the matter. [52857/13]

Minister for Social Protection (Deputy Joan Burton): The person concerned reached pension age of 66, on 9 April 2013. Her application for State pension (contributory) was disallowed on 14 November 2012, on the basis that she had outstanding PRSI liabilities for periods of self-employment. A self-employed person cannot be deemed to meet the qualifying conditions for State pension (contributory) unless all outstanding PRSI contributions are paid.

Following the discharge of all outstanding liabilities the claim was reviewed, and State pension (contributory) was awarded to the person concerned on 21 October 2013, with effect from 4 October 2013. The applicant was notified of the decision, and all due arrears of pension have been paid.

The State pension (contributory) entitlement was calculated based on the insurance record of the person concerned covering the period from commencement of employment to 31 December 2012, yielding a yearly average of 49 contributions. The payment of additional voluntary contributions would not have enhanced the State pension (contributory) entitlement, as a maximum rate of pension is payable.

Youth Guarantee

271. **Deputy Thomas P. Broughan** asked the Minister for Social Protection her Department's progress in preparing the youth guarantee implementation action plan due to be submitted to the European Union authorities this month. [52860/13]

Minister for Social Protection (Deputy Joan Burton): The Department of Social Protection has set up an interdepartmental Youth Guarantee Implementation Group with officials and programme managers from the Department of Education and Skills, Department of Jobs Enterprise and Innovation, and the Department of Children and Youth Affairs. The terms of reference for this group are to review the current range of youth employment policies in Ireland to assess what measures will need to be taken to commence the implementation of the Guarantee.

The Department held a stakeholders' consultation forum in relation to the Guarantee on October 14, and has also invited further submissions from the bodies that attended.

The Department of Social Protection has also requested the assistance of the OECD in developing the implementation plan. In particular the OECD has been asked to identify best international practice and how it might best be applied to implementation of the Youth Guarantee in Ireland. A delegation from the OECD has already met with stakeholders at the forum mentioned above as well as with a range of relevant public bodies. They will be presenting an interim report this week.

The development of the plan is also drawing on expert work already carried out by the European Commission over the last few years, and in particular the Commission Staff Working

Document (SWD) accompanying the Proposal for a Council Recommendation on Establishing a Youth Guarantee, published in December 2012.

The Department appeared before the Joint Oireachtas Committee (JOC) on Education and Social Protection on November 6th in order to provide a comprehensive update on the Youth Guarantee Implementation Plan. Also present at the JOC were representatives of various Youth Guarantee Stakeholders including the National Youth Council of Ireland and the Union of Students of Ireland. The session was streamed live on the RTE website.

It is intended to produce a concrete plan for the implementation of the Guarantee for consideration by the Government shortly

Social Welfare Appeals Status

272. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding a social welfare appeal in respect of a person (details supplied) in Dublin 3. [52892/13]

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 4th December 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 papers 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.

Questions Nos. 273 and 274 answered with Question No. 255.

Capital Programme Expenditure

275. **Deputy Kevin Humphreys** asked the Minister for Social Protection of the €4 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if she will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government for 2012 relates to her Department; the amount of same; if it has been spent; on what it has been spent; and if she will make a statement on the matter. [52957/13]

Minister for Social Protection (Deputy Joan Burton): The capital allocation provided in the Revised Estimates Volume for 2013 was €10.5million of which €8.525 million was profiled to be spent up to the end of November, 2013. The financial data for the Department of Social Protection contained in the November Exchequer Returns indicated an underspend of €4 million (€3.577 million rounded to the nearest million) in capital expenditure in the year to date. This data was not final as it was compiled prior to the month end and was estimated based on the best information available at the time of preparation.

Final data in relation to the position at the end of November is now available. This shows that capital expenditure at end November was €2.143 million under profile. Capital expenditure in the Department relates to two main areas of expenditure, namely, buildings and com-

puter hardware/e-Government. Capital expenditure on buildings provides for the costs of new buildings ('fit outs' of new leased buildings) and the refurbishment of other buildings necessary to meet the accommodation demands on the Department. Current capital projects arise principally from the continued rollout of the accommodation element of the Intreo programme in a very wide range of locations throughout the country as well as Public Service Card centres. These projects are being progressed in conjunction with OPW and includes acquiring new Local Office accommodation and in placing contracts for refurbishment of existing offices. At end November, capital expenditure on buildings was €0.827 million over profile and reflects the considerable progress which has been made.

Capital expenditure on computer hardware/e-Government was €2.97 million behind profile at the end of November. This was mainly due to lower than profiled expenditure in a number of demand led expenditure items including routers and switches, servers and scanner hardware. In addition a significant invoice (over €1 million) for the purchase of computer storage equipment was not received in time for payment in November. Finally, a sum of €1.05m in capital carry-over was allocated to the Department in 2013. This has been entirely expended on buildings, principally Intreo and public service card centres, and is not included in the earlier buildings financial data outlined above.

Tax Code

276. **Deputy Martin Heydon** asked the Minister for Social Protection if there is a policy to claw back jobseeker's benefit through the tax system from persons who gain employment; the reason this is so; and if she will make a statement on the matter. [52969/13]

Minister for Social Protection (Deputy Joan Burton): Issues in relation to taxation of social welfare payments and the administration of such taxation are the responsibility of my colleague the Minister for Finance.

In tandem with most other social welfare payments jobseeker's benefit, a weekly payment to people out of work and covered by social insurance, is taxable but the actual tax liability will depend on the overall income position of the person. There are arrangements between the Department of Social Protection and the Revenue Commissioners providing for the electronic transfer of data relating to beneficiaries of social welfare payments.

Social Welfare Benefits

277. **Deputy Clare Daly** asked the Minister for Social Protection the reasons a person (details supplied) in Dublin 20 has been denied access to any social welfare payment even though the person is unable to apply for jobseeker's allowance at age 65 while awaiting transition to the contributory old age pension. [52981/13]

Minister for Social Protection (Deputy Joan Burton): According to the records of this department the person concerned has not made a recent application for a social welfare payment. The person concerned can contact her local social welfare office where a member of staff will be in a position to advise her of the entitlements for a person in her circumstances. A person aged 65 years can apply for the Jobseekers allowance; it is a means tested payment.

Rent Supplement Scheme Payments

278. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if additional in-

formation and application for rent allowance will be determined in the case of a person (details supplied) in County Kildare; if any other documentation is outstanding; and if she will make a statement on the matter. [52992/13]

Minister for Social Protection (Deputy Joan Burton): Outstanding information has been received allowing eligibility to be established which resulted in the award of the rent supplement. Any arrears due will issue accordingly.

Social Welfare Appeals Issues

279. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding a social protection appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [52994/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to partially allow the appeal of the person concerned by way of a summary decision. The person concerned has been notified of the Appeals Officer's decision.

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

Departmental Reports

280. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will immediately publish or circulate the report of the Mercer review she commissioned and has had since the end of 2012 on the pension wind-up priority order contained in section 48 of the Pensions Act 1990, which the Social Welfare and Pensions (No. 2) Bill 2013 proposes to amend, in order to ensure a fully democratic and thorough debate on the context and implications of the Bill. [53015/13]

Minister for Social Protection (Deputy Joan Burton): The Review of Pension Scheme Wind-Up Priorities was undertaken by Mercer during 2012 at the request of the Department of Social Protection. The review was undertaken to inform the deliberative process regarding the wind up priority provision in section 48 of the Pensions Act. The review primarily considers the technical aspects of the distribution of assets. The objective of the review was to determine to what extent the provisions in section 48 of the Pensions Act might be revised to provide for a different approach to the distribution of assets in the wind up of an underfunded pension scheme.

The Mercer review was published by the Department (www.welfare.ie) on 9 December 2013 and a copy of the review has issued to the Deputy.

Supplementary Welfare Allowance Appeals

281. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support the case of a person (details supplied) in Dublin 3 in relation to a supplementary welfare allowance appeal; and if she will support this person's appeal. [53018/13]

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 24th October 2013. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

Question No. 282 withdrawn.

Rent Supplement Scheme Payments

283. **Deputy Jerry Buttimer** asked the Minister for Social Protection if payments of rent allowance are backdated from the date of award to the date of application; and if she will make a statement on the matter. [53020/13]

Minister for Social Protection (Deputy Joan Burton): The purpose of the rent supplement scheme is to provide short-term support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. There are currently approximately 80,000 rent supplement recipients for which the Government has provided over €403 million for 2013.

Customers who establish an entitlement to rent supplement by satisfying the conditions of the scheme will receive payment from the date of application. There is also provision for the backdating of the claim for a period up to six months before the date of application where specific circumstances apply.

Domiciliary Care Allowance Appeals

284. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for domiciliary care allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [53031/13]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received on 28 August 2013. The application was disallowed as the child was not considered to satisfy the qualifying conditions for the allowance. A letter issued on 23 September 2013 advising of the decision.

A review of this decision has been requested and additional information on this child's condition/care needs has been supplied. The person concerned will be notified of the outcome of this review as soon as it is completed.

Disability Allowance Appeals

285. **Deputy Noel Coonan** asked the Minister for Social Protection when a disability allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [53032/13]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Of-

office has advised me that an appeal by the person concerned was registered in that office on 21st August 2013. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers were received in the Social Welfare Appeals Office on 2nd December 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.

Question No. 286 withdrawn.

Social Welfare Benefits

287. **Deputy Michael Healy-Rae** asked the Minister for Social Protection her views on correspondence (details supplied) regarding Christmas bonuses; and if she will make a statement on the matter. [53049/13]

Minister for Social Protection (Deputy Joan Burton): The last Government announced the abolition of the Christmas Bonus as one of the measures in the Supplementary Budget introduced in April 2009. It is now 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.

Since I became Minister, I have prioritised the protection of core weekly welfare payments in recognition of their critical importance to recipients. In Budget 2014 I was able to protect the State Pension, Carer's Allowance, Disability Allowance and other core weekly payments, in addition to Child Benefit, while still reducing the overall welfare spend as part of the necessary effort to reduce the deficit.

Given the need to control Government expenditure generally, it will not be possible to re-introduce a bonus payment at this time.

Pension Provisions

288. **Deputy Michael McGrath** asked the Minister for Social Protection if it is envisaged that the pension schemes in respect of which a section 50 application has been recently approved by the Pensions Board will come under the provisions of the Social Welfare and Pensions (No. 2) Bill 2013; and if she will make a statement on the matter. [53064/13]

Minister for Social Protection (Deputy Joan Burton): Section 50 of the Pensions Act permits the Pensions Board on application from the trustees of a defined benefit pension scheme to approve a reduction in the benefits of current and former scheme members and/or the post-retirement increases in benefits where a scheme does not meet the Funding Standard. The provisions in section 11 of the Social Welfare and Pensions (No. 2) Bill 2013 broadens the categories of benefits which can be considered in such an application to include a portion of the benefits payable to pensioners.

The provision in this Bill allows the trustees of a scheme to consider a reduction in pension benefits of:

- up to 10% where the annual rate of pension is between €12,000 and €60,000 and
- up to 20% where the annual rate of pension is greater than €60,000.

Pensions up to €12,000 cannot be reduced.

These new provisions will apply to applications which have been approved by the Pensions Board scheme after the date of the passing of Social Welfare and Pensions (No. 2) Act 2013.

Carer's Allowance Appeals

289. **Deputy John O'Mahony** asked the Minister for Social Protection when a person (details supplied) in County Mayo will receive a decision on their application and appeal for carer's allowance; and if she will make a statement on the matter. [53065/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to allow the appeal of the person concerned by way of a summary decision. The person concerned was notified of the Appeals Officer's decision on 3rd December 2013.

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.

Pension Provisions

290. **Deputy Charlie McConalogue** asked the Minister for Social Protection when she will implement the Labour Court recommendation for community employment scheme supervisors and assistant supervisors; the reasons this has not been implemented to date; and if she will make a statement on the matter. [53115/13]

Minister for Social Protection (Deputy Joan Burton): The Labour Court recommended in July 2008 (LCR19293) that an agreed pension scheme should be introduced for Community Employment (CE) scheme supervisors and assistant supervisors, and that such a scheme should be adequately funded by FÁS. Notwithstanding the positions of the Department (who now has responsibility for CE) in rejecting that liability for these costs to be met from public funds, this matter has been the subject of discussions with the Department of Public Expenditure and Reform and the unions representing CE supervisors. In the event that funding was required from the Department of Social Protection, the implementation of the claim is not considered sustainable in light of the current and ongoing fiscal environment and the requirement to contain and reduce public expenditure. The costs of the introduction of any scheme are likely to be of the order of €3m per annum with retrospective costs of the order of at least €30m.

It should also note that the Department of Social Protection is not the employer of CE supervisors and such employees are not public servants. The responsibilities of the sponsoring organisations and the individuals concerned must also be recognised when considering pension provision arrangements.

Social Welfare Appeals Issues

291. **Deputy John McGuinness** asked the Minister for Social Protection if an oral hearing will be carried out in relation to a person (details supplied) in County Kilkenny in view of the fact that they did not receive notification of the scheduled oral hearing for 18 November 2013;

and if she will make a statement on the matter. [53116/13]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, decided to disallow the appeal of the person concerned by way of a summary decision on 29th November 2013. I am advised that the Social Welfare Appeals Office has agreed to re-open the appeal of the person concerned by way of granting another oral hearing. The person concerned will be contacted when the arrangements of his/her appeal have been finalised.

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

Charities Regulation

292. **Deputy Billy Timmins** asked the Minister for Social Protection the amount of funding that her Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps she is taking to deal with non-disclosures. [53554/13]

Minister for Social Protection (Deputy Joan Burton): The information requested is not immediately available in the Department. My Department will write to the Deputy when the information is compiled.

Commemorative Events

293. **Deputy Mattie McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the funding that he has provided to celebrate the 2014 millennium commemorations of the Battle of Clontarf. [52740/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): The Millennium Anniversary of the Battle of Clontarf and the Death of Brian Ború will be the focus of a series of events organised at community, regional and national levels. At national level, it is envisaged that the National Museum of Ireland will present an exhibition highlighting the Viking heritage of Ireland during the time of Brian Ború and my Department will be making funds available for this. I have continued to encourage regional authorities, including Dublin City Council and Fingal, Clare, Waterford and Tipperary County Councils, to make provision for a series of events that will form part of a major festival commemorating the Battle of Clontarf for the week following Easter 2014. I support and encourage Fáilte Ireland to give particular consideration for events related to the Battle of Clontarf when considering funding applications to their festivals and events budget, and I have engaged with organisations such as Comhaltas Ceoltóirí Éireann to ensure their existing funding allocation be targeted towards events relating to this significant anniversary. Cognisant of the potential of these events to be of wider tourist interest, I continue to encourage the co-ordination of organisations in Waterford, Killybegs and Ballina in emphasising their Viking heritage and links to Brian Ború, as well as with Dublin City Council and groups from Clontarf, to maximise the potential benefit to these areas from increased tourism.

The particular funding allocation for commemorative events in 2014 has not been finalised as yet and I must take into account the need to commemorate important events, including the centenary of the founding of Cumann na mBan, the Curragh Mutiny, the Howth, Kilcoole and Larne gun-running, and, of course, the centenary of the outbreak of the First World War. If the Deputy has particular events relating to the Millennium of the Battle of Clontarf that he feels should be given consideration, I would be happy to receive his input.

Departmental Expenditure

294. **Deputy Peadar Tóibín** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52794/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will recall, my Department was established in June 2011. Details of the annual capital allocation to my Department at subhead level are published in the annual Revised Estimates Volume. Through these subheads, my Department administers and delivers a wide range of programmes and measures, descriptions of which are available on its website at <http://www.ahg.gov.ie>.

Expenditure under these programme areas is recorded and accounted for on a national basis and it is not possible to give a regional or county-by-county breakdown of that expenditure. For example, a number of my Department's programmes are delivered through agencies and other intermediary bodies that operate across county boundaries and in respect of which there is no detailed breakdown on a county basis held by my Department. Groups and organisations that receive grants directly from my Department are not typically constituted on a single-county basis.

In view of this and because of the wide range of my Department's schemes and programmes, and the large volumes of payments and grants involved, it is not possible to provide the information sought. However, if the Deputy has specific queries relating to a particular programme or grant, I will endeavour to provide him with relevant information in that regard.

Road Projects

295. **Deputy Tom Fleming** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide the necessary funding to reinstate the roads through Killarney National Park, County Kerry (details supplied); if he will accept that this health and safety matter needs to be addressed urgently; and if he will make a statement on the matter. [52820/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department keeps under review the condition of infrastructure, including roadways, in the National Parks and, where funding is available, priority maintenance and upgrading is carried out. In 2013, my Department commenced a programme of road maintenance works in Killarney National Park and further works will be considered for 2014, having regard to the available funding.

Capital Programme Expenditure

296. **Deputy Kevin Humphreys** asked the Minister for Arts, Heritage and the Gaeltacht the reason for the under-expenditure of €2 million in capital funds which was recorded as not spent under the expenditure profile at the end of November in the most recent analysis of gross Voted expenditure Exchequer figures; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in government for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52958/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): Gross Capital expenditure for my Department on November 30th 2013 totalled some €29.4m. This was equivalent to 94% of the amount which was expected to be spent by the end of November when

the Department set out its forecast expenditure profile for 2013 at the beginning of this year. Expenditure was slightly behind forecast because a small number of capital projects progressed at a slightly slower rate than was originally anticipated. No projects which were to be funded through the capital provision have not commenced.

In addition to this expenditure, my Department carried forward €1.2m from 2012 into 2013 in respect of the heritage area. This €1.2m accounts for just over 1% of the total carryover to which the Deputy refers and has been fully expended.

Turf Cutting Compensation Scheme Payments

297. **Deputy Marcella Corcoran Kennedy** asked the Minister for Arts, Heritage and the Gaeltacht when a person (details supplied) may expect to receive payment; and if he will make a statement on the matter. [53034/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): An application for compensation under the cessation of turf cutting compensation scheme has been received by my Department from the individual referred to in the Deputy's Question. I am advised that a payment of €1,500 in respect of Year 1 of 15 (2011) has been made to this applicant.

The qualifying criteria for the cessation of turf cutting compensation scheme are that:

- The claimant must have a legal interest in one of the 53 raised bog special areas of conservation – ownership or turbary right;
- The claimant must have been the owner or entitled to exercise turbary rights on the land in question on 25 May 2010;
- The turbary on the site must not be exhausted;
- The claimant must have been cutting turf on the land in question during the relevant five year period; and
- No turf cutting or associated activity is ongoing on the property.

Officials from my Department are examining the application in view of the qualifying criteria for the scheme and will write to the applicant in relation to his position shortly.

Irish Language Issues

298. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the progress in creating language plans for Galway Gaeltacht regions as per the provisions of the Gaeltacht Act 2012; and if he will make a statement on the matter. [53126/13]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): In line with the language planning process set out under the Gaeltacht Act 2012, existing Gaeltacht areas will be redefined as Gaeltacht Language Planning Areas. On foot of consultations with Údarás na Gaeltachta, the Deputy may recall that I announced in May that there will be 26 such Gaeltacht Language Planning Areas, 10 of which will be in the Galway Gaeltacht. It is my intention to formally designate by notice, in line with the provisions of section 7(3) of the Act, the first three Gaeltacht Language Planning Areas as soon as possible. A Language Planning Area in the Galway Gaeltacht will be included.

A number of other key measures are in hand to accelerate the implementation of the process

on foot of the publication in September, in line with section 12 of the Act, of the language planning criteria which will apply in approving language plans for Gaeltacht Language Planning Areas, Gaeltacht Service Towns and Irish Language Networks. These measures include:

- The finalisation of language planning guidelines, which will explain the language planning process under the Act. The guidelines will also contain guidance on how to prepare and implement plans, as well as clarifying the roles of the various key stakeholders.
- The design of a suitably robust and transparent system by which organisations will be selected by Údarás na Gaeltachta or Foras na Gaeilge, as appropriate, to prepare and implement language plans.
- The provision of up to date quantitative information regarding Irish language usage in the Gaeltacht, as contained in the Comprehensive Linguistic Study of the Use of Irish in the Gaeltacht, 2007. The provision of this up to date data will greatly assist in establishing the current baseline status of the language in Gaeltacht areas. This work, commissioned by Údarás na Gaeltachta, is being undertaken by NIRSA (the National Institute for Regional and Spatial Analysis).

The Deputy may be assured that my Department will continue to advance the implementation of the language planning process in consultation with the various key stakeholders as expeditiously as possible.

Charities Regulation

299. **Deputy Billy Timmins** asked the Minister for Arts, Heritage and the Gaeltacht the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53545/13]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): As the Deputy will be aware, my Department provides funding for a wide range of groups and organisations to support their activities in relation to arts, heritage, the Gaeltacht and the islands. The Deputy will appreciate that pending the establishment of an official register of charities, it is not possible to identify which, if any, of such groups or organisations hold charitable status and, consequently, it is not possible to provide the information sought by the Deputy.

If, however, the Deputy has a query in relation to any particular organisation funded from my Department's Vote Group, I will, of course, endeavour to provide any information held by my Department that may be of assistance to him in that regard.

Inland Fisheries Issues

300. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources when the new inland fisheries Bill is due before Dáil Éireann and the level of consultation with angling organisations. [52818/13]

303. **Deputy Seamus Healy** asked the Minister for Communications, Energy and Natural Resources the position regarding the proposal to introduce a compulsory angler registration charge; if he has considered the damage this would do to angling tourism and the development of angling generally; and if he will make a statement on the matter. [53098/13]

309. **Deputy John Halligan** asked the Minister for Communications, Energy and Natural Resources if he will address the ongoing concerns of many trout anglers, who are extremely concerned after being informed by the CEO of Inland Fisheries Ireland that a compulsory an-

gler registration charge is to be levied on every angler in Ireland as part of the new inland fisheries legislation (details supplied); when this charge will come into effect; the amount the charge will be; the way this charge will be monitored; and the amount of the revenue raised from this charge that will be put back into the development of the fishing industry. [52782/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 300, 303 and 309 together.

I refer to the reply to Question No. 219 (51905/13) on 3 December last which addresses comprehensively the issues raised by the Deputies.

The legislative code governing inland fisheries is dated and scattered across a range of instruments, with a clear need for modernisation. This is an important task and I have organised a number of public meetings to which the public and fisheries interests were invited and I arranged a briefing on these issues for members of the Oireachtas on the evening of Wednesday 27 November to update on the progress of the review and outline the issues under consideration. One of the issues that we have sought to address as part of consultation is how funding could be mobilised for the development of the sector. There are a range of views on this issue which requires broad support across the angling sector. Some I want to make it absolutely clear that no rod licence was proposed, nor is it intended to introduce such a licence.

I have undertaken to have further stakeholder engagement and will not finalise legislative proposals before this is concluded.

Food Security

301. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources in view of comments made that Irish biofuel is from waste material and that we do not use any food crop in its manufacture, if his attention has been drawn to the inaccuracy of this statement since, according to the National Oil Reserves Agency 2012 Annual Report on the Biofuels Obligation Scheme, Document No: 457-X0098 Rev 2, September 2013 (details supplied), all of the 38,522,508 litres of bioethanol used here were from food crops, maize, sugarcane, wheat and about one tenth of that, 3.8 m litres, from Guatemalan sugarcane, such that 45% of the biodiesel used in Ireland in 2012 came from food crops; and if he will make a statement on the matter. [53056/13]

302. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that biofuels undermine food production and food security; if he will commit to Ireland supporting a 5% cap at the 12 December meeting of EU energy ministers; and if he will make a statement on the matter. [53057/13]

318. **Deputy Maureen O'Sullivan** asked the Minister for Communications, Energy and Natural Resources if he will meet the Department of Foreign Affairs to discuss the serious issue of biofuels undermining food security and food production; if they will commit to Ireland supporting a 5 % cap at the 12 December meeting of energy Ministers; and if he will make a statement on the matter. [53058/13]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I propose to take Questions Nos. 301, 302 and 318 together.

The 2009 Renewable Energy Directive sets all Member States a binding target that 10% of the energy used in the transport sector must come from renewable sources by 2020. In all Member States, biofuels will be the largest contributor to meeting this obligation and all biofuels used in doing so must comply with a strict set of sustainability criteria. The Government shares the concerns expressed that biofuel production and its use, unless properly regulated, may not

deliver the required greenhouse gas savings and could impact negatively on food production and on food prices. My Department has been in regular contact with the Department of Foreign Affairs and Trade, on the issue of sustainability and land-use implications of biofuels, including food security and food production.

In light of these concerns, during discussions on the European Commission's proposal to address the risk of indirect land-use change (ILUC), Ireland has argued for a restriction on first generation biofuels that can contribute to the 2020 renewable energy targets and for incentives to encourage the development of advanced biofuels that do not affect food production. Our preference is to see as low a cap on biofuels with a risk of ILUC effects as is realistically achievable in order to mitigate the potential conflict between biofuel use in the EU and land use in the developing world. Ireland will re-emphasise the importance of these concerns at the Transport, Telecommunications and Energy Council meeting taking place on 12 December.

As regards biofuel use in Ireland, based on figures provided by the National Oil Reserve Agency (NORA) to my Department, over 16 per cent of the biofuel used in 2012 was produced indigenously with the remainder imported from a number of different countries. Currently, there is only one biofuel producer of scale in Ireland and it produces biodiesel from waste materials, such as used cooking oil and tallow. It produced over 99.75 per cent of the indigenously produced biofuels placed on the Irish market last year. One other Irish producer produced a small amount of biodiesel from rapeseed.

Table 2 of the Biofuel Obligation Scheme Annual Report for 2012 produced by NORA provides a breakdown of the biofuel placed on the Irish market since the sustainability criteria were fully applied in 2012. It also sets out all the countries from which the biofuels were sourced.

Question No. 303 answered with Question No. 300.

Renewable Energy Generation Issues

304. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources following the close of submissions under the first phase of public consultation towards the development of an export policy for renewable energy on 22 November, the number of submissions received; the process which will be followed by his Department in the review of all submissions to ensure balance and transparency and to assuage an already sceptical public; and if he will make a statement on the matter. [52565/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There are three stages in the development of the Renewable Energy Export Policy and Development Framework. I have stated on a number of occasions that transparency in the development of the framework is crucial and that the views of local communities must be at the heart of the transition to renewable energy. The Stage 1 consultation, which involved the publication of Stage 1 information and summary documents, ran from 23 October to 22 November, and gave all interested parties an opportunity, at the outset, to present their views on how we should develop national policy to realise the opportunity to trade renewable energy with other EU Member States and, in the first instance, with the United Kingdom.

My Department received nearly 1,400 responses to the consultation and is now in the process of assessing the responses to inform the development of the framework. In order to complete Stage 1 of the development of the framework, taking into account the feedback received, my Department will now prepare the Strategic Environmental Assessment (SEA) scoping report. The process will then move to Stage 2 with the publication of the scoping report for public con-

sultation in Quarter 1, 2014. National press advertisements and updates on my Department's website will inform all stakeholders of the commencement of the Stage 2 consultation. During Stage 2 a report on the Stage 1 consultation will also be published providing an overview of the consultation process, feedback and analysis.

During Stage 3 the draft policy, the Environmental Report (on which the Strategic Environmental Assessment will be based) and Natura Impact Statement (on which the Appropriate Assessment will be based) will all be published and a public consultation will provide all stakeholders a further opportunity to contribute to or make observations on the development of the framework.

Electricity Generation

305. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources if he will indicate Ireland's target figure for electricity exports in megawatts, which is central to the UK-Ireland intergovernmental agreement under development (details supplied). [52566/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The figures referred to by the Deputy which relate to the various Gate processes and those in the queue awaiting connection agreements, are under the Commission for Energy Regulation's Group Processing Approach for the treatment of generation facilities seeking access to the Irish electricity grid. These projects are aiming to supply the domestic Irish market and contribute to achieving 40% of electricity from renewable sources by 2020, as part of our overall legally binding target of 16% of energy from renewable sources by 2020.

As regards projects of a significant scale specifically for renewable export, it is important to note that any wind energy export project must await the conclusion of an Inter-Governmental Agreement, the development of the Renewable Energy Export Policy and Development Framework and the obtaining of the necessary consents from An Bord Pleanála for the project. The Memorandum of Understanding on energy co-operation, signed in January of this year by the United Kingdom Secretary of State for Energy and Climate Change, Mr. Edward Davey MP, and I, sent a strong signal of our shared interest in developing the opportunity to export green electricity from Ireland to Britain and will result in completion of consideration of how Irish renewable energy resources, onshore and offshore, might be developed to the mutual benefit of both countries. An agreed programme of work to this end, including a full technical and economic analysis, is underway with the ambition to settle on an Inter-Governmental Agreement in 2014. A key objective, from an Irish Government perspective, is to realise the potential for investment, jobs and growth. The amount of energy to be procured by the United Kingdom and the mechanisms for sharing the resultant economic benefits, including an appropriate return to the Exchequer, are among the matters to be addressed ahead of signing any Inter-Governmental Agreement.

Energy Conservation

306. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources the supports, including financial assistance, that are available to the owner of an hotel who wants to improve the energy efficiency of their business; and if he will make a statement on the matter. [52604/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Hotels are able to receive grants to improve the energy efficiency of their business through the Better Energy Community Programme. This programme, launched in 2013, provides Exchequer funding to support energy efficiency projects within local communities. It encourages in-

novation and pioneering partnerships between public and private, domestic and non-domestic, commercial and not for profit sectors. All applications to the scheme in 2013 were evaluated on the basis of the competitive assessment. Higher scores were awarded to projects with more than one partner and that displayed technical innovation. Some hotels received funding as part of partnership projects and hotels who received funding did not apply on their own. There is Exchequer funding of €7 million in place to continue the scheme in 2014 and it is anticipated that the call for applications will open in the first quarter of next year.

The Sustainable Energy Authority of Ireland (SEAI) also provides advice and training for businesses on ways to reduce their energy bills through the SME support Centre. A wide range of activities including energy assessments, small business training, EnergyMap training and a number of networking events are provided. The Advice Mentoring and Assessments (AMA) programme has recorded annual savings of over 10% being generated by the participating businesses year on year. To participate, businesses can register online on the SEAI website (www.SEAI.ie).

Electricity Transmission Network

307. **Deputy John Halligan** asked the Minister for Communications, Energy and Natural Resources when he first became aware of certain proposals being made by EirGrid; and if he will make a statement on the matter. [52752/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): EirGrid's Grid25 Programme, launched in 2008, is the most important investment in Ireland's electricity transmission system for several generations. Grid25 will take several years to complete and it represents an investment of €3.2 billion. It involves extensive work throughout the country, including building 800km of new power lines and upgrading 2,000 km of existing lines – double the size of today's grid. The Grid25 project will reduce our dependency on imported fossil fuels by putting the infrastructure in place to enable us use our own natural resources, help us create less carbon waste and enable us reach our renewable energy targets by 2020. Details of the Grid25 programme and the individual projects are available on the EirGrid website at www.eirgrid.com.

Electricity Transmission Network

308. **Deputy John Halligan** asked the Minister for Communications, Energy and Natural Resources the regular contact between his Department and EirGrid during the initial consultation period; if he is closely monitoring the outpouring of adverse public reaction to the EirGrid proposals, which have been seen across the country in the potentially affected areas; and if he will make a statement on the matter. [52753/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I am aware that many people are concerned about the impact that new transmission lines and other energy infrastructure can have on the landscape, the environment and on local communities. I have, therefore, repeatedly said that it is essential that Grid25 and other energy infrastructure plans are taken forward on the basis of the best available knowledge and informed meaningful engagement on the impacts and costs of the various options.

In delivering the Grid25 programme, EirGrid must: - undertake and communicate well-informed, objective and authoritative analysis, thorough impact assessment and pre-planning consultation, in arriving at optimal routes, technology choice, design and costings:

- address and where possible avoid any human, environmental or landscape impact in delivering the best possible engineering solutions for our small and still isolated electricity system;

- adhere to national and international standards on health, environment, biodiversity, landscape and safety as an intrinsic part of the planning process.

I can confirm that there is regular contact between EirGrid and my Department on a range of issues, as is usual between the shareholder and any state company.

Question No. 309 answered with Question No. 300.

Departmental Expenditure

310. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis during the past five years. [52796/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The total capital expenditure by my Department from 2008 to the end of November 2013 is set out in the table. Generally, expenditure in my Department is not allocated at county or regional level.

Table: Capital Expenditure by Sector - 2008 to end November 2013

-	2008	2009	2010	2011	2012	2013 (end Nov)
Sector	€000s	€000s	€000s	€000s	€000s	€000s
Communi-cations	51,667	43,834	56,166	13,291	10,020	5,767
Broadcast-ing	2,431	900	1,800	3,510	1,085	920
Energy	30,975	71,179	95,583	98,252	69,816	40,439
Natural Resources	12,727	8,244	8,596	6,698	7,059	5,866
Inland Fisheries	1,453	1,253	1,457	1,242	1,273	4,259
IT Capital and Office Equip-ment.	1,108	638	503	448	948	467
Totals	100,361	126,048	164,105	123,441	90,201	57,718

While an overall breakdown is not available on a county or regional basis, the Deputy may wish to refer to Parliamentary Question Numbers 9969/13 of 26 February 2013 and 51729/13 of 3 December 2013 which gives regional breakdowns of expenditure on Metropolitan Area Networks (MANs) Projects from 2004 onwards and the number of schools that avail of the 100Mbps to schools project respectively.

Údarás Craolacháin na hÉireann

311. D'fhiafraigh **Deputy Maureen O'Sullivan** den Aire Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha an ndeachaigh an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha i gcomhairle le hÚdarás Craolacháin na hÉireann i dtaca le leasú éigeandála a thairiscint i dtaca leis an Acht Craolacháin 2009 chun nach féidir le UTV (nó le hiarrthóirí eile ar cheadúnas craolacháin) buntáiste a bhreith ar an Acht Craolacháin 2009, ar reachtaíocht é atá easnamhach, trí cheadúnas a fháil a fhágann nach bhfuil dualgas orthu i leith chultúr agus theanga na hÉireann, ná i leith táille a d'fhéadfaí a ghearradh orthu faoi mar a ghearrtar ar RTÉ, TG4 nó TV3 faoi láthair, faoi mar a luaigh Bob Collins, Cathaoirleach Údarás Craolacháin na hÉireann, agus é ag labhairt leis an gComhchoiste Oireachtais um Iompar agus Cumarsáid, Dé Céadaoin, an 13 Samhain 2013; agus an ndéanfaidh sé ráiteas ina thaobh. [52812/13]

312. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha i bhfianaise an méid a bhí le rá ag Cathaoirleach Údarás Craolacháin na hÉireann ag an gComhchoiste um Iompar agus Cumarsáid, Dé Céadaoin, an 13 Samhain 2013, cad é atá beartaithe a dhéanamh lena chinntiú nach féidir le craoltóir lasmuigh den dlínse ceadúnas craoltóireachta a fháil sa dlínse seo gan dualgas a bheith air i leith chultúr agus theanga na Gaeilge ná i leith táille a íoc le hÚdarás Craolacháin na hÉireann; agus an ndéanfaidh sé ráiteas ina thaobh. [52865/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Pléifidh mé le Ceist Uimh. 311 agus 312 le chéile.

Comhlacht reachtúil neamhspleách is ea Údarás Craolacháin na hÉireann a bunaíodh faoin Acht Craolacháin 2009 agus atá freagrach as ceadúnais a thabhairt do Chraoltóirí. Tá aidhmeanna Údarás Craolacháin na hÉireann leagtha amach in Alt 25 d'Acht 2009 a fhorálann, faoi Alt 24, go mbeidh an tÚdarás neamhspleách le linn dó a fheidhmeanna a chomhlíonadh. Dá réir sin, níl aon fheidhm agamsa mar Aire, ceadúnais a eisiúint, agus is faoin Údarás amháin é sin a dhéanamh de réir a chuid aidhmeanna.

Ba mhaith liom a chur in iúl don Teachta go bhfuil mo chuid Oifigeach ag ullmhú Bille Leasaithe Craolacháin le foilsíú sa bhliain 2014. Lorg mé agus fuair mé ionchur ó Údarás Craolacháin na hÉireann faoi roinnt forálacha. Níor lorg Bord Craolacháin na hÉireann áfach, leasú ar Alt 71 den Acht a dtagraíonn an Teachta dó.

Renewable Energy Incentives

313. **Deputy David Stanton** asked the Minister for Communications, Energy and Natural Resources the current supports available to encourage domestic on-farm and commercial microgeneration; his plans for future supports; and if he will make a statement on the matter. [52933/13]

314. **Deputy David Stanton** asked the Minister for Communications, Energy and Natural Resources the progress that has been made by Sustainable Energy Ireland with their analysis on the costs of varying levels of support for microgeneration technologies; and if he will make a statement on the matter. [52934/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 313 and 314 together.

Electric Ireland has been offering a feed in tariff for domestic microgeneration since February 2009. No other electricity supply company has to date chosen to enter the domestic market

and to offer a microgeneration feed-in-tariff on a commercial basis, although the Commission for Energy Regulation invited them to do so. In addition, no company has opted to offer, on a commercial basis, a feed-in-tariff for microgeneration to the commercial and industrial sectors.

Currently, a number of supports are available for commercial micro and small scale generation. All renewable electricity generating technologies can avail of tax relief on capital directly invested in renewable energy assets under Section 486B of the Tax Consolidation Act (TCA) 1997 (as amended). This allows an investor to claim the lesser of 50% of all capital expenditure (excluding lands) or €9.525 million for a single project. Investment by a company or group under this scheme is capped at €12.7 million per annum. Corporate investors in renewable energy projects can claim tax relief on equity investment in capital assets. Other tax based support measures include the *Employment and Investment Incentive Scheme* which allows individual investors to obtain income tax relief on investments in renewable energy in each tax year. This scheme supersedes the previous Business Expansion Scheme. It provides a minimum tax relief of 30% with an additional 11% accruing at the end of the third and final year if the business has expanded to employ a designated number of people (or if the investment was used for R&D). The scheme has an investment cap of €750,000 and is thus suited to commercial small scale generation projects. An Accelerated Capital Allowance scheme also allows companies to offset the cost of investment in qualifying renewable energy generation technologies against their tax liabilities in Year 1 rather than over a more prolonged period of years, thus aiding their cash flow.

Analysis of the potential of microgeneration, using technologies such as solar and small scale wind and hydro, has been carried out by the Sustainable Energy Authority of Ireland (SEAI). During 2011 and 2012 SEAI carried out microgeneration field trials, a final report on which was submitted to my Department earlier this year. A progress report on Ireland's National Renewable Energy Action Plan (NREAP), as required by the EU Renewable Energy Directive, is currently being completed. The findings of this progress report will provide a suitable context for reviewing the potential for cost effective support of microgeneration, and whether any such support should be tariff, or non-tariff, based.

Capital Programme Expenditure

315. **Deputy Kevin Humphreys** asked the Minister for Communications, Energy and Natural Resources in respect of the €22 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52950/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I can confirm that there is an Capital underspend of €22 million against expenditure profile to the end of November. Profiled expenditure including capital carryover was €79.631m against actual expenditure of €57.675 million. This is mainly due to lower than anticipated expenditure in a number of programme areas as set out in the following table. The figures to which I refer include capital carryover of €10.4 million which was allocated to Sustainable Energy Programmes.

Programme	Amount	Reason
Information and Communications Technology Programme	€10.4m	The majority of underspend relates to the Postcodes Project and in particular the time required to complete the procurement process to appoint a Postcode Management Licence Holder. Contract negotiations have commenced and the contract should be finalised shortly.
Sustainable Energy Programmes	€3.1m	Due to the timing of payments under the Better Energy programme. Expenditure is expected to be closer to target by year end.
Energy Research Programmes	€6.7m	There has been a lower than anticipated uptake on demand led research schemes.
Mining Services	€1.5m	Underspend is due to the time required to complete the procurement process for remediation of Avoca Mines; expenditure is delayed until 2014. Work at Silvermines is delayed pending finalisation of land acquisition.
Total	€21.7m	-

Warmer Homes Scheme Applications

316. **Deputy Michael Lowry** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that under the warmer homes scheme, applicants can now avail of cavity wall insulation where previously this option was not available; if his attention has been drawn to the fact that many previous applicants now feel aggrieved that they could not avail of wall cavity insulation; his views on whether this is fair; and if he will allow previous applicants to reapply to avail of this option. [52991/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Sustainable Energy Authority of Ireland (SEAI) administers the Better Energy Warmer Homes scheme. The scheme delivers a range of energy efficiency measures to homeowners who are vulnerable to energy poverty free of charge to the customer. Since commencement of the Better Energy Warmer Homes scheme in 2000, the technical specifications have been amended and improved upon on a number of occasions. The services offered have evolved and the technical standards have improved as increased Exchequer funding has been allocated to the scheme.

All homes delivered from 2011 onwards have been offered Cavity Wall services where technically possible. The scheme aims to deliver energy upgrades to the highest technical standards available at any given time. The aim is to deliver services to those in energy poverty who have received no services previously. There are currently over 3,000 homes on a waiting list requesting energy upgrades who have not received services previously and must be dealt with. It is therefore not currently anticipated that homes will be revisited where services have been previously provided to them under the scheme.

Broadcasting Service Provision

317. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the code of practice within which community radio stations are funded by his Department and supposed to deal with volunteer radio producers or presenters; and the steps a volunteer can take if they are dissatisfied with the decision of the station. [53011/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Broadcasting Authority of Ireland (BAI) is the statutory independent body responsible for regulation of the broadcasting sector, which includes regulation of the community radio sector, and as such, I, as Minister have no role in this matter. The role of the BAI includes the provision of funding for the sector, by way of the Sound and Vision II Scheme. In addition, through the Sectoral Learning and Development Policy, the BAI provides support in two ways. The first is through the provision of funding support to CRAOL and CTA, the representative agencies for the community radio and television sectors. The second is through the Community Broadcasting Support Scheme, which offers funding to community radio and television broadcasters to conduct internal or external evaluations of their respective services. The completed evaluations are then used by broadcasters to identify and address areas of their operations that may need review or alteration. Neither the Minister nor the Authority have functions in regard to the internal disciplinary or complaints procedures of individual radio stations.

Question No. 318 answered with Question No. 301.

Renewable Energy Generation Issues

319. **Deputy Andrew Doyle** asked the Minister for Communications, Energy and Natural Resources the actions he has taken to undertake the economic analysis of the agricultural biomass-generated biogas supply chain in order to support the co-ordinated development of the sector and to make recommendations on the use of biogas in Government buildings or in Government vehicles; and if a steering group on the biogas sector development has been planned for the foreseeable future. [53061/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Academic and industry research suggest that there is a potentially significant role for biogas in meeting our renewable energy requirements as well as contributing to wider Government policy in agriculture, waste management and air and water quality. However, the technologies underpinning the sector are at a relatively early stage of development with the result that there is uncertainty surrounding the cost structure and the supports required to support the sector's development. Therefore, further detailed economic analysis of the biogas sector and its supply chains, from its production from different forms of biomass through to its distribution and use, will be required before any additional supports for biogas and biomethane appropriate to Ireland can be considered. This analysis will be carried forward, taking account of the cross-sectoral benefits that a biogas sector could deliver, in the context of implementing the forthcoming Bioenergy Strategy.

Broadband Services Provision

320. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources his views on correspondence (details supplied) regarding 3G; and if he will make a statement on the matter. [53096/13]

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 can be found on ComReg's website at www.callcosts.ie.

The State can only intervene to ensure access to broadband services in areas where the competitive market fails to deliver such services, as in the case of the National Broadband Scheme (NBS). The area referred to by the Deputy is covered under that Scheme and therefore all fixed residences and businesses located within the area are eligible to avail of the NBS service from "3", the NBS service provider. The broadband service contracted under the NBS is a basic, affordable, scalable product in keeping with EU State Aid clearance for the Scheme in September 2007. Under the terms of the NBS contract, the NBS mobile wireless service is required to offer minimum download and upload speeds of 2.3Mbps and 1.4Mbps respectively, subject to a maximum contention ratio of 18:1.

The Government's National Broadband Plan, which I published in August 2012, aims to radically change the broadband landscape in Ireland by ensuring that high speed broadband is available to all citizens and businesses. This will be achieved by providing:

- a policy and regulatory framework that assists in accelerating and incentivising commercial investment, and
- a State-led investment for areas where it is not commercial for the market to invest.

Since the publication of the Plan, investments by the commercial sector are underway and in some instances have been accelerated in both fixed line and wireless high speed broadband services. With particular reference to mobile telecommunications services, I note that a number of mobile operators have made announcements regarding network upgrades and are rolling out enhanced product offerings, including one operator who has announced its intention to ensure that all of its customer base has access to 3G.

In tandem with these developments, intensive work is underway in my Department to progress a State-led investment to secure the countrywide introduction of next generation broadband access. In order to progress the State-led investment 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 over the coming years, the results of which will inform the areas that need to be targeted in the State-led investment as envisaged in the National Broadband Plan. Intensive technical, financial and legal preparations, including stakeholder engagement, are ongoing. The procurement process for the approved intervention will be carried out in accordance with EU and Irish procurement rules and it is expected that it will be launched in 2014.

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

Irish Language Issues

321. **Deputy Seán Kyne** asked the Minister for Communications, Energy and Natural Resources if, in the context of the planned introduction of a public service broadcasting charge

which envisaged a review of Irish language broadcasting, due consideration and recognition is being given to the crucial and transformative role which both Raidió na Gaeltachta and TG4 have had in the development and sustainment of the national language; and if he will make a statement on the matter. [53132/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): On foot of the Government's response to the Broadcasting Authority of Ireland's Five Year Review of Public Service Broadcasting earlier this year, the Board of TG4 was requested, with the assistance of my Department and the Authority, to review its 5-year Strategic Plan on the basis of present revenue allocations. As the Deputy will appreciate, the Board continually strives to ensure that TG4's Irish language services are delivered as efficiently as possible and, in addition, this current review aims to develop methodologies for identifying and quantifying TG4's audience among Irish language speakers, as well as identifying means of bolstering that reach. The Government response also requires that my Department initiate a review by New Era assessing the scope for further efficiencies to be achieved in RTÉ in 2013 and beyond, including an examination of achievable efficiencies in its performing groups service model and the manner in which it delivers Irish language radio services. An initial Report from New Era is expected shortly.

I wish to assure the Deputy that both I, as Minister, and my Department are fully cognisant of the significant role both Raidió na Gaeltachta and TG4 have played in sustaining the Irish language.

Charities Regulation

322. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53547/13]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The funding of Irish Charities is not a direct function of my Department. However there are a number of bodies that engage in research or support social and community initiatives in areas such as e-inclusion which have qualified for charitable tax exemption under Section 207, Taxes Consolidation Act, 1997 and such organisations have provided services or carried out research work for my Department, for which they have been remunerated.

Housing Issues

323. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government the measures he is taking to increase the supply of housing in Dublin and to reduce house prices; and if he will make a statement on the matter. [52525/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The Government's housing policy statement, published in June 2011, clearly identifies that the priority for Government is to meet the most acute needs of households applying for social housing support in all local authority areas. I am determined to ensure that the social housing programme is optimised in terms of resources and focus to maximise the response to social housing need. This must be achieved in a context in which public expenditure necessarily continues to be constrained. Nonetheless, in July 2012 I announced details of a three-year funding programme of €100 million to deliver some 800 new units of

voluntary and local authority owned social housing.

In addition to the €525.8 million in housing programme expenditure provided for in my Department's Abridged Estimate for 2014, Budget 2014 provides a further €50 million to fund infrastructural investment primarily in the housing area, including €30 million for the State house building programme; €10 million for an unfinished housing estate resolution project; and an additional €10 million for housing adaptation grants. When this is taken into account, funding for housing for next year is effectively maintained at 2013 levels.

Delivery of social housing continues to be significantly facilitated through more flexible funding models such as the Rental Accommodation Scheme and leasing but the Government is also committed to developing other funding mechanisms that will increase the supply of permanent new social housing. Such mechanisms include options to purchase, build to lease and the sourcing of loan finance by approved housing bodies for construction and acquisition. In addition, my Department and the Housing Agency are engaged with NAMA to ensure continued delivery of housing units for social purposes. Approved Housing Bodies will also play a key role in 2014 in the delivery of social housing and in particular in their capacity to attract external financial investment.

In spite of our challenging economic circumstances, I expect the final output across all social housing programmes for 2013 to be in the region of 5,000 new housing units, and it is provisionally estimated that in the region of 5,000 units will also be provided for social housing in 2014.

Fire Service Issues

324. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government his views on the development of fire service provision in County Cork; and if there will be an increase in employment in the fire services there during the next year. [52514/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): It is a statutory function of each individual fire authority, under Section 10 of the Fire Services Act 1981, to provide a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of a premises and the making of such other provisions as it considers necessary or desirable. Cork County Council's fire services are provided primarily through a retained staffing system with a core of full time officers. Retained fire-fighters are employees of fire authorities, and are organised to provide a fire service through a network of 21 fire stations located throughout the county.

The Keeping Communities Safe (KCS) policy document, which I published as national policy in February 2013, sets out standards and norms for developing and improving the efficiency and effectiveness of fire services in Ireland. The approach in KCS is based on an 'area risk categorisation' system which will be applied across the country by all fire services, including in Cork County. This will result in fire station areas being graded across five bands from very high to very low risk categories. The fire service approach to risk management, including response in terms of numbers of fire appliances and fire crews in an area, is to correspond to this risk categorisation.

I understand that the risk categorisation process has been completed for the Cork County Area and appropriate risk designations for each station area in Cork County have been determined. To maintain local political accountability for fire services to the community, Section 26 of the Fire Services Acts provides that it is a reserved function of local authorities which maintain a fire brigade to adopt 'fire and emergency operations plans' indicating the provision made

in respect of organisation, appliances, equipment, fire stations, training, operational procedure and any such matters as may be relevant. It is expected that the risk categorisation mentioned above will inform the next iteration of Section 26 plans.

Under section 159 of the Local Government Act 2001, each county and city manager is responsible for the staffing and organisational arrangements necessary for carrying out the functions of the local authority for which he or she is responsible. Accordingly, the deployment of fire brigade staff in Cork County is a matter in the first instance for the management of Cork County Council.

Since the embargo on the filling of public service posts was introduced on 24 March 2009, local authorities seek permission from my Department to fill staffing vacancies that arise within a fire service. All requests are considered on a case by case basis, having due regard to maintaining appropriate services within budgetary and staffing constraints. Fire-fighters numbers (1,170 full-time and 2,063 retained) have been protected from the impact of the recruitment embargo and the numbers have not changed since 2008, in contrast to the general trend in the local government sector, which has seen an approximate 25% decrease in staffing levels, including among senior fire officers.

I understand that the position in relation to staffing in Cork Fire Service is kept under constant review by Cork County Council management.

Local Authority Housing Mortgages

325. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government his plans to address the situation faced by those with shared ownership arrangements with local authorities and who are presently servicing a mortgage and paying rent to the local authority; and if he will make a statement on the matter. [52555/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government’s 2011 housing policy statement announced the standing down of 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. Details regarding that review are available on my Department’s website www.environ.ie and the period for public submissions closed on 27 September 2013. Earlier this year, I asked the Housing & Sustainable Communities Agency to conduct a standalone review of the shared ownership scheme, including identification of the main difficulties and recommendations for mitigating measures. I have received an initial draft of the review from the Agency and I intend to issue a circular letter to local authorities imminently with interim recommendations arising from the review.

A number of issues have been identified that need further detailed financial analysis in order to fully assess the impact on local authority finances of possible mitigating measures. This additional work is underway and I expect to make further recommendations to bring the review process to a conclusion in the near future. Also, 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 my intention to extend this scheme throughout the local authority sector in the near future, as part of the package of options available to local authorities to deal with mortgage distress, including in the case of shared ownership customers.

Fire Safety Regulations

326. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government the steps home owners can take if they discover that the fire wall between their home and their neighbour's home has not been finished, which means the home does not comply with fire regulations, but the builder of the home has gone out of business; if, where they have an insurance policy with HomeBond, the work needed to bring their home in line with fire safety regulations will be covered; if not, whether grants are available to help home owners get this work done; and if he will make a statement on the matter. [52611/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Fire Safety requirements are addressed under Part B of the Building Regulations. The Building Control Act 1990 clearly places responsibility for compliance with the Building Regulations on the owner of the building concerned and on the builder/developer who carries out the works. There is no question of grant assistance being made available for remediation works where an owner or a builder/developer has failed to meet their statutory obligations.

Remediation of defects is a matter between the parties concerned, the owner and the builder/developer and their insurers. If satisfactory resolution cannot be achieved through dialogue and negotiation the option of seeking civil legal remedy may be considered. A legal professional, for instance from the solicitor who advised the homeowner in relation to the contract when buying their home, would be best placed to advise on this aspect of the matter and, also, on the question of pursuing a builder who has gone out of business in relation to their outstanding liabilities.

It may also be the case that the builder/developer was a member of a structural guarantee warranty/scheme, such as that provided by HomeBond, and this should be ascertained and pursued if relevant. I have no formal function in relation to such schemes.

Homeowners should be advised to report any concerns about non-compliance with the Building Regulations to the local Building Control Authority who will consider the matter and what action, if any, is appropriate depending on the circumstances involved.

Local Authority Housing

327. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the growing number of voids in Dublin City Council; the percentage of the €30 million announced to tackle the growing voids in local authorities that will be earmarked for Dublin City Council; and if he will make a statement on the matter. [52628/13]

329. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government when local authorities will receive the promised additional funding to tackle the increasing level of voids. [52702/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): I propose to take Questions Nos. 327 and 329 together.

The additional €30 million Exchequer investment in social housing announced on Budget Day is expected to deliver some 500 local authority homes for families on the housing waiting list. Approximately half of this investment will facilitate the construction of new infill housing developments in areas with a high demand for social housing. It is also intended that €15 million will be invested in bringing vacant and boarded-up local authority houses back into productive use.

The detailed arrangements for the implementation of the two measures are being developed by my Department at present. I intend to announce these arrangements as soon as possible with a view to having the investment programme up and running as early as possible in 2014. My Department will be requesting local authorities to submit proposals for inclusion under both measures in due course.

House Purchase Schemes

328. **Deputy Patrick Nulty** asked the Minister for the Environment, Community and Local Government if a family (details supplied) in Dublin 15 will be facilitated in concluding a mortgage to rent agreement with their lender; if he will confirm the role his Department will play regarding same; and if he will make a statement on the matter. [52685/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): While I cannot comment on an individual case, my Department estimates that the overall timeframe per case from start to completed transaction will be up to eight months. This compares favourably to the timeframes in other jurisdictions operating similar schemes. It is also important to bear in mind that the transition from being a homeowner to a social housing tenant is a major one for families. Mortgage to rent or other such interventions cannot be rushed for any party. For example, the process provides for a 60 day decision period and a 28 day cooling off period within the timeframe of the scheme. My Department initially provides approval in principle allowing negotiations to progress. Subsequently if negotiations are successful and following a financial assessment and review of the proposal, full funding approval is provided setting out the details of the funding that will be provided for each proposal.

Limits on household income, property value and applicant’s assets apply. Borrowers availing of or wishing to avail of this scheme may access further information on the Housing Agency website, www.housing.ie.

Question No. 329 answered with Question No. 327.

Local Authority Elections

330. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government the position regarding voting areas in County Sligo (details supplied). [52786/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under section 28 of the Electoral Act of 1992, a local authority, following consultation with the returning officer for Dáil elections in respect of the county, is required to make a polling scheme dividing the county into polling districts for the purposes of Dáil elections, European elections and local elections, and appointing a polling place for each polling district. The

selection of polling stations is then a matter for the returning officer.

It is open to local authorities to review their polling schemes as necessary in accordance with the Electoral Act 1992. Where a new local electoral area splits an existing polling district, the local authority should adjoin that area to an existing polling district or constitute it as a polling district in its own right and appoint a polling place for it. These temporary arrangements should then continue in force until the next polling scheme for the county comes into effect. I will make the necessary orders for the new local electoral areas in Sligo in good time before the 2014 local elections.

Local Authorities Management

331. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding Sligo County Council; and if he will make a statement on the matter. [52787/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Questions Nos. 681 and 706 of 5 November 2013 which sets out the position in this matter. I agree there is no place in the workplace for bullying, and understand that local discussions are underway with a view to resolving the issues involved. I hope that these discussions will be brought to an early and satisfactory conclusion.

Water Meters Installation

332. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government when water metering will be rolled out in County Sligo; if this has gone to tender; and the number of jobs that will be created in County Sligo as a result of same. [52788/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Act 2013 provides for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group and assigns the necessary powers to allow Irish Water to undertake the water metering programme. Regional management contractors were appointed by Irish Water following a public tendering process. These contractors have responsibility for appointing sub-contractors who are responsible for recruiting suitably qualified staff to carry out the work. It is expected they will utilise the resources of sub-contractors from a pre-qualified panel created by my Department. The installation programme commenced in August 2013 and will be implemented nationally as quickly as possible. When fully geared up, at least 27,000 boundary boxes will be installed every month by Irish Water sub-contractors.

The timeframe and the allocation of resources for the installation of meters in each region is a matter for Irish Water.

Departmental Expenditure

333. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52798/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department is responsible for a wide range of capital programmes, including in the areas of housing, water services, environmental protection, local government services, and community and rural development. The following tables give details of capital expenditure

broken down into programme areas over the period 2008 to 2012.

A regional or county breakdown of the expenditure concerned, amounting to over €7 billion in these years, is not readily available in my Department. Given the significant investment and large volume of payments involved (to a wide range of organisations and individuals over the five year period), compilation of the information requested would require a disproportionate amount of time and work. If the Deputy wishes to put down a more specific question in the area of funding from my Department, I will endeavour to provide the information sought.

Capital Expenditure 2012	€000s
OFFICE MACHINERY AND SUPPLIES	1,913
A.3 LOCAL AUTHORITY HOUSING	116,879
A.4 VOLUNTARY & CO-OPERATIVE HOUSING	66,974
A.5 SOCIAL INCLUSION	4,000
A.6 ESTATE REGENERATION & IMPROVEMENT OF SOCIAL HOUSING STOCK	148,849
A.7 PRIVATE HOUSING GRANTS	53,417
A.8 SUBSIDIES & ALLOWANCES	1,414
A.9 OTHER SERVICES	5,664
B.3 WATER SERVICES INVESTMENT PROGRAMME	268,157
B.4 RURAL WATER	39,710
C.3 ENVIRONMENTAL PROTECTION AGENCY	1,100
C.4 ENVIRONMENTAL RADIATION POLICY	200
C.6 CARBON FUND	1,903
C.8 LANDFILL REMEDIATION	3,300
D.4 FIRE AND EMERGENCY SERVICES	6,000
D.5 LOCAL AUTHORITY LIBRARY AND ARCHIVE SERVICE	5,000
D.7 FRANCHISE	3
D.8 OTHER SERVICES	5,975
E.5 RAPID	865
E.6 DORMANT ACCOUNTS	1,357
E.8 NATIONAL RURAL DEVELOPMENT SCHEME	393
E.9 LEADER - RURAL ECONOMY SUB-PROGRAMME 2007-2013	19,243
E.10 PROGRAMME FOR PEACE AND RECONCILIATION	13,413
E.11 INTERREG PROGRAMME	2,409
E.14 OTHER SERVICES	267
GROSS TOTAL	768,405
V25 - APPROPRIATIONS IN AID	47,385
NET TOTAL	721,020
CARRYOVER E.9 - LEADER - RURAL ECONOMY SUB-PROGRAMME 2007-2013	34,000
Total including carryover	755,020

Capital Expenditure 2011	€000s
A.5 Office Machinery & Supplies	1,179
B.1 Social Housing Provision and Support	239,202
B.2 Local Authority Estate Regeneration and Remedial Works	181111

Capital Expenditure 2011	€000s
B.3 Private Housing Adaptation – Grants and Other Supports	64,576
C.1 Water Services Investment Programme	428,964
D.1 Environmental Protection Agency	1,000
D.2 Environmental Radiation Policy	242
D.4 Carbon Fund	4,140
D.5 International Climate Change Funding	10,000
E.2 Landfill Remediation	1,001
F.2 Fire & Emergency Services	12,250
F.3 Local Authority Library and Archive Service	6,293
F.4 Community and Social Inclusion	1,226
G.3 RAPID	1,083
G.4 Dormant Accounts Measures	360
I.2 National Rural Development Schemes	502
I.3 LEADER - Rural Economy Sub-Programme 2007-2013	38,610
J.2 Miscellaneous	15,865
GROSS TOTAL	1,007,604
K Appropriations in Aid	24,469
NET TOTAL	983,135
Capital Expenditure 2010	€000s
A.5 Office Machinery & Supplies	1,839
B.1 Social Housing Provision and Support	552,416
B.2 Local Authority Estate Regeneration and Remedial Works	193,535
B.3 Private Housing Adaptation – Grants and Other Supports	84,115
C.1 Water Services Investment Programme	495,000
D.1 Environmental Protection Agency	1,500
D.2 Environmental Radiation Policy	304
D.4 Carbon Fund	32,870
D.5 International Climate Change Funding	23,000
E.2 Landfill Remediation	4,000
F.2 Fire & Emergency Services	18,700
F.3 Local Authority Library and Archive Service	7,300
F.4 Community and Social Inclusion	1,234
F.5 Disability Services	7,208
G.1 Heritage Council	4,500
G.2 Built Heritage	11,329
G.3 Natural Heritage (National Parks & Wildlife)	10,024
H.3 Urban Regeneration	0
I.2 Miscellaneous	14,967
GROSS TOTAL	1,463,841
J Appropriations in Aid	0
NET TOTAL	1,463,841
D.4 Carbon Fund carryover	3,277
Total including carryover	1,467,118

Capital Expenditure 2009	€000s
A.5 Office Machinery & Supplies	1,904
B.1 Social Housing Provision & Renewal	1,074,520
B.2 Affordable Housing and Other Private Housing Sector Supports	85,979
C.1 Water Services Investment Programme	512,000
D.1 Environmental Protection Agency	3,900
D.2 Environmental Radiation Policy	380
D.4 Kyoto Credits (Carbon Credits)	46,723
E.1 Recycling Services	0
E.2 Landfill Remediation	5,347
F.2 Fire & Emergency Services	20,501
F.3 Local Authority Library Services	8,420
F.4 Community and Social Inclusion	1,245
F.5 Disability Services	8,947
F.6 Economic and Social Disadvantage (Dormant Accounts)	0
G.1 Heritage Council	5,000
G.2 Built Heritage	11,548
G.3 Natural Heritage (National Parks & Wildlife)	7,858
G.4 Irish Heritage Trust	0
H.3 Urban Regeneration	720
I.2 Miscellaneous	7,509
GROSS TOTAL	1,802,501
G Appropriations in Aid	0
NET TOTAL	1,802,501
D.4 Kyoto Credits (Carbon Credits) Carryover	6,277
Total including carryover	1,808,778

Capital Expenditure 2008	€000s
A.5 Office Machinery & Supplies	3,607
B.1 Social Housing Provision & Renewal	1,392,152
B.2 Affordable Housing and Other Private Housing Sector Supports	123,348
C.1 Water Services Investment Programme	496,374
D.1 Environmental Protection Agency	7,466
D.2 Environmental Radiation Policy	800
D.4 Kyoto Credits (Carbon Credits)	3,723
E.1 Recycling Services	9,996
E.2 Landfill Remediation	46,286
F.2 Fire & Emergency Services	23,953
F.3 Local Authority Library Services	15,273
F.4 Community and Social Inclusion	5,474
F.5 Disability Services	10,500
F.6 Economic and Social Disadvantage (Dormant Accounts)	0
G.1 Heritage Council	7,874
G.2 Built Heritage	26,034
G.3 Natural Heritage (National Parks & Wildlife)	23,294

Capital Expenditure 2008	€000s
G.4 Irish Heritage Trust	0
H.3 Urban Regeneration	11,704
H.6 Gateways Innovation Fund	0
I.2 Miscellaneous	6,832
GROSS TOTAL	2,214,690
G Appropriations in Aid	0
NET TOTAL	2,214,690

Housing Issues

334. **Deputy Seamus Kirk** asked the Minister for the Environment, Community and Local Government if local authorities will be empowered to carry out repair and maintenance work to local housing estates which are not taken over by the county council; and if he will make a statement on the matter. [52808/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Responsibility for compliance with the terms and conditions attaching to a planning permission is legally a matter for the developer. Until such time as a development is taken in charge, housing estates remain in private ownership and the responsibility of the developer. Local authorities are not empowered to enter onto private lands for the purpose of carrying out repair and maintenance work to housing estates until such time as the development has been completed to the satisfaction of the planning authority by the developer and formally taken in charge under section 180 of the Planning and Development Act, 2000 (as amended).

Rural Development Programme Projects

335. **Deputy Seamus Kirk** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Louth Leader (details supplied); and if he will make a statement on the matter. [52809/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Ireland’s Rural Development Programme 2007-2013, as agreed with the European Commission, stipulates that all projects in excess of €150,000 require prior approval from my Department.

This project in question was submitted to my Department for consideration at the end of June 2013 but required detailed discussions with the Local Development Company and the submission of further information. A final decision on the project is now imminent.

Property Taxation Administration

336. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government the percentage of the local property tax revenue paid in County Westmeath that will go towards funding services within the county; and if he will make a statement on the matter. [52823/13]

346. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community

and Local Government the way he will prevent the use of central government funding raised from the local property tax being used for stroke politics by future Governments; the criteria used by his Department to fairly assess and balance the needs between local authorities when allocating local government fund general purpose grants; and if he will make a statement on the matter. [53055/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 336 and 346 together.

The local government funding model will change considerably in 2014. Under the Finance (Local Property Tax) Act 2012, commencing in 2014, the Minister for Finance will pay into the Local Government Fund an amount equivalent to the Local Property Tax paid into the Central Fund during that year; this revenue will be allocated to local authorities from the Fund, as General Purpose Grants. In addition, the establishment of Irish Water and its financial relationship with the local government sector will have a considerable impact on local authority financing.

The Government has indicated an intention to move to 80% retention of all Local Property Tax receipts within the local authority area where the Tax is raised. The establishment of Irish Water presents local government with significant organisational and financial challenges in 2014. Service provision responsibilities will shift from the local authorities to Irish Water, infrastructure will be transferred, financing arrangements will alter and local authorities will operate on behalf of Irish Water under Service Level Agreements. These changes must be managed.

In this context, it has been necessary to defer defining a certain proportion of the proceeds of the Local Property Tax to be retained in each local authority until 2015. This approach allows maximum flexibility in allocating Local Property Tax in 2014 in the form of General Purpose Grants, with a priority to support those local authorities with weaker funding bases. In allocating general purpose funding for 2014 I am seeking to ensure, in combination with the funding being made available through Irish Water, that these elements of support for local authorities would be maintained around 2013 levels. It will be a matter for each local authority to determine how best to use General Purpose Grant revenue in line with local priorities and circumstances.

I expect the Local Property Tax to have multiple benefits, including a more sustainable and resilient system of funding for local authorities and therefore a sounder financial footing for the provision of essential local services; greater local scope for financial decision-making concerning service provision - in particular, the inclusion of the local variation mechanism from 2015 will further increase the autonomy of local authorities; and a strengthening of democracy at local level with a more active relationship between local authorities and local electorates. A stronger democratic relationship and clearer lines of accountability can only have a beneficial impact on service provision from the perspective of the service user.

Capital Programme Expenditure

337. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the reason his Department has spent €172 million less on the capital side than was profiled in the November Exchequer figures. [52832/13]

340. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government of the €172 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Ex-

chequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52947/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 337 and 340 together.

My Department is responsible for a wide range of capital programmes, including in the areas of housing, water services, environmental protection, local government services, and community and rural development. The Revised Estimates for Public Services 2013, published by the Department of Public Expenditure and Reform earlier this year, provide for gross capital expenditure of €726 million in respect of my Department in 2013. At the end of November, capital spending by my Department was behind the profile established earlier in the year. Expenditure under the Water Services Investment Programme in 2013 has been less than anticipated due to slower than expected progress on water services capital projects during the year; work on the implementation of the Water Sector Reform Programme, in particular on the establishment of Irish Water, has required considerable input from the local authorities and this has impacted on the progress of the Programme. In addition, drawdown by local authorities of housing funding has been slower than expected.

I expect that there will be some further expenditure under the water, housing and other capital programmes before year end. Consideration is being given, in consultation with the Department of Public Expenditure and Reform, to the appropriate use of potential savings arising on the Vote. Finally, of the total of €107.2 million in capital carryover funding from 2012 across Government Departments, €43 million in additional funding has been made available to my Department for investment in the Housing (€22m), Environment and Waste Management (€10m), Local Government (€2m) and Community and Rural Development (€9m) programmes. To end November, €35.5m of the allocated €43m has been invested in these programmes.

Environmental Impact Statements

338. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he has given any consideration to any potential means of alleviating the financial burden placed on those who are required to prepare EIS/ EIA in order to comply with planning; and if he will make a statement on the matter. [52856/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): The requirement on a developer to submit to the competent authority information in relation to the likely impacts on the environment of a proposed development arises from the Environmental Impact Assessment (EIA) Directive (codified Directive 2011/92/EU). Article 5 of the Directive requires the developer to submit the information specified in Annex IV of the Directive relating to the specific characteristics of a particular project and its likely environmental impacts.

In October 2012 the European Commission brought forward proposals for an amended EIA Directive, intended to streamline the current Directive, and to ensure - among other things - that unnecessary environmental impact assessments are eliminated through a more comprehensive screening process, and that only information directly relevant to the project need be supplied by the developer. The proposals for an amended EIA Directive are currently the subject of negotiations between the Council and the European Parliament. If and when the amending Directive

is adopted, any necessary consequential changes to Irish planning legislation and guidelines will be made.

Water and Sewerage Schemes Status

339. **Deputy Michael P. Kitt** asked the Minister for the Environment, Community and Local Government the is being made on the sewerage scheme for Kinvara town, County Galway; and if he will make a statement on the matter. [52925/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Kinvara Sewerage Scheme is included as a Network Contract and a Waste Water Treatment Plant Upgrade contract to start in my Department's Water Services Investment Programme 2010–2013. My Department approved Galway County Council's Design Review Report for the scheme in January 2012. I understand that the Council is currently preparing Contract Documents for the scheme.

Question No. 340 answered with Question No. 337.

Building Regulations Application

341. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the steps he has taken in relation to utilising the Priory Hall model of resolution for unlivable domestic units across other examples as may arise in the State; and if he will make a statement on the matter. [52965/13]

343. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he is willing to establish a mediation process unit that will deal with cases of unlivable domestic units due to construction failings by bringing together the parties involved to find a mutually acceptable proposal; and if he will make a statement on the matter. [52967/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 341 and 343 together.

The Building Control Acts 1990 to 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.

Remediation of defects is a matter between the parties concerned, the owner and the builder/developer and their insurers. If satisfactory resolution cannot be achieved through dialogue and negotiation the option of seeking civil legal remedy may be considered.

Given that a clear statutory framework is in place, I have no proposals for the introduction of a mediation service along the lines suggested. My Department continues to liaise with lo-

cal authorities in relation to significant building control issues that have arisen in a number of multi-unit developments across the country, including those instances raised in the question. In this regard, local authorities have extensive powers of inspection and enforcement under the Fire Safety Act 1981, the Building Control Act 1990 and the Planning and Development Acts, all of which may be relevant in relation to fire safety arrangements in residential buildings, and have successfully used such powers to deal with a number of instances of non-compliance.

I have also amended the Building Control Regulations to require, in respect of building projects commencing on and from 1 March 2014, lodgement of design documentation, inspections during construction, overseen by registered construction professionals, and certificates of compliance signed by designers, builders and assigned certifiers. The new regulations are designed to ensure that competence and professionalism become part and parcel of building projects generally and will lead to a new era of quality in our construction industry and ensure that the legacy of defective buildings seen in recent years will not recur.

Unfinished Housing Developments

342. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he has undertaken any investigations into the Riverwalk development, Ratoath; and if he will make a statement on the matter. [52966/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): As part of the process of preparing the National Housing Development Survey 2011 and 2012 local authorities provided details of all unfinished housing developments in their areas. Unfinished housing developments were divided into four categories in the 2011 survey as follows:

- Category one, where the development is still being actively completed by the developer, or where no serious public safety issues exist;
- Category two, where a receiver has been appointed;
- Category three, where a receiver has not been appointed and the developer is still in place but effectively inactive; and
- Category four, where the development has been effectively abandoned and is posing serious problems for residents.

The 2012 categorisation methodology for the survey was different to that which was used in 2011. That earlier categorisation related largely to the level of on-site activity at the time the 2011 survey was carried out and had less to do with the physical character of a development. The 2012 survey was based purely and objectively on the actual state of completion of a development. Only developments that were deemed by local authorities to be in a “seriously problematic condition”, regardless of whether a developer was on or off site, were included.

No estate called ‘Riverwalk’ in Ratoath was identified as falling under any of the above categories in either the 2011 or 2012 survey. Each local authority has a nominated Unfinished Estates official whose contact details are on www.housing.ie and queries regarding the status of relevant developments should, in the first instance, be directed to the relevant local authority.

Question No. 343 answered with Question No. 341.

Housing Issues

344. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government if local authorities are responsible for dealing with rodent control or if tenants are responsible (details supplied); and if he will make a statement on the matter. [53014/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): Under Section 58 of the Housing Act 1966, the management and maintenance of the local authority housing stock, including the compilation and implementation of on-going maintenance programmes and the carrying out of responsive repairs or alterations to rented properties, is a matter for individual authorities. It is unclear as to whether the problem referred to is due to the structural condition of the dwelling or to household influences. I have no function with regard to determining responsibility in this instance.

Social and Affordable Housing Provision

345. **Deputy Dara Murphy** asked the Minister for the Environment, Community and Local Government the progress that has been made to date on a review of Part V of the Planning Act in relation to equal property ownership rights of affordable homes; and if he will make a statement on the matter. [53041/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan): The Government’s 2011 housing policy statement announced the standing down of 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. Details regarding the review are available on my Department’s website www.envron.ie and the period for public submissions closed on 27 September 2013. Submissions from a variety of interested parties were received in my Department and are currently undergoing consideration. The input and feedback provided as part of the consultation process is very welcome, and will serve to inform future policy in this area. I expect to be in a position to formulate future policy approaches and actions in this regard early in 2014.

Question No. 346 answered with Question No. 336.

Animal Breeding Regulations

347. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if he has set up a departmental recording system for all the data collected by all local authorities to establish the basis for the analysis of the implementation of the Dog Breeding Establishments Act 2010, whose purpose was to ensure the control of dog breeding establishments and the enforcement of dog welfare in these establishments; as the issue of dog welfare in dog breeding establishments is an issue for two Departments, the action he will take to ensure that the guidelines for procedures for the enforcement of the welfare provisions in the Dog Breeding Establishments Act 2010 will be worked out with the Department of Agriculture, Food and the Marine to assist the local authorities in carrying out their duties under the Act. [53060/13]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The implementation of the Dog Breeding Establishments Act is a matter for local authorities, who also hold information in relation to dog breeding establishments registered with

them. My Department publishes data annually concerning the dog control functions of local authorities, including information on the number of dog breeding establishments registered by each local authority.

The issue of defining standards for dog breeding establishments is a matter for my Department and the local authorities. Dog Breeding Establishment Guidelines were published by my Department to coincide with the commencement of the Dog Breeding Establishments Act on 1 January 2012. These Guidelines cover, inter alia, welfare issues relating to the implementation of the Act.

My Department has regular contact with the Department of Agriculture, Food and the Marine concerning dog control and related issues. Both the data published by my Department concerning dog control functions and dog breeding establishments, as well as the Guidelines regarding the welfare of dogs in dog breeding establishments, are available at <http://www.environment.ie/en/LocalGovernment/DogControl>.

Departmental Staff Data

348. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 109 of 4 December 2013, if he will provide a breakdown of the grades and numbers for each employee and the salary scale for each; and if he will make a statement on the matter. [53097/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd): I refer to the reply to Questions Nos. 109 and 120 of 4 December which states that the recruitment of staff is a matter for Irish Water. The information requested is not available in my Department.

Housing Adaptation Grant Application Numbers

349. **Deputy Dara Murphy** asked the Minister for the Environment, Community and Local Government if there are currently any pending requests for the remainder of the funding allocated to Cork City Council for the housing adaptation grant scheme for older people and people with a disability for 2013, as only €1,438,536 has thus far been drawn down, leaving a remainder of €53,064; and the deadline to apply for this available money. [53147/13]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan): Cork City Council have advised my Department that a recoupment claim for the balance of the 2013 allocation under the suite of Grants for Older People and People with a Disability will be submitted very shortly.

Home Repossession Rate

350. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he will provide in tabular form the number of court actions for home repossessions commenced by financial institutions in each month since the beginning of 2012; and if he will make a statement on the matter. [52893/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that, under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions, which include the provision of information on the courts system. However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that they do not compile the data in the format requested by the Deputy. Court statistics in respect of court possessions are collected on a quarterly basis. The details are set out in the following tables.

High Court 2012

-	Quarter 1	Quarter 2	Quarter 3	Quarter 4
New cases initiated for possession of lands/premises	99	60	64	47
Number of orders for possession granted	60	64	33	41

High Court 2013

-	Quarter 1	Quarter 2	Quarter 3
New cases initiated for possession of lands/premises	136	62	77
Number of orders for possession granted	28	26	17

Notes

*All actions in the High Court were commenced by Financial Institutions

**Statistics for the High Court for the last quarter 2013 are not yet compiled, however, statistics for October and November 2013 show that 39 new cases were initiated between the 1st October and the 30th November 2013.

***Statistics for the High Court are not broken down according to the type of property, they could relate to family homes, factories, farms or building sites.

Circuit Court 2012

-	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of orders for possession granted	86	55	44	73
	Residential: 71 Non – Residential: 15	Residential: 50 Non – Residential: 5	Residential: 39 Non – Residential: 5	Residential: 69 Non – Residential: 4

Circuit Court 2013

-	Quarter 1	Quarter 2	Quarter 3
Number of orders for possession granted.	95	96	49
	Residential: 82 Non – Residential: 13	Residential: 87 Non – Residential: 9	Residential: 48 Non – Residential: 1

Notes

*Statistics in respect of the number of cases commenced/initiated are not available from the Circuit Court

**Not all orders granted in the Circuit Court were granted to Financial Institutions.

**Statistics in respect of the Circuit Court for the last quarter 2013 are not yet compiled.

Question No. 351 answered with Question No. 75.

Crime Prevention

352. **Deputy Finian McGrath** asked the Minister for Justice and Equality the strategies the Garda is using to combat break-ins in Dublin 17 and the selling of stolen goods to gold shops; and if he will make a statement on the matter. [52522/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the area referred to is in the Coolock Garda District and that local Garda management closely monitor the incidence of burglary in the area and put in place appropriate responses. In that regard I am further informed that Garda data shows a decrease in burglaries in the Coolock Garda District, which includes Dublin 17, in line with the national trend. As the Deputy may be aware the latest crime statistics show that the rate of burglary has decreased by 8.9% nationally for twelve months ending 30 June 2013 and this underlines the impact being made by Gardaí under Operation Fiacla. As part of the measures which are coordinated under Operation Fiacla, Operation Acer is in force throughout the Dublin Metropolitan Region, including Coolock. It is an intelligence driven operation and includes analysis led checkpoints and patrols to target specific areas and case manage targeted offenders. These arrangements are kept under review to ensure adjustments are made to maintain the effective focus of the operation.

Operation Acer operates alongside ongoing community policing measures, including problem solving with the community and providing crime prevention advice and assistance to victims of burglary. In this regard I am advised that a recent crime prevention leaflet drop in the area has been well received in the community. There is also full engagement with local Neighbourhood Watch and other community groups in the area.

Insofar as the question of the sale of stolen gold as referred to by the Deputy is concerned, I am informed by the Garda authorities that, where outlets or businesses trading in gold are identified, Gardaí conduct enquiries to establish their bona fides, and where there are suspicions of criminality the matter is fully investigated and the appropriate action taken. The Deputy will also be aware that in June 2012 I published a report on the criminal justice aspects of the cash for gold trade. The Report prepared by my Department is available on www.justice.ie. I requested the Joint Oireachtas Committee on Justice, Equality and Defence to consider the content of the report, to ensure that it obtains the views of all relevant interested parties and that it makes such report and recommendations to the Houses of the Oireachtas and to Government as it deems proportionate and appropriate in the public interest. I received the Committee's response on 30 May 2013, and it is currently under consideration.

Garda Recruitment

353. **Deputy Michael McGrath** asked the Minister for Justice and Equality the reason a panel of successful applicants for the position of members of An Garda Síochána, arising from a competition in 2008, has recently been closed even though recruitment is due to recommence shortly. [52558/13]

Minister for Justice and Equality (Deputy Alan Shatter): Following a review of the training for Garda recruits, a revised training programme has been introduced in the Garda College. In light of this and in view of the fact that the existing Garda recruitment panel was approximately five years old, the Commissioner determined, with my consent, that the maximum number of recruits were recruited from that panel. People not called from that panel may, of course, re-apply to join the Garda Síochána once they meet the eligibility criteria.

As the Deputy is aware I recently announced that a recruitment competition for An Garda Síochána is to commence in the coming weeks and it is expected that the first batch of new recruits will enter the Garda college in mid-2014.

Garda Recruitment

354. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he will review the upper age limit entry requirement of 35 years for entry into An Garda Síochána; if he intends to consider making an allowance for persons who were on the successful 2008 panel, but are now aged over 35 years; if he will consider making an allowance on the upper age limit requirement for serving members of the Garda Reserve; and if he will make a statement on the matter. [52559/13]

Minister for Justice and Equality (Deputy Alan Shatter): The maximum recruitment age at which candidates may apply to join the Garda Síochána as a full time member is set by regulation at not more than 35 years. The current maximum age applies without discrimination to everyone, including members of the Garda Reserve, and I have no plans to change it.

This upper age limit of 35 was set having regard to equality legislation and also took into account the following criteria: the cost of training; the need for recruits to serve for a sufficient period of time as full members of the service to recoup this cost; and the operational requirements of the service in terms of having an age profile appropriate to the physical demands placed on full time members in the course of their duty.

Immigration Status

355. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in determination of representations under section 3 of the Immigration Act 1999 in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [52567/13]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned entered the State on 27 December, 2007 and was granted permission to remain until 7 February, 2012, on student conditions. The person concerned was granted permission to remain, again on student conditions, for a further period of six weeks, valid to 9 September, 2013, in order to finalise his affairs in the State and to leave the State by that date.

The person concerned has remained in the State, without permission, beyond the stipulated date. Consequently, in accordance with the provisions of Section 3 of the Immigration Act 1999, the person concerned was notified, by letter dated 9 October, 2013, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the Minister setting out the reasons why he should not have a Deportation Order made against him. Written representations have been submitted by and on behalf of the person concerned.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the

Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before a final decision is made. Once a 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.

Subsidiary Protection Applications

356. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of an application for subsidiary protection in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [52568/13]

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 14 May, 2009, 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 a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for subsidiary protection.

The person concerned submitted an application for subsidiary protection. In relation to the determination of applications for subsidiary protection, the Deputy may wish to note that I recently signed into law a Statutory Instrument to introduce new procedures for the determination 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. Any 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.

Charitable Donations Administration

357. **Deputy Ciarán Lynch** asked the Minister for Justice and Equality the regulations that

control the percentage of each charitable donation that may be applied to administration purposes; if all charitable organisations are required to report the percentage of each donation spent on administration; and if he will make a statement on the matter. [52579/13]

Minister for Justice and Equality (Deputy Alan Shatter): The proportion of each charitable donation that may be applied by the recipient charity to administration costs is not set in regulations.

The Charities Act 2009 is intended to increase transparency and accountability across the Charities Sector, including through the introduction of new reporting requirements for charities once the Act is in force. Under Section 52 of the Charities Act, charities will be required to provide annual reports to the independent Charities Regulatory Authority that is to be established. These reports will be made available to the public. In this way, members of the public will have access to greater information about how charities use their resources, including charitable donations. The form and content of these reports may be set in regulations by the Minister for Justice and Equality. In July, the Government approved plans for the establishment of the new Authority and it is envisaged that it will come into operation in 2014.

Subsidiary Protection Applications

358. **Deputy Pat Deering** asked the Minister for Justice and Equality when a person (details supplied) will receive a response to their application for leave to remain. [52616/13]

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 28 February, 2011, 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. In addition, she was notified of her 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. Any 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.

Garda Equipment

359. **Deputy Finian McGrath** asked the Minister for Justice and Equality if his attention has been drawn to the fact that pepper spray when used by gardaí will not work on persons high on snowblow or other such drugs. [52699/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that prior to the introduction of incapacitant spray into An Garda Síochána detailed research was conducted, with appropriate qualified experts, into the effects of the spray on individuals who are under the influence of alcohol and drugs.

The findings of this research were incorporated into the Garda Policy on the Use of Incapacitant Spray which takes into account situations where the spray may not be effective.

In addition the Deputy will appreciate that, at an operational level, incapacitant spray is one of a number of tactical options which are available for deployment by Garda personnel.

Public Order Offences

360. **Deputy Finian McGrath** asked the Minister for Justice and Equality if his attention has been drawn to the escalation of violence against members of the public and gardaí; and when he will act on this matter. [52700/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am, of course, concerned about the incidence of all crime, and violent crime in particular. However, I must draw the Deputy's attention to the official recorded crime statistics, published by the Central Statistics Office, which show reductions in 12 out of the 14 categories for which figures are given in the twelve months ending 30 June 2013. In relation to concerns about street crime the figures show a substantial reduction in public order offences of 14.6%. In addition, the incidence of assault causing harm fell by 9.3%.

The commitment of An Garda Síochána to tackling violent crimes is set out in the National Policing Plan for 2013 which includes objectives to address all forms of violent crime through strong enforcement and crime prevention strategies, working with all relevant partners. In this regard there is continuing Garda participation in a wide range of local fora, including Joint Policing Committees, partnership programmes such as Community Alert and Neighbourhood Watch as well as recent innovations such as the Text Alert Scheme and the development of Garda community clinics.

The existing legislative framework provides substantial provisions to counteract this sort of crime including strong provisions under the Criminal Justice (Public Order) Acts and the Intoxication Liquor Acts. In particular, the Criminal Justice (Public Order) Act 2003 provides the Gardaí with powers to deal with late night street violence and anti-social conduct attributable to excessive drinking and the Intoxicating Liquor Act 2008 gives further powers to the Gardaí to tackle misuse of alcohol. These include provisions to allow Gardaí seize alcohol to prevent underage drinking in public places and to forestall public disorder or damage to property.

In relation to violence aimed at the Gardaí themselves, there is specific legislation in place to deal with assaults of, or threats to, emergency workers in front line positions, including members of An Garda Síochána. This is contained in section 19 of the Criminal Justice (Public

Order) 1994 Act (as amended by section 185 Criminal Justice Act 2006) and provides penalties on summary conviction of a fine or a term of imprisonment not exceeding 12 months or both or, on conviction on indictment, of a fine or imprisonment for a term not exceeding 7 years or both.

I am confident that An Garda Síochána will continue to deliver a robust and appropriate response to violent crime. In this regard I am advised that local Garda Management closely monitors the allocation of all resources in the context of crime trends, policing needs and other operational strategies to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public.

UN Conventions Ratification

361. **Deputy Finian McGrath** asked the Minister for Justice and Equality the timeframe for the ratification of the UN Convention on the Rights of Persons with Disabilities; and if he will make a statement on the matter. [52701/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Government intends to proceed to ratification of the Convention as quickly as possible, taking into account the need to ensure that all necessary legislative and administrative requirements under the Convention are being met. As the Deputy may be aware, Ireland does not become party to treaties until it is first in a position to comply with the obligations imposed by the treaty in question, including by amending domestic law as necessary.

An Inter-Departmental Committee on the Convention is monitoring the remaining legislative and administrative actions required to enable ratification. The Committee has identified as part of its work programme, issues to be considered by various Government Departments. It is a matter for those Departments to determine whether any actions are required in relation to these issues in advance of ratification and report back to the Committee. This work is ongoing in all Departments. At the Committee's request, the National Disability Authority, the lead statutory agency for the sector, is also assisting it to assess remaining requirements for ratification so as to ensure that all outstanding issues will be comprehensively addressed.

As regards my own Department one of the key requirements is the enactment of capacity legislation. The Programme for Government contains a commitment to introduce a Bill that is in line with the UN Convention on the Rights of Persons with Disabilities. The Assisted Decision-Making (Capacity) Bill, published on 17 July 2013, provides a series of options to support people with impaired capacity to make decisions and to exercise their basic rights, in line with the principles of the UN Convention. It undertakes a comprehensive reform of existing legislation governing capacity. The second stage debate of the Bill began in the Dáil on 3 December and will be completed on 11 or 12 December 2013.

The enactment of this legislation is just one of the core elements of the remaining work to be completed to enable ratification by the State of the Convention.

Public Order Offences

362. **Deputy Seán Kenny** asked the Minister for Justice and Equality if he will instruct the Garda Commissioner to deploy a second public order van to the Temple Bar area over the Christmas-New Year season to tackle alcohol-related crime; and if he will make a statement on the matter. [52721/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the Dublin City Centre Policing Plan, which is a high visibility Policing Plan for the Dublin Garda Region including Dublin City Centre, has been operational since June 2013.

I am further informed that a specific plan is in place in the Dublin City area, including the Temple Bar area, which provides dedicated high visibility patrols on key thoroughfares at relevant times dictated by crime trends, footfall and demand led studies in the area. The plan includes the deployment of a dedicated Public Order Van each Friday and Saturday from 11am to 4am.

Under Operation Aughrim routine patrols, including dedicated plain clothes foot patrols, are assigned to the Temple Bar area and adjoining streets each Friday and Saturday night. Two Gardaí from the Community Policing Unit, Pearse Street Garda Station are assigned to the area and maintain liaison with the residents, businesses and other stakeholders. Ongoing consultation is maintained with the Temple Bar Traders association and the Dublin Business Improvement District (BID).

While the deployment of specific Garda resources is of course a matter for the Garda authorities, I am advised that the situation in the area is monitored on an ongoing basis. Local Garda Management closely monitors the allocation of all resources in the context of crime trends, policing needs and other operational strategies in the area to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public.

Public Order Offences

363. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if further to Parliamentary Question No. 158 of 20 November 2013, he will provide an update on the relevant matter. [52731/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the incident referred to by the Deputy was fully investigated by An Garda Síochána.

I am further informed that this investigation led to the prosecution of 6 people, five of whom pleaded guilty on 27 September 2013 to an offence contrary to Section 4 of the Public Order Act 1994 and were ordered to pay €300 each to a charity and made subject to the provisions of section 1(1) of the Probation of Offenders Act. A sixth person failed to appear before the court and a bench warrant has been issued for his arrest.

The Deputy will appreciate I have no role in relation to the prosecution or trial of offences, or with respect to judicial determinations in individual cases.

Garda Vetting of Personnel

364. **Deputy Willie O’Dea** asked the Minister for Justice and Equality following a request for Garda clearance, the way it occurred that a person (details supplied) in County Clare was assigned the criminal convictions of a person in County Tipperary; when this matter will be rectified; and if he will make a statement on the matter. [52742/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a Data Protection Access request under Section 4 of the Data Protection Act was received by the Garda Central Vetting Unit (GCVU) on behalf of the individual concerned.

The application was processed and a reply was returned to the individual concerned on 17 May 2013. I am informed that as a result of further correspondence, the matter is currently under investigation by the Garda Central Vetting Unit.

Temporary Release of Prisoners

365. **Deputy Nicky McFadden** asked the Minister for Justice and Equality the current policy adopted by the Irish Prison Service in relation to temporary release as a means of dealing with over-capacity; if greater focus could be placed on non-custodial options for non-violent and less serious offenders; and if he will make a statement on the matter. [52781/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Criminal Justice Act 1960, as amended by the Criminal Justice (Temporary Release of Prisoners) Act 2003 provides that sentenced prisoners may be approved temporary release whether it be for a few hours or a more extended period. The Act sets out the circumstances when temporary release may be provided and what matters must be taken into account.

Before a final determination a number of factors may be taken into account including:

- the nature and gravity of the offence to which the sentence being served by the person relates;
- the sentence concerned and any recommendation made by the Court in relation to the sentence imposed;
- the period of the sentence served by the person;
- the potential threat to the safety and security of the public should the person be released;
- the person's previous criminal record;
- the risk of the person failing to return to prison at the expiration of the period of temporary release;
- the conduct of the person while in custody or while previously on temporary release;
- any report or recommendation made by the Governor, the Garda Síochána, a Probation and Welfare Officer, or any other person whom the Minister considers may be of assistance in coming to a decision as to whether to grant temporary release;
- the risk that the person might commit an offence during any period of temporary release;
- the risk of the person failing to comply with any of the conditions of temporary release;
- the likelihood that a period of temporary release might accelerate the person's reintegration into society or improve his prospects of obtaining employment.

Temporary release assists in gradually preparing suitable offenders for release and in administering short sentences, and is an incentive to prisoners. It is an important vehicle for re-integrating an offender into the community in a planned way. The generally accepted view is that the risk to the community is reduced by planned re-integration of offenders compared with their return to the community on the completion of their full sentence. Each application for temporary release for whatever reason, including those referred to in the Deputy's question, is examined on its own merits and the safety of the public is paramount when decisions are made.

The Act also provides that, I may consider prisoners for temporary release where I am of the opinion that it is necessary and expedient in order to ensure the good government of the prison concerned and to maintain good order as well as humane conditions within the prison concerned.

The Deputy will be aware that I have announced a number of initiatives and programmes to alleviate over-crowding in the prison system. The Irish Prison Service Three Year Strategic

Plan (2012-2015), which is publicly available, outlines a number of measures to be undertaken including the Community Return Scheme, a closer working relationship with the Probation Service and a more structured approach to Temporary Release.

The Community Return Scheme, which was first piloted in 2011, has been rolled out nationally across all prisons. Almost 750 prisoners have taken part in the initiative since it commenced with 526 prisoners now having completed the programme. On 4 December 2013, there were 117 prisoners on the Scheme.

In addition to Community Returns, the Unlocking Community Alternatives Scheme (UCAS) and the Community Support Scheme have been set up in Cork and Mountjoy Prisons in an attempt to address the recidivism levels of those serving sentences of under 12 months from those catchment areas. The UCAS and Community Support Scheme groups are comprised of a number of prison-based personnel, representing the discipline grades and therapeutic services, as well as Community Support Workers based in the community. These Schemes will see a focus on working with short term sentenced prisoners - assisting with issues such as housing, medical care, substance abuse, training needs, etc. The aim is to increase support to prisoners - prior to their release from prison, upon their release and then for a period after their release in order to help break the cycle of re-offending. Discussions have been ongoing, in this regard, with a number of external agencies and it is hoped that further initiatives will commence in the near future.

Departmental Expenditure

366. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52803/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to advise the Deputy that it has not been possible to collate the information requested in the time available. I will forward a comprehensive response to the Deputy as soon as possible.

Garda Equipment

367. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will have a watching brief in place on behalf of his Department into the investigation by the Scottish authorities into the cause of the recent crash of a police helicopter in Glasgow in view of the similarities in the equipment involved on helicopters used by An Garda Síochána in this jurisdiction. [52859/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that a number of investigations are being carried out into the recent tragic events in Glasgow and my Department will of course monitor the outcomes of these investigations.

The Deputy will also appreciate that the operation of the Garda Air Support Unit is primarily a matter for the Garda Commissioner. In that context, I am informed by the Garda authorities that they are in regular contact with Eurocopter UK whose parent company manufactures the EC135T2 helicopter. In addition they will continue to engage with the manufacturer to ensure that all appropriate protocols and safety procedures are in place for the safe operation of the Air Support Unit.

Stardust Fire Issues

368. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will provide an update on the matter of the Stardust fire tragedy in view of new information (details supplied); and if he will make a statement on the matter. [52887/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will recall, the independent examination by Mr. Paul Coffey SC of the case made by the Stardust Victims Committee for a renewed inquiry into the cause of the fire concluded that the original tribunal finding of arson was a hypothetical one only and that no one present on the night can be held responsible. He also concluded that in the absence of any identified evidence as to the cause of the fire, the most another inquiry would achieve would be another set of hypothetical findings, which would not be in the public interest. No grounds have been put forward which would alter these conclusions, which were endorsed in both Houses of the Oireachtas, and there are no plans to re-open the inquiry.

Military Aircraft Landings

369. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question No. 727 of 5 November 2013 in which he stated that An Garda Síochána has no role in relation to the inspection of foreign State or military aircraft, which in accordance with international law enjoy sovereign immunity, and further to Parliamentary Question No. 514 of 19 November 2013 in which he stated the Garda does, of course, have powers in relation to aircraft which are not subject to immunity, both of which questions pertained to military aircraft, if he will explain which military aircraft are covered by sovereign immunity and which are not. [52899/13]

Minister for Justice and Equality (Deputy Alan Shatter): In my previous reply I pointed out that sovereign immunity is recognised as applying in respect of foreign state or military aircraft. Commercial aircraft, including chartered aircraft carrying military personnel, are not regarded as military aircraft and the Gardai do of course have powers, such as search and entry, in relation to aircraft which are not subject to immunity.

However, these powers may only be exercised where a member of An Garda Síochána reasonably suspects that an offence has or is being committed.

As previously indicated to the Deputy, An Garda Síochána has fully investigated a number of allegations of unlawful activity at Irish airports and files have been submitted to the Director of Public Prosecutions in some of these cases, although no prosecutions have been directed. In other cases no evidence to support the allegations was disclosed.

Asylum Applications

370. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 126 of 28 November 2013, if he will clarify the current residency status in view of the fact that this is the basis of the parliamentary question; and if he will make a statement on the matter. [52915/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy is aware, if the persons concerned have made applications for asylum the position is, as I have stated on numerous occasions to the Deputy, that it is not the practice to comment on applications for so long as they are in the protection process. Accordingly, all information in relation to an ongoing protection application is a matter for the independent statutory body concerned. As the Deputy

knows the statutory independent bodies have an obligation to treat all protection applications in the strictest confidence.

Capital Programme Expenditure

371. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality the reason for the underspend of €14 million in capital funding as recorded in the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52955/13]

Minister for Justice and Equality (Deputy Alan Shatter): The underspend in capital expenditure against profile to the end of November relates for the most part to the Prisons Vote. The reason for the under spend is mainly accounted for by timing delays and it is expected that practically all of the capital budget for 2013 for the vote group will be expended by year end with the exception of €2.4 million on the Prisons Vote which will be carried forward into 2014 under the deferred capital provisions.

As part of a recent supplementary estimate for the Garda Síochána Vote, €5 million in capital expenditure was reprioritised within the vote group for additional investment in the Garda Transport Fleet.

There was a capital carryover of only €287,000 from 2012 to 2013 in respect of the Justice vote group and it appears that the money in question will not be expended in 2013, as the project for which it was identified will not commence until early 2014.

Firearms Licences

372. **Deputy Niall Collins** asked the Minister for Justice and Equality if he is reviewing Garda firearm licensing policy in view of a recent court case that granted licences which had previously been refused on the advice of Garda ballistic experts; and if he will make a statement on the matter. [52971/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that my Department is examining key issues relating to firearms licensing, in conjunction with An Garda Síochána. I expect to receive recommendations as a result of this process in February 2014. That process will have regard to any relevant court cases.

Misuse of Drugs

373. **Deputy Niall Collins** asked the Minister for Justice and Equality if he has reviewed the schedule of banned substances in 2010, 2011, 2012 and to date in 2013; the mechanisms in place for the updating of the schedule; and if he will make a statement on the matter. [52978/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy's question is understood to be referring to the controlling of substances under the Misuse of Drugs Act 1977, as amended, whereby substances controlled are listed in schedules with differing levels of control applying to each schedule.

Given this any review of these schedules would be a matter which falls under the remit of my colleague the Minister for Health Dr. James Reilly T.D.

Garda Equipment

374. **Deputy Niall Collins** asked the Minister for Justice and Equality the additional equipment An Garda Síochána has received since 2010 to assist members in roadside testing for banned substances; the number of machines available nationally for banned substance testing in 2010, 2011, 2012 and to date in 2013; and if he will make a statement on the matter. [52979/13]

375. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will provide in tabular form a breakdown by division of the banned substance roadside-testing equipment available to An Garda Síochána; and if he will make a statement on the matter. [52980/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 374 and 375 together.

I am informed by an Garda Síochána that roadside testing equipment is not currently available to the Garda authorities to assist in testing for banned substances. The introduction of roadside drug testing devices is the responsibility of my colleague the Minister for Transport, Tourism and Sport, who has established, on foot of the publication of the Medical Bureau of Road Safety's Report on Roadside Drug Testing and Equipment and Related Matters in October 2012, an implementation group to examine the complex issues associated with the introduction of a roadside chemical testing device for drugs. An Garda Síochána is represented on this group and its work is ongoing.

Charities Regulation

376. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality when he will fully implement the Charities Act 2009 and ensure that all charities are fully regulated to protect the reputation of the vast majority. [52995/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Charities Act 2009 provides for an integrated system of mandatory registration and proportionate regulation and supervision of the charities sector in Ireland. The various sections of the Charities Act are subject to implementation through commencement orders. Sections that it was possible to commence in advance of the establishment of the Charities Regulatory Authority, as provided for under the Act, have been commenced. The remainder will be commenced following the establishment of the Authority.

The Deputy will appreciate that the full implementation of the Charities Act, including the establishment of the Authority and Register of Charities, has resource implications that had to be examined in the context of the urgent need to reduce government expenditure. I delayed bringing this legislation into force in order to consider how best to achieve the objectives of the Act in this context. It remains an objective of the Government to strengthen the regulation of the charitable sector in effective and proportionate ways. To advance this, a public and stakeholder consultation on the implementation of the Charities Act 2009, and the establishment of a Register of Charities, was carried out by my Department earlier this year and published in July. At that time the Government also approved my plans to proceed with the establishment of an independent Charities Regulatory Authority under the terms of the 2009 Charities Act. It is envisaged that the new Authority will come into operation in 2014.

Cash for Gold Trade

377. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality when he will bring in legislation to address the potential for abuse by criminals of the cash for gold

system. [52996/13]

Minister for Justice and Equality (Deputy Alan Shatter): I published a report in June, 2012 on the criminal justice aspects of the cash for gold trade. The Report prepared by my Department is available on www.justice.ie. I requested the Joint Oireachtas Committee on Justice, Equality and Defence to consider the content of the report, to ensure that it obtains the views of all relevant interested parties and that it makes such report and recommendations to the Houses of the Oireachtas and to Government as it deems proportionate and appropriate in the public interest. I received the Committee's response on 30 May, 2013, and it is currently under consideration.

Irish Prison Service

378. **Deputy Eamonn Maloney** asked the Minister for Justice and Equality the progress to date by the Irish Prison Service in targeting the problem of homelessness among women; if he will provide a list of the agencies with which the Irish Prison Service has co-operated to this end; and if he will make a statement on the matter. [53003/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that the Irish Prison Service is represented on the Cross Departmental Team on Homelessness and the National Housing Consultative Committee on Homelessness (NHCC). The CDT and NHCC comprise a range of government and non-government bodies working towards better joined up services on homelessness and the implementation of the National Homeless Strategy. The Irish Prison Service is also represented on seven of the Regional Homeless Consultative Fora established under the provisions of the Housing (Miscellaneous) Provisions Act, 2009. Through these fora, the Irish Prison Service, in partnership with the Probation Service, has been working to ensure that the unique circumstances of homeless offenders are taken into account in the development and provision of preventative and other supporting actions for persons who are vulnerable to homelessness.

With regard to women prisoners specifically, in recent years, in addition to the direct work of probation officers on accommodation issues, a weekly clinic service has been provided in the Dóchas Centre by the Department of Social Protection Community Welfare Service through the Homeless Person's Unit (HPU). This service is co-funded by the Irish Prison Service, the Probation Service, the Department of Social Protection and four local authorities. Referrals to this service generally are at the pre-release stage and emergency and other accommodation options, supplementary benefits and fast tracked medical cards are arranged by the Community Welfare Officers (CWOs) who provide the information and clinic services. There were 241 female prisoners assisted by the HPU in-reach (CWOs) in Dóchas Centre in 2012. These 241 prisoners account for 1,138 interactions with this service. The HPU service is invaluable for the successful resettlement of offenders and a vital component of pre-release planning. Focus Ireland operates a homeless in-reach service in Limerick Prison, which also accommodates female prisoners. The Focus Ireland service provides a case management and pre-settlement service for prisoners. The service supports participants in accessing appropriate services and accommodation on the pathway to independent living.

In addition I would like to inform the Deputy that as part of the Irish Prison Service's Strategic Plan, 2012-2015, the Service has committed itself to work in partnership with the Probation Service and other stakeholders in the statutory, community and voluntary sectors which include Dublin City Council, the Office of Public Works, the Health Service Executive and City of Dublin Education & Training Board in order to develop a strategy for dealing with women offenders and to put in place a targeted response in relation to homelessness for these women. The engagement between the Irish Prison Service and these agencies to date, has in part, con-

centrated on the provision of a Centre in the greater Dublin area which would target women with specific needs and would provide:

- Supported accommodation,
- Intensive case management (temporary and long term),
- Specialist addiction and mental health support, with primary care teams, and
- Day services with drop in and structured programmes, including training and educational programmes.

Priority access will be given for women from the Dóchas Centre.

In relation to the development of a centre for women, the Irish Prison Service are working with the following:

Strategic Partners:

Dublin Region Homeless Executive
Health Service Executive
The Probation Service
City of Dublin Education & Training Board

Operational Group:

The Probation Service
Dublin City Council
City of Dublin Education & Training Board
Novas Initiatives
Depaul Ireland
Health Service Executive
Department of Social Protection

Youth Justice Strategy

379. **Deputy Eamonn Maloney** asked the Minister for Justice and Equality the impact of the Garda diversion programme on anti-social behaviour and youth crime; and if he will make a statement on the matter. [53004/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Diversion Programme operates in accordance with Part 4 of the Children Act 2001, as amended, and under the general superintendence and control of the Garda Commissioner. The objective of the Diversion Programme is to divert any child who accepts responsibility for his or her criminal or anti social behaviour from committing further offences or engaging in further anti social behaviour. This is done by way of administering a formal or informal caution, thus diverting the offender away from the courts and minimising the likelihood of further offending. The Programme embraces, whenever possible, the principles of restorative justice and the programme also pays regard to the needs of the victims of youth offending.

The Programme is supported by 100 Garda Youth Diversion Projects. These projects are nationwide, community-based, multi-agency crime prevention initiatives run in partnership with An Garda Síochána and funded/overseen by my Department's unit within the Irish Youth Justice Service. These projects seek to divert young people from involvement in anti-social and/or criminal behaviour. They aim to bring about the conditions whereby the behavioural patterns of young people towards law and order can develop and mature through positive interventions and interaction with the projects. The projects are particularly targeted at 12-17 year old "at risk" youths in communities where a specific need has been identified and where there is a risk of these young people remaining within the criminal justice system.

The Annual Reports of the Committee appointed to monitor the effectiveness of the Diversion Programme under Part 4 of the Act 2001, as amended, include details of the number of incidents of youth crime and the number of individual children referred to the Programme each year. This information is broken down by Garda Region and Division. The reports for period 2004-2011 are available on the website of the Irish Youth Justice Service (www.iyjs.ie). I have recently received the 2012 Report and I will be in a position to publish that report shortly. The programme is seen to be successful in diverting young offenders away from crime by offering guidance and support to the young people and their families.

Questions Nos. 380 and 381 answered with Question No. 71.

Departmental Legal Cases

382. **Deputy Niall Collins** asked the Minister for Justice and Equality if he has considered establishing an independent review into a case (details supplied); and if he will make a statement on the matter. [53023/13]

383. **Deputy Niall Collins** asked the Minister for Justice and Equality if he is willing to arrange a meeting with the family involved with a case (details supplied); and if he will make a statement on the matter. [53024/13]

384. **Deputy Niall Collins** asked the Minister for Justice and Equality the future actions he is considering with regard to a case (details supplied); and if he will make a statement on the matter. [53025/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 382 to 384, inclusive, together.

I can inform the Deputy there are no aspects of this case currently under examination in my Department.

I am aware that the members of the family in question have pursued complaints in respect of a number of issues over a long period of time and that there was also protracted civil litigation which I believe was concluded a number of years ago.

As there is no action being taken or open to my Department in relation to these matters I do not think there would be a benefit in meeting the family.

Crime Levels

385. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if his attention has been drawn to an increase in reported crime in an area (details supplied); if his attention has been drawn to the action the Garda intends to take to reduce it; and if he will make a statement on the matter. [53059/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the area referred to is in the Ashbourne Garda District. I am further informed that Garda data show a reduction in most categories of criminal offence in the District, in line with the national trend, including a reduction in Burglary and Related Offences. The area in question is regularly patrolled by uniform and plain clothes crime prevention patrols, which are augmented by the Detective Unit, Community Policing Unit together with the Divisional Traffic Unit and the Regional Support Unit as required.

Local Garda Management closely monitors such patrols, and other operational strategies in place, in conjunction with crime trends and policing needs of the community to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public. An Garda Síochána also places great emphasis on the importance of the partnership between An Garda Síochána and the community in preventing and detecting crime, and maintaining a safe environment for everyone. In this regard, community support and engagement is facilitated in the area in question through interaction by Gardaí with Community Alert and Neighbourhood Watch Schemes in particular.

Garda Management is satisfied that a full and comprehensive policing service is being delivered to the community in the area concerned and the situation will be kept under review with paramount consideration given to the needs of residents.

Crime Data

386. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of occasions in each of the past four years to date on which bail was granted in situations where An Garda Síochána objected to same on the grounds that those involved would offend or had previously been on bail in respect of a crime when committing an offence; the number of occasions where bail was refused; and if he will make a statement on the matter. [53076/13]

390. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of crimes committed by persons on bail in the past 12 months to date; and if he will make a statement on the matter. [53080/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 386 and 390 together.

I am informed by the Garda authorities that the information requested by the Deputy regarding the number of occasions on which bail was granted in situations where An Garda Síochána objected to the granting of bail is not readily available and would require a disproportionate expenditure of Garda time and resources to compile.

Regarding the number of crimes committed by persons on bail, the Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide statistics directly to the Deputy.

Garda Recruitment

387. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when Garda recruitment will be resumed; and if he will make a statement on the matter. [53077/13]

Minister for Justice and Equality (Deputy Alan Shatter): Plans are being finalised for the opening of the recruitment competition very shortly. Those persons who have expressed an interest in joining the Garda Síochána will be notified accordingly by the Public Appointments Service.

Courts Staff

388. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which adequate numbers of judges are available at the District Court, Circuit Court or the

higher courts to ensure the minimisation of any delays in the processing of cases; and if he will make a statement on the matter. [53078/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy will be aware, the Courts Service is responsible for the management and administration of the Courts. The scheduling of court cases and the allocation of court business is a matter for the Presidents of the courts and the presiding judge who are under the Constitution independent in the exercise of their judicial functions. The Presidents monitor waiting times across all court lists and seek to ensure the optimum use of court time. The Courts Service has informed me that the primary objective for the Service is to maintain the delivery of front line court sittings and services. The Courts Service continuously works to support the judiciary and assist in ensuring that cases are dealt with as effectively and as speedily as possible. Available resources and operational and organisational structures are under ongoing review to ensure that resources are targeted and focused on keeping waiting times in the provision of services to a minimum.

The Deputy may also be aware that, following the appointment of two additional Supreme Court Judges on 17 October, the Supreme Court has begun to sit in two panels to address the backlog that has accumulated in the Supreme Court over the past number of years and the proposed establishment of a Court of Appeal will provide long-needed reform of our courts system.

There are currently three judicial vacancies in the High Court, one in the Circuit Court and one in the District Court. The Government recently nominated a Circuit Court judge who is due to be appointed shortly and the other vacancies will be filled as soon as possible.

Prison Accommodation Provision

389. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which adequate and sufficient prison spaces are available to meet requirements at the present time; the extent to which more than one prisoner is accommodated in a cell; and if he will make a statement on the matter. [53079/13]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that at the end of October 2013, there were 3093 usable cells in the prison system. 1,799 prisoners were accommodated in single cells which accounted for 44% of all prisoners (4,086). In addition, there were 878 cells which accommodated 2 prisoners, 133 cells which accommodated 3 prisoners and 30 cells which accommodated 4 or more prisoners. As the Deputy will appreciate the Irish Prison Service must accept all prisoners committed by the Courts into its custody and does not have the option of refusing committals.

The Deputy will appreciate that my officials are concentrating on aligning our prisoner population numbers with the Inspector of Prisons' recommendations in those prisons with the highest levels of over-crowding, namely Cork Prison, Limerick Prison and the Dóchas Centre.

In addition, a 40 month capital programme is being implemented to eliminate slopping out and to improve prison conditions in the older part of the prison estate. I am advised by my officials that work is continuing on the modernisation project at Mountjoy prison. Refurbishment of the Mountjoy B and C wings was completed in 2012. A wing commenced in early January 2013 and is substantially completed and will be ready for occupancy early in the new year. D Wing is on track to have a contract awarded by end 2013 for the refurbishment and modernisation of the D wing and workshops. On completion of the refurbishment of D wing all cells in Mountjoy prison will have in-cell sanitation facilities.

In relation to Cork Prison, the tender process is now complete and a preferred tenderer has

been identified. The contract is due to be signed at the end of this month and construction is due to begin in January 2014. The Business Case for the Limerick Prison project was submitted to the Department of Public Expenditure Reform in June of this year and approval has been received to advance the project to detail design stage. A number of enabling project works have commenced and the main tender documents are due to issue in early to mid 2014. When the Limerick project is completed there will be additional spaces available to the female prisoner population there also.

Question No. 390 answered with Question No. 386.

Organised Crime

391. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which he is satisfied regarding the availability of adequate resources to An Garda Síochána to deal with the threat of gangland criminal activity; and if he will make a statement on the matter. [53081/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda strength at the end of October 2013, the latest date for which figures are readily available, was 13,137 members of the full time force, over 1,000 Garda Reserve members and over 2,000 civilian staff.

The Deputy will also be aware that addressing gangland criminality activity remains a key ongoing priority for both the Government and for An Garda Síochána and this is clearly reflected in the Garda Policing Plan for 2013 and in the Programme for Government. In this respect, An Garda Síochána continues to undertake a range of targeted activities designed to disrupt and dismantle the operations of criminal organisations.

This approach involves targeting serious criminals and organised criminal groups on a number of fronts and across all geographical locations, including through the use of focused intelligence led operations by specialist units such as the Organised Crime Unit, the Garda Bureau of Fraud Investigation and the National Bureau of Criminal Investigation and the work of the Criminal Assets Bureau.

Furthermore, members of An Garda Síochána continue to utilise all available legislation, including the additional legislative provisions introduced by the Oireachtas in 2009 which amended the Criminal Justice Act 2006 relating to organised crime.

Recent crime statistics show that An Garda Síochána continue to be successful in this work and I commend them on their achievements. I will continue to support An Garda Síochána in every way I can, including through maintaining Garda strength at a time of resource constraint and the enhancement of the legislative and operational resources available to the force, for example, through the establishment of the new DNA database.

Garda Investigations

392. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which conclusions continue to be reached in respect of the various cold cases which have been identified over several years; and if he will make a statement on the matter. [53082/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that local District Officers take direct responsibility for the investigation of all crime within their respective Districts. Local investigation teams are appointed by the District Officer

and all means necessary, including the services of specialist units, are deployed to assist in these investigation.

The Garda Serious Crime Review Team was established in 2007 to assist Senior Investigating Officers in the investigation of serious crime by identifying new and potential investigative opportunities and operational practices based on lessons learned and identification of good practice for dissemination back into the investigative and operational units. I am informed that reviews carried out by the Unit should not be regarded as a re-investigation of any incident, but as an integral element of the investigation, designed to assist and support the Senior Investigating Officer.

The Serious Crime Review Team continues to review serious cases that remain unsolved and continues to unearth evidence and witnesses to assist in the development of these cases.

State Pathologists

393. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which resources are available to the State Pathologist's office to ensure the earliest possible conclusion of examination of the victim takes place in the shortest possible time, thereby facilitating early detection; and if he will make a statement on the matter. [53083/13]

Minister for Justice and Equality (Deputy Alan Shatter): As the Deputy may be aware, Dr Khalid Jaber has recently tendered his resignation from the post of Deputy State Pathologist. Dr Jaber's resignation has been accepted and he has been notified accordingly.

Following the resignation of Dr. Jaber the primary service operated by the State Pathology Office is being provided by the State Pathologist, Professor Marie Cassidy and the Deputy State Pathologist, Dr. Michael Curtis. This service is supplemented, as required, by Dr. Margot Bolster, Assistant State Pathologist.

It is of course a matter for the State Pathologist to determine how her Office operates and in that regard I understand she is in the process of putting the necessary operational arrangements in place to take account of the resignation of Dr. Jaber. In particular, I have been informed by the State Pathologist that she has arranged for Dr. Bolster to assume on-call call duties which would previously have fallen to be undertaken by Dr. Jaber.

In this context it is my view that a professional and comprehensive pathology service will continue to be delivered by the Office of the State Pathologist and in that regard I have full confidence in the State Pathologist Professor Cassidy and her staff.

Finally, I can assure the Deputy, and the members of this House, that the question of finding a replacement for Dr. Jaber is being pursued very actively by my Department. In this connection the filling of the vacancy has been approved by the Department of Public Expenditure and Reform.

Garda Equipment

394. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which the technology available to the Garda remains up to date and in keeping with requirements to assist its efforts in the prevention and detection of crime; and if he will make a statement on the matter. [53084/13]

396. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to

which the technical equipment available to An Garda Síochána is on a par with best practice in other jurisdictions; and if he will make a statement on the matter. [53086/13]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 394 and 396 together.

As the Deputy will be aware, the Garda authorities are continually looking to employ new technologies to achieve their goals and to contribute to the services they provide. This is a policy that is designed to ensure that the Garda Síochána will be in a position to take advantage of proven up to date technological developments to tackle crime and to meet the additional needs of an effective police force.

In particular, considerable progress has been made within the Garda Force in the field of modern technological support. In addition to a class-leading computer system, PULSE, these include the full roll-out of the state of the art National Digital Radio System, the Automated Fingerprint Information System and Automated Number Plate Recognition. In addition I might mention that a dedicated Garda data entry service is operating very successfully in Castlebar and it has freed up substantial resources for operational duties.

Legal Aid Applications

395. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which free legal aid is available to those who have committed a further crime while on bail; and if he will make a statement on the matter. [53085/13]

Minister for Justice and Equality (Deputy Alan Shatter): Under the Criminal Justice (Legal Aid) Act 1962 the courts, through the judiciary, are responsible for the granting of legal aid. Applicants for legal aid must establish to the satisfaction of the court that their means are insufficient to enable them to pay for legal aid themselves. The Act specifies that the court must also be satisfied that, by reason of the “gravity of the charge” or “exceptional circumstances”, it is essential in the interests of justice that the applicant should have legal aid. An applicant’s previous convictions are not a criterion for access to legal aid under the Act.

The Deputy will appreciate that an accused person who faces serious charges is entitled to a fair trial and the presumption of innocence and if they cannot afford to pay for legal representation there is a right to legal aid. Under the Constitution, the State is obliged to provide an accused person with the means to obtain appropriate legal representation. Moreover, the European Convention on Human Rights provides that every person charged with a criminal offence is entitled to defend him/herself in person or through legal assistance of his/her own choosing or, if he/she has insufficient means to pay for legal assistance, to be given it free when the interests of justice so require. The Deputy will also appreciate that the Criminal Legal Aid Scheme must operate with due regard to these rights and that any unreasonable block on legal aid could give a convicted defendant an avenue for appeal or prohibition of the prosecution. The overriding concern is to ensure that no risk arises in relation to the prosecution of persons charged with criminal offences before the courts.

Question No. 396 answered with Question No. 394.

Prison Security

397. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total num-

ber of prisoners deemed to have absconded or left prison by whatever means without permission in the past ten years, the number recaptured, the number who remain at large; and if he will make a statement on the matter. [53087/13]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that on 6 December 2013, the figures on a year by year basis were as follows:

Year	No. absconders	No. returned	No. of those who remain at large
2004	66	64	2
2005	81	77	4
2006	90	87	3
2007	136	130	6
2008	122	115	7
2009	133	117	16
2010	112	103	9
2011	86	85	1
2012	61	54	7
2013	15	12	3

I wish to advise the Deputy that it is not possible to establish the means of return without individually examining the records of each prisoner in each of the years involved as this would involve an inordinate drain on the resources of the Irish Prison Service at a particularly busy time. Prisoners usually return voluntarily, are re-arrested by An Garda Síochána or are re-committed by the Courts. The Gardaí are informed when prisoners abscond and have the power to detain, arrest, and return such persons to prison. Experience has shown that the vast majority of offenders who abscond return or are returned to custody to complete their sentences within a short time frame.

I wish finally to advise the Deputy that in October 2012, the Director General of the Irish Prison Service established a project team, chaired by himself, to examine means of tackling the issue of Unlawfully at Large prisoners. The work undertaken by the project team along with the close co-operation of the Gardaí and the Department of Social Protection has recently led to the recapture of 4 prisoners, one of whom had absconded in 2002. This project is ongoing.

Organised Crime

398. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which the strength of criminal gangs is being weakened; and if he will make a statement on the matter. [53088/13]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that organised crime, by its very nature, is constantly evolving and diversifying in both its structures and activities and that membership of organised crime groups tends to be fluid in nature. It must also be borne in mind that modern organised criminal groupings are transnational in nature and engage in a wide range of disparate criminal activities. It can, therefore, be difficult to identify definitive numbers of groupings and members involved in such illegal and covert activity at any particular point in time.

However, I can assure the Deputy that the operation of organised crime groups is closely monitored on an ongoing basis by An Garda Síochána and that tackling these groups remains a

key ongoing priority for both the Government and An Garda Síochána. This priority is clearly reflected in the Garda Policing Plan for 2013.

In this regard, An Garda Síochána continues to tackle organised crime through a range of targeted activities designed to disrupt and dismantle their operations. This involves targeting serious criminals and organised criminal groups through the use of focused intelligence led operations by specialist units such as the Organised Crime Unit, the Garda Bureau of Fraud Investigation, the National Bureau of Criminal Investigation and the work of the Criminal Assets Bureau. An Garda Síochána also maintains close liaison with other law enforcement agencies internationally in this area.

The activities of these units are highlighted in the annual reports of An Garda Síochána, e.g. in 2012, the Organised Crime Unit alone undertook 387 targeted operations against criminal groups. While the challenges and threat posed by such groups remains clear, An Garda Síochána continue to arrest and bring those involved in such criminality before the Courts where substantial sentences continue to be handed down for serious crime offences.

Our law enforcement operations are underpinned by a comprehensive framework of criminal law measures which are being fully utilised by the Gardaí. In this regard I should highlight the recent publication of legislation to provide for the establishment of a DNA database to assist the Garda Síochána in tackling crime. The intelligence generated from this database will be of particular value to the Gardaí, and will greatly assist in the investigation of a wide range of serious crimes perpetrated by criminal gangs.

The Deputy will also be aware that the most recent recorded crime statistics, which were released at the end of October show falling trends in the offence numbers for most categories of crime, including offences relating to homicide, kidnapping, weapons and explosives, and drugs related offences. These crime figures reflect well on the work of An Garda Síochána and demonstrate that those involved in criminal gangs are being vigorously opposed. In concluding, I can fully assure the Deputy that An Garda Síochána will continue to actively pursue all persons involved in criminal gang activity.

Garda Recruitment

399. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the total number of vacancies at all ranks waiting to be filled at present; and if he will make a statement on the matter. [53089/13]

Minister for Justice and Equality (Deputy Alan Shatter): At a national level, sanction has been given by the Department of Public Expenditure and Reform for a maximum strength in each rank, based on the objective of a total strength of 13,000, and these strengths for ranks above Garda rank are given in the table below, together with current actual strength (as of the end of October 2013). Where current actual strength is below the approved maximum strength, the Garda Commissioner is making the necessary arrangements to have the balance of posts filled through promotion competitions.

Rank	Actual strength	Approved max. strength
COMMISSIONER	1	1
D/COMMISSIONER	1	2
A/COMMISSIONER	8	9*
C/SUPERINTENDENT	44	45

Rank	Actual strength	Approved max. strength
SUPERINTENDENT	150	166
INSPECTOR	272	300
SERGEANT	1,868	2,000

* to be reduced to 8 on the appointment in 2014 of an Executive Director of HRM.

Missing Persons Data

400. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of persons reported as missing in each of the past three years to date; the number traced; and if he will make a statement on the matter. [53090/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the following table sets out the total number of missing person reports from 2011 to 5 December, 2013. The table also sets out the total number of persons reported missing during that period who remain untraced. It should be noted that the figures provided are provisional, operational and liable to change.

Year	No. of Missing Person Reports	No. of persons reported missing who remain untraced
2013 (to 5 December)	7,265	82
2012	8,815	28
2011	8,511	25

I am assured that all incidents where persons have been reported missing remain under investigation until such time as the person is located and that An Garda Síochána reviews missing persons cases on a regular basis. The District Officer (Superintendent) in the area where persons have gone missing takes direct responsibility for all investigations and searches carried out. Local investigation teams are appointed by the District Officer, and all means necessary, including the services of specialist units, are deployed to assist in these investigations, as considered appropriate.

Furthermore, the Garda Missing Persons Bureau, which is responsible for all data relating to missing persons, provides expert assistance and advice to District Officers in all high risk missing person cases. The Garda authorities are satisfied that adequate resources, including staff and technology, are in place to deal with this issue and investigations are carried out in line with international best practice.

Prisoner Rehabilitation Programmes

401. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the number of first-time prisoners on rehabilitative, training, educational or upskilling courses at present; the extent to which all such places are filled; the number of unsuccessful applicants for such places; and if he will make a statement on the matter. [53091/13]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Director General of the Irish Prison Service that records of prisoner participation in vocational training and education programmes are not maintained in such a way as to provide the specific information sought by the Deputy.

The Irish Prison Service provides a wide range of rehabilitative programmes that include

education, vocational training, health care, psychiatric, psychological, counselling, welfare and spiritual services. These programmes are available in all prisons and all prisoners are eligible to use the services. On committal, all prisoners are interviewed by the Governor and are informed of the services available in the prison. At this point prisoners may be referred to services or they can self refer at a later date. Where Governors consider, on the information available, that a prisoner needs a particular intervention they will initiate a referral.

The Irish Prison Service has also been expanding the number of accredited courses and opportunities available to prisoners in Work Training in recent years. Enhanced partnership arrangements with accrediting bodies such as City and Guilds, the Scottish Qualifications Authority (SQA), and the Guild of Launderers and Cleaners and the centralising of co-ordination and quality assurance arrangements have enabled us to extend the number of available courses and activities with certification.

The development of prisoner programmes forms a central part of the Irish Prison Service Three Year Strategic Plan 2012-2015. There is a clear commitment in the Strategy to enhance sentence planning including Integrated Sentence Management and the delivery of prison based rehabilitative programmes such as education, work training and resettlement programmes.

Capital Programme Expenditure

402. **Deputy Kevin Humphreys** asked the Minister for Defence of the €2 million in capital spending recorded as not spent under the expenditure profile at end November in the most recent analysis of Gross Voted Expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet as per the profile; if any of the total €107.2 million in total capital carryover in Government for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52954/13]

Minister for Defence (Deputy Alan Shatter): The variance between profiled and actual capital expenditure within the Defence Vote at the end of November 2013 is largely due to some of the more significant works projects not progressing as originally scheduled. In particular, building works in the Curragh Camp and refurbishment works in McKee Barracks were delayed earlier in the year. The factors which led to the initial delays have been addressed and the projects are now underway. A capital carryover of €900,000 from 2012 has been fully spent in 2013. Progress on capital projects is reviewed on an ongoing basis and, where unforeseen delays arise on particular projects, other projects are brought forward, in so far as is possible. My Department has also received approval for an application for a deferred surrender of €900,000 of capital funds to 2014 to meet commitments which will not mature before year-end, due to the delays referred to above. At this point, it is expected that the remaining funding for 2013 will be substantially spent by year end.

Green Paper on Defence

403. **Deputy Jack Wall** asked the Minister for Defence the number of submissions he has received to date on the Green Paper on Defence consultations held by his Department; the expected time line for the White Paper on Defence; and if he will make a statement on the matter. [53117/13]

Minister for Defence (Deputy Alan Shatter): The Green Paper on Defence, which was published earlier this year, initiated a public consultative process which will inform the development of the next White Paper on Defence. The response to the request for submissions has

been very positive. 122 submissions were received from a wide and diverse range of sources. As part of the consultative process, a number of people who made written submissions have been invited to meet with civil and military staff of the Department of Defence and the Defence Forces. The purpose of these meetings is to provide the opportunity to certain individuals/organisations to elaborate further on their submission. It also allows the representatives from the Department of Defence and the Defence Forces to explore aspects of these submissions. These meetings are ongoing and will continue into early 2014.

The White Paper on Defence is due to be completed and submitted to Government for approval in 2014.

Defence Forces Family Clinics

404. **Deputy Jack Wall** asked the Minister for Defence his plans regarding a service and facilities at a clinic (details supplied) in County Kildare; and if he will make a statement on the matter. [53121/13]

Minister for Defence (Deputy Alan Shatter): The Curragh Families Clinic currently provides free GP and pharmacy services to the families of certain enlisted military personnel who are resident within the Curragh camp and surrounding areas. The services provided by the Clinic are being discontinued with effect from 31 December 2013. The service dates back to a time where the provision of medical services for all families of enlisted personnel was included in Defence Forces Regulations. Following the introduction of free public hospital care for all citizens in the 1970s, the entitlement to medical services for military families was formally removed from Regulations in 1987 and the family section of the Curragh Military Hospital closed at this time. However, the Curragh Families Clinic was retained because of the difficulty in obtaining doctor and pharmacy services in the Curragh area at the time. This is no longer the case.

The service is an anomaly in that it is a benefit which is only available to a relatively small number of families resident within the Curragh Camp and surrounding areas. Similar services are not provided to families of enlisted military personnel at any other location in the State. A further anomaly arises in that new personnel deployed to the Curragh in recent times do not receive the benefit of free family care.

A number of reviews, undertaken in the period since 1990, have recommended that the Clinic be closed. The decision to discontinue the operation of the clinic has been made having regard to those reviews, equity considerations and the cost of the service.

I would like to emphasise that the families affected will have the same rights of access to public health services as other families of enlisted personnel. Also, existing services are being maintained until 31 December 2013 to allow families make arrangements to transfer to local GPs and apply for medical cards or GP visit cards if required. As I have indicated previously, if any patient requires assistance in finding a new GP or applying for a medical or GP visit card this can be provided by staff in the Clinic during the transition period.

Charities Regulation

405. **Deputy Billy Timmins** asked the Minister for Defence the amount of funding his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number of such that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53548/13]

Minister for Defence (Deputy Alan Shatter): The table below outlines the amounts paid by my Department to registered charities in 2013:

Organisation/Body	Organisation/Body	Organisation/Body
Organisation of National ex-Servicemen and Women (ONE)	Irish United Nations Veterans Association (IUNVA)	The Irish Red Cross Society
€ 40,000	€ 10,000	€ 739,000

Both the Organisation of National ex-Servicemen and Women (ONE) and Irish United Nations Veterans Association (IUNVA) are registered as charitable organisations (CHY 13868 and CHY 10066 respectively). A condition of the grants/subventions to ONE and IUNVA is the annual submission of audited accounts to my Department. The ONE audited accounts contain details of the moneys paid in salaries by the Organisation. IUNVA does not have any employees.

The Irish Red Cross Society (CHY 3950) is an independent statute based charitable organisation with full power to manage its own affairs. This grant is provided as a contribution towards the salary and administration costs of running the Society's headquarters. A report on how the annual grant is utilised by the Society is provided to my Department each year.

Aquaculture Development

406. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will provide details of the funding committed under the aquaculture initiative by his Department in 2011, 2012 and to date in 2013; and if he will make a statement on the matter. [52472/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Aquaculture Initiative (CBAIT) was established in 1998 as a European Economic Interest Group (EEIG) under the European Communities (European Economic Interest Groupings) Regulations 1989 – S.I. 191 of 1989 with Bord Iascaigh Mhara (BIM) listed as the member for Ireland. CBAIT was established for the purpose of assisting in the development of the aquaculture sector in the Six Counties of Northern Ireland and in the six Border counties of Ireland.

CBAIT's operating costs were funded primarily under the PEACE Programme and its successors however that source of funding is no longer available. On 1 January 2012 personnel in CBAIT, assigned to the six Border counties of Ireland, were absorbed into the BIM staff complement.

BIM continues to support the development of aquaculture on a national basis. The amounts allocated to aquaculture development through national and EU measures for the years 2011, 2012 and 2013 were €654,402, €546,456 and €260,198 (year to date) respectively.

Aquaculture Licences Applications

407. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Food and the Marine his plans to put in place a strict time limit for aquaculture licence applications to ensure that aquaculture companies can effectively plan for the future and meet the ambitious targets of Harvest 2020. [52485/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The majority of areas for which aquaculture licences are sought are located in areas designated as Special Areas of Conservation under the EU Habitats Directive and/or Special Protection Areas under the EU Birds Directive (known as 'Natura 2000' areas). All applications in 'Natura 2000' areas are required to be appropriately assessed for the purpose of environmental compliance with

the EU Habitats/Birds Directives. An additional factor is that all aquaculture applications now undergo Environmental Impact pre-screening assessment which requires significant input from my Department's scientific and technical advisers.

My Department, in conjunction with the Marine Institute and the National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht, (NPWS) is engaged in a comprehensive programme to gather the necessary baseline data appropriate to the conservation objectives of 'Natura 2000' areas. This data collection programme is substantially complete. Analysis of the data, together with the setting of appropriate conservation objectives by the NPWS, will enable all new, renewal and review applications to be appropriately assessed for the purpose of ensuring compliance with the EU Birds and Habitats Directives. This work represents a significant financial, administrative and scientific investment by the State in resolving this issue. The Appropriate Assessment of aquaculture applications is being dealt with on a bay-by-bay basis.

The timeframe for processing each particular application varies depending on location, species, scale and intensity of production, statutory status of sites, potential visual impact etc. Other factors include consideration of any submissions or observations raised during the public consultation period.

My Department continues to make every effort to expedite the determination of all aquaculture applications having regard to the complexities of each case and the need to comply fully with all national and EU legislation.

Single Payment Scheme Payments

408. **Deputy Dan Neville** 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 Limerick. [52497/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The 50% advance under the 2013 Single Payment Scheme issued to the person named on 12 November 2013 and the balancing payment on 2 December 2013, directly to the nominated bank account of to the person named.

Bovine Disease Controls

409. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine if there are means of compensation for a person (details supplied) in County Laois when delays in testing for bovine tuberculosis had a negative impact on the farm business; and if he will make a statement on the matter. [52578/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In line with normal rules, a restriction was imposed on the outward movement of cattle from the herd of the person concerned in April 2013 (which, nonetheless, facilitated movement to slaughter) due to the presence in that herd of more than 20% of animals which had not been tested within the requisite 12 month period. The herdowner was notified at that time that the restriction notice could only be lifted after the testing was carried out. This testing was undertaken in November, following which the restriction was removed. No compensation arises in such cases.

Agriculture Schemes Payments

410. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when a single farm payment and an disadvantaged area payment will issue to a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [52585/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application in respect of the Single Payment Scheme and Disadvantaged Area Scheme was received from the above named on 3 May 2013.

This application of the person named was selected for Satellite (remote sensing) Inspection. Following initial processing an over claim of less than 3% was determined. A letter explaining the foregoing and also informing the person named of a right to appeal, issued on 13 November 2013. In the meantime the advance of the Single Farm Payment, with a deduction for the over claim identified, was issued on 14 November and the remaining balancing payment due was issued on 2 December to the nominated bank account of the person named. Payment under the Disadvantaged Area Scheme has also issued on 25 November to the relevant nominated bank account.

Aquaculture Licences Numbers

411. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will provide in tabular form, all the current offshore marine finfish aquaculture licences issued to operators here; if he will supply for each licence the file reference licence identifier, the site name and grid references, the licensee name company, the current operator's name or company; if the site is being used in 2013; the tonnage, area, maximum smolt input; the licence expiry date; if a renewal has been applied for; the annual aquaculture licence fee; the annual foreshore licence fee; and the sum of arrears owing on each licence. [52626/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The detailed information requested by the Deputy is not readily available and will require extensive compilation by my Department from documentary and electronic sources.

The information will be forwarded to the Deputy within two weeks.

Agriculture Schemes Penalties

412. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the penalties that have been assessed against a person (details supplied) in County Galway; the reason the penalties have been applied; the scheme years to which the penalties apply; and if he will make a statement on the matter. [52629/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a Single Farm Payment/Disadvantaged Areas Scheme application on 16 April 2013. EU regulations governing the administration of the schemes require that full and comprehensive administrative checks, including in some cases farm inspections, be completed before any payments issue.

The application of the person named was selected for a ground eligibility/cross compliance inspection.

The ground eligibility inspection identified discrepancies between the area declared and the area found, resulting in an over-declaration in area of between 3% and 20%. Based on the Terms and Conditions of the schemes, this results in the 2013 payments being based on the found area having being reduced by double the difference between the area found and the area claimed.

The cross compliance inspection identified breaches relating to requirements applying to the Nitrates Regulations in relation to the stockpiling of farmyard manure, resulting in a 20% penalty. Further breaches were identified relating to the requirement to maintain land in Good

Agricultural and Environmental Condition in relation to lands being poached by animals leading to soil erosion and the direct discharge of slurry to groundwater, resulting in a 20% penalty. The combined penalties results in a total cross compliance penalty of 40% being applied to the 2013 payments.

The person named was notified of these decisions on 20 September 2013 and 20 November 2013 respectively. The person named was also informed of the right to seek a review of these decisions. In the event that the person named in dissatisfied with the outcome of any review, the decision can be appealed to the Independent Agriculture Appeals Office, within 3 months.

Payment of the advance and balancing payments under the 2013 Single Payment Scheme, on the basis set out above, issued to the nominated bank account of the person named on 14 November and 2 December 2013, respectively. Payment under the Disadvantaged Areas Scheme, on the basis set out above, issued on 25 November 2013.

Turbary Rights

413. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine his plans for the future of the turbary scheme in respect of Kilbride bog, County Mayo (details supplied); and if he will make a statement on the matter. [52632/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Preliminary work was carried out a number of years ago to deal with the possible disposal of the turbary rights still on hands in the Carrowleagh area but due to the limited resources available a Scheme did not proceed. It is anticipated that the matter will be re-examined in 2014 and the individual named will be contacted if a Scheme to dispose of the turbary rights is proceeding.

Agri-Environment Options Scheme Payments

414. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment under the agri-environment options scheme will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [52672/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2011 Agri-Environment Options Scheme with effect from 1 September 2011 and has received full payment in respect of the 2011 and 2012 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. These checks have been successfully completed in respect of the 2013 Scheme year and 75% payment issued on the 28 November 2013. I expect the balancing 25% payment in respect of 2013 will issue shortly.

Disadvantaged Areas Scheme Payments

415. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when payment under the disadvantaged areas scheme will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [52675/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As processing of the application of the person named under the 2013 Disadvantaged Area Scheme has recently been finalised, payment will issue shortly, directly to the nominated bank account of the person named.

Single Payment Scheme Payments

416. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when single farm payment will issue to a person (details supplied) in County Donegal; and if he will make a statement on the matter. [52676/13]

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, payment will issue shortly, directly to the nominated bank account of the person named.

Livestock Thefts

417. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Agriculture, Food and the Marine the number of cases where livestock cattle have been reported as stolen since January 2012; and if he will provide a breakdown per county on reported instances of this nature. [52693/13]

418. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Agriculture, Food and the Marine the actions his Department has implemented to reduce the number of instances of livestock cattle thefts across the State. [52695/13]

419. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Agriculture, Food and the Marine if he will consider introducing a compensation scheme for farmers who have had livestock stolen from their lands; and if he will make a statement on the matter. [52696/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 417 to 419, inclusive, together.

A breakdown of the number of bovines reported as stolen since January 2012 on a county basis is set out in the following table.

County	2012	1 January-5 Dec 2013	Total
Carlow	1	--	1
Cavan	17	3	20
Clare	--	20	20
Cork	--	5	5
Donegal	19	10	29
Dublin	1	--	1
Galway	6	12	18
Kerry	7	10	17
Kildare	--	1	1
Kilkenny	2	--	2
Laois	6	31	37
Leitrim	--	10	10
Limerick	13	38	51
Longford	1	--	1
Louth	2	13	15

County	2012	1 January-5 Dec 2013	Total
Mayo	9	34	43
Meath	5	33	38
Monaghan	13	48	61
Offaly	8	--	8
Roscommon	17	4	21
Sligo	--	-4	4
Tipperary	6	4	10
Waterford	--	1	1
Westmeath	--	17	17
Wexford	--	--	--
Wicklow	--	--	--
Overall Total	133	298	431

Any incident involving stolen cattle should be reported to the Garda Síochána in the first instance as the Gardaí have primary responsibility for investigating such matters. Where necessary, this Department through the Special Investigation Unit (SIU), will assist the Gardaí with their investigations into cases of stolen animals and this could involve liaison with cross Border colleagues. In this regard, a cross border liaison Group comprising the SIU, Gardaí and PSNI liaise and investigate the theft of livestock on an all-Ireland basis.

Stolen cattle cannot be traded legally in the State as all bovines must bear official ear tags, be properly registered and be located on this Department's Animal Identification and Movement (AIM) database in the herd of the individual moving or selling the bovine. When cattle are reported as stolen to my Department, they are marked on the AIM database as being stolen on foot of a Garda report. If these animals are presented anywhere in the State for sale, slaughter or export they are checked against the database and will be rejected at these outlets and an investigation initiated.

My Department has no plans to introduce a compensation scheme for farmers that have had livestock stolen from their holdings.

Installation Aid Scheme Applications

420. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine his plans to reintroduce the installation aid scheme for young farmers; and if he will make a statement on the matter. [52703/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The new EU policy framework for rural development for the 2014-2020 period is being finalised at present and a large number of submissions from interested parties have been received by my Department in relation to Ireland's next rural development programme, including proposals in regard to the introduction of a new installation aid scheme.

In the determination of the areas in which grant-aid will be made available in that programme, I will be examining all options and consulting relevant stakeholders to ensure that the maximum benefit is derived from the financial resources which will be available.

Single Payment Scheme Payments

421. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding farm payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52734/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a Single Farm Payment/Disadvantaged Areas' Scheme application on 16 May 2013. EU Regulations governing the administration of the schemes require that full and comprehensive administrative checks, including in some cases on farm inspections, be completed before any payments issue.

The application of the person named was selected for a ground eligibility inspection. This inspection has been completed and the results finalised. Payments under the 2013 Disadvantaged Areas' and Single Payment Schemes issued to the nominated bank account of person named on 29 November 2013 and 5 December 2013, respectively.

Single Payment Scheme Payments

422. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding farm payments in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52737/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A review of the land declared by the person named under the Single Payment Scheme revealed that two land parcels were over-declared. The applicant has sought a review of the decision and this review is currently being undertaken. My Department will be in direct contact with the person named regarding the outcome of this review shortly. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

Rural Development Programme Funding

423. **Deputy Gerry Adams** asked the Minister for Agriculture, Food and the Marine if he will consider providing matched funding and additional top-ups for the Common Agriculture Policy Pillar II programme; if he has met the Irish Farmers' Association on this issue; and if he will make a statement on the matter. [52771/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The European Council agreement on the Multi-annual Financial Framework (MFF) provides some €313m per year, or a total of €2.19bn, for Ireland under Pillar 2 of the CAP for the period 2014–2020.

A general EU co-financing rate of 53% is set out in the draft Rural Development Regulation but this rate may rise to a maximum of 80% for measures such as farm and business development, co-operation activities, and Leader projects. Environmental type measures may be co-funded up to 75%. The total Exchequer funding that will be required to draw down the available European Agricultural Fund for Rural Development (EAFRD) funding will depend on the types of measures included in the new Rural Development Programme and on the co-financing rates applied to these measures.

There are a number of conditions attached to Ireland's allocation of €313 million per annum. The draft Regulation provides that at least 5% of EAFRD funding must be reserved for Leader

while the draft Common Provisions Regulation provides that 6% of EAFRD funding must be set aside to a national performance reserve. The funding set aside to the performance reserve will be allocated to each Member State following a performance review in 2019. Finally, the draft Rural Development Regulation sets out that 30% of the total EAFRD amount must be reserved for environmental operations and climate change mitigation and adaptation measures.

Work is currently ongoing in my Department to design the new Rural Development Programme (RDP) for the period from 2014–2020. In designing the new RDP, my Department must take account of the range of requirements set out in the draft Rural Development Regulation and the need to support key policy aims for the agri-food sector in the light of the Food Harvest 2020 strategy. In undertaking this work, a number of ex-ante analyses are being undertaken and a public consultation process has also taken place. As part of this process, I have met with a number of stakeholders, including the Irish Farmers' Association.

While final decisions in relation to what measures are to be included in the new RDP have not yet been made, my Department is in ongoing contact with the Department of Public Expenditure and Reform in relation to the overall financing that will be required. I expect to make decisions in relation to the measures to be supported under the new RDP by the end of this year, and to submit a draft programme to the Commission in early 2014.

Departmental Agencies Mergers

424. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the stage of the proposed merger of Coillte with Bord na Móna; and if he will make a statement on the matter. [52772/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Government decided, in June 2013, that a robust analysis be carried out to evaluate how to give effect to a beneficial merger of Coillte with Bord na Móna to create a streamlined and refocused commercial state company operating in the bio-energy and forestry sectors, as committed to in the Programme for Government. NewERA is undertaking a financial evaluation on behalf of the relevant Government Departments (my Department, the Department of Public Expenditure and Reform and the Department of Communications, Energy and Natural Resources), which is currently being finalised. The Departments will then consider NewERA's findings and it is intended that the relevant Ministers will bring a recommendation to Government on the matter shortly thereafter.

Departmental Agencies Board Appointments

425. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Mayo is not being invited to board meetings of Coillte since being appointed; and if he will make a statement on the matter. [52773/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I wish to confirm to the Deputy that the appointment of the person in question to the Board of Coillte is currently under consideration.

Agriculture Schemes Payments

426. **Deputy Michael Colreavy** asked the Minister for Agriculture, Food and the Marine if

the insulation grant for young farmers will be reinstated; and if the early retirement scheme for farmers will be reinstated. [52784/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I presume that the Deputy is referring to the installation aid scheme (Young Farmers' Installation Scheme) which was suspended for new applications in October 2008, together with the Early Retirement Scheme, as part of the decisions taken within the context of the 2009 Budget.

The new EU policy framework for rural development for the 2014-2020 period is being finalised at present and a large number of submissions from interested parties have been received by my Department in relation to Ireland's next rural development programme. In the determination of the areas in which grant-aid will be made available in that programme, I will be examining all options and consulting relevant stakeholders to ensure that the maximum benefit is derived from the financial resources which will be available.

Installation Aid Scheme Applications

427. **Deputy Michael Colreavy** asked the Minister for Agriculture, Food and the Marine what fund is available to young farmers after they do their green card, as the fund that was in place ceased in 2007. [52785/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Young Farmers' Installation Scheme was suspended for new applications in October 2008 as part of the decisions taken within the context of the 2009 Budget and it has not been possible for financial reasons to re-open the Scheme since that date.

The new EU policy framework for rural development for the 2014-2020 period is being finalised at present and a large number of submissions from interested parties have been received by my Department in relation to Ireland's next rural development programme. In the determination of the areas in which grant-aid will be made available in that programme, I will be examining all options and consulting relevant stakeholders to ensure that the maximum benefit is derived from the financial resources which will be available.

Question No. 428 withdrawn.

Agri-Environment Options Scheme Payments

429. **Deputy John McGuinness** asked the Minister for Agriculture, Food and the Marine the reason for the delay in making payments under the 2012 and 2013 agri-environment options scheme 1 in respect of a person (details supplied) in County Kilkenny; and if he will make a statement on the matter. [52815/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the Agri-Environment Options Scheme with effect from 1 September 2010 and full payments have issued in respect of the 2010 and 2011 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. During these checks in respect of the 2012 Scheme year a query arose in respect of land parcels declared, an appeal was lodged by the applicant and as a result the lands in question were to be re-digitised. This

digitisation has now been completed by my Department and the application is being processed with a view to making the AEOS payment in respect of 2012 as soon as possible.

Following the issue of the 2012 payment, the checking process will get underway in respect of the 2013 Scheme year.

Single Payment Scheme Payments

430. **Deputy Finian McGrath** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Roscommon will receive their single farm payment for 2013; the reason for the delay; and if he will make a statement on the matter. [52821/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a Single Farm Payment/Disadvantaged Areas Scheme application on 12 April 2013. EU Regulations governing the administration of the schemes require that full and comprehensive administrative checks, including in some cases on-farm inspections, be completed before any payments issue.

The application of the person named was selected for a ground eligibility/cross compliance inspection. This inspection has been completed and the results finalised. Payment under the 2013 Single Payment Scheme issued to the nominated bank account of person named on 5 December 2013. Payment under the 2013 Disadvantaged Areas Scheme will issue shortly.

Agriculture Schemes Payments

431. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a disadvantaged areas scheme payment and a single farm payment will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [52834/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The advance payment under the 2013 Single Payment Scheme issued to the person named on 22 November and the balancing payment on 2 December. Payment in respect of the 2013 Disadvantaged Areas Scheme issued on 28 November 2013. All payments issued directly to the nominated bank account of the person named.

Disadvantaged Areas Scheme Appeals

432. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine when a decision will issue on an appeal for a derogation under the disadvantaged areas scheme in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [52837/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An appeal under the Disadvantaged Areas Scheme was received from the person named on 25 November 2013, following consideration of which derogation has been allowed in this case. On foot of this decision, the application of the person named has been finalised with payment due to issue directly to the nominated bank account shortly.

Disadvantaged Areas Scheme Payments

433. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a disadvantaged area payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52842/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application in respect of the Single Payment Scheme and Disadvantaged Area Scheme was received from the above named on 16 April 2013.

This application of the person named was 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 21 November 2013.

Commonage Division

434. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine if his Department still accepts requests to become involved in the division of commonages; if so, the process to be followed to make an application to his Department for this service; if unanimous agreement is required in order to divide a commonage; and if he will make a statement on the matter. [52866/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department did, for some time, provide a commonage division and re-arrangement service but this was discontinued in 1998 following a review of its operation.

Beef Technology Adoption Programme

435. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 368 of 3 December 2013, the reason the question was not answered in full; the date on which the third task under the BTAP 2012 scheme was selected and completed by a herdowner; the date on which his Department was notified of the completion of the third task; and the person within his Department who signed off on the decision to allow credit for the successful completion of this task. [52891/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named selected two Tasks under the 2012 Programme - Tasks 6 and 8. At validation he was found not to have completed Task 6. No third Task was selected.

Following a decision to review all cases which had not initially been confirmed eligible for payment, it was established from a file received from ICBF on 14 May 2013, that the person named had successfully completed Tasks 2 and 3; he was, therefore, deemed to be eligible under the 2012 Programme, notwithstanding that he had not selected either of these Tasks, nor had he sought to substitute either, or both, of the original Tasks selected. His case was one of 683 participants in the 2012 Programme who were similarly deemed eligible on review and were subsequently paid in July 2012.

Further to procedure under SO 40A, full details regarding decision making will be for-

warded to the Deputy.

Agrifood Sector Issues

436. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Food and the Marine the key sectors of agriculture or food industries that are contributing the most to export growth; and if he will make a statement on the matter. [52926/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The agri-food sector plays a very significant role in national economic development. It currently accounts for 7.1% of national gross value-added and 8.6% of employment. Between 2008 and 2012, the sector's contribution to national GVA rose from 6.1% to 7.1%.

However, these figures, significant as they are, may actually underestimate the importance of the sector to national economic development. The Deputy should be aware that more than 75% of the expenditure in this sector is on Irish goods and services, compared to 42% for all manufacturing. In addition it has a lower import content and a lower level of profit repatriation than other manufacturing industries. In fact every €100 of exports from the bio-sector (agriculture, forestry, fisheries, food & drink industries) contributes around €48 to GNP while the 'non bio-sector' contributes around €19.

Last year, Irish food and drink exports exceeded €9 billion for the first time. This trend is continuing, with the latest CSO figures showing a 6.7% rise in agri-food exports in the first three-quarters of 2013, as compared to the same period in 2012.

The table below outlines the performance of total exports attributed to each sector of the agri-food industry, compared to the baseline figures from Food Harvest 2020.

Export Performance in the Agri-food Sector

Products	€m	€m	-
	FH2020 Baseline (2007 to 2009 avg)	2012	Difference 2012/ baseline
	€m	€m	% Change
Dairy Products and Ingredients	2,201	2,620	+19%
Beef	1,529	1,900	+24%
Prepared Foods	1,533	1,424	-7%
Beverages	1,238	1,255	+1%
Pigmeat	339	507	+49%
Seafood	342	501	+46%
Edible Horticulture & Cereals	238	227	-5%
Poultry	211	221	+5%
Sheepmeat	171	212	+24%
Live Animals	177	217	+23%
Total Food and Drinks	7,979	9,084	+14%

Source: Bord Bia

Agrifood Sector Issues

437. **Deputy Lucinda Creighton** asked the Minister for Agriculture, Food and the Marine the extent of dealings his Department has with Enterprise Ireland for further enhancing export opportunities for food and agricultural industries; and if he will make a statement on the matter. [52927/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has an extensive and longstanding relationship with Enterprise Ireland (EI), which is focused on supporting the growth and development of the agrifood industry and the expansion of export opportunities. In order to export successfully, and meet the targets set out in Food Harvest 2020, the food industry's capacity and capability to develop and deliver products and services in line with customer requirements are vital.

DAFM and Enterprise Ireland work together, sharing expertise, to support developments in a variety of areas. Contacts vary from formal participation across a range of committees which progress different policy areas to ongoing daily informal contacts.

Food Harvest 2020

EI have been fully involved in Food Harvest 2020 from the outset and are represented at CEO level on the High Level Implementation Committee (HLIC). The HLIC, which I chair, consists of the senior officials of all state agencies involved in the agriculture, food and fisheries sector. Their third report "Milestones for Success 2013", launched in September, provides a detailed account of progress achieved to date on all the recommendations in Food Harvest 2020.

Capacity and Capability Building

My Department provides funding for major capital investment programmes through the Dairy Fund and the Beef & Sheep meat Fund, which between them have made investment support of €169 million available to companies since 2007. Enterprise Ireland administers this funding which supports both greenfield and expansion projects in food.

It funds a range of key programmes delivered by Enterprise Ireland supporting innovation, sales and marketing skills, strategic thinking and competitiveness, including Lean Training programmes, Leadership 4 Growth and Innovation Vouchers.

DAFM representatives sit on the EI committees for Investment and Jobs Expansion.

Research and Development

Enterprise Ireland sits on the industry led Food Research Expert Advisory Group operated by my Department which developed the *Food Research Ireland* strategic research agenda (SRA) used to guide the content for the Food Institutional Research Measure (FIRM) calls. In addition, EI sits on the overarching Research Committee which conducts the 3rd stage (short listing projects for possible funding by DAFM) in the evaluation process for DAFM competitive research programmes.

In turn representatives from my Department bring their expertise to bear as members of the Enterprise Ireland Industrial Research Commercialisation Committee, which deals with the funding for applied research and commercialisation involving the public research organisations, collaborative research and industry led networks. This committee has supported innovation with pan-industry initiatives, including the Food Health Ireland Technology Centre (parts 1 and 2), the currently developing Dairy Processing Technology Centre and a similar project

regarding a potential centre for meat processing. My Department also participates on the EI R&D Committee concerning support for in-company research.

Foreign Direct Investment (FDI)

Enterprise Ireland has responsibility for the attraction of international investment to Ireland and maintains a team in Ireland, supported by colleagues in the market place. The FDI function is a key area of collaboration between Enterprise Ireland and my Department. Indeed, accompanied by EI and other state agencies I have used trade missions to the U.S., the U.A.E. and elsewhere as a vehicle for promoting Ireland as a location for inward investment.

My Department will continue to develop this ongoing close cooperation with Enterprise Ireland across many different areas.

Coillte Teoranta Review

438. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he will publish the review of Coillte which has been completed; and if he will facilitate public discussion on its contents in the Chamber. [52929/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Coillte has been the subject of a number of reviews over the last number of years. The review of Coillte, to which the Deputy refers, is one which was undertaken on foot of a commitment in the previous Government's Renewed Programme for Government. It is not my intention to publish the outcome of that review, as that particular review exercise was superseded by the analysis undertaken on foot of the Government Decisions in 2012 in relation to the sale of state assets which encompassed Coillte.

Departmental Expenditure

439. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine of the €26 million in capital spending recorded as not spent under the expenditure profile at end November in the most recent analysis of gross voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet as per the profile; if any of the total €107.2 million in total capital carryover in Government for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52946/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The bulk of the Department's capital budget after the payment of forestry premia and capital budget assigned to non-commercial State sponsored bodies, relates to demand led grant schemes. The rate of expenditure is determined by the rate of progress achieved by various beneficiaries in undertaking their approved projects and the drawing down of monies when projects have been completed.

At the end of November, actual capital budget spending was behind profile for the period January to November 2013 by approximately €25.755 million made up as follows:-

-	€m
On farm capital grant schemes (mainly TAMS)	10.3
Fisheries	5.3
Marketing & Processing (food sector)	6.0

-	€m
Forestry	2.6
Miscellaneous (including State bodies)	1.5.

Most of the funds provided for in the 2013 capital budget relate to grant approvals that have already issued and for which funds have yet to be drawn down by the beneficiaries.

Of the total Government level capital saving of €107.2m., carried over from 2012 to 2013, €6 million related to the Department. With the approval of the Department of Public Expenditure and Reform, the €6 million was assigned to the forestry capital budget and was fully consumed in the early part of 2013.

The total spend for my Department for 2013 is not yet completed and final discussions on possible carryover for 2014 are still ongoing.

Departmental Schemes

440. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the reason specialist heifer feeders were excluded from the beef premium payments prior to the establishment of the three reference years 2000, 2001 and 2002; and if he will make a statement on the matter. [52993/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The EU Regulations governing the Special Beef Premium Scheme, which was introduced in the mid 1980s, defined the animals eligible under the Scheme i.e. bulls and bullocks. This scheme was designed to compensate farmers for a reduction in intervention prices. Since heifers were not eligible for intervention, they were not included in the Scheme. However, when the Slaughter Premium was introduced subsequently, heifers were entitled to benefit from this scheme. In addition, some funds from the Beef National Envelopes were directed towards heifers.

Generally, the Single Payment Scheme is applicable to farmers who actively farmed during all or any of the three reference years 2000, 2001 and 2002, who were paid Livestock Premia and/or Arable Aid payments in one or more of those years and by whom Single Payment entitlements were, therefore, established. Other farmers, including new entrants to farming since the reference period, are also eligible for the Single Payment Scheme where they have received entitlements from the National Reserve, or by way of a transfer i.e. purchase or lease.

Fishing Industry

441. **Deputy Ann Phelan** asked the Minister for Agriculture, Food and the Marine if a remuneration or compensation package is being considered by the EU for fishing businesses that were forced to cease operation here following the reduction in fishing quotas in 2009; and if he will make a statement on the matter. [52999/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under EU Regulation, compensation is not paid to operators who cease operation. The EU Regulations allow for making payments under planned and approved decommissioning schemes where-by vessels are decommissioned (scrapped) and the capacity associated with the licence of the scrapped fishing vessel is permanently removed from the Sea Fishing Boat Register.

A major decommissioning scheme was successfully implemented in Ireland in 2008 involving the removal of 46 large whitefish fishing vessels at a cost of €36.6 million. The cost of such schemes is high and consideration of any future schemes must take account of funding available and other priorities for public investment in the seafood industry.

Dual Claim Appeal

442. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when a decision on a dual claim appeal will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [53016/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The appeal of the person named is currently under consideration; the person named will be advised of the outcome, in writing, shortly.

Departmental Funding

443. **Deputy Heather Humphreys** asked the Minister for Agriculture, Food and the Marine if there will be any further rounds of funding for the sow welfare scheme in the future; and if he will make a statement on the matter. [53017/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The TAMS Sow Welfare Scheme, which was introduced in order to assist farmers to bring their facilities up to the standards required by the new EU animal welfare rules which came into force at the beginning of this year, closed for applications on 3 May 2013.

The determination of the farm sectors in which investment aid will be made available in the next rural development programme is currently under consideration within my Department.

Disadvantaged Areas Scheme Appeals

444. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when an area aid disadvantage payment will issue to a person (details supplied) in County Tipperary; the reason for the delay in payment; and if he will make a statement on the matter. [53037/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The written appeal of the person named in connection with the 2013 Disadvantaged Areas Scheme is currently under review. The person named will be advised, in writing, of the outcome of the review shortly.

Single Payment Scheme Appeals

445. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding an area based payments appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [53046/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A review of the land declared by the person named under the Single Payment Scheme revealed that two land parcels were over-declared. The applicant has sought a review of the decision and this review is currently being undertaken. My Department will be in direct contact with the person named regarding the outcome of this review shortly. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

Coillte Teoranta Review

446. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will publish the long overdue report of the review of Coillte, initiated by the last Govern-

ment in 2010; and if he will make a statement on the matter. [53047/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Coillte has been the subject of a number of reviews over the last number of years. The review of Coillte, to which the Deputy refers, is one which was undertaken on foot of a commitment in the previous Government's Renewed Programme for Government. It is not my intention to publish the outcome of that review, as that particular review exercise was superseded by the analysis undertaken on foot of the Government Decisions in 2012 in relation to the sale of state assets which encompassed Coillte.

Rural Environment Protection Scheme Payments

447. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a REP scheme payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [53094/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in May 2008 and received payments for the first five years of their contract.

REPS 4 is a measure under the current 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all application to be completed before any payments can issue. Following the Land Parcel Identification Review (LPIS) an area discrepancy was identified which has resulted in the necessity for further clarification.

This issue is currently being investigated with the intention of an early resolution and payment in respect of 2013.

Single Payment Scheme Payments

448. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine the position regarding a cut of approximately €400 in the single farm payment in respect of a person (details supplied) in County Kerry; if he will examine the file and rectify the anomaly and restore payment; and if he will make a statement on the matter. [53101/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A review of the land declared by the person named under the Single Payment Scheme revealed that two land parcels were over-declared. The applicant has sought a review of the decision and this review is currently being undertaken. My Department will be in direct contact with the person named regarding the outcome of this review shortly. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

Disadvantaged Areas Scheme Payments

449. **Deputy James Bannon** asked the Minister for Agriculture, Food and the Marine the number of applicants for disadvantaged payments in County Longford last year that had penalties imposed on them; and if he will make a statement on the matter. [53112/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on schedule, on 26 September 2012 and, to date, payments worth €210.1 million have issued nationally, to some 96,105 applicants. The details in respect of payments which have issued to farmers in County Longford to date are

set out as follows.

Year	Numbers applied	Number paid	Number of penalty cases
2012	2,388	2,299	187

Disadvantaged Areas Scheme Payments

450. **Deputy James Bannon** asked the Minister for Agriculture, Food and the Marine the number of applicants for disadvantaged payments in County Westmeath last year that had penalties imposed on them; and if he will make a statement on the matter. [53113/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Payments under the 2012 Disadvantaged Areas Scheme commenced, on schedule, on 26 September 2012 and, to date, payments worth €210.1 million have issued nationally, to some 96,105 applicants. The details in respect of payments which have issued to farmers in County Westmeath to date are set out as follows.

Year	Numbers applied	Number paid	Number of penalty cases
2012	2,648	2,524	156

Agriculture Schemes Eligibility

451. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine his views on whether a case could be made under the rules of stacking of entitlement to allow for stacking in the case of reduced forage areas for lands previously in an agri-environment options scheme or for commonage or for Natura land in an acknowledgement that an interference in these lands to maintain forage areas is ordinarily not permitted; and if he will make a statement on the matter. [53146/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Consolidation of Entitlements was introduced in 2005 under the Single Payment Scheme and is provided for in Council Regulation (EC) No 73/2009.

Consolidation (stacking) of entitlements means that in certain circumstances a farmer may give up to the National Reserve his/her own existing entitlements. The farmer is then re-allocated a lower number of entitlements with a higher net unit value.

Farmers who satisfy certain conditions are eligible to apply to have their entitlements consolidated. The reduction in the number of hectares must have arisen because of one or more of the following circumstances:

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

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

Lands declared by farmers under the Single Payment Scheme, the Disadvantaged Areas Scheme and other Direct Payment Schemes must be eligible if these lands are to benefit from payment under one of more of these Schemes. Ineligible features such as houses, scrub, roads, rivers etc must be excluded. Consolidation may not be applied following such exclusions.

Fish Quotas

452. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the steps he has taken, if any, to promote the transfer of the total allowable catch between member states; and if he will make a statement on the matter. [53148/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Each year a number of swaps of fishing quotas and effort are arranged with other Member States. Swaps are normally initially proposed or organised by the fishing industry lead by the Federation of Irish Fishermen (FIF) and completed in a transaction between Member States. This may happen for a number of reasons. Firstly at the start of each year when the TAC and Quota Regulation is published, quotas for a number of fisheries which are of little interest to the Irish fleet are swapped for quotas for stocks which are of interest to our fleet.

Secondly throughout the year, the industry lead by the FIF works closely with the Department to recommend to me effective monthly management regimes for pressure stocks. In this monthly process the Industry recommends that some quotas or effort be swapped in order to maintain a supply of a particular quota for a stock of particular importance to the Irish fleet. In addition, where such proposals are received from other Member States, the FIF recommends the amounts and species to be swapped. These swaps are completed by the Department using the EU FIDES fishery database system.

The third reason for swaps is at the end of year where a quota has been exceeded and any opportunity to address this overfishing is used through completing swaps with other Member States.

Fisheries Protection

453. **Deputy John Browne** asked the Minister for Agriculture, Food and the Marine the steps he has taken to date to address the suspension of the fishing fleet in Kilmore, County Wexford; and if he will make a statement on the matter. [53149/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Operational issues in relation to sea fisheries control are a matter for the Sea Fisheries Protection Authority (SFPA). I have asked the SFPA to respond directly to the Deputy.

Departmental Funding

454. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine the amount of funding that his Department gives to Irish charities; the names of each organisation that receive funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53544/13]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department made ex gratia payments of €1.365 million in 2012 to 140 animal welfare organisations which are registered charities.

My Department also made a contribution to Gorta in support of their 2012 World Food Day Conference of some €16,680.

-	RECIPIENTS NAME	AWARD
1	A Dog's Life, Glenmore, Co Kilkenny	€2,000
2	Ainmhithe Animal Rescue, Ballina, Co Mayo	€5,000
3	An Cat Dubh Sanctuary, Loughrea, Co Galway	€2,000
4	Animal Heaven Animal Rescue (AHAR), Gneeveguilla, Co Kerry	€10,000
5	Animal Help Net Kerry, C/o Beechlawn, Tralee, Co Kerry	€2,000
6	Animal Magic T/A Rosie Campbell, Kilmallock, Co. Limerick	€6,000
7	Animal Rescue Skibbereen, Co Cork	€10,000
8	Animal Trust Fund, Passage East, Co Waterford	€1,000
9	Animals in Need, Donegal Town, Co Donegal	€15,000
10	Athlone Animal Welfare, Athlone, Co Westmeath	€4,000
11	Athlone, West Midlands SPCA, Feevaghmore, Co Roscommon	€3,000
12	Audrey Quinn, "Fur Babies", Edenderry, Co. Offaly	€2,000
13	Avalon Greyhound Sanctuary Pro Animale Ireland Ltd, Co. Galway	€6,000
14	Bilberry Goat Heritage Trust, Rockmount, Co. Waterford	€4,000
15	*Burren Animal Rescue, Tubber, Co Clare	€1,500
16	Carrick Dog Shelter, Carrickmacross, Co. Monaghan	€11,000
17	Cat and Dog Protection Association, Dublin 1	€15,000
18	Cat Concern Wicklow, Greystones, Co Wicklow	€2,000
19	Cats Aid, C/O "Murrisk", Mulhuddart, Dublin 15	€8,000
20	Cavan SPCA, Co. Cavan	€21,000
21	Chippers Sanctuary, Gorey, Co. Wexford	€2,000
22	Clare SPCA, Clonloghan, Newmarket-on-Fergus, Co. Clare	€10,000
23	Clifden Animal Rescue, Co Galway	€2,000
24	Clondalkin Animal Aid Ltd, Clondalkin, Dublin 22	€4,000
25	Collon Animal Sanctuary, Collon, Co. Louth	€9,000
26	*Community Cats Network, Kilbrittain, Co Cork	€1,000
27	Cork Animal Care Society, Kilmichael, Co Cork	€4,000
28	Cork Cat Action Trust, Blackrock, Co Cork	€9,000
29	Cork SPCA, Mahon, Co. Cork	€10,000
30	Cork Dog Action Welfare Group Ltd (DAWG), Macroom, Co Cork	€8,000
31	Cottage Rescue, Cashel, County Tipperary	€6,000
32	Cry for Help Cattery, Mullingar Co. Westmeath	€5,000
33	Deise Animal Sanctuary, Ballymacarbry, Co Waterford	€4,000
34	Dog Rescue Ireland, The Ward, Co Dublin	€4,500
35	Dogs Aid Animal Sanctuary, Meaktown, Co Dublin	€5,000
36	Dogs in Distress, Ash Hill, Dunboyne, Co Meath	€6,000
37	Donegal Donkey Sanctuary, Castledooey, Raphoe, Co Donegal	€2,000
38	Dr. Homes Moate Dog Rescue, Moate, Co Westmeath	€5,000
39	Drogheda Animal Rescue, P.O. Box 159, Drogheda Co. Louth	€15,000
40	Dublin Animal Rescue Group, Dublin 9	€2,500
41	Dublin SPCA (Dogs and Cats Home), Rathfarnham, Dublin 16	€150,000
42	Dundalk Dog Rescue, Castlebellingham, Co. Louth	€5,000
43	Dungarvan SPCA Rescue Kennels, Dungarvan, Co. Waterford	€10,000

Questions - Written Answers

-	RECIPIENTS NAME	AWARD
44	East Galway Animal Rescue, Loughrea, Co. Galway	€4,000
45	Enniscorthy SPCA, Enniscorthy Co. Wexford	€8,000
46	Fairy Glen Community Animal Sanctuary, Co. Roscommon	€8,000
47	*Fellenberg Foundation Irl Ltd, Woodford, Co Galway	€1,000
48	Fingal SPCA, Portrane, Co Dublin	€2,000
49	*Forgotten Horses Ireland, Kilcolgan, Co Galway	€1,000
50	Friends for Wildlife, Letterfrack, Co. Galway	€2,000
51	Friends of Animals, Mullingar, Co. Westmeath	€4,000
52	Galway and Claddagh Swan Rescue, Knocknacarra, Galway	€3,000
53	Galway Cat Rescue, Knocknacarra, Galway	€2,000
54	Galway SPCA, St. Augustine's Street, Galway	€26,000
55	*Great Hounds in Need, Clonmel, Co Tipperary	€1,000
-	RECIPIENTS NAME	AWARD
		2012
56	Hollys Horse Haven, Omeath, Co Louth	€7,000
57	Homes for Unwanted Greyhounds Beaufort, Co. Kerry	€3,500
58	*Hungry Horse Outside Ltd, Newtownforbes, Co Longford	€1,000
59	Inistioge Puppy Rescue, Inistioge, Co. Kilkenny	€7,000
60	*Irish Equine Welfare, Ardnacrusha, Co Clare	€1,500
61	Irish Horse Protection League, Blessington Co. Wicklow	€5,000
62	Irish Horse Welfare Trust, Arklow, Co. Wicklow	€35,000
63	Irish Raptor Research Centre (Eagles Flying), Ballymote, Co Sligo	€6,000
64	Irish Red Grouse Association, Oakpark Avenue, Carlow	€2,000
65	Irish Whale and Dolphin Group, Kilrush, Co Clare	€1,500
66	ISPCA (Head Office), Derryglogher Lodge, Co. Longford	€150,000
67	ISPCA Carlow Branch, Tullow, Co Carlow	€3,500
68	ISPCA Victor Dowling, Mallow, Co. Cork	€10,000
69	Joan's A.R.C, Glangevlin, Co Cavan	€4,000
70	*Kathleen Barrett, Athea, Co Limerick	€1,000
71	*Kath's Kitty Corner, Ballymote, Co Sligo	€1,000
72	Kerry SPCA, Rackett Lane, Tralee, Co. Kerry	€6,000
73	Kildare & West Wicklow SPCA, Kilcullen, Co. Kildare	€11,000
74	Kilkenny SPCA, Unit 39, Hebron Road, Kilkenny	€8,000
75	KLAWS, Kenmare, Co. Kerry	€2,000
76	Laois SPCA, Portlaoise, Co Laois	€10,000
77	Last Hope Animal Charity, Navan, Co Meath	€6,000
78	Leitrim Animal Welfare Centre Ltd, Drumkeeran, Co. Leitrim	€15,000
79	Littlehill Animal Sanctuary, Ballymore Eustace, Co. Kildare	€1,000
80	*Lilys Dog Rescue, Shercock, Co Cavan	€1,000
81	Limerick Animal Welfare Ltd, Greystones, Limerick	€28,000
82	*Limerick Feral Cat, Corbally, Limerick	€1,000
83	Limerick SPCA, The Secretary, Hyde Road Limerick	€10,000
84	Longford SPCA , No.2 Market Square, Longford	€15,000
85	Louth SPCA Ltd , Dundalk, Co. Louth	€15,000

-	RECIPIENTS NAME	AWARD
86	MADRA , Connemara Kennels, Co Galway	€3,000
87	*Mallow Animal Rescue, Mallow, Co Cork	€1,000
88	Mayo Animal Welfare, Westport, Co. Mayo	€2,500
89	Mayo SPCA Ltd, Ballyhaunis, Co. Mayo	€7,000
90	Meath SPCA, Duleek, Co Meath	€9,000
91	*Mo Chara Animal Rescue Centre Ltd, Thurles, Co Tipperary	€6,000
92	Monaghan SPCA, Emyvale, Co. Monaghan	€18,000
93	Monkey Sanctuary Ireland Ltd, Rathdrum, Co. Wicklow	€2,000
94	Munster Lost and Found Pet Helpline, Ballinhassig, Co Cork	€4,000
95	National Exotic Animal Sanctuary, Ballivor, Co. Meath	€5,000
96	New Ross SPCA, Foulksmills, Co. Wexford	€10,000
97	North County Dublin SPCA, Drumcondra, Dublin 9	€15,000
98	North West Pet Protection Ltd./Donegal Pet Rescue, Co. Donegal	€15,000
99	North West SPCA Ltd, Carrowreagh, Ballina, Co. Mayo	€19,000
100	North Wexford SPCA, Parkville 4 Glen Courtown, Co. Wexford	€14,000
101	Offaly SPCA Ltd, 5 Arden Vale, Tullamore, Co. Offaly	€14,000
102	Pauline's Rescue, Lauragh, Milford, Charleville, Co Cork	€9,000
103	Paw Pourri Animal Rescue, Cronin's Yard, Ennis, Co Clare	€1,500
104	PAWS Animal Rescue, Mullinahone, Co Tipperary	€20,000
105	Petwatch Ltd, 132 Rialto Cottages, Dublin 8	€4,500
106	*Precious Paws Animal Sanctuary, Gurteen, Co Sligo	€1,000
107	*Red's Sanctuary, Mountain View, Kiltimagh, Co Mayo	€1,000
108	Remi le Mahieu T/A Animal Sanctuary Hubasha, (ASH), Co. Wicklow	€15,000
109	Renvyle Cat and Dog Rescue, Connemara, Co Galway	€2,000
110	Roscommon SPCA , P.O. Box 10, Castlerea, Co Roscommon	€10,000
-	RECIPIENTS NAME	AWARD
111	Roscrea SPCA, Rosemount House Roscrea Co. Tipperary	€11,000
112	Rover Rescue, Ennis Co Clare	€3,000
113	Rural Animal Welfare Resources (RAWR), Bantry, Co Cork	€9,000
114	Sathya Sai Sanctuary, Trust for Nature, Castlebaldwin, Co. Sligo	€9,000
115	Second Chance Animal Rescue Ltd, Shannon, Co Clare	€7,000
116	Sligo Dog Welfare Services, Drumcliff, Co. Sligo	€2,000
117	South East Animal Rescue, Enniscorthy, Co. Wexford	€3,000
118	*South Tipperary Dog Rescue, Farranaccliffe, Co Tipperary	€1,000
119	St Francis Dispensary for Sick and Injured Animals, Inchicore, Dublin 8	€8,000
120	Sylvia Muhlbachler, Shean, Edenderry, Co Offaly	€2,500
121	*Taffy's Friends, Ballinlough, Co Roscommon	€1,000
122	The Daisy Fund, Tralee, Co Kerry	€1,000
123	The Donkey Sanctuary, Mallow, Co. Cork	€60,000
124	The Equus Foundation, Naas Co Kildare	€3,000
125	The Inner City Cat Rescue Group, Ballybough, Dublin 3	€2,500
126	The Irish Blue Cross, Inchicore , Dublin 8	€57,000

-	RECIPIENTS NAME	AWARD
127	The Sunset Appeal, "Panwa", NewRoss, Co. Wexford	€2,000
128	Tipp Friends of Animals SPCA, Nenagh, Co. Tipperary	€4,000
129	Tipperary SPCA, Savannah House, Clonmel Co. Tipperary	€10,000
130	Tipp-Off Animal Rescue, Birr, Co. Offaly	€10,000
131	Traveller Animal Welfare, Rathdrum, Co Wicklow	€3,000
132	Waterford Animal Welfare, Tramore, Co Waterford	€10,000
133	Waterford SPCA, Yellow Road, Co Waterford	€15,000
134	West Cork Animal Welfare Group, Clonakilty, Co. Cork	€10,000
135	Westmeath SPCA, Killucan, Co. Westmeath	€10,000
136	Westown Animal Shelter, Naas, Co. Kildare	€4,000
137	Wexford SPCA, Distillery Road, Co Wexford	€28,000
138	Whiskers New Park Animal Sanctuary, Leatra, Williamstown, Co Galway	€4,000
139	*Wicklow Cats, 15 Broudlough View, Greenhill Road, Wicklow	€1,000
140	Wicklow SPCA, Ballygannon Mor, Rathdrum, Co. Wicklow	€26,000
-	-	€1,365,000

* First time applicants

Child Care Services Provision

455. **Deputy Brendan Ryan** asked the Minister for Children and Youth Affairs the future plans for a unit (details supplied) in County Dublin; if the unit will remain open in its current form; if not, the changes that will be made; the rationale behind such planned changes; and if she will make a statement on the matter. [52847/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I have been advised by the HSE that Crannóg Nua in Portrane, Co. Dublin will cease providing High Support services in May 2014 once the current residents complete their interventions and move on to their next placements. Crannóg Nua will then undergo a period of refurbishment and enhancement in order to bring the standard of the current facilities up to the level of security required to provide Special Care services from that location. In addition, a further building is being added.

The HSE has also advised that Children and Family Services are committed to designing and developing a comprehensive continuum of care services to meet the divergent and complex needs of all children in care. In 2012, Children and Family Services initiated an in depth review of all residential care services for children and young people. This review will assist in mapping and reinforcing the various stages along the continuum of care provision in Children and Family Services as well as identifying where gaps may exist. A National Director of Residential Services is now in post to take the review forward and ensure the strategic development of such services with all necessary allied supports necessary.

Adoption Legislation

456. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs if she intends to amend the Adoption Act 2010; and if these amendments will be published before the end of the current year. [52482/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Adoption Act, 2010, which entered into force on 1 November 2010, gives force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption. The Act was written against the backdrop of the of the Hague Convention and a commitment to improving standards outlined in the Convention. The Hague principles of subsidiarity, support for birth families, free and informed consent for birth parents, and international adoption as a resource for the permanent care of children, are a means for improving standards in intercountry adoption and mitigating against some of the risks inherent in intercountry adoption.

The Adoption Act 2010 has been in operation for nearly three years now. Since the implementation of the Act, as is often the case with complex legislation, issues have arisen in relation to the operation of the Act. There are also more general policy questions around the nature of our adoption regime. In the circumstances I think it is timely to consider a review of adoption. Given the range and complexity of the issues this will require a preliminary examination following which decisions will be made on the extent and time scale for the review. I do not know at this stage if proposals for legislative change will emerge from this review or the nature of such proposals. Based upon the many domestic and international legal aspects to adoption the issue of further legislative development will certainly be considered. This review will inform future operational and legislative considerations regarding the Adoption Act 2010.

Child Care Qualifications

457. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the selection criteria that was used when awarding a €900,000 training fund; the number of training agencies that were approached regarding this fund; if a cost benefit analysis was carried out on the successful agencies; and if she will make a statement on the matter. [52627/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As part of my Pre-School Quality Agenda, I will be introducing new qualification requirements for childcare workers. All staff caring for children in a pre-school service will be subject to a minimum qualification requirement of FETAC Level 5, while pre-school leaders delivering the Early Childhood Care and Education (ECCE) programme will require a Level 6 qualification. These requirements will come into effect from September 2014 for new services, and from September 2015 for existing services.

In light of these timeframes, my Department has sought to work with the childcare sector to accelerate the process for training and upskilling its staff and improving the quality of care delivered to children. It is considered that, to achieve the required qualifications in the limited timescale available, staff in the childcare sector, who are on modest pay, should not have to pay the full cost of undergoing accredited training from their own resources.

For 2014 a learner fund totalling €1.5 million will be made available through the CCCs so that existing staff can choose a suitable training provider to upskill to Level 5 or 6 as applicable.

Early Childhood Ireland (ECI), which is the largest of the voluntary childcare organisations funded by my Department, and the Border Counties Childcare Network (BCCN), which provides quality supports including training in the Border counties area, have been asked as part of their 2013 work plan to offer additional training to the existing childcare workforce in relevant training modules at FETAC Levels 5 and 6. Additional grant funding will be made available to ECI and the BCCN in 2013 to provide for this.

Both ECI and BCCN submitted proposals to my Department outlining their plans to provide

the increased level of training support to the childcare sector in line with their roles as voluntary childcare organisations.

242 childcare workers are currently participating in two FETAC Level 5 and ten FETAC Level 6 training modules provided by ECI. A further 278 childcare workers will commence training across fifteen courses (four Level 5 and eleven Level 6), in January 2014, with another 94 commencing training across five courses (one level 5 and four level 6) in February 2014. Some of the training courses are being delivered online, with the remainder being delivered face-to-face.

BCCN has identified approximately 60 childcare practitioners who will avail of their training programme with some of these commencing training as early as next week. The training modules for remaining participants will commence in January 2014.

Departmental Expenditure

458. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs if she will provide a breakdown of the annual infrastructure and capital expenditure by her Department and on a regional basis and a county basis over the past five years. [52795/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The information sought by the Deputy is currently being collated and I will provide the information directly to the Deputy later this week.

Foster Care Supports

459. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs further to Parliamentary Question No. 385 of 3 December 2013, if statistics will be collected on the nature and extent of training received by relative foster carers before children are placed with them; the number of children placed with relative carers on an emergency basis in the years 2012 and to date in 2013 before approval was provided by a foster care committee. [52863/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The information requested by the Deputy has been sought from the HSE and I will be in further contact with the Deputy later this week.

Child Poverty

460. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the reason an application from a group (details supplied) was not put forward to the design stage for the ABC programme - area based response to child poverty funding; and if she will make a statement on the matter. [52877/13]

461. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the reason the list of successful applicants approved for design stage as part of the ABC programme - area based response to child poverty funding does not include rural areas; her plans for rural children and their families; and if she will make a statement on the matter. [52878/13]

462. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the reason a county (details supplied) was not considered one of the most disadvantaged areas when the proposals for the ABC programme were short-listed for design stage; and if she will make a statement on the matter. [52879/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): I propose to take

Questions Nos. 460 to 462, inclusive, together.

On 27 November last, with my colleague the Tánaiste and Minister for Foreign Affairs and Trade Mr. Eamon Gilmore T.D., I announced that an additional nine areas have been selected to enter the design stage of the Area Based Childhood (ABC) Programme 2013-2016, in line with a key Programme for Government commitment.

This brings the total number of areas that will participate in the ABC programme to 13, as three existing projects which participated in a forerunner Prevention and Early Intervention Programme (PEIP) in Tallaght, Ballymun and Darndale were approved for entry earlier this year. In addition, a further project, linked to the existing 'Preparing for Life' project in Darndale, is also being included.

The evaluation process was undertaken by a Working Group of the Project Team which was set up in February of this year to oversee the implementation of the new programme. The Project Team is chaired by my Department and includes representatives from seven other Government Departments, our co-funders The Atlantic Philanthropies as well as two organisations, Pobal and the Centre for Effective Services, which have been designated to manage the programme on behalf of my Department.

The application and evaluation process was concerned with ensuring that the ABC Programme focused on disadvantaged areas whether rural or urban. The term "area" was defined broadly as '*A geographical territory, in which the resident population identifies with each other as a community on the basis of natural boundaries, common history or experience or other factors*'. This was intended to encourage consortia from a wide range of areas to apply to the new programme.

Applications had to prove that children in their target area were particularly disadvantaged. The highest ranking criterion included in the application guidelines was Evidence of Need. It was concerned with high levels of poor outcomes for children in the target areas. 40% of the overall scoring weight was assigned to this criterion. The other criteria were Quality of the Proposal (30% of overall scoring weight), Additionality & Sustainability (20% of the overall scoring weight) and Understanding and Capturing Outcomes (10% of overall scoring weight).

50 applications were received from consortia wishing to participate in the Area Based Childhood (ABC) Programme, including three from the existing PEIP participants which were evaluated first and approved for entry to the programme earlier this year. The remaining 47 proposals were then evaluated against the programme criteria and nine were selected. These did not include the application referred to by the Deputy as it did not score sufficiently highly against the programme criteria to be invited to proceed at this point to the next stage of development and design work. With 50 proposals received from among the most disadvantaged areas in the State, it was a very competitive process.

I would like to thank the Donegal consortium for its application to participate in the ABC programme and for its commitment to evidence-based programmes and early intervention and prevention services for children and families.

Departmental Expenditure

463. **Deputy Kevin Humphreys** asked the Minister for Children and Youth Affairs of the €11 million in capital spending recorded as not spent under the expenditure profile at end November in the most recent analysis of gross voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet as per the profile; if any of the total €107.2 million in total capital carryover

in Government for 2012 relates to her Department; the amount of same; if it has been spent; on what it has been spent; and if she will make a statement on the matter. [52949/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): A total of €25.76m in capital funding is available to my Department for 2013 and over 80% of this relates to the development of the National Children's Detention facility at Oberstown in Co. Dublin.

When profiling this expenditure at the start of this year, it was anticipated that the building work would begin earlier than has actually been the case. This was primarily due to detailed contractual discussions and negotiations and I am happy to confirm that building work has now started. However, as a result of these timing issues, the cash flow for the project has been adjusted and it is now anticipated that only €10m will be expended in 2013 as opposed to the original estimate of over €20m. It is still expected that 3 new units will be delivered by the 3rd quarter in 2014 to prioritise the accommodation of 17 year old boys currently the responsibility of the Irish Prison Service. The remaining units, to replace existing buildings, will be delivered by the 3rd quarter 2015. The overall project cost will not be impacted on by this cash flow adjustment with the balance of overall funding now being required in 2014 and 2015 to meet contractual commitments.

The Deputy might also note that there was no carryover of 2012 funds to the Vote of my Department for capital projects.

National Lottery Funding Disbursement

464. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs the position regarding the application for national lottery funding in respect of an organisation (details supplied) and when they may expect a decision. [52972/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): My Department has a funding provision of €500,000 in respect of National Lottery Funding for 2013 and the closing date for applications was 18 October 2013. Over 600 applications, totalling over €7.5m, were received and the organisation to which the Deputy refers is one of these applications. As the volume of applications far exceeds the available resources it may not be possible to assist all applications. The assessment process is ongoing and all applicants will be informed of the outcome as soon as final decisions have been made.

Charities Regulation

465. **Deputy Billy Timmins** asked the Minister for Children and Youth Affairs the amount of funding that her Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps she is taking to deal with non-disclosures. [53546/13]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The Department of Children and Youth Affairs currently provides funding directly to a wide range of community, voluntary and other organisations who have charitable status that are engaged in the provision of specific services to children and young people. The most significant share of the funding, which amounts to €249 million is targeted at implementing three major childcare programmes that include the Community Childcare Subvention (CCS) programme, the Early Childhood Care and Education (ECCE) programme, and the Community Education and Training (CETS) programme. There is no salary component to this funding provision which is, by its

nature, a capitation payment to meet the cost of child-care for parents/guardians.

My Department also provides annual funding to seven National Voluntary Childcare Organisations to enable them to provide a support service to their members in the context of these programmes. This funding amounted to €3.61m in 2013. The individual amounts paid were as follows:

Organisation	€
Barnardos	€0.553m
Border Counties Childcare Network	€0.302m
Childminding Ireland	€0.340m
Early Childhood Ireland	€2.055m
Forbairt Naionraí Teo	€0.241m
Irish Steiner Kindergarten Association	€0.050m
St Nicholas Montessori	€0.069m

My Department also provides funds to support organisations through a number of other programmes that include the following -

- Funding for the support of voluntary youth work is made available on an annual basis to 30 national and major regional voluntary youth organisations through the Youth Service Grant Scheme which is intended to ensure the emergence, promotion, growth and development of youth organisations with distinctive philosophies and programmes aimed at the social education of young people. Just over €10 million has been made available this year to support the organisations. Bodies in receipt of funding in this area are required as part of their reporting to disclose salary details to the Department.
- Support for Barnardos and Early Childhood Ireland who act in the role of authorised signatory in accordance with the Child Care (Pre-School Services) (No. 2) Regulations for the vetting of childcare providers. The Department of Children and Youth Affairs has facilitated these organisations in this regard through the provision of funding, which amounts to €132,700 and €100,000 respectively in 2013, to cover the cost of providing this service. The funding provided in this instance is in respect of purchase of a service only with no specific salary element.
- The provision of €87,631 to the ISPCC towards the running costs associated with the operation of the Missing Children Hotline. The funding provided in this instance is in respect of purchase of a service with no specific salary element.
- The provision of €311,000 to Foróige to provide contractual services for a range of children and young people's participation initiatives that include supporting Comhairle na nÓg, Dáil na nÓg and consultation with children and young people on behalf of my Department and other Government Departments and agencies. These services are tendered for by my Department and reports received include details of all per diem payments made.
- Grants are also made available to groups and organisations involved in the provision of services to children and young people through the provision of €500,000 from the application based National Lottery Funding Scheme. The provision of lottery funding is essentially once off and, as such, proposals seeking support to meet salary costs are not generally recommended.

Services for People with Disabilities

466. **Deputy Billy Timmins** asked the Minister for Health the position regarding the case of a person (details supplied) in County Wicklow; and if he will make a statement on the matter.

[52716/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Medical Card Applications

467. **Deputy Mary Lou McDonald** asked the Minister for Health the reason a person (details supplied) in Dublin 22 who applied for a medical card renewal in July 2013 has not yet received a decision on the matter. [52471/13]

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 Appointment Status

468. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will receive an appointment for an urgent theatre procedure in St. James's Hospital; and if he will make a statement on the matter. [52481/13]

Minister for Health (Deputy James Reilly): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to this particular query raised by the Deputy, I have asked the HSE to respond directly to the Deputy in this matter.

Services for People with Disabilities

469. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will maintain funding to the Dyspraxia Association of Ireland at 2012 levels to ensure the organisation can continue in its important work; and if he will make a statement on the matter. [52486/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is fully committed to ensuring the on-going delivery of vital services and supports to people with disabilities within available resources.

The Health Service Executive (HSE) has been provided with funding in the order of €1.4 billion this year to fund its 2013 disability services programme for children and adults with disabilities. This represents approximately 11.5% of overall health expenditure this year. The

majority of this funding is distributed through non-statutory agencies who deliver over 80% of all disability services. There are in the region of 300 such agencies at present across the country that provide a significant and broad range of services for children and adults with disabilities in partnership with and on behalf of the HSE. It is important to note that many children and adults with a disability can be very effectively supported within mainstream child and adult health services.

Dyspraxia is a developmental co-ordination disorder that affects movement and co-ordination. For some children, dyspraxia can affect their learning capacity. For this reason they may require additional supports in the school setting to keep up with their classmates. A comprehensive range of supports is in place in our school system to support these children.

From a health perspective, there are a number of therapies that can make it easier for people with dyspraxia to cope. These include speech and language therapy, to improve speech and communication skills, and occupational therapy to find ways to remain independent and complete everyday tasks. Such therapy services do not necessarily have to be delivered through specialist disability providers and are frequently accessed through Primary Care Teams and community therapy services.

The Dyspraxia Association is just one of a range of organisations around the country at present providing supports to specific diagnostic groups who do not receive HSE funding. Funding of these types of organisations is an issue that is under active and on-going consideration by the HSE. Pending approval of the HSE's National Service Plan for 2014, it is not possible to predict the service levels and funding to be provided next year for the disability sector.

Medical Card Eligibility

470. **Deputy Bernard J. Durkan** asked the Minister for Health if a full medical card will be reinstated in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [52511/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Hospital Services

471. **Deputy Tony McLoughlin** asked the Minister for Health if consideration will be given to the provision of services (details supplied) at Sligo General Hospital. [52513/13]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Hospital Appointment Delays

472. **Deputy Michael McCarthy** asked the Minister for Health the reason for the delay

in rheumatology appointments at the Mater hospital in Dublin; the reason appointments have been rescheduled three times in respect of a person (details supplied) in County Louth since August 2012, with the person receiving only a few days notice prior to the appointment being cancelled; and if he will make a statement on the matter. [52519/13]

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

Question No. 473 withdrawn.

HIQA Inspections

474. **Deputy Michael McGrath** asked the Minister for Health if the Health Information and Quality Authority charges various organisations under its remit for inspections and other matters; if he will provide details of the charges that apply; and if he will make a statement on the matter. [52554/13]

Minister for Health (Deputy James Reilly): The Health Information and Quality Authority is entitled to apply charges for the services it provides for the registration and inspection of designated centres for older people and for the registration and inspection of designated centres for persons with disabilities. Details of the charges that currently apply are set out in the Health Act 2007 (Registration of Designated Centres for Older People) Regulations 2009, SI No. 245 of 2009 and in the Health Act 2007 (Registration of Designated Centres for Persons (Children and Adults) with Disabilities) Regulations 2013, SI No. 366 of 2013.

Hospital Services

475. **Deputy David Stanton** asked the Minister for Health if he will provide a list of the voluntary public hospitals in which public health services are provided; if he will provide a breakdown in tabular form of the electricity costs and other fuel types and costs, in 2010, 2011 and 2012, respectively, in each of these hospitals; and if he will make a statement on the matter. [52563/13]

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

Hospital Facilities

476. **Deputy David Stanton** asked the Minister for Health with regard to the voluntary public hospitals in which public health services are provided, which, if any, have combined heat and power plants installed and operational; if his Department and the Health Service Executive have calculated the potential annual savings in electricity and heating in each voluntary public hospital if CHP plants were installed; his policy in relation to same; and if he will make a statement on the matter. [52564/13]

Minister for Health (Deputy James Reilly): Delivery of healthcare infrastructure and financial management is a service issue. Therefore your question has been referred to the Health Service Executive for direct reply.

Suicide Prevention

477. **Deputy Jonathan O'Brien** asked the Minister for Health the funding available for community-based suicide awareness groups; and if he will make a statement on the matter. [52570/13]

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.

National Lottery Funding Applications

478. **Deputy Marcella Corcoran Kennedy** asked the Minister for Health the position regarding an application for a National lottery grant in respect of an organisation (details supplied) in County Offaly; and if he will make a statement on the matter. [52577/13]

Minister for Health (Deputy James Reilly): I am pleased to inform you that I have approved a grant of €55,000 from my Department's 2013 allocation of National Lottery funds for this organisation.

Medical Card Eligibility

479. **Deputy Brendan Ryan** asked the Minister for Health the progress that has been made in the past six months towards making the holders of long-term illness cards eligible for free general-practitioner care; the legislative timetable for same; and if he will make a statement on the matter. [52590/13]

Minister of State at the Department of Health (Deputy Alex White): The Government is committed to introducing, on a phased basis, a universal GP service within its term of office, as set out in the Programme for Government and the Future Health strategy framework.

It became clear that the legal and administrative framework required to provide a robust basis for eligibility for a GP service based on having a particular medical condition, as outlined in the Programme for Government, was likely to be overly complex and bureaucratic for what is only a temporary first phase on the way to a universal GP service for the entire population.

As announced in the Budget, it has been decided to commence the roll-out of a universal GP service by providing all children aged 5 and under with access to a GP service without fees.

The introduction of a universal GP service constitutes a fundamental element in the Government's health reform programme. The current Government is the first in the history of the State to have committed itself to implementing a universal GP service for the entire population. A well functioning health system should provide equal access to healthcare for its patients on the basis of health needs, rather than ability to pay. The principles of universality and equity of access mean that all residents in Ireland should be entitled to access a GP services that is free at the point of use. Consideration is being given to a range of options for the implementation of a universal GP service with a view to bringing developed proposals to Government.

Health Services Staff Remuneration

480. **Deputy Dessie Ellis** asked the Minister for Health if any salary top-ups have been paid to any members of staff at St Michael's House, Ballymun Road; if so, the amount that was given; the date on which it was given; and the source from which the top-up was taken and the position to which it was paid. [52598/13]

Minister for Health (Deputy James Reilly): Arising from the HIQA report on Tallaght Hospital in 2012 which noted that a number of senior staff had been in receipt of remuneration in addition to the approved rates for their posts, my Department requested the HSE to take steps to ensure that similar payments were not being made in other agencies funded under Section 38 of the 2004 Health Act. The HSE's Internal Audit Directorate undertook a detailed review

of remuneration in these agencies. This review was concluded in March 2013 and identified a significant number of cases in which senior personnel were in receipt of additional payments outside the terms of the approved pay scales.

On 27 September 2013 my Department issued a pay policy, prepared following consultation with the Department of Public Expenditure and Reform, to the HSE. This policy, which reflects Government policy on senior public service pay generally, makes it clear that health service bodies, including the HSE, may not supplement approved rates of remuneration with Exchequer funding or non-Exchequer sources of funding.

As the issues raised in relation to St Michael's House, Ballymun Road are service matters this aspect of the Deputy's question has been referred to the Health Service Executive for direct reply.

Ambulance Service Provision

481. **Deputy Denis Naughten** asked the Minister for Health if due to the deployment of the back up ambulance in Ballinasloe to provide a service in Tuam, he intends to furnish a patient transport vehicle to the ambulance base in Ballinasloe, County Galway; and if he will make a statement on the matter. [52602/13]

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

482. **Deputy Thomas P. Broughan** asked the Minister for Health the reason all amputee citizens do not have discretionary medical cards in view of the need to change costly prosthetic limbs regularly, including up to three or four times per annum for children and teenagers. [52613/13]

Minister for Health (Deputy James Reilly): Under the provisions of the Health Act 1970 (as amended), eligibility for health services in Ireland is based primarily on residency and means. The Act provides that persons who are unable without undue hardship to arrange GP services for themselves and family qualify for a medical card. The HSE can only award medical cards in accordance with the Act and, therefore, it must assess applicants on the overall financial situation of the applicant and his or her dependants. The HSE gives effect to this legislation through its Medical Card National Assessment Guidelines.

While there is no legal basis for the HSE to award medical cards on the basis of a specific medical condition, the HSE has, however, discretion to grant a medical card in certain circumstances. If an applicant's means are above the financial thresholds, set out in the national guidelines, the HSE examines for any indication of circumstances (medical or social), which might result in undue financial hardship in the arranging of medical services. Eligibility may be granted on a discretionary basis if these circumstances are such that a person cannot arrange GP services for themselves and their family without undue financial hardship.

The HSE has a clinical panel which assists in the processing of applications for discretionary medical cards where there is financial expenditure related to a medical condition. This ensures that the applications by those diagnosed with an ailment are assessed and addressed in the most expeditious and sensitive way and that the specific situation of a person can be considered on a case-by-case basis.

Medical Aids and Appliances Provision

483. **Deputy Thomas P. Broughan** asked the Minister for Health if all necessary supports are being provided to all amputee citizens living here, including those who currently hold discretionary medical cards. [52614/13]

484. **Deputy Thomas P. Broughan** asked the Minister for Health where prosthetic limbs provided to patients here are sourced from; and the proportion of prosthetic limbs fitted by specialists employed by the Health Service Executive that have been made here. [52618/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 483 and 484 together.

As the Deputy's questions relate to service matters, I have arranged for the questions to be referred to the Health Service Executive for direct reply to the Deputy.

Health Services Issues

485. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when payment will be made by the Health Service Executive to North Meath Community Development Association in relation to rent of properties at Climber Hall, Kells, County Meath in line with binding arbitration adjudication; and if he will make a statement on the matter. [52631/13]

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

Medical Card Delays

486. **Deputy Robert Troy** asked the Minister for Health if he will ensure a person (details supplied) is granted a medical card without further delay. [52642/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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

Health Services Provision

487. **Deputy Dara Calleary** asked the Minister for Health if fertility treatments such as IVF are available on the medical card; and if he will make a statement on the matter. [52643/13]

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

Health Services Provision

488. **Deputy Joe Higgins** asked the Minister for Health if a child (details supplied) in Dublin 15 will be given access to a neural psychologist, behavioural therapist and occupational therapist in the public health system and receive necessary treatment. [52684/13]

Minister for Health (Deputy James Reilly): As the particular issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Medical Card Eligibility

489. **Deputy Heather Humphreys** asked the Minister for Health the qualifying criteria for a medical card under EU entitlement regulations; the reasons a medical card was removed from a person (details supplied) in County Monaghan; if this medical card will be reinstated; and if he will make a statement on the matter. [52687/13]

Minister of State at the Department of Health (Deputy Alex White): Regulation (EC) 883/04 and Implementing Regulation 987/09 provide for the co-ordination of social security systems, including healthcare, within the EU/EEA and Switzerland, with the aim of ensuring the free movement of persons. This objective of the Regulation is to ensure that persons exercising their right to move and to stay freely within the EU/EEA and Switzerland do not suffer disadvantage.

In Ireland, a Medical Card may be issued to EU\EEA citizens under EU Regulation 883/04 if the person is in receipt of a qualifying payment from one, or more, of the Member States, provided they are not subject to Irish social insurance legislation. It is the person with the qualifying payment who is assessed for a medical card. Family members of persons with an entitlement under the EU Regulations may also be entitled to a medical card provided they (the family member(s)) are not subject to Irish social security legislation.

I have asked the Health Service Executive for a report regarding the eligibility of the person concerned, as raised by the Deputy and will revert to the Deputy on the matter as soon as possible.

Health and Safety Regulations

490. **Deputy Patrick O'Donovan** asked the Minister for Health when he expects to sign the commencement notice for regulations allowing for the Health Information and Quality Authority to carry out unannounced inspections in public hospitals for all purposes other than for hospital acquired infections, which it is already allowed to do; and if he will make a statement on the matter. [52691/13]

Minister for Health (Deputy James Reilly): Under Section 8 of the Health Act 2007 the Health Information and Quality Authority (HIQA) may set standards on safety and quality and monitor compliance with these standards. HIQA may also undertake an investigation as to the safety, quality and standards of the services if the Authority believes that there are reasonable grounds for doing so as set out in Section 9 of the Act. The National Standards for the Prevention and Control of Healthcare Associated Infections (HCAI) were introduced in 2009 and HIQA continues to monitor compliance with these Standards using the powers provided in the Health Act 2007. To date HIQA has carried out both announced and unannounced inspections in public hospitals around the country to monitor compliance with the HCAI Standards.

I approved the National Standards for Safer Better Healthcare in June 2012. The National Standards describe high quality safe healthcare services. Such services deliver care which is safe, effective, person centred and which promotes better health for service users. HIQA is currently developing a monitoring programme for the National Standards in 2014. Under Section 8 of the Health Act 2007 HIQA has the powers to monitor compliance with the National Standards. It will be a matter for HIQA to decide on the operational arrangements used to monitor

implementation of the National Standards and if such monitoring requires unannounced visits to public hospitals.

Hospital Services

491. **Deputy Patrick O'Donovan** asked the Minister for Health if there is a national register of all hospitals public and private; if there are published criteria in place for facilities to be registered as a hospital; and if he will make a statement on the matter. [52692/13]

Minister for Health (Deputy James Reilly): My Department does not hold a national register of public and private hospitals. The Deputy will wish to be aware, however, that legislative proposals are currently being developed on the licensing of public and private health service providers designed to improve patient safety by ensuring that health service providers do not operate below core standards. The legislative proposals will include provision on the establishment and maintenance of a register of licensed providers which will be accessible to the public.

General Practitioner Services

492. **Deputy Billy Kelleher** asked the Minister for Health the extent to which the number of general practitioners per head of population in Ireland compares with the OECD average; his plans to change this; the timeframe for same; and if he will make a statement on the matter. [52698/13]

Minister of State at the Department of Health (Deputy Alex White): The OECD Health Data 2013 shows the average number of General Practitioners (GPs) per 1,000 population across OECD countries in 2011 was approximately 0.70. It also shows that Ireland had approximately 0.72 GPs per 1,000 population in 2011. It should be noted that figures for some countries exclude trainees, while others (including Ireland) include all registered GPs.

On 20 November 2013, 2,828 medical practitioners held registration as trained Specialists in the specialty of General Practice on the Specialist Division of the Medical Council's Register of Medical Practitioners. Holding registration does not necessarily mean that the medical practitioner is in active practice. On 20 November last, 2,408 GPs held a General Medical Services (GMS) contract.

In July of this year, my colleague Dr James Reilly, Minister for Health, established a Working Group, chaired by Professor Brian MacCraith, President of DCU, to carry out a Strategic Review of Medical Training and Career Structure. The Working Group will examine and make high-level recommendations relating to training and career pathways for doctors with a view to improving graduate retention in the public health system, planning for future service needs, and realising maximum benefit from investment in medical education and training. Professor MacCraith has been asked to furnish the Group's final report by the end of June 2014.

The HSE is currently engaged in a medical workforce planning project, which will include a workforce plan for GPs. When this work has been completed, it will assist in identifying GP requirements.

Health Services Provision

493. **Deputy Brendan Griffin** asked the Minister for Health the number of privately run health centres in County Kerry that are receiving funding from the Health Service Executive; if he will provide details of this funding; and if he will make a statement on the matter. [52704/13]

Minister of State at the Department of Health (Deputy Alex White): As this is a service

matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Hospital Consultants Contract Issues

494. **Deputy Nicky McFadden** asked the Minister for Health if the establishment of hospital groups will assist in addressing the issue of non-consultant hospital doctors' working hours and conditions; and if he will make a statement on the matter. [52706/13]

Minister for Health (Deputy James Reilly): 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 service delivery resulting in better outcomes for patients.

Chairs have now been appointed to all seven Hospital Groups. CEOs are in place for three of the Groups, and the process of recruiting CEOs for the remaining four Groups is ongoing through the Public Appointments Service. My Department is also working with the Chairs with a view to appointing the remaining Board members as soon as possible.

A Strategic Advisory Group is now being established, chaired by Mr.

Leo Kearns, which will oversee the establishment of Hospital Groups and the subsequent reorganisation of acute hospital services. Each group of hospitals will work together as single cohesive entities managed as one, to provide acute care for patients in their area, integrating with community and primary care. This will maximise the amount of care delivered locally, whilst ensuring complex care is safely provided in larger hospitals. Hospital Groups will be required, within one year, to develop a strategic plan which will outline their plans for future services within the group area and the role of hospitals within each group will be considered in detail in the context of this strategic plan.

The establishment of Hospital Groups will promote more efficient use of resources including NCHD staff. I am confident that these necessary reforms will contribute significantly to our health services achieving compliance with the European Working Time Directive.

Health Services Provision

495. **Deputy Sean Fleming** asked the Minister for Health when further medical examinations will be carried out on a person (details supplied) in County Laois; and if he will make a statement on the matter. [52708/13]

Minister for Health (Deputy James Reilly): The Deputy's question relates to service delivery matters and accordingly I have asked the HSE to respond directly to him.

Medical Card Reviews

496. **Deputy Tom Fleming** asked the Minister for Health if he will expedite a medical card review and issue a full medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52710/13]

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

497. **Deputy Sean Fleming** asked the Minister for Health when a hip operation will be carried out in respect of a person (details supplied) in County Laois; and if he will make a statement on the matter. [52711/13]

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.

Departmental Bodies

498. **Deputy Regina Doherty** asked the Minister for Health when the new co-ordinator for Brain Injury Ireland will be appointed; and if he will make a statement on the matter. [52712/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I understand that the Deputy has confirmed that the organisation concerned is BRÍ - Independent Brain Injury Support and Advocacy Group. As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Health Services Provision

499. **Deputy Regina Doherty** asked the Minister for Health the national and-or regional supports available for those who have suffered brain injury; and if he will make a statement on the matter. [52713/13]

522. **Deputy Michael Lowry** asked the Minister for Health if his attention has been drawn to the lack of a dedicated adolescent rehabilitation unit for teenagers who have suffered an acquired brain injury; if his attention has been drawn to the lack of support group or organisation for affected teenagers; if his attention has been drawn to the devastation caused to teenagers as a result of these injuries; if his attention has been drawn to the fact that a teenage brain can recover more swiftly and better if the correct supports are put in place; if he will take immediate action to tackle this issue and provide for an adolescent support unit; and if he will make a statement on the matter. [52874/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 499 and 522 together.

The supports provided by the Health Service Executive (HSE) to people with brain injury involves a multi-disciplinary team approach and incorporates Acute Hospital Services, the National Rehabilitation Hospital, Primary Care, Community Services, Long-term assisted living supports and Rehabilitative training services. These services are provided directly by the HSE and a number of non-statutory organisations. Within Disability Services, Headway Ireland and Acquired Brain Injury Ireland are the two main organisations funded to meet the needs of such persons.

As the Deputies' questions relate to service matters, I have arranged for the questions to be referred to the HSE for direct reply to the Deputies.

Medical Card Eligibility

500. **Deputy Robert Dowds** asked the Minister for Health the reason the threshold for the over 70s medical card is not doubled for a couple in view of the fact that many other tax credits and allowances are doubled for a couple; and if he will make a statement on the matter. [52714/13]

Minister of State at the Department of Health (Deputy Alex White): The Government recognises that the living costs of an individual living alone are more than half the living costs of a couple living together and this is reflected, inter alia, through the provision of the Living Alone Increase and differential income limits for medical cards for persons aged under 70 years between individuals and couples.

In that context, the over-70s income limit for a single person has been reduced proportionately less than the income limit for a couple.

Air Ambulance Service Provision

501. **Deputy Seán Kenny** asked the Minister for Health if he plans to have a 24/7 helipad at Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [52719/13]

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 Applications

502. **Deputy Tom Fleming** asked the Minister for Health when a decision will issue in relation to a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52725/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Services for People with Disabilities

503. **Deputy Clare Daly** asked the Minister for Health if funding is available for students with mild or moderate special needs to be taken on to do some basic training in hair and beauty therapy with a registered hairdresser; and the way such an initiative could be pursued. [52727/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Options open to meet the training and education needs of individuals with disabilities include SOLAS-funded vocational training and health-funded rehabilitative training.

Vocational training, including training for people with intellectual, physical or sensory disabilities and mental health issues which prepares people for employment in the open labour market, is the responsibility of the Department of Education and Skills and SOLAS (formerly FÁS) while rehabilitative training, which has no connection with the open labour market, is the responsibility of the Department of Health and the Health Service Executive (HSE).

The Department of Social Protection is responsible for delivering income supports, activation and employment services and advice to all unemployed citizens, including people with disabilities, to increase their prospects of securing employment. The Supported Employment Programme/EmployAbility Service is an open labour market initiative providing supports to people with disabilities to help them access the open labour market. Supports are tailored on a case-by-case basis by a job coach and can include on-the-job training, social skills training, assistance with travel to and from work, assistive technology and other supports necessary to make the employment successful, for both the employer and the employee. An individual with a disability, including those with mild to moderate special needs, wishing to pursue training and employment in hair and beauty therapy, would be advised to contact their local SOLAS office to explore their options in this regard.

Although supported employment is primarily the responsibility of the Department of Social Protection and SOLAS, some disability service providers also provide this service and it is open to service users to work with service providers through the person centred planning process to identify the type of supported employment that best meets their needs and abilities. Increasingly, service providers are working with service users to identify their goals through this process of person centred planning placing the person, their life choices and wishes at the core of service development.

The HSE, through its Occupational Guidance Service, works with schools, service providers, service users and families to identify the training needs of people with disabilities. The Occupational Guidance Officer provides one to one advice, support and guidance to enable individuals with a disability aged 16 to 65 years to make an informed choice about their rehabilitative training and occupational options.

For individuals with a disability who require foundation level skills before progressing to vocational training, supported employment or open employment, the HSE provide rehabilitative training. The purpose of rehabilitative training is to develop the individual's life skills, social skills and basic work skills. Approximately 3,000 people with special needs avail of rehabilitative training each year, some of whom then progress to vocational training, other training or employment. RT courses cover a wide range of skills and cater for people with a range of abilities and interests, and may include opportunities for work sampling or work placement. It is open to an individual in liaison with their service provider to pursue basic work skills training which would be of benefit to that individual should he or she wish to progress to training or employment in a specific area, such as hair and beauty therapy.

Mental Health Services Provision

504. **Deputy Michael Healy-Rae** asked the Minister for Health his views on whether psychiatric service centres should be closed on weekends (details supplied); and if he will make a statement on the matter. [52729/13]

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.

Helpline Services

505. **Deputy Michael Healy-Rae** asked the Minister for Health his views on whether services such as the Samaritans and other helplines which are not free should be made available free (details supplied); and if he will make a statement on the matter. [52730/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There are a number of Freephone helplines available for people in emotional distress such as Console, IL-

ife, Childline, Rape Crisis Centre etc. In addition, a number of LoCall helplines are provided by organisations such as Samaritans, Aware, MABS etc.

Following on from a decision by the European Commission to designate 116 numbers to services of social value, the Commission decided to reserve a common telephone number for emotional helplines in all EU member states. In Ireland, Comreg was charged with responsibility for managing the assignment of the new 116 numbers and it assigned the 116 123 number to the Samaritans.

I am glad to be in a position to inform the House that the Samaritans, last year, entered into a partnership arrangement with six telecommunication providers (Eircom, Meteor, 02, Three, Vodafone and UPC) who committed to funding a vital 24 hour Freephone number. The Samaritans have now completed the technical upgrades required and in June this year commenced piloting the number to the general public in a controlled, geographic area targeting men in the 35-54 age group living in areas of economic deprivation. The Samaritans have met with local public representatives, representatives of religious groups and community workers and have developed a publicity campaign to support this important initiative.

It is expected that the new helpline number 116 123 will be rolled out nationally in March next year.

Prescription Charges

506. **Deputy Joan Collins** asked the Minister for Health the instructions that have been given to pharmacies in relation to the new €25 per month maximum prescription charge fee for medical card holders (details supplied). [52743/13]

Minister of State at the Department of Health (Deputy Alex White): As announced in Budget 2014, it has become necessary to increase the prescription charge due to the very difficult and challenging economic environment which requires the Government to achieve additional savings in health expenditure with €666 million of savings targeted in 2014. The increase in prescription charges will account for €43 million of this target. The Government is committed to achieving these savings while protecting front line services to the most vulnerable to the greatest extent possible.

Medical card holders will be required to pay a €2.50 charge per item for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €25 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. These new rates are effective from 1 December 2013.

The HSE issues refunds automatically on a quarterly basis where a person or family pays more than €25 in one month, based on information received from pharmacies. There should be no need for refunds if an individual or family visits a single pharmacy and the pharmacist can identify all family members.

Families can confirm or establish a family group on www.medicalcard.ie. If they do not have access to the internet they can get assistance from their local health office or by contacting the HSE on 1890 252 919

Long-Term Illness Scheme Coverage

507. **Deputy Regina Doherty** asked the Minister for Health when Crohn's disease will be included on the long-term illness list for free medication; and if he will make a statement on the matter. [52747/13]

508. **Deputy Regina Doherty** asked the Minister for Health when colitis will be included on the long-term illness list for free medication; and if he will make a statement on the matter. [52748/13]

Minister of State at the Department of Health (Deputy Alex White): I propose to take Questions Nos. 507 and 508 together.

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 general practice consultation.

Hospital Staff Recruitment

509. **Deputy Nicky McFadden** asked the Minister for Health when a consultant psychiatrist will be recruited and put in place in the midlands area for children aged nought to 18 years with a disability; and if he will make a statement on the matter. [52774/13]

Minister for Health (Deputy James Reilly): The particular issue raised by the Deputy is a service matter for the Health Service Executive. Accordingly I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Departmental Expenditure

510. **Deputy Peadar Tóibín** asked the Minister for Health if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52801/13]

Minister for Health (Deputy James Reilly): The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

Medical Card Reviews

511. **Deputy Michelle Mulherin** asked the Minister for Health the reason a medical card is being reviewed in respect of a person (details supplied) in County Mayo when their circumstances have not changed; and if he will make a statement on the matter. [52813/13]

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.

Nursing Staff Recruitment

512. **Deputy Róisín Shortall** asked the Minister for Health if he will provide an update on the recruitment of 17 diabetes nurse specialists; if all 17 have now been recruited and are fully

operational; if not, the reasons for the delay; and the geographic areas currently served by each of these specialists and the areas not currently served. [52822/13]

Minister of State at the Department of Health (Deputy Alex White): As part of the phased roll out of the National Integrated Care Diabetes Programme, the Government approved funding for the appointment of 17 Integrated Care Diabetes Nurse Specialists (one per HSE Integrated Service Area). These Diabetes Nurse Specialists will play a key role in the development of clinically sound collaborative links between primary care and secondary care providers and will also be an essential resource in empowering patients to achieve optimum diabetes control. Details of the filling of these posts by Integrated Service Area (ISA) are as follows:

Posts filled:

- Cork ISA - Cork - Post filled in October this year;
- Dublin North City ISA - Mater Hospital - Post filled in October this year;
- Dublin South East/Wicklow ISA - Loughlinstown - Post filled in October this year;
- Galway/Roscommon ISA - Galway - Post filled in July this year;
- Kerry ISA - Kerry - Post filled in September this year;
- Mayo ISA - Mayo - Post filled in September this year;
- Midlands ISA - Portlaoise - Post filled in July this year;
- Mid-West ISA - Limerick - Post filled in July this year;
- Sligo/Leitrim/West Cavan ISA - Sligo - Post filled in November this year;

Posts accepted:

- Carlow/Kilkenny/South Tipperary ISA - Kilkenny - Post accepted with start date in January 2014 agreed;
 - Cavan Monaghan ISA - Cavan - Post accepted, successful applicant will take up position when their existing post in the HSE has been filled;
 - Dublin North ISA - Beaumont - Post accepted with start date in December 2013 agreed;
 - Donegal ISA - Letterkenny - Post accepted subject to Garda clearance, etc.;
 - Dublin South Central ISA - St James's - Post accepted subject to Garda clearance, etc.;
 - Dublin South West/Kildare/West Wicklow ISA - Tallaght - Post accepted subject to Garda clearance, etc.;
 - Louth/Meath ISA - Connolly Hospital - Post accepted subject to Garda clearance, etc.;
- and
- Waterford/Wexford ISA - Wexford - Post accepted subject to Garda clearance, etc.

Mental Health Services Provision

513. **Deputy Stephen S. Donnelly** asked the Minister for Health in regard to the paucity of facilities available to the mental health team serving areas of north Wicklow (details supplied),

in particular now that the planned primary care centre appears to be indefinitely postponed, if he will ask the Health Service Executive to complete an urgent review of the current situation, with a view to the HSE providing adequate services for the level of work required; and if he will make a statement on the matter. [52831/13]

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 Services

514. **Deputy Pearse Doherty** asked the Minister for Health the reasons the breast care clinic in Letterkenny General Hospital was cancelled on 14 November and again on 4 December; the average waiting time for a public patient to be seen at the clinic after a referral from their general practitioner; the number of patients that are not seen at the clinic within the six-week timeframe for early referrals as recommended by Health Information and Quality Authority guidelines; the national quality assurance standards for symptomatic breast disease services in July 2010; the number of consultants currently available to public patients for the breast care clinic; the number of persons on the waiting list for an appointment at the clinic; and if he will make a statement on the matter. [52848/13]

Minister for Health (Deputy James Reilly): The Breast Care Clinics of 14th November and 4th December at Letterkenny General Hospital had to be re-scheduled because of consultant leave arrangements. As a satellite of the designated cancer centre in Galway, the Letterkenny unit currently has one consultant surgeon with a visiting consultant providing one additional session monthly. In circumstances of consultant leave, where it is not possible to arrange an alternative option, every effort is made to offer appointments to patients at the Symptomatic Breast Unit in Galway.

The current HIQA target by which all Symptomatic Breast Units are assessed and reported on includes the requirement for 95% of urgent cases to be seen within 10 days and 95% of non-urgent cases to be seen within 12 weeks. The Letterkenny Breast Care Unit routinely meets these HIQA targets.

Appointments are currently being arranged for 139 patients at the Letterkenny Breast Care Unit. The hospital has stated that all of these cases will be seen within the agreed target times.

Services for People with Disabilities

515. **Deputy Pearse Doherty** asked the Minister for Health his plans to introduce a new scheme for the motorised transport grant and mobility allowance schemes; when these schemes will commence; and if he will make a statement on the matter. [52849/13]

533. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health when his Department will replace the mobility allowance and motorised transport grant with a new scheme to assist persons with disabilities [52974/13]

545. **Deputy Seamus Healy** asked the Minister for Health the position regarding the mobility allowance and motorised transport grant schemes; if the interdepartmental group has reported; if not, when the report is due; the timeline for the introduction of the proposed statutory schemes; and if he will make a statement on the matter. [53100/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to

take Questions Nos. 515, 533 and 545 together.

The Government has decided that the detailed preparatory work required for a new travel subsidy scheme and associated statutory provisions will be progressed as a priority by the Minister for Health in consultation with other relevant Ministers.

Payments will continue to be made by the Health Service Executive to current recipients of the Mobility Allowance for a further period, pending decisions on the new statutory scheme.

The Government is aware of the needs of people with a disability relying on individual payments which contribute to choice and independence and will take all of this into consideration when making a decision on the detail of the new scheme.

The existing position regarding Motorised Transport Grant remains as before i.e. the scheme remains closed. This matter will be considered further at a later date.

Health Services Issues

516. **Deputy Pearse Doherty** asked the Minister for Health if he will provide a breakdown per county of the number of persons diagnosed with diabetes insipidus or diabetes mellitus; the number of these who currently avail of the long-term illness scheme; and if he will make a statement on the matter. [52850/13]

Minister of State at the Department of Health (Deputy Alex White): As this is a service matter it has been referred to the HSE for attention and direct reply to the Deputy.

Long-Term Illness Scheme Eligibility

517. **Deputy Pearse Doherty** asked the Minister for Health if there are any specific criteria which apply to young persons under 16 years of age with mental illness in order to qualify for the long-term illness scheme; if there are specific categories of mental illness which are precluded from eligibility for the scheme; and if he will make a statement on the matter. [52851/13]

Minister of State at the Department of Health (Deputy Alex White): Regulations were made in 1971, 1973 and 1975 specifying the conditions covered by the Long Term Illness Scheme. The Health Services (Amendment) Regulations, 1971 (S.I. No. 277/1971) provides that Mental Illness in a person under 16 is covered under the scheme. Issues have arisen as to whether Attention Deficit Hyperactivity Disorder is regarded as a mental illness for the purposes of the Long Term Illness scheme. The HSE has undertaken a review of the matter and is implementing new guidelines which address the issues relating to ADHD fairly and consistently for new and recent applicants.

Medical Card Reviews

518. **Deputy Pearse Doherty** asked the Minister for Health if he will provide a breakdown per county in tabular form of the number of persons who have had their medical card reviewed in 2012 and 2013; the number of these who have either retained or lost their medical card; the total savings made by his Department in conducting the review; the number of staff employed by his Department carrying out the review and the cost of same; and if he will make a statement on the matter. [52852/13]

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

Health Service Executive for a report on the issues raised by the Deputy. I will revert to the Deputy on these matters as soon as possible.

Nursing Homes Support Scheme Oversight

519. **Deputy Dominic Hannigan** asked the Minister for Health the budget for the fair deal scheme for 2014; if it is expected that there will be a reduction in funding; if there are any plans to change the way the scheme operates; and if he will make a statement on the matter. [52864/13]

520. **Deputy Michael McGrath** asked the Minister for Health if he will confirm the funding allocation for the nursing home support scheme to date in 2013; the allocation for 2014; and if he will make a statement on the matter. [52867/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 519 and 520 together.

The budget for long-term nursing home care is €974m this year. As the Deputies are aware, the total amounts available to fund health services in 2014 will be considerably lower than for this year. Accordingly, all expenditure headings are being scrutinised. The funding that is available must be balanced across all of the various service areas in a way that achieves the best possible outcomes for the greatest number of service users and prioritises areas of greatest need as far as possible.

The needs of our older people are, and will remain, a very high priority for me and for the Government, and the resources that ultimately are available will be applied to provide the best possible mix of supports and services.

The Scheme is currently the subject of a review which is expected to be completed in early 2014.

Medical Card Eligibility

521. **Deputy Denis Naughten** asked the Minister for Health if the public service pension levy is included or excluded from the calculation for the over-70s medical card; and if he will make a statement on the matter. [52869/13]

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

Question No. 522 answered with Question No. 499.

Services for People with Disabilities

523. **Deputy Finian McGrath** asked the Minister for Health the number of parent service users of the Central Remedial Clinic in Clontarf; the number of board members who are parents of service users; the number of board members there are; the way board members are elected; and if he will make a statement on the matter. [52884/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Central Remedial Clinic has a long history of providing health and personal social services to people with a disability on behalf of the State in Ireland. The primary legal framework under which the Health Service Executive provides financial support to the Central Remedial Clinic is set out

in the Health Act 2004. The HSE has an annual Standard Service Arrangement with the Central Remedial Clinic. I understand that the governance arrangements for the Central Remedial Clinic, including appointments to the board, are a matter for the organisation itself. However, I have arranged for your questions to be referred to the HSE and asked that the Executive reply directly to the Deputy.

Nursing Homes Support Scheme Oversight

524. **Deputy Finian McGrath** asked the Minister for Health following the reply from the Health Service Executive, if he will set out the exact calculations of the €29,000 fair deal bill in respect of a person (details supplied) including whether or not the existing mortgage was taken into account. [52889/13]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Hospital Appointment Status

525. **Deputy Gerry Adams** asked the Minister for Health the position regarding an hospital appointment in respect of person (details supplied) in County Louth; and if he will make a statement on the matter. [52916/13]

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

526. **Deputy Gerry Adams** asked the Minister for Health if he will provide a breakdown of the current number of persons on the waiting list for ENT appointments, scheduled surgeries, average waiting times and services currently in operation for ENT services at Our Lady of Lourdes Hospital, Drogheda; if his attention has been drawn to the difficulties, namely, waiting times encountered by persons in clear need of ENT services; if there are plans or proposals to increase the number of ENT services for the area; and if he will make a statement on the matter. [52917/13]

Minister for Health (Deputy James Reilly): In relation to the detailed information requested by the Deputy, I have asked the Health Service Executive to respond to him directly.

Hospital Appointment Status

527. **Deputy John O'Mahony** asked the Minister for Health the reason a person (details supplied) in County Mayo has not received an appointment following two and a half years on the waiting list and if this person will receive an appointment in University Hospital Galway; and if he will make a statement on the matter. [52938/13]

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

528. **Deputy Bernard J. Durkan** asked the Minister for Health if he will indicate eligibility for a medical card in the case of a person (details supplied) in County Kildare; and if he will

make a statement on the matter. [52939/13]

Minister for Health (Deputy James Reilly): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

Capital Programme Expenditure

529. **Deputy Kevin Humphreys** asked the Minister for Health of the €83 million in capital funding recorded as not spent under the expenditure profile at end-November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52952/13]

Minister for Health (Deputy James Reilly): The Expenditure Exchequer Issues at 30th November 2013 notified a gross capital under spend of €69.9m for the HSE and €15.5m for the Department.

The HSE's underspend is due to a number of factors:

- Major projects such as the Children's Hospital are at an early stage in their lifecycles.
- The procurement of design teams and contractors is taking much longer than expected due to the level of challenges being experienced.
- There are also delays in site commencement by contractors.
- The disposal of surplus assets is proving difficult in terms of achieving the €8m target. Success in disposing of surplus properties is primarily dependent on the market.

My Department's capital expenditure is traditionally drawn down in the last months of the year and it is anticipated that approx.€10m will be spent in December. All capital projects approved in the Capital Plan 2013 have been progressed in the current year. However, some of the major projects have experienced delays which include:

- The National Children's Hospital
- St. James's Hospital - Successful Aging Project
- University College Hospital, Galway - Acute Mental Health Unit
- National Rehabilitation Hospital - Phase 1
- Ambulance control & command centre
- Altnagelvin Radiation Oncology project

None of the €107.2m capital carryover related to the Health Vote.

Medical Card Delays

530. **Deputy Bernard J. Durkan** asked the Minister for Health the reason for the delay in processing a medical card application in respect of a person (details supplied); if and when a medical card will issue in this instance; and if he will make a statement on the matter. [52963/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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

Health Services Provision

531. **Deputy Jack Wall** asked the Minister for Health when a person (details supplied) in County Kildare will receive an appointment date for pain management and physiotherapy; and if he will make a statement on the matter. [52964/13]

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

Medical Card Applications

532. **Deputy Bernard J. Durkan** asked the Minister for Health if he will set out the remaining documentation required in respect of an application for a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [52973/13]

Minister of State at the Department of Health (Deputy Alex White): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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

Question No. 533 answered with Question No. 515.

Medical Card Applications

534. **Deputy Mary Mitchell O'Connor** asked the Minister for Health the reason a person (details supplied) in County Cork has had a medical card application rejected; and if he will make a statement on the matter. [52998/13]

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.

Prescription Charges

535. **Deputy Terence Flanagan** asked the Minister for Health his views on correspondence (details supplied) regarding prescription charges; and if he will make a statement on the matter. [53005/13]

Minister of State at the Department of Health (Deputy Alex White): As announced in Budget 2014, it has become necessary to increase the prescription charge due to the very difficult and challenging economic environment which requires the Government to achieve additional savings in health expenditure with €666 million of savings targeted in 2014. The increase in prescription charges will account for €43 million of this target. The Government is committed to achieving these savings while protecting front line services to the most vulnerable to the greatest extent possible.

Medical card holders will be required to pay a €2.50 charge per item for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €25 per month for each person or family. Prescription charges do not apply to children in the care of the HSE or to methadone supplied to patients participating in the Methadone Treatment Scheme. In order to ensure that the full year savings of €43 million is achieved in 2014, it was necessary to bring the new rates into operation from 1 December 2013.

Sexual Offences

536. **Deputy Clare Daly** asked the Minister for Health the steps he has taken to deal with the allegations of sexual abuse from hundreds of victims who have been pursuing their claims for almost 20 years against a surgeon (details supplied) in County Louth. [53007/13]

Minister for Health (Deputy James Reilly): In October 2009, the then Minister for Health and Children announced the establishment of an independent non statutory review, the “Droghe-da Review”, to advise her on whether any additional information or insights were likely to be achieved from a further full investigation into the activities of a certain doctor in Our Lady of Lourdes Hospital in the period 1964 to 1995.

The report by former High Court Judge Mr. T.C. Smyth was submitted to the Minister in September 2010. The report recommended that a further investigation should not be held and that, in order to avoid prejudicing any civil or criminal cases, the report should not be published. A short summary of the report was, however, prepared and supplied to the patient support groups in January 2011.

I understand that the allegations referred to by the Deputy are the subject of on-going legal proceedings.

The patient support and advocacy group *Dignity 4 Patients* received €22,500 in funding this year from the HSE. *Dignity 4 Patients* supports people who have suffered sexual abuse whilst a patient in a medical setting.

Departmental Funding

537. **Deputy Noel Grealish** asked the Minister for Health if he will set out details, by year

and monetary amount, of where his Department has, and is, supporting health-related campaigns by organisations involved in health advocacy or health initiatives or both; the names of those organisations; the safeguards he has in place to ensure value for taxpayers' money in view of the failure of the myGP.ie website, which was operated by the IMO and which received grants from his Department totalling €2.031 million in 2001-2004; and if he will make a statement on the matter. [53008/13]

Minister for Health (Deputy James Reilly): The information relating to these costs is not readily available. The information is being collated and I will get back to the Deputy as soon as possible regarding this matter.

Hospital Waiting Lists

538. **Deputy Finian McGrath** asked the Minister for Health if he will support the case of a family (details supplied) in Dublin 5 in relation to a two year waiting list for child to get a urology outpatient appointment in Temple Street Children's Hospital; and if he will make a statement on the matter. [53010/13]

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 particular patient query raised by the Deputy, I have asked the Health Service Executive to respond directly to him.

Departmental Agencies Funding

539. **Deputy Terence Flanagan** asked the Minister for Health further to Parliamentary Question No. 200 of 21 November 2013, if he will recheck his reply in view of the fact that the answer provided is incorrect per Health Service Executive annual reports; and if he will make a statement on the matter. [53045/13]

Minister for Health (Deputy James Reilly): I understand from the HSE that an erroneous and partial reply issued to the Deputy in response to his question of 21 November 2013 and that a full and correct response will issue in due course.

General Medical Services Scheme Administration

540. **Deputy Gerry Adams** asked the Minister for Health the position regarding persons who have applied for medical card-general practitioner-only services, having application form signed by relevant GP, and now find that this GP has withdrawn from the GMS scheme; if his attention has been drawn to any such cases, whereby effectively persons are being asked to find an alternative GP, and more often than not GP surgeries are not in a position to take on new patients; and if he will make a statement on the matter. [53052/13]

Minister of State at the Department of Health (Deputy Alex White): The General Medical Services (GMS) Scheme requires medical card and GP visit card holders to choose their GP

from a list of locally based doctors who hold a GMS contract.

Where a GP retires from the GMS scheme and the HSE is planning to assign the retiring GP's panel to a new GP after open competition, the HSE may, in the interim, assign persons on the retiring GP's panel to another GP, until such time as the open competition has been concluded and the panel of patients has been assigned to the successful GP.

Where a GP retires from the GMS scheme and the HSE is satisfied there is an adequate supply of GMS contractors in the area with available capacity, the patient may choose another doctor from the list of locally based GMS contract holders supplied by the HSE.

Medical Card Application Numbers

541. **Deputy Gerry Adams** asked the Minister for Health if he will provide a breakdown of the current number of applicants in counties Louth and Meath who are awaiting processing of medical card-general practitioner-only card applications; the number of GPs currently operating under medical card scheme within counties Louth and Meath, along with the number of GPs who have recently withdrawn their services under the scheme; if his attention has been drawn to the difficulties being encountered by persons in accessing GP services under the scheme; and if he will make a statement on the matter. [53053/13]

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.

Travel Abroad Scheme

542. **Deputy Brendan Griffin** asked the Minister for Health if he will provide funding for a case (details supplied); and if he will make a statement on the matter. [53067/13]

Minister for Health (Deputy James Reilly): The Travel Abroad Scheme (TAS) provides for the cost of approved specific treatments in a public healthcare system of another EU/EEA Member State or Switzerland in accordance with EU legislation and guidelines. A decision is made on each application in accordance with this legislation and guidelines and on the basis of a review by clinical experts. The HSE has advised that no application has been received under the Scheme in relation to the case above.

Medical Card Eligibility

543. **Deputy Michelle Mulherin** asked the Minister for Health the financial assistance given to students in higher education who are over 23 years, have no income and are financially dependent on their parents, who suffer from serious illnesses, resulting in high-cost, regular prescription payments; and if he will make a statement on the matter. [53092/13]

Minister of State at the Department of Health (Deputy Alex White): Under the Drugs Payment Scheme (DPS), an individual or family only has to pay €144 each month for approved prescribed drugs, medicines and certain appliances for use by that person or his or her family in that month. The definition of a family for this Scheme is an adult, their spouse, and any children under 18 years. Dependants over 18 years and under 23 years who are in full time education may also be included.

Under the Medical Card Scheme, a person between the ages of 16 and 25 years, who is a dependant of a person who does not have a medical card, will only be provided with a medical card if the HSE assesses that it should be provided to avoid undue hardship to that person. This is set out in the Health Services (No 3) Regulations 1983 (S.I. No. 381 of 1983).

Health Services Staff Issues

544. **Deputy Brendan Griffin** asked the Minister for Health if he will ensure adequate staffing for a facility (details supplied); and if he will make a statement on the matter. [53093/13]

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.

Requests for my colleague Minister Reilly to open facilities are normally arranged through his Office. Accordingly I would suggest that the Councillor should make contact with the Minister's Office at ministers_office@health.gov.ie.

Question No. 545 answered with Question No. 515.

Medical Negligence Cases

546. **Deputy Michael Healy-Rae** asked the Minister for Health his views on correspondence (details supplied) regarding the distress caused to families who have taken cases against the Health Service Executive; and if he will make a statement on the matter. [53102/13]

Minister for Health (Deputy James Reilly): The management of clinical negligence cases taken against the HSE is delegated to the State Claims Agency (SCA) which has a statutory mandate to investigate and manage these cases to completion. I am advised that the SCA, wherever it is proper to do so, based on expert medical and legal advice, admits breach of duty at the earliest possible opportunity to avoid distress to patients and their families. Many of these cases however, particularly those involving catastrophic injuries, are very complex in nature and require time to investigate the liability and causation issues. This inevitably involves some delay before a formal admission of liability, if appropriate, can be made.

In relation to medical malpractice generally, on Tuesday 12th November this year, the HSE launched National Open Disclosure Policy, Guidelines and supporting documents following on from a joint HSE State Claims Agency national pilot project in relation to Open Disclosure. Open Disclosure is defined as “*an open consistent approach to communicating with patients and their families when things go wrong in healthcare. This includes expressing regret for what has happened, keeping the patient informed, providing feedback on investigations and the steps taken to prevent a recurrence of the adverse event*”. One of the key recommendations of the Madden Report was the development and support of a culture of open disclosure to patients and their next-of-kin, following an adverse event resulting in harm to a patient. The upcoming Health Information Bill will contain a provision to afford some degree of protection for health-care personnel in line with the Madden Report. This is also consistent with a recommendation in a consultation paper published by The Law Reform Commission in 2008 that “*a statutory provision be considered which would allow medical practitioners to make an apology and explanation without these being construed as an admission of liability in a medical negligence claim*”.

Health Services Staff Data

547. **Deputy Seán Kyne** asked the Minister for Health the number of assistant directors of public health nursing on a county basis; if the filling of vacancies arising in these positions is subject to the moratorium on public sector recruitment; and if persons appointed to such positions are available for front-line health service duties. [53125/13]

Minister for Health (Deputy James Reilly): The reduction in size of the public service has been an essential component of the approach to addressing the State's fiscal difficulties. This has been combined with a firm focus on improving public service efficiency and effectiveness. The Haddington Road Agreement provides for some five million additional working hours annually. These measures will enable the health service to continue to reduce overall numbers, while maintaining services and service levels to the greatest possible extent. The HSE can make staff appointments once it remains within its overall employment ceiling and has the financial resources to do so. As requested by the Deputy, set out in the table is the number of Assistant Directors of Public Health Nursing by Local Health Office.

Local Health Office	WTE
Carlow/Kilkenny	5
Cavan/Monaghan	2
Clare	7
Cork North	7
Cork North Lee	4
Cork South Lee	4
Cork West	2
Donegal	8
Dublin North	7
Dublin North Central	3
Dublin North-West	7
Dublin South City	3
Dublin South-East	2
Dublin South-West	3
Dublin West	3
Dún Laoghaire	4
Galway	5
Kerry	2
Kildare/West Wicklow	4
Laois/Offaly	7
Limerick	9
Longford/Westmeath	4
Louth	3
Mayo	6
Meath	4
Roscommon	4
Sligo/Leitrim	3
Tipperary, North/Limerick, East	7
Tipperary, South	2
Waterford	5

Local Health Office	WTE
Wexford	2
Wicklow	3
Other	2
Total: October 2013	141

I have asked the HSE to address the Deputy's question in so far as it relates to vacancies arising in this grade and the extent to which persons appointed are available for frontline health service duties.

Voluntary Sector Funding

548. **Deputy Billy Timmins** asked the Minister for Health the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53552/13]

Minister for Health (Deputy James Reilly): The information relating to these costs is not readily available. The information is being collated and I will get back to the Deputy as soon as possible regarding this matter.

Bus Éireann Staff

549. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the number of full-time service bus drivers there are in Bus Éireann. [52499/13]

550. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the number of managers of all grades there are in Bus Éireann; and if he will provide a breakdown of numbers of managers per grade. [52500/13]

558. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that a recommendation arising from the Labour Relations Commission of 16 May 2013 on proposals to resolve the dispute at Bus Éireann included a joint initiative to maximise operational effectiveness; this initiative was to establish a new and appropriate mechanism to regularly exchange views and develop actions to impact on maximising performance of the company's assets. [52508/13]

559. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that even though all grades of staff, after ballots were held, and including Bus Éireann management accepted the Labour Relations Commission, the joint initiative to maximise operational effectiveness has not been put into place. [52509/13]

560. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if he will use his office to ensure the joint initiative to maximise operational effectiveness will come into being in the immediate future. [52510/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 549, 550 and 558 to 560, inclusive, together.

The issues raised are matters for Bus Éireann and I have forwarded the Deputy's questions to the company for direct reply. Please advise my private office if you do not receive replies within ten working days.

Bus Éireann Staff

551. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the reduction in driver staff he expects if the proposed National Transport Authority plan for 10% of routes transferring to private operators goes ahead. [52501/13]

552. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the reduction of management personnel that is expected if the National Transport Authority's proposed 10% reduction of Bus Éireann routes goes ahead. [52502/13]

553. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport his views on whether there will be complex questions arising from the proposed use of TUPE in the case of staff transferred into a private operator. [52503/13]

554. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if TUPE is to be used, if the Bus Éireann staff transferred into any private operator will be allowed to transfer back into Bus Éireann in the event of a private operator having a contract withdrawn by the National Transport Authority or any other authority. [52504/13]

555. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport his views that as stakeholders in this process the Bus Éireann drivers' views and concerns should be considered during any proposed process by the National Transport Authority at present and into the future. [52505/13]

556. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that the National Transport Authority has not met either the Bus Éireann drivers or their union representatives; if he will use his position or influence to arrange such a meeting at the earliest opportunity. [52506/13]

557. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport his views on whether Bus Éireann has met all of the targets and requirements, consistently achieving 95% to 98% of target levels, as set down by the National Transport Authority in its quarterly reports. [52507/13]

570. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the rationale underpinning the decision to increase the number of Bus Éireann and Dublin Bus routes that will be open to tender by private operators; if he will provide details of the tendering process that will be in place for these routes. [52861/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 551 to 557, inclusive, and 570 together.

The objective of Government is to ensure a system of public transport throughout the country that is as efficient and as widespread as possible and the National Transport Authority has a key role in realising this objective. The award of Public Service Obligation (PSO) contracts for the bus market falls under the independent statutory remit of the National Transport Authority (NTA), which has direct responsibility for this area. The direct award contracts for the provision of PSO bus market services held by Dublin Bus and Bus Éireann expire late next year. The awarding of the licences for the services thereafter is a matter for the NTA and not for Government, but I have kept the Cabinet updated on the process. Both Minister Kelly and I met with trade unions representing workers in Dublin Bus and Bus Éireann on 21 November last in relation to the proposals outlined by the NTA in the recent consultation process. On the 5 December, in accordance with the provisions of the Dublin Transport Authority Act 2008, the NTA announced that about 10% of publicly subvented (PSO) bus services will be tendered out with the new services commencing in the summer of 2016.

It is recognised that there are a number of concerns in relation to potential tendering for PSO services. These include the impact on industrial relations and cost savings measures within CIE at a general level and the specific implications of Transfer of Undertakings legislation (TUPE) and related issues. However, it must be recognised that the proposals outlined in the consultation process are relatively modest and there will be a long lead-in before any tendering takes effect. Furthermore, it is of course open to the two incumbent companies to compete for any tendered routes, so it should not be assumed that there will be any reductions in staff numbers or that TUPE will even arise.

Following the announcement by the NTA on 5 December, these issues need to be addressed by it and the bus companies through constructive engagement with the unions in the course of the procurement process over the next two years. I undertook to the trade unions at our meeting that I would contact the NTA to seek to have such a structured engagement put in place and I wrote to the Chairman of the NTA on 26 November to that end. It is important to remember that it will be open to Bus Éireann and Dublin Bus to tender for these contracts. The winning tenderer will be required to deliver a specified service under which the timetables, fares and standards of service will be set down by the NTA. The intention is that a better service can be procured for the same PSO subvention that is currently provided, or that the same service can be provided for a lesser cost to the tax-payer.

Questions Nos. 558 to 560, inclusive, answered with Question No. 549.

Driver Safety

561. **Deputy Jim Daly** asked the Minister for Transport, Tourism and Sport if part-time bus drivers are subject to a specific directive regarding their working hours; and if he will make a statement on the matter. [52523/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The working time rules applicable to all bus drivers, full-time or part-time, depend on whether or not the drivers concerned come within the scope of Regulation (EC) 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport, and are therefore required to use a tachograph when operating.

If the drivers are within scope of Regulation (EC) 561/2006, their driving and resting times are further regulated by Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities. This Directive was transposed into Irish law by the European Communities (Road Transport) (Organisation of Working Time of Persons Performing Mobile Road Transport Activities) Regulations 2012, S.I. No. 36 of 2012. The Road Safety Authority has published a guide about the requirements of Directive 2002/15/EC, which can be downloaded from the RSA website at www.rsa.ie.

Bus drivers who are not subject to the above legislation are, however, subject to the working time rules specified in the Organisation of Working Time Acts. The rules relating to working time specified in the Organisation of Working Time Acts are a matter for the Minister for Jobs, Enterprise and Innovation.

Driving Test Regulations

562. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport if any assistance is available for persons with reading and writing difficulties when sitting their driver theory test; the criteria for applying for assistance in the event that it is available; and if he will

make a statement on the matter. [52557/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The driver theory test is provided by an outside contractor on behalf of the Road Safety Authority. It is my understanding that people who have special needs can contact the Driver Theory Service in advance of their tests, and arrangements can be made to accommodate them.

Community Involvement Scheme

563. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will allow county council allocations to contribute to the 20% local contribution for 2014 community involvement schemes; and if he will make a statement on the matter. [52621/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department launched a pilot Community Involvement Scheme (CIS) earlier this year for works on regional and local roads. The scheme is aimed at works on local roads which would usually only be considered for funding towards the end of a Council's road programme after more heavily trafficked routes had been dealt with. This is a voluntary scheme and is based on community contributions within the range of 20% to 50%.

The uptake on the Community Involvement Scheme is currently being assessed for its potential to continue beyond 2013. However, should I decide to continue the scheme, County Councillor Allowances (CCAs) would not be considered eligible as a local contribution, as this would mean that all the funds for the project were coming from either the central exchequer or local authority resources and no community contribution was being made.

Sports Capital Programme Administration

564. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport his plans to allocate a new round of funding under the sports capital programme from national lottery funds in 2014; the month in which he expects the applications for the next round of funding to be opened; and if he will make a statement on the matter. [52705/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): Departmental officials are currently working on the details of a new round of the Sports Capital Programme. I hope to be in a position to make an announcement before the end of the year.

A new portal has been developed on the Department's website which must be used by organisations to register, to apply for funding (when the Programme is open for applications) and to manage the draw down of any new grants allocated after 2013. Any interested organisation should register on www.sportscapitalprogramme.ie.

Rail Network

565. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will contact the chief executive officer of Iarnród Éireann regarding the date on which the new direction and additional information signs will be installed at Howth Junction-Donaghmede DART station; when works will commence on same; and if he will make a statement on the matter. [52720/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as the installation of direction and information signage at DART stations, comes under the remit of the NTA.

Noting this I have referred the Deputy's question to the NTA. Please advise my private office if you don't receive a reply within 10 working days.

Departmental Expenditure

566. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown of the annual infrastructure and capital expenditure by his Department on a regional basis and a county basis over the past five years. [52806/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The capital expenditure budget for my Department is broken down into 5 main programmes. Expenditure on these programmes over the past five years is set out in table following.

The National Roads Authority is responsible for the national roads programme and I have asked the NRA to provide the Deputy with relevant information on the roads programme over the period in question.

Details of grant payments to county councils under the Regional and Local Roads programme are outlined in the regional and local road grant payment booklets which are available in the Dáil Library.

This Department provides funding to both Iarnród Éireann and the National Transport Authority (NTA) for public transport infrastructure projects and programmes. This funding is not provided on a regional or county basis, instead it is provided for these specific projects and programmes. Many of these programmes, such as the Railway Safety Programme, relate to the entire network. Noting this, I have referred the Deputy's Question to both the NTA and Iarnród Éireann for direct reply.

Details on Sports Capital Programme allocations in 2012 and in previous years are available on my Department's website, <http://www.dttas.ie/sport/english/sports-capital-programme-payments>.

My Department also provides capital funding for regional airports, the harbours programme and the Irish Coast Guard SAR helicopters, I will forward details of the allocations over the last five years under these programmes.

Under the tourism programme, the funding provided for this purpose is voted by the Oireachtas for the use of Fáilte Ireland. I have asked Fáilte Ireland to reply to the Deputy directly with the information sought.

Programme	2008 (€000)	2009 (€000)	2010 (€000)	2011 (€000)	2012 (€000)
Aviation	9,024	4,715	1,290	4,751	4,012
Maritime Transport	7,631	7,245	19,669	15,740	10,574

Programme	2008 (€000)	2009 (€000)	2010 (€000)	2011 (€000)	2012 (€000)
Land Transport	2,963,891	2,373,749	2,039,678	1,425,615	1,155,274
Sports	185,675	75,764	58,962	33,607	24,999
Tourism	15,670	6,461	11,000	15,790	21,000

Noting the above position, please advise my private office if you do not receive a reply within 10 working days.

Road Projects

567. **Deputy Tony McLoughlin** asked the Minister for Transport, Tourism and Sport if funding for the N4 carriageway between Collooney and Castlebaldwin in County Sligo has been identified by his Department beyond the publication of documents and submission to An Bord Pleanála currently under way; and if he will make a statement on the matter. [52835/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

SPSV Licence Issues

568. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding the transfer of a hackney service licence in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [52839/13]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The only vehicle licences that can be transferred to another person in the small public service vehicles (SPSV) sector are licences for standard taxis.

Section 14 of the Taxi Regulation Act 2013, upon commencement, will provide for a prohibition on the transfer of all SPSV taxi licences. The underlying principle for the prohibition on transfer is that a licence should determine a person's suitability to carry out a function and it should not have monetary value or be traded on the open market. However, an exception to the prohibition on transfer in limited circumstances upon the death of an SPSV licence holder has been provided for under Section 15 in the Act.

Public Transport Issues

569. **Deputy Dan Neville** asked the Minister for Transport, Tourism and Sport the position regarding a bus service (details supplied); and if he will make a statement on the matter. [52853/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The provision of public transport services are operational matters for the relevant transport provider in conjunction with the National Transport Authority (NTA), which is the licensing and regulatory body for public transport. I have forwarded the Deputy's question to the NTA for direct reply.

Please advise my private office if you do not receive a reply within ten working days.

Question No. 570 answered with Question No. 551.

Penalty Points System

571. **Deputy Peadar Tóibín** asked the Minister for Transport, Tourism and Sport the number of penalty points issued for each month since January 2011; and separately to detail their issue by county. [52875/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The following tabular statements provide details of the number of Penalty Points Issued by Month and Licensing Authority in the period January 2011 - November 2013. “No Driver Number” on the statements represent drivers whose recorded details did not match a driving licence number on the National Vehicle and Driver File database e.g. Northern Irish or overseas licences. This particular problem is being addressed in the Road Traffic (No.2) Bill 2013, which is currently at Committee Stage in the Dáil, which, if enacted, will allow for penalty points to be applied against Northern Irish or overseas licences.

2011

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Total
Carlow	131	249	393	246	361	300	234	375	237	250	296	330	3,402
Cavan	94	169	315	226	511	458	338	353	221	256	325	265	3,531
Clare	477	639	912	705	1,050	720	688	725	458	481	551	657	8,063
Cork	797	1,375	2,366	1,914	2,512	1,648	1,516	2,021	1,735	1,843	1,977	1,660	21,364
Donegal	289	270	417	526	771	331	310	1,013	548	371	344	596	5,786
Galway	403	624	1,289	1,028	1,293	805	892	831	641	594	848	932	10,180
Kerry	534	488	473	422	687	445	510	564	422	463	580	486	6,074
Kildare	754	1,003	1,387	816	1,037	905	1,230	1,454	1,118	1,090	1,084	1,123	13,001
Kilkenny	294	428	604	478	527	343	427	502	315	317	418	320	4,973
Laois	299	198	261	164	249	206	277	361	255	212	271	186	2,939
Leitrim	36	34	98	94	188	125	87	173	136	95	113	111	1,290
Limerick	619	627	708	641	914	671	549	1,171	728	663	653	564	8,508
Longford	99	182	198	100	204	192	169	223	168	180	241	222	2,178
Louth	357	458	651	351	361	210	384	568	472	497	542	409	5,260
Mayo	194	347	444	370	598	420	337	382	273	252	439	443	4,499
Meath	396	668	1,167	814	958	693	839	1,078	801	801	962	968	10,145
Monaghan	105	191	193	133	230	174	151	201	145	209	204	126	2,062
North Tipperary	156	235	364	246	319	216	253	305	369	203	288	207	3,161
Offaly	183	197	367	219	326	244	251	349	243	262	345	283	3,269
Roscommon	103	141	240	255	359	384	239	294	193	238	600	393	3,439
Sligo	94	85	115	125	428	268	221	378	331	281	264	224	2,814
South Tipperary	204	265	447	331	388	276	267	476	319	255	321	281	3,830

10 December 2013

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Total
Waterford	170	270	387	269	399	391	353	302	191	231	278	170	3,411
Westmeath	214	302	458	292	409	280	328	415	333	334	395	342	4,102
Wexford	389	375	635	621	849	654	565	715	490	719	675	673	7,360
Wicklow	459	586	684	575	866	649	708	1,037	553	598	874	782	8,371
Dublin City Council	2,679	3,532	5,270	3,934	6,153	4,321	4,517	5,195	3,473	4,617	6,384	6,534	56,609
Limerick City Council	150	260	294	265	387	242	247	331	199	178	184	202	2,939
Waterford City Council	192	212	269	205	274	225	234	248	115	181	220	210	2,585
No Driver Number	2,358	3,300	4,511	3,490	4,532	3,334	3,310	4,096	2,516	3,519	3,821	3,632	42,419
Month Total	13,229	17,710	25,917	19,855	28,140	20,130	20,431	26,136	17,998	20,190	24,497	23,331	257,564

2012

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Total
Carlow	156	150	170	191	167	171	260	187	169	304	193	312	2,430
Cavan	251	201	238	266	194	170	272	186	161	248	171	185	2,543
Clare	629	650	503	669	672	538	897	529	368	576	429	682	7,142
Cork	1,457	1,755	2,020	1,941	1,800	1,620	1,877	1,572	1,907	3,367	2,150	2,424	23,890
Donegal	468	366	332	350	466	381	591	287	413	455	227	206	4,542
Galway	846	966	945	879	860	983	1,050	663	736	1,220	754	704	10,606
Kerry	489	506	419	598	410	501	482	378	325	522	317	553	5,500
Kildare	813	852	798	1,059	997	992	1,106	764	785	1,055	858	927	11,006
Kilkenny	199	248	287	356	310	289	330	230	257	449	451	785	4,191
Laois	166	165	180	212	261	340	317	164	175	281	180	294	2,735
Leitrim	109	153	242	197	128	100	268	161	160	263	116	89	1,986
Limerick	518	618	399	444	396	473	654	700	522	679	489	827	6,719
Longford	145	172	168	187	193	168	252	163	122	258	216	141	2,185
Louth	289	398	386	281	308	275	562	376	351	848	551	420	5,045
Mayo	313	404	433	390	315	331	413	245	264	543	313	308	4,272
Meath	634	630	815	774	702	625	890	586	591	1,043	817	817	8,924
Monaghan	93	120	207	161	104	107	148	94	103	165	239	155	1,696

Questions - Written Answers

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Total
North Tipperary	113	151	156	177	152	183	192	144	208	520	237	268	2,501
Offaly	226	256	267	279	258	260	318	187	225	325	204	223	3,028
Roscommon	305	360	430	355	210	225	368	232	215	481	355	205	3,741
Sligo	314	328	494	401	184	170	290	342	272	397	208	139	3,539
South Tipperary	258	228	210	204	220	206	291	238	208	471	334	444	3,312
Waterford	139	149	154	216	160	182	198	156	155	289	230	227	2,255
Westmeath	313	362	396	411	365	401	488	283	268	433	290	256	4,266
Wexford	531	432	425	621	465	419	455	312	330	587	431	513	5,521
Wicklow	742	689	696	513	615	689	812	518	717	856	439	521	7,807
Dublin City Council	4,185	3,910	4,127	4,867	4,616	4,462	5,625	4,221	3,877	6,163	4,393	4,663	55,109
Limerick City Council	167	174	117	143	142	135	215	177	133	216	149	197	1,965
Waterford City Council	125	107	133	213	167	130	181	77	144	237	175	118	1,807
No Driver Number	2,809	3,146	3,238	3,259	3,249	3,207	3,683	3,094	2,046	4,478	3,188	3,411	38,808
Month Total	17,802	18,646	19,385	20,614	19,086	18,733	23,485	17,266	16,207	27,729	19,104	21,014	239,071

2013

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Total
Carlow	151	158	195	178	216	161	222	241	284	252	226	2,284
Cavan	108	128	159	248	260	194	294	288	289	176	240	2,384
Clare	349	366	365	398	401	501	641	644	654	463	825	5,607
Cork	1,146	1,158	1,262	1,341	1,322	1,262	2,000	1,785	2,663	2,151	2,016	18,106
Donegal	359	307	170	179	205	221	258	159	455	637	402	3,352
Galway	453	643	669	672	672	1,026	1,079	648	844	827	711	8,244
Kerry	319	319	337	373	295	282	471	376	476	402	541	4,191
Kildare	528	646	665	927	858	622	979	783	960	695	682	8,345
Kilkenny	227	373	237	309	348	279	385	328	401	418	390	3,695
Laois	152	156	132	208	210	161	483	465	315	217	238	2,737
Leitrim	125	95	70	170	152	89	86	216	149	78	68	1,298
Limerick	323	474	497	408	329	387	922	816	771	609	666	6,202

Licensing Authority	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct	Nov	Total
Longford	93	115	143	149	149	175	188	223	283	152	124	1,794
Louth	188	190	187	251	280	216	575	291	240	619	385	3,422
Mayo	227	259	197	273	315	351	468	364	511	615	558	4,138
Meath	459	624	572	675	867	737	994	815	772	638	553	7,706
Monaghan	74	115	136	128	148	111	265	173	167	149	359	1,825
North Tipperary	115	129	134	177	129	150	373	323	313	236	302	2,381
Offaly	129	128	139	187	208	219	380	323	330	250	251	2,544
Roscommon	133	247	185	223	212	283	360	322	313	262	177	2,717
Sligo	170	141	91	360	318	162	182	256	326	125	122	2,253
South Tipperary	156	242	335	413	198	158	334	311	594	486	385	3,612
Waterford	145	144	168	211	141	182	321	206	397	272	397	2,584
Westmeath	169	229	191	238	249	262	362	390	770	508	359	3,727
Wexford	375	355	428	427	412	385	563	486	725	550	532	5,238
Wicklow	371	523	431	371	512	525	675	540	687	506	541	5,682
Dublin City Council	2,618	2,964	2,834	3,466	4,243	4,137	5,240	3,641	3,858	2,790	3,088	38,879
Limerick City Council	95	148	121	136	101	124	219	195	182	132	131	1,584
Waterford City Council	90	96	125	128	96	141	205	144	215	143	266	1,649
No Driver Number	2,022	2,468	2,240	2,480	2,817	2,819	3,781	2,852	2,487	3,153	2,860	29,979
Month Total	11,869	13,940	13,415	15,704	16,663	16,322	23,305	18,604	21,431	18,511	18,395	188,159

Rail Services

572. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport if there are any provisions that can be made to help facilitate ease of transport for persons with a free travel pass on DART services, in a context where, if the DART station is unattended persons with a travel pass are unable to get a ticket and therefore unable to travel as they cannot pass through automated turnstile machines and many DART stations are not attended at various times throughout the day such as off-peak times when older persons are more likely to be travelling; and if he will make a statement on the matter. [52943/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Irish Rail and I have referred the Deputy's question to the company for direct reply. Please inform my private office if you do not receive a reply within ten working days.

Capital Programme Expenditure

573. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport of

the €14 million in capital funding recorded as not spent under the expenditure profile at end November in the most recent analysis of gross Voted expenditure Exchequer figures, the reason for the underspend; if he will provide a breakdown of the capital projects or outlays that have not commenced as yet, as per the profile; if any of the €107.2 million in total capital carryover in Government moneys for 2012 relates to his Department; the amount of same; if it has been spent; on what it has been spent; and if he will make a statement on the matter. [52956/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In the Department's last expenditure report to the Department of Public Expenditure and Reform, a €14 million underspend was identified against the overall projected capital expenditure for end November. Projecting capital expenditure across a variety of different capital projects and programmes over the course of a year is not an exact science and is prone to variation particularly for demand-led programmes such as the Sports Capital Programme (e.g. in short, we do not know for sure when exactly clubs or sporting bodies will draw down their grant). In addition, planning, weather and other issues can delay construction.

The most significant underspend against profile to November was within the Public Transport Investment Programme which includes a large number of projects of varying sizes including Luas Cross City, railway safety projects, and small traffic management projects in the cities. However I expect this situation to be rectified in December and I am confident that, by year end, up to 99% of the Department's capital envelope of €945m for 2013 will be spent and any residual amount carried forward to next year to meet requirements for projects where delays have occurred.

My Department did not have any capital carryover from 2012 to 2013.

Regional Road Network

574. **Deputy Dara Murphy** asked the Minister for Transport, Tourism and Sport when funding will be available in respect of a junction (details supplied) in Cork city; and if he will make a statement on the matter. [53035/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities own resources supplemented by State road grants.

The Department has allocated a total of €400.5 million for regional and local roads in 2013, of which €5.19m was allocated to Cork City Council. Within this allocation the Block Grant to the City Council comprised over €2.8 million and it was open to the Council to prioritise and complete junction enhancement works on regional or local roads under this grant.

Railway Safety Issues

575. **Deputy Luke 'Ming' Flanagan** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the extreme overcrowding on the Dublin-Sligo train service; if his attention has been drawn to the fact that Irish Rail has reduced the number of carriages on this route; if his attention has been drawn to the dangers of such overcrowding; his plans for same; and if he will make a statement on the matter. [53044/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Yes, my attention

has been drawn to the matter. While the issue raised is a matter for Iarnród Éireann in conjunction with the National Transport Authority, I have been in contact with the company in relation to the matter. Iarnród Éireann has indicated that it is in the process of implementing new energy saving fleet utilisation initiatives on its DART and Intercity services to generate fuel savings, which will reduce fuel and maintenance costs by €3.2m per annum. Concerns about overcrowding have been raised with the Chief Executive of Iarnród Éireann and I understand that the company has already responded and re-introduced larger carriages to accommodate passengers where this has been considered necessary. The Chief Executive has agreed to continuous monitoring of carriage levels on both DART and Intercity services to ensure they match passenger demand.

I have also been advised by the Railway Safety Commission (RSC) that it has received an increased number of public representations relating to crowding and the matter will be discussed further with Iarnród Éireann at their next scheduled supervision meeting. Additionally, RSC Inspectors will undertake some monitoring of Intercity train services over the coming weeks.

Charities Regulation

576. **Deputy Billy Timmins** asked the Minister for Transport, Tourism and Sport the amount of funding that his Department gives to Irish charities; the name of each organisation that receives funding; the amount of funding each organisation receives; the number that are open and transparent regarding salaries; and the steps he is taking to deal with non-disclosures. [53555/13]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The funding of Irish Charities is not a function of my Department. However through the Sports Capital Programme, funding is provided to sports, voluntary and community organisations, some of which would have charitable status, to assist with the provision of sports infrastructure and towards the purchase of sports equipment. None of this funding may be applied to salaries. My Department also provides grants to some organisations such as the Community Rescue Boats, Irish Cave Rescue and Mountain Rescue Ireland which includes various regional Mountain Rescue Teams, which are all registered charities. These are all run on a voluntary basis.