

## **Written Answers.**

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

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*Questions Nos. 1 to 9, inclusive, answered orally.*

### **Child and Family Agency Establishment**

10. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs the number of contracts for social work services tendered by her Department; if she will list in table format the details of each company; the value of each contract; the amount being spent by these companies and for what purpose; and if she will make a statement on the matter. [6637/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I take it that the Deputy's question relates to the work of the new Child and Family Agency as my Department does not procure social work services. The Child and Family Agency, which was established on 1 January, 2014, is continuing to avail of contracts entered into previously by the HSE for the provision of social work services. Contracts are in place with two companies for the provision of agency social work services. One company, CPL Healthcare/Servisource, provided a locum allied health professionals service under contracts with HSE South and HSE Dublin Mid Leinster and Dublin North East. Another company, TTM Healthcare Ltd, provided locum services under a contract with HSE West.

The contracts were put in place following an open tender process managed by the HSE in 2010. The financial details relating to these contracts covering different services, locations and financial reporting systems are held by the HSE and have been requested by the Child and Family Agency. The information will be forwarded to the Deputy as soon as possible.

### **Departmental Funding**

11. **Deputy Joe Higgins** asked the Minister for Children and Youth Affairs if she will ensure the continued funding of Rape Crisis Network Ireland as scheduled for the end of March, in view of the essential specialist research and support it provides for rape crisis centres. [5327/14]

21. **Deputy Joe Higgins** asked the Minister for Children and Youth Affairs if she will ensure that funding will be made available for Rape Crisis Network Ireland, which provides rape crisis centres with vital specialist research and support and whose closure is imminent due to the fact that its current funding is scheduled to be terminated on 31 March 2014. [5328/14]

26. **Deputy Pádraig Mac Lochlainn** asked the Minister for Children and Youth Affairs the position regarding funding for Rape Crisis Network Ireland; if it is due to end on 31 March 2014; if she will clarify what the process will then be; if she will indicate the consultation un-

dertaken with those involved in the rape crisis sector; and if she will outline the groups which she has met to date to discuss funding. [5334/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 11, 21 and 26 together.

The Rape Crisis Network Ireland (RCNI) is an information and resource centre on rape and all forms of sexual violence. The organisation is the representative body for member Rape Crisis Centres in Ireland that provide free advice, counselling and support for survivors of sexual abuse. The Rape Crisis Centres are separate entities from the Network and they receive public funding independently of the Network. It should be noted that not all Rape Crisis Centres are members of this Network.

The new Child and Family Agency, established on 1 January, 2014 has now assumed responsibility for the funding of Rape Crisis Centres. These services were previously funded by the HSE. In 2013 the HSE spent over €17 million on the provision of domestic and sexual violence services. This included the funding of 60 services throughout the country composed of 20 Crisis Refuges, 16 Rape Crisis Centres and 24 Support Services. Funding of some €4 million was provided to the 16 Rape Crisis Centres.

In the context of significant constraints on public expenditure the emphasis has been on protecting funding for frontline service provision as much as possible and examination of all non-frontline expenditure to ensure this contributes effectively to the needs of those experiencing domestic, sexual or gender based violence. The RCNI received funding of €256,000 from the HSE in 2013. The RCNI financial statements for 2012 indicate that the organisation received total income of over €650,000 including €254,000 from the HSE.

The RCNI had a service level agreement with the HSE which was due to finish on 31 December, 2013. This service level agreement was extended to 31 March, 2014 to allow for the establishment of the Child and Family Agency, the appointment of a Programme Manager for Domestic, Sexual and Gender based Violence and to enable the Agency to tender for future support services. There has been very high level engagement with the RCNI in recent times as part of a process which is ongoing.

The Programme Manager took up the post on 3 February and will work with the Head of Procurement in the Child and Family Agency to continue to put arrangements in place to achieve value for money in the delivery of priority national supports related to Rape Crisis Services. It is recognised by the Child and Family Agency that there is a continuing requirement for training support and quality assurance services and the efforts underway will clarify the range and cost of this support within the overall envelope of funds for this sector. The tendering process for future provision of national supports being undertaken by the Child and Family Agency will be open to all qualified providers, including the RCNI.

As has been the case throughout this process senior personnel in Children and Family services and specifically the newly assigned Programme Manager within the Child and Family Agency will remain available to continue engagement with the RCNI. The Child and Family Agency has been clear in stating that there is a continuing need for training and quality assurance supports for the Rape Crisis sector. Accordingly, I believe it is premature to reach conclusions as to the outcome in advance of completion of the process which is underway to put contractual arrangements in place for the future provision of such supports. I would hope that all parties will remain engaged and seek to demonstrate the value and economy of the national support services to be provided from within the total envelope of ring-fenced resources which continues to be made available to the sector.

### **Children in Care**

12. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs her views on the recently published Health Information and Quality Authority report on Crannóg Nua at Portrane; the actions she expects will follow on its content and recommendations; and if she will make a statement on the matter. [6647/14]

13. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs the actions that will be taken in 2014 to reduce waiting times for children to obtain places in special care units in circumstances where they have fulfilled the criteria for admission to special care. [6492/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 12 and 13 together.

Children who are unable to live with their parent/s for their welfare and protection are taken into the care of the Child and Family Agency and placed mainly in foster care. For approximately 5% of all children in care, residential care is considered the most suitable option to meet their needs. Less than 1% of children in care with specialised needs are placed in a High Support or Special Care Unit. The Child and Family Agency has informed my Department that it has put in place revised arrangements for the management of cases under consideration for a special care placement to provide a simpler and more child centred approach to managing the prioritisation of special care placements. There are currently no children waiting for a placement in special care.

Crannóg Nua High Support Unit was inspected by HIQA on 1 and 2 October 2013 and the inspection report published on 9th January 2014. The Child and Family Agency, as part of an ongoing review of services to meet the needs of children in care, are reconfiguring services for children with behavioural difficulties to reflect growing demand. To increase special care capacity, Crannóg Nua will cease providing High Support Services once the current children complete their interventions and move on to their next placements. This closure is expected to take place in May 2014. Crannóg Nua will then be refurbished to bring the standard of facilities to the security level required to provide Special Care Services by the end of January 2015. This development will increase Special Care places on a national basis from seventeen places currently, up to twenty-five by the end of January 2015. With further developments it is expected that the overall number of places will increase to thirty four places by December 2015.

The Agency is committed to designing and developing a comprehensive continuum of care services to meet the divergent and complex needs of all children in care. The Agency has advised me that it is currently undertaking a national review of all residential care and this will be completed during the first quarter of 2014. I am assured that this review will direct planning to ensure that appropriate placements are accessible to children with varying and complex needs. A National Director of Residential Services has been appointed to take the review forward and ensure the strategic development of such services.

### **European Court of Human Rights Judgments**

14. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the level of consultation and engagement that has taken place with her Department or its agencies in their consideration thus far of the State's responsibilities to other schoolchildren and former schoolchildren arising from the decision of the European Court of Human Rights in the case of a person (details supplied); and if she will make a statement on the matter. [6646/14]

23. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs if she will provide details on the review of current and planned child protection systems; when this review will be completed; and if she will make a statement on the matter. [6640/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 14 and 23 together.

I have been in direct contact with the Minister for Education and Skills on the matter following the recent European Court of Human Rights judgment. The Minister briefed Cabinet on the 4th of February last on the O’Keeffe judgment. Further consideration of this complex judgment is ongoing and I anticipate that there will be further Cabinet briefings in respect of the matter. The Minister has announced his intention to initiate a review of the current and planned child protection systems operating in respect of schools in light of the judgment. Discussions and meetings have been ongoing between officials in both our Departments in advance and following the Cabinet’s consideration. I expect that the scope of the Review and how it is to be carried out will be agreed shortly.

This work will build on the existing strong links between our two Departments in respect of the Interdepartmental Group on Children First implementation. The purpose of the Group is to promote the importance of Children First compliance across Government and to ensure consistency of approach. The Group has completed a benchmark phase of establishing structures, mechanisms and activities in place within each sector to support and drive the implementation process. In July 2013 the Government approved the publication of each Departmental Children First Sectoral Implementation Plan on the relevant Department websites. A key priority of the Group is the development of appropriate reporting mechanisms in respect of the implementation of Children First within each sector and the assurance arrangements to monitor implementation and compliance.

It is important to emphasise that there has been significant legal and structural reform changes to improve all of the systems of protection of children in Ireland. In my own area, these include the Children’s Referendum, the establishment of the Child and Family Agency, the ongoing implementation of Children First National Guidelines and the development of legislation to put key aspects of Children First on a statutory footing. The enactment of the Criminal Justice (Withholding of Information) Act, 2012 and the National Vetting Bureau Act 2012 by my colleague the Minister for Justice are all part of a suite of protective measures which are now enshrined in legislation.

The Deputy will be aware of the progress in relation to the development of legislation to put elements of the Children First National Guidance on a statutory basis. Officials from my Department are continuing to liaise with the Office of Parliamentary Counsel in relation to the drafting of the Bill, which is now at an advanced stage. The Bill is included in the Government’s legislative programme for the Spring/Summer session and I expect to submit it to Government in the coming weeks.

*Question No. 15 answered with Question No. 8.*

### **Inter-Country Adoptions**

16. **Deputy David Stanton** asked the Minister for Children and Youth Affairs the progress that has been made by her Department and the Adoption Authority of Ireland with regard to accrediting an agency to deal with inter-country adoptions from India; and if she will make a statement on the matter. [6649/14]

19. **Deputy David Stanton** asked the Minister for Children and Youth Affairs if she will provide an update on progress regarding inter-country adoptions from India; and if she will make a statement on the matter. [6648/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 16 and 19 together.

The Republic of India has ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption. As a contracting state under the Hague Convention, the Adoption Act 2010 provides that adoptions by Irish prospective adoptive parents may be made subject to Irish and Indian requirements being satisfied in line with relevant laws and the provisions of the Hague Convention.

It is a matter for contacting states whether they wish to impose restrictions on whether and how intercountry adoptions of citizens of that State may be effected. In this regard, the Authority advises that there remains a general moratorium by the Indian Central Authority (CARA) on India accepting adoption applications from other countries other than in special circumstances. The Authority has recently received an announcement from CARA that India is currently accepting packs from non-resident Indian prospective adoptive parents for the adoption of Indian children (normal category). This means that India remains closed to non-Indian prospective adoptive parents at this time in respect of its normal categories of children. The Adoption Authority understands that CARA is accepting applications in respect of special needs children, which includes children over five years of age and sibling groups. The Authority is currently attempting to establish from CARA a possible time frame for the acceptance of application packs in the 'normal' category from non-Indian nationals.

The Adoption Authority has advised it is their position that it is necessary to have an Irish registered accredited body to facilitate intercountry adoptions from India in order to safeguard the process for the child and the adoptive parents. The Authority has two applications for India from Irish agencies which are being considered. Any accreditation being considered by the Authority can only apply to the Indian Special Needs Programme at this time. The accreditation of agencies to facilitate adoptions is solely a matter for the Adoption Authority under law. I have raised with the Adoption Authority the likely timescale of reaching conclusions on these applications and I understand it is intended to finalise the process promptly.

Furthermore, the Authority advises that it is the policy of CARA to impose the following age limits and age differentials. Again, they are a matter for the Indian authorities and are not specific to Ireland:

- To adopt a child in the age group of 0-3 years, the maximum composite age of the prospective adoptive parents should be 90 years wherein the individual age of the prospective adoptive parents should not be less than 25 years and not more than 50 years;

- To adopt children above three years of age, the maximum composite age of the PAPs should be 105 years wherein the individual age of the PAPs should not be less than 25 years and not more than 55 years;

- In the case of a single applicant, he or she should not be less than 30 years of age and shall not be above the age of 50 years. The maximum age shall be 45 years to adopt children in the age group of 0-3 years and 50 years for adopting children above 3 years.

Updates in relation to intercountry adoption from India will be posted on the Authority website when available ([www.aai.gov.ie](http://www.aai.gov.ie)).

## Departmental Functions

17. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the main elements of her Department's responsibilities for children and young adults, with particular reference to the extent to which it is intended to provide or make available supportive services in areas most notably in need of such services in recent years; and if she will make a statement on the matter. [6573/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department was established in June 2011 with a mandate to put in place a unified framework of policy, legislation and provision across Government in respect of children and young people. In fulfilling this mandate, my Department engages in a wide range of policy and service activity, both direct and indirect, for children and young people through a number of separate, but inter-related strands including:

- the direct provision of a range of universal and targeted services;
- ensuring high-quality arrangements are in place for focused interventions dealing with child welfare and protection, family support, adoption, school attendance and reducing youth crime;
- the harmonisation of policy and provision across Government and with a wide range of stakeholders to improve outcomes for children, young people and families.

The recent establishment of the Child and Family Agency represents a central pillar of our commitment to support children, young people and their families. It delivers on a key Programme for Government commitment and represents one of the largest and most important public sector reforms undertaken by this Government, bringing together over 4,000 staff and a budget of some €609 million to provide a dedicated focus on services for children & families. The formation of the Agency brought together key services relevant to children and families including child protection and welfare services, and services previously provided by the Family Support Agency and the National Educational Welfare Board. The Agency is tasked with achieving a new strategic focus, better management and consistency of approach so as to deliver a world-class service model of child welfare and protection. For the first time we have child and family social workers, family support workers, social care workers and education welfare officers all working together to protect children and support families.

I recently 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 bringing the total number to 13. Three existing projects which participated in the Prevention and Early Intervention Programme (PEIP) in Tallaght, Ballymum and Darndale have already been approved for entry into the ABC Programme and a further project in the Midlands linked to the existing "Preparing for Life" project in Darndale is also included. Its objective is to implement evidence-based prevention and early intervention programmes in some of the most disadvantaged areas of the State with a view to significantly improving outcomes for children. With 50% co-funding from The Atlantic Philanthropies, this brings total funding to nearly €30m over 2013-2016.

Significant investment, totalling more than €260m, is being provided this year by my Department to support childcare programmes. These include the Free Pre-School Year, from which approximately 68,000 children benefit annually. The financial benefit to the parent of a child participating in the free pre-school year is about €2,500 per annum.

Funding of €50.530m including €750,000 for a new capital funding programme, has been

provided to my Department in 2014 for the provision of youth services and programmes to young people throughout the country through a number of schemes. These schemes include the Youth Service Grant Scheme, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2, Local Drug Task Force projects and certain other provisions including the Local Youth Club Grant Scheme and Youth Information Centres. This funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector.

My Department also works in close partnership with other Government departments, statutory agencies and non-governmental organisations on a range of cross-cutting issues in relation to both policy and provision as they relate to children and young people.

The 2014 Revised Estimate for my Department includes a net allocation of €974 million which represents an increase of €540 million or 124% when compared to the 2013 allocation of €434 million. This increase takes account of the dedicated funding allocated to the Child and Family Agency, and clearly demonstrates the continuing commitment of this Government to the on-going development of quality and effective services to support children and families.

### **Preschool Services**

18. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the action she will take to address the lack of information regarding regulation reform, the new inspection process and required standards in view of the fact that preschool services have in effect become part of the new Child and Family Agency registration process from January 2014; and if she will make a statement on the matter. [6650/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Pre-school services are governed by Part VII of the Child Care Act 1991 and by the Child Care (Pre-School Services) (No 2) Regulations 2006 and the Child Care (Prescribed Service) Regulations 2014.

I am in the process of introducing a number of key reforms as part of the Pre-School Quality Agenda with the objective of improving the quality of childcare services. I have outlined to this House and to the Seanad on a number of occasions the proposed reforms and the measures necessary for their implementation. Legislative amendments to Part VII of the Child Care Act 1991 have been passed by the Oireachtas and will underpin the reforms. The objectives are to strengthen the current inspection regime, provide a statutory basis for registration of pre-school services and also provide for the setting of minimum qualification standards for staff working directly with children in pre-school services. To provide for the implementation of the changes to the Act it will be necessary to amend or make additions to the current Regulations in a number of areas, and these are currently being considered.

The new regulations will be accompanied by new National Quality Standards, both of which will form the basis against which services will be inspected by the Early Years Inspectorate of the Child and Family Agency. The Standards will set out the outcomes for quality, and supporting criteria, against which the compliance level of a service will be measured. Inspection under the new regulations and Standards will commence as early as practicable, and following the development of new inspection tools and guidelines. In advance of the introduction of the new regulations, a communications exercise will be undertaken to ensure that childcare services fully understand the impact of the changes to how they will be inspected.

A new system of registration has been introduced and anyone proposing to open a new childcare service must first be registered with the Early Years Inspectorate before they begin to

operate. The registration and inspection system will allow Inspectors to specify improvement conditions that a service must comply with. This system will, for the first time, provide for timely and effective regulation and enforcement of standards in pre-school services. Information in relation to the inspection and registration system is available on the Child and Family Agency's website at [www.tusla.ie](http://www.tusla.ie).

I have also indicated my intention to introduce a new requirement that all staff caring for children in an early years service hold a minimum qualification at FETAC Level 5. In addition, the minimum requirement of FETAC Level 5 currently in place for pre-school leaders delivering the Pre-School Year programme, will be increased to Level 6. The new requirements will apply from September 2014 for new services, and from September 2015 for existing services. To support existing childcare workers to obtain the necessary qualifications, my Department is currently finalising arrangements for a new, subsidised training programme which will be implemented in 2014/2015. Funding of €3 million is being allocated to support this initiative, the details of which I expect to announce shortly.

*Question No. 19 answered with Question No. 16.*

### **Social Media Regulation**

20. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs the contact she has made with Facebook regarding Neknominations; the response given, if any; and if she plans further actions regarding same. [6636/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government is very concerned generally about the issue of the level of alcohol consumption among young people, but specifically about the recent tragic death involving a young person participating in the 'Neknominations' trend. Both the Taoiseach and I have condemned the craze and called on individuals not to partake or to encourage others to partake in such reckless and life-threatening behaviour.

A member of staff of my Ministerial office was in contact, by both telephone and by email, with the head of Policy in Ireland of Facebook to discuss the matter of 'neknominations' and Facebook has provided me with the following formal response:

"At Facebook we try to be a platform where people can share freely whilst still protecting the rights of others. We do not tolerate content which is directly harmful, for example bullying, but controversial or offensive behaviour is not necessarily against our rules. We encourage people to report things to us which they feel breaks our rules so we can review and take action on a case by case basis. We also give people the ability to remove themselves from an uncomfortable conversation through tools such as untagging and blocking."

Much of this kind of interaction is obviously between adults rather than children. However, as we have unfortunately recently seen, the consequences of this sort of activity for young people can be potentially lethal. What may appear to young people to be a fun thing to do, may in reality be abusive and dangerous drink misuse. It also reflects our cultural attitudes to alcohol in Ireland, which very often do not set the best examples for our children. To counter this culture and the potential consequences it can have for children and young people, both Government and our society generally will need to strengthen its efforts to disseminate information and educational messages about the dangers and possible consequences of these behaviours.

*Question No. 21 answered with Question No. 11.*

## Youth Services Funding

22. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs her views on whether the current geographic spend on youth services is adequate to provide the same level of service on a countrywide basis; if her attention has been drawn to particular examples where organisations which received funding under the youth service grant scheme concentrate their activities in particular areas of the country and, as a result, funding is unbalanced around the State; and if she will make a statement on the matter. [6642/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department administers a range of funding schemes, programmes and supports to the youth sector. In 2014, funding of €50.530m including €750,000 for a new capital funding programme has been provided to my Department for these schemes. The schemes include the Youth Service Grant Scheme, under which funding is made available on an annual basis to 31 national and major regional youth organisations, the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund Rounds 1 and 2, Local Drug Task Force projects and certain other measures including the Local Youth Club Grant Scheme and Youth Information Centres. The funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth sector. There is some 1,400 youth work staff in 477 projects and over 40,000 volunteers involved in the provision of services and activities for young people.

In a context of the very difficult budgetary constraints that have arisen in recent years there have been no applications for the funding of new projects sought under the schemes since 2008. In the determination of the annual allocations for the schemes, my Department, while seeking to meet the savings requirements under the Comprehensive Review of Expenditure, has sought to ensure that the front line youth services, particularly those for the most vulnerable young people are maintained and protected, as far as is possible, from the impact of the necessary reductions in funding.

I am aware of the challenges that youth organisations face in their efforts to maintain and develop their services to respond to the needs of young people in different parts of the country. I, and officials of my Department regularly meet with youth organisations and youth projects from different areas. Officials of my Department engage, on an ongoing basis, with youth sector organisations on matters to do with ensuring the availability of quality services to meet young people's needs, the challenges that youth organisations encounter in responding to new demands on their services and in managing the budgets available to them over the year.

My Department is undertaking a comprehensive Value for Money and Policy Review of youth work funding schemes that support the provision of services to disadvantaged young people. The review will consider the rationale and objectives of the current youth programmes. It will, *inter alia*, examine the extent to which the youth funding programme objectives have been achieved, comment on the effectiveness and the efficiency of the programmes and their compatibility with the overall strategy of my Department. The review will make recommendations for the future operation of the youth programmes. Its findings will shape their development in the years ahead to ensure quality, effective, value-for-money services that secure the best outcomes for young people. Work is well advanced and it is anticipated that the review will be completed in the coming months.

The review's recommendations will further inform the development of a new youth strategy, planned by my Department for later this year. The youth strategy will aim to bring about improved co-ordination between Government departments and youth sector organisations with a view to maximising the effectiveness of the State funding available to support services for

young people throughout the country.

*Question No. 23 answered with Question No. 14.*

### **Proposed Legislation**

24. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs when the Children First legislation will be published; and if she will make a statement on the matter. [6654/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** In July 2013, the Government approved the revised Heads and General Scheme of the Children First Bill, which will put elements of the Children First National Guidance on a statutory footing. Officials from my Department are continuing to liaise with the Office of Parliamentary Counsel in relation to the drafting of the Bill, which is now at an advanced stage. The Bill is included in the Government's legislative programme for the Spring/Summer session and I expect to submit it to Government shortly.

### **Adoption Records Provision**

25. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs in view of the undeniable evidence, in writing, that religious run adoption agencies participated in and facilitated illegal adoptions, the reason neither her Department nor the Adoption Authority of Ireland has carried out an audit of every adoption record held in the country; and if she will make a statement on the matter. [6523/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I wish to take this opportunity to advise the House of the historic position regarding adoption in Ireland. The Adoption Act 1952 placed adoption on a regulatory footing in Ireland and all adoptions that have taken place since then should, in accordance with the law, have been in compliance with that Act. I am advised by the Adoption Authority of Ireland that 44,042 adoptions took place in Ireland between 1953 and 2012. While records exist in relation to these adoptions these records may not be as expansive as current day practices would envisage. I am also aware that some of the arrangements which were put in place were not within the provisions of the adoption legislation leaving people assuming they were adopted, when they in fact were not, or that their births were the subject of illegal registrations.

I have been anxious to see improvements in existing procedures for the tracing of birth parents by people who have been adopted. The Child and Family Agency, which was established on 1st January last, has advised me that, in the first instance, any person seeking information on adoption should contact the Adoption Authority of Ireland or the Agency's Community Services who will assist in directing them to the personnel dealing with their particular records. The existing arrangements for those seeking access to information reflect a transition from complex and historical situations and I am anxious that the Agency implement much more improved and consistent arrangements. I have been advised by the Agency that it is reorganising adoption services in 2014 at a national level, and will consider how best to deploy its staff to deal with this important issue so as to facilitate access to records where they exist.

The Adoption Act 2010, requirement that agencies providing Information and Tracing services would gain accreditation resulted in a number of religious orders deciding not to apply for accreditation and transferring records from their Mother and Baby Homes and Adoption Societies to the Agency. In the case of the Sacred Heart Adoption Society, for example, some 25,000

records have been transferred to the Agency's Regional Adoption Service in Cork. Work by the Agency on the organising and storage of these records has taken place. The advice of the National Archives has been sought in relation to the proper storage of these records that are of great significance. I have raised the importance of arrangements for the management of these records directly with the Child and Family Agency and I have also asked my officials to examine the work that could be undertaken with the Child and Family Agency, the Adoption Authority and other stakeholders to improve arrangements for managing and accessing the records that are available.

I have highlighted previously in the house the Constitutional and legal barriers to providing access to Adoption records without the consent of the birth mother. The Adoption (Information and Tracing) Bill will address this matter but the legislature will be constrained in the nature of any access which can be granted to adoption records by these legal considerations. In this context, I would urge birth mothers to enrol on the National Adoption Contact Preference Register which was established in 2005 to assist adopted people and their natural families to make contact with each other, exchange information or state their contact preferences. They decide, through a range of information and contact options, how they wish to proceed.

The Adoption Authority of Ireland has responsibility for the operation of the Contact Preference Register. I believe there is an opportunity in the context of the considerable public attention this area is receiving to promote awareness amongst women whose children were adopted of the importance of registering their consent if contact is to be successfully re-established.

*Question No. 26 answered with Question No. 11.*

### **Child Protection**

27. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the discussions she has had with other Departments on foot of the publication of the audit report on neglect cases; and if she will make a statement on the matter. [6495/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** An audit report on neglect cases in Roscommon, Waterford and Dublin South East, 'A Review of Practice and Audit of the Management of Cases of Neglect', was published in June 2013 by the HSE. The audit was conducted on foot of an examination of the management of systematic and problematic neglect in a family known to the HSE Child Protection Services. Concerns had been raised that this might not have been an isolated case and that there might be more widespread practice and governance issues in the management of cases of neglect throughout the country.

Follow-up work arising from the findings of the audit report is being led by the new Child and Family Agency, which was established on 1 January, 2014. The Agency brings together over 4,000 staff previously employed by the HSE, the National Educational Welfare Board and the Family Support Agency. The bringing together, for the first time, under one roof of social work, family support, education welfare and social care, working in partnership with non-statutory and State agencies will allow for a dedicated focus on improving the well-being and outcomes for every child who needs support. The context within which our child welfare and protection services operate today is ever more challenging. Referrals increased by nearly one third to over 40,000 referrals in 2012. The area of neglect is particularly worrying and has seen a marked increase in referrals.

A number of key initiatives have been taken arising from the audit report as follows:

- Audits of practice standards, including in the area of neglect have been carried out;
- Briefing and training days have been held for professional staff to assist in identifying and responding to neglect cases;
- A national review panel has been established, with an independent chair, to undertake impartial serious case reviews in cases where concerns have been raised. These reports are published and the learning from them is systematically disseminated to staff.

With regard to the issue of inter-agency work a number of key documents are in place and will underpin the approach of the Agency to this key area including:

- “Joint Protocol for Inter-Agency collaboration between the Child and Family Agency and An Garda Síochána”;
- “Joint protocol for Inter-Agency collaboration between the Child and Family Agency and the HSE”; and
- “Memorandum of Understanding: Strategic Agreement between the Child and Family Agency and the HSE”.

My Department is taking a lead role in the cross-sectoral implementation of Children First: National Guidance for the Protection and Welfare of Children [2011]. A Children First Implementation Inter-Departmental Group has been established involving key Government Departments. This Group is a forum at which cross-sectoral or cross-departmental issues arising from the audit report can be addressed. The purpose of the Group is to promote the importance of Children First compliance across Government and to ensure consistency of approach. In July 2013 the Government approved the publication of each Departmental Children First Sectoral Implementation Plan on the relevant Department websites. A key priority of the Group is the development of appropriate reporting mechanisms in respect of the implementation of Children First within each sector and the assurance arrangements to monitor implementation and compliance.

To deliver on our aspiration to do better for children at risk and families in crisis including those affected by neglect, the Agency will have a broader focus than child protection. Prevention, early intervention, family support and therapeutic and care interventions are all key to the provision of integrated multi-disciplinary services for children and families in need. This will be an area of particular focus and attention for the new Agency. We will adopt a cross-Government and inter-agency approach to ensuring that we deliver a timely, comprehensive and integrated service to vulnerable children and families. This will require the support and input of various departments and agencies to ensure that vulnerable children and families can access necessary services.

### **Child and Family Agency Remit**

28. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs the date on which all services are due to be transferred to the Child and Family Agency, including public health nursing and child mental health; and if she will make a statement on the matter. [6639/14]

187. **Deputy Aodhán Ó Ríordáin** asked the Minister for Children and Youth Affairs the timeline her Department envisages for broadening the representation on Túsla, the Child and Family Agency, to include a full range of services, including public health nursing, as recommended by the task force on the establishment of a child and family agency in 2012; and if she

will make a statement on the matter. [7171/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 28 and 187 together.

The Child and Family Agency (CFA) was established on 1 January 2014 in accordance with the Child and Family Agency Act, 2013 and has service responsibility for:

- Child welfare and protection services formerly operated by the HSE including family support and alternative care services;
- Child and family-related services for which the HSE formerly had responsibility including pre-school inspections and domestic, sexual and gender-based violence services;
- Certain services relating to the psychological welfare of children and their families currently provided by the HSE;
- Services provided by the Family Support Agency and the National Educational Welfare Board which formerly operated as separate bodies under the aegis of my Department and which were merged into the new Agency.

The Task Force on the Child and Family Support Agency made recommendations on a range of other services relevant to children and families, including:

- public health nursing;
- speech and language therapy;
- child and adolescent mental health; and
- children's detention.

The practical implications of the scale of organisational change are such as to require that consideration of the Task Force's wider recommendations and, should it be considered appropriate, their implementation, take place according to a less immediate timescale. This will allow for more careful review and considerations in conjunction with relevant Departments, principally the Department of Health.

The Child and Family Agency, in conjunction with my Department, will adopt a cross-Government approach to ensure that we deliver a comprehensive and integrated service to vulnerable children and families. This will require the support and input of various departments and agencies. The Agency will:

- take child protection services out from where they were lost in an overloaded health service;
- bring education welfare and family support together with child protection and welfare;
- break down barriers between agencies and services; between professional disciplines;
- deliver much more seamless integration of policy and service delivery.

It will ensure that child and family social workers, family support workers and education welfare officers are all working together, on the same team. It will also ensure that child and family welfare will be the sole focus of a single dedicated state agency, with a ring-fenced budget (of €609 million) and streamlined management, overseen by a single dedicated government Department. It will pull together and give single coherent direction to all of the strands

of service for families most in need in a way that has never happened in this country before including prevention and early intervention programmes, both universal and targeted, as well as family support services, the nationwide network of 106 family resource centres and education welfare services.

My Department is leading the Children's Services Committees Initiative for national and local interagency working to improve outcomes for children and young people. The purpose is to secure better developmental outcomes for children and young people through more effective integration of policies and services. Children's Services Committees (CSC) are local/county level structures for bringing together a diverse group of agencies in local county areas to engage in joint planning and co-ordination of services for children and young people. There are currently 16 CSC sites in Ireland and all are at differing stages of development and operation. It is my policy to roll out the Children's Services Committees Initiative during 2014 to all parts of the country.

A joint protocol for inter-agency working between the HSE and the Child and Family Agency is in place with effect from January 2014 following extensive dialogue between Children and Family Services, Primary Care, Disability Services and Mental Health Services. The protocol aims to ensure a consistent national approach to service delivery where delivery of two or more services are involved in the same case.

### **Child and Family Agency Funding**

29. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs the way the €600 million budget for the Child and Family Agency is to be spent; if she deems this to be an adequate level of funding for the agency to function efficiently in view of its responsibilities; and if she will make a statement on the matter. [6638/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Government is giving particular priority to improving services for children and families. In accordance with the Revised Estimates for 2014 as published by the Department of Public Expenditure and Reform, the Child and Family Agency ("CFA") allocation is €609 million, including €7m in capital provision. This allocation is for the continuing provision of services previously administered by the Health Service Executive (H.S.E), National Educational Welfare Board (NEWB), and Family Support Agency (FSA).

The transfer of responsibilities was accompanied by a transfer of staff and budgets previously under the remit of the HSE/NEWB/FSA. A due diligence process was undertaken to establish the services to transfer and the associated staff and financial resources/budgets. In addition, a budgetary process was conducted to identify the level of funding required based on the 2013 figures and expected expenditure in 2014. This budget forms the basis of funding for the CFA.

The overall level of funding available, which is significant by any measurement, will help the agency to respond to demand and to the needs of clients. It will help to improve the level and quality of services. It will help in responding to the historic legacy of failings highlighted in the various inquiry reports published in recent years. Work in finalising a Business Plan for the Agency is at an advanced stage.

In interim, on an indicative and approximate basis, summary budget information for major areas of Agency expenditure is as follows.

Category	€
Staffing	€235 million
Foster care	€110million
Grants to the community sector including grants to provide services responding to Domestic Sexual Gender based Violence	€100 million
School completion grant	€25 million
Grants to family resource centres and associated national programmes	€21 million
Educational Welfare Services	€3 million
Legal costs	€18 million
Residential centres and other associated costs	€90 million
Total	€602 million

It is acknowledged that there are significant demands on the services for which the Agency is responsible. These arise from demographic and social factors and greater awareness of the importance of intervening to promote the welfare of children. In recognition of these demands the Government made an additional provision in Budget 2014 of €6.7m (€12m in a full year) to support the major reform of child welfare and protection services which is under way.

While very significant resources have been made available to the Agency, in light of the ongoing needs in this area, there will always be a requirement for the organisation to prioritise and manage those resources effectively. In line with all Departments the funding position will be challenging and careful management and continual monitoring of it will be necessary.

*Question No. 30 answered with Question No. 8.*

### Child Care Services Inspections

31. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs if she will report on the progress of her Department, Pobal and the other relevant stakeholders in implementing a digitised and online system of recording and disseminating inspection reports on child care and preschool facilities; the level of engagement between her Department, Pobal, the Health Service Executive and other stakeholders such as the child care committees; and if she will indicate the current rate of inspections being undertaken. [6608/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The commitment to improve the quality of early childhood care and education for all children has been a key priority for me since becoming Minister for Children and Youth Affairs. My Department and I have been working on a comprehensive Pre-School Quality Agenda which aims to improve quality standards in pre-school services in Ireland. A key element of this Agenda is to strengthen the national pre-school inspection system.

Pre-school services that are required under the Child Care (Pre-School Services) (No 2) Regulations 2006 to notify their service to the Health Service Executive are subject to inspection by the Pre-School Inspectorate on a regular basis. The inspection reports were generally held by the Inspectorate in paper format and access to these reports has been an issue of concern to many parents seeking quality childcare for their children. The HSE did encourage services to

share the reports with parents as preparation for the publication of the reports online was made.

In July 2013 the HSE commenced publication of retrospective pre-school inspection reports online and also new inspection reports as they were finalised. I understand that there are in the region of 2,500 pre-school inspection reports published online. The publication of new inspection reports will continue and the process of publishing the remaining retrospective reports is ongoing. Pobal is hosting the publication of the reports and they are available on the Pobal website.

Work on the establishment of the Child and Family Agency has provided an opportunity to address the absence of a coherent national approach to the regulation of childcare services, and the HSE Child and Family Services Division has been working towards developing the Pre-School Inspectorate as a nationally coordinated service. Standard Operating Procedures have been introduced to address issues of inconsistency and provide greater clarity for pre-school services. The Pre-School Inspectorate transferred from the HSE to the Child and Family Agency when it was established in January last and it will be a matter for the new Agency to decide how best to record and publish pre-school inspection reports. I am confident that the comprehensive reforms which are being introduced will provide for the operation by the Child and Family Agency of a more consistent and robust pre-school inspection regime.

In relation to the Deputy's question concerning the current rate of inspections being undertaken, I have referred this to the Agency for direct reply to the Deputy.

### **Ombudsman for Children Reports**

32. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Children and Youth Affairs the progress made by the Ombudsman for Children in the preparation of her report into the two cases of children of Roma families who were taken from their parents by the State; when she expects to receive the ombudsman's report; and if she will make a statement on the matter. [6644/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Ombudsman for Children Ms Emily Logan has initiated an investigation of the actions of the HSE in relation to these cases under provisions of the Ombudsman for Children Act 2002. The Minister for Justice and Equality has appointed Emily Logan in a personal capacity to undertake the inquiry into the taking into care of two children from two Roma families. In accordance with Section 42 of the Garda Síochána Act 2005 (as amended by the Criminal Justice Act 2007) the report will be submitted to the Minister for Justice and Equality.

The Ombudsman for Children is an independent officer of the State and reporting is a matter for the Ombudsman for Children. I look forward to the conclusion of the process and to the independent findings of the Ombudsman for Children, once she reports on her investigations.

### **Youth Services Funding**

33. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs if her attention has been drawn to the difficulties being experienced by Kildare Youth Services and other such services around the country at present due to their inability to fund qualified youth social workers; if her attention has been drawn to the fact that such roles often bring inherent knock-on benefits to the youth of a community, resulting in decreased drug use and decreased instances of self-harm and bullying; and if she will make a statement on the matter. [6641/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young People's Facilities and Services Fund, Rounds 1 and 2, Local Drugs Task Force Projects and certain other programmes including the Local Youth Club Grant Scheme and Youth Information Centres. The funding schemes support national and local youth work provision to some 400,000 young people and involve approximately 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. In 2014, funding of €50.530m including €750,000 for a new capital funding programme has been provided to my Department for these schemes.

In Co. Kildare, six local youth projects in Athy, Naas, Leixlip, Newbridge, the Curragh and Kildare town, under the auspices of Kildare Youth Services, receive funding under the Special Projects for Youth Scheme. Funding is also provided for a Youth Information Centre in Naas. In addition, Kildare Youth Hub, Kildare Town has recently received approval for a capital grant of €50,000 towards the cost of developing a new youth café facility.

In 2014, funding of €488,200 has been allocated for the projects and services under Kildare Youth Services. The detailed notifications about the allocations and payment arrangements for this year are being issued by my Department this week. As in recent years, national organisations along with the grant administering agencies that administer youth funding, on behalf of my Department, are invited where it is appropriate, to submit proposals to my Department for the reconfiguration of the funding allocations notified to them across projects and funding schemes to better meet local needs. My Department would be happy to consider any such proposals on behalf of Kildare Youth Service and to discuss with the service and Youth Work Ireland any proposals, within their budget, that would assist the organisation in the provision of local services.

My Department, along with all government departments, is required to deliver substantial savings on all funding programmes in line with the Comprehensive Review of Expenditure (CRE). My Department, in determining the annual allocations for youth programmes, while having regard to the CRE, has sought to ensure that, as far as is possible, the focus is maintained on the front line youth services particularly those for the most vulnerable young people. This year, I secured an additional €1m in the 2014 Budget to offset the impact of the CRE on the youth services. As a result the overall reduction in 2014 budgets for the youth services at 3.75 % was significantly less had been indicated in the CRE.

I am aware of the challenges that the budgetary constraints raise for the youth services throughout the country and its impact on services such as Kildare Youth Service. I and officials of my Department have met and will continue to meet with many youth organisations and groups to try and see how we can work together to ensure the most effective and efficient use of the resources available in order to continue to support the provision of quality and responsive youth services for young people.

### **Child Care Qualifications**

34. **Deputy Seán Kyne** asked the Minister for Children and Youth Affairs in the context of the need to ensure an adequate qualification framework, the funding supports available to community child care providers, in particular, to meet the qualification standards that are rightly required for quality child care and preschool care. [6607/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Last year I announced an 8-point Pre-School Quality Agenda to address issues of quality in the pre-school sector. There is clear evidence that the level of qualification held by childcare staff has a significant impact on the quality of the service provided. It was in this context that I decided to introduce a minimum qualification for all staff working directly with children across the childcare sector. From September 2015 all existing staff working in pre-school services will be required to hold a qualification in early childhood care and education at FETAC Level 5. Pre-School Leaders delivering the free Pre-School Year programme will be required to hold a qualification at FETAC Level 6.

To support childcare workers in both the community and private sector seeking to obtain the necessary qualifications, training support funding of €0.9 million was provided by my Department at the end of last year. A further funding allocation of €1.5 million to support training is provided for in 2014 and it is intended that this allocation will be repeated in 2015, bringing the total provision to €3 million over the two year period.

My Department is currently putting arrangements in place for a new training programme. Planning is under way in association with Pobal to seek expressions of interest from accredited training providers who wish to provide FETAC Level 5 or Level 6 training under this initiative. It is likely that the City and County Childcare Committees will play an important role in identifying qualifying staff and supporting them in accessing suitable training from the panel put in place through the expressions of interest process. I expect the full details, including detailed specifications, selection criteria and operational arrangements for the new initiative, to be finalised and announced shortly.

### **Social Workers Recruitment**

35. **Deputy Mick Wallace** asked the Minister for Children and Youth Affairs her views on reports that at least 200 social work posts are currently vacant even though there have been significant increases in the number of reports of children at risk of abuse or neglect; and if she will make a statement on the matter. [6635/14]

39. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the action she will take to address the inadequate numbers of necessary social workers for vulnerable children; and if she will make a statement on the matter. [6653/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 35 and 39 together.

The staffing complement for the Child and Family Agency (CFA), which was established on 1 January, 2014 includes 1,385 social workers who transferred from the HSE. The complement was determined following a detailed census and re-classification process undertaken in 2013, through which social workers were formally assigned to particular care groups, including children and families. This work was necessary in order to prepare for the establishment of the new Agency and to allow for the transfer of designated staff.

Staffing vacancies arise for various reasons including retirements, resignations, career breaks and unpaid leave. In addition, gaps in service cover arise where staff are on paid leave. Social work staffing levels across the whole country are at 93% according to the CFA. Vacancies are covered by temporary staff as required to ensure staffing levels do not fall to an unsafe level. This is risk assessed by Area Managers.

Over the past 18 months a total of 153 social work posts have been filled. In addition to this,

there are a further 181 posts in the process of being recruited:

- 23 of these have been offered and accepted positions and starting dates are being agreed;
- 6 offers have been made and are awaiting a response;
- The remaining 152 posts have been approved to be filled. A recruitment campaign is already underway for 32 of these posts and a further offers/campaign for the remaining 120 is expected to start shortly.

Budget 2014 included the provision of €6.7m (€12m in a full year) to support the continuing implementation of the reform programme across children and family services. This additional funding will assist the CFA in meeting identified service pressures. This will include the filling of social work vacancies taking account of identified need, with a particular focus this year on the filling of vacancies arising from maternity leave. The Agency is also finalising proposals, arising from the provision of this additional funding, for the introduction of a guaranteed and protected one year induction programme for newly qualified social workers. The scheme will include protected workload and weekly tutorial/mentoring provision.

The initiatives described above will assist the CFA in responding to particular service pressures arising over the course of the year and allow for a targeted response to such pressures taking account of identified need and service priorities.

### **National Carers Strategy Status**

36. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs the plans she has to support the thousands of children in the State who are currently acting as carers. [6524/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** A large number of children act in some capacity in a caring role. This was evidenced by the results of the Census of Population 2011, where over six thousand children indicated that they provided regular unpaid personal help for a friend or family member with a long-term illness, health problems or disability. Children and young people with caring responsibilities face particular difficulties. They often bear social, educational, emotional and health burdens that are inappropriate for them, and it is important that any responses to support them address such issues.

In 2012 the Department of Health published “The National Carers Strategy – Recognised, Supported, Empowered”. The strategy recognises that although the needs of young carers can be similar to carers of any age, they may have additional needs, which include support in education to help them to achieve their full potential. My Department will continue to support the raising of awareness among education and other providers of the signs that children and young people have caring responsibilities and the impact of caring on them. Furthermore, my Department will ensure that the children strategies which are being developed will be as ‘carer friendly’ as possible.

It is also important that all statutory agencies keep under review the way they respond to such negative impacts. The newly-established Child and Family Agency has a crucial role to play in relation to providing protection to children and assistance and support to families. It is reliant on neighbours, schools, GPs, public health nurses, hospitals and disability services to alert it to instances where there is a concern that a child’s welfare may be impacted by the caring responsibilities they carry. If a child’s welfare is assessed as being negatively impacted by their caring role, the Child and Family Agency is obliged to provide supports to the child to assist them in that regard. The Child and Family Agency is integrating its three educational welfare

service strands based on the principle of “*One Child, One Team, One Plan*”. This reform will enable the Agency to better respond to the circumstances in which children and families need its assistance.

In preparation for the establishment of the Agency, child care staff were alerted to the Carers Strategy and its relevance to children with carer responsibilities. The Strategy was disseminated to key children and family services staff, and linkages between carer responsibilities and child protection issues were also highlighted.

### Preschool Services

37. **Deputy Éamon Ó Cuív** asked the Minister for Children and Youth Affairs the money being provided for the provision of the preschool year; the number of children being catered for; the number of these preschools being operated through Irish and the number being operated through English, with the number of children in each category; her policy regarding same in view of the 20-year strategy for the Irish language; and if she will make a statement on the matter. [6493/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Early Childhood Care and Education (ECCE) programme was introduced in January 2010 and provides a free pre-school year to all eligible children before commencing primary school. Approximately 68,000 children availed of the free pre-school year in the 2012/2013 academic year and €175 million funding was made available to support the provision. It is expected that similar numbers will avail of the programme in the current year.

All documentation relating to the ECCE programme, including application forms and parent declaration forms, are available in Irish as required under the Official Languages Act and can be accessed through my Department’s website or directly from the Department. The contract is also available in Irish and service providers may submit their electronic returns in Irish.

There are approximately 4,300 childcare services providing the free pre-school programme with 234 of these providers using the term Naíonra in the title to their service. However, only a handful of service providers requested the Irish version of the contract and only 60 services this year submitted their electronic returns using the Irish version of the electronic return form.

The free pre-school year is provided by both commercial and community providers and it is a matter for the service provider to determine the medium through which the pre-school provision is delivered.

### Child Care Costs

38. **Deputy Denis Naughten** asked the Minister for Children and Youth Affairs the additional steps she will take to address the availability and affordability of regulated child care services; and if she will make a statement on the matter. [6494/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am very much aware of the relatively high cost of childcare in this country. Significant investment, totalling more than €260m, is being provided this year by my Department to provide for a number of childcare programmes that assist parents with the cost of childcare. These programmes include the Free Pre-School Year, from which approximately 68,000 children benefit annually. The financial benefit to the parent of a child participating in the free pre-school year is about €2,500.

The Community Childcare Subvention programme, which provides targeted benefit primarily to lower income and disadvantaged families, is also accessible to parents who have relatively average incomes on the basis of their entitlement to hold a GP visit card. About 25,000

children each year benefit from this programme. Parents who qualify for the highest rate of support can have the weekly charge reduced by up to €95 for each child.

Funding is also provided by my Department to support the Childhood Education and Training Support programme which targets funding to support parents seeking to return to the workforce who are participating in Solas or Education and Training Boards education and training programmes. About 2,500 childcare places are provided each year under this initiative. Parents qualifying under this programme can have the overall charge reduced by as much as €145 per week for each child.

A further 1,800 part-time childcare places are available under the CETS programme to Community Employment scheme participants. In addition, 600 places are available under the School Age Childcare programme, which targets social welfare recipients availing of employment opportunities.

I have succeeded, despite the challenging budgetary situation, in maintaining these childcare programmes, ensuring that a significant number of children can avail of quality childcare services who would not otherwise be in a position to do so. I am happy to advise the Deputy that a review of the childcare support programmes will be undertaken by my Department in the coming year with a view to identifying areas where they could be enhanced and improved to ensure the best use of the investment which is currently being made in this area.

*Question No. 39 answered with Question No. 35.*

### **Social Media Regulation**

40. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the measures she will take to help young persons who may be at risk from irresponsible and reckless forms of social media; and if she will make a statement on the matter. [6652/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I share the Deputy's concerns and recognise that the scale of the challenge, particularly as the number of social media outlets, and platforms to use them, is ever increasing. Research on the problem shows there are no simple answers and there is no magic solution to tackling this complex social issue.

It is important that a cross-departmental approach is taken to tackling this issue. In 2013 the Minister for Education and Science launched the Action Plan on Bullying. Since the Action Plan was launched, two successful awareness raising initiatives have been rolled out. I understand that Internet Safety Day will be held again on 11th February of this year. As part of this, the information service for young people, SpunOut, is planning a major focus on internet safety issues through its website and social media channels which reach thousands of young people every day.

The Office for Internet Safety forms part of the Department of Justice and Equality and has a key role in ensuring that steps are taken to keep the internet as safe as possible. It provides guidance for parents and organisations and a mechanism for reporting illegal content.

With regard to the Internet generally, it is important to remember that it has many positive aspects and that it is important parents proactively engage with their children to help them to maximise their enjoyment of the Internet in the safest possible manner. This includes parents explaining to their children the potential dangers that exist and encouraging them to bring up any difficulties or problems with other users that they may be interacting with on the Internet. It is also important that parents are aware of what their children are doing on-line and are familiar

with the systems their children are using.

Many of the technologies that children use today have resources that can be used to help protect children from inappropriate or obscene content. Filtering, Blocking and Parental Control Systems are among some of the options available. However, research relating to Ireland showed only just over a quarter of parents (28%) block or filter websites and just under a quarter (24%) track the websites visited by their children. I believe these figures need to be improved by the continued highlighting of these dangers to parents and young people.

### **Departmental Bodies**

41. **Deputy Michael McNamara** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7002/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** There are no bodies under the aegis of my Department for the purposes of Standing Order 34.

### **Ministerial Appointments**

42. **Deputy Michael McNamara** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a list of bodies to which he has the authority to appoint board members. [7017/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** There are six ad hoc advisory groups/committees to which I make appointments. These are: the Emigrant Services Advisory Committee; the Advisory Group of the Global Irish Network; the Irish Aid Expert Advisory Group; the NGO Standing Committee on Human Rights; the Standing Committee on Holocaust Education, Research and Remembrance; and the Monitoring Group on Ireland's National Action Plan for the implementation of UN Security Council Resolution (UNSCR) 1325 on gender issues.

I am also responsible for making appointments to the Ireland–United States Commission for Educational Exchange (The Fulbright Commission).

### **Local Authority Functions**

43. **Deputy Kevin Humphreys** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7032/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** No new powers or functions have been conferred on local authorities by legislation sponsored by my Department since June 2009.

### **Passport Application Refusals**

44. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Foreign Affairs and Trade if and when a passport will issue in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [7109/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Passports Act, 2008 provides, among other things, that only Irish citizens are entitled to be issued with Irish passports. Each application received by the Passport Service must, therefore, demonstrate that person's entitlement to Irish citizenship before a passport can issue to him/her.

The person in question was born in Dublin in 2006. His entitlement to Irish citizenship is subject to section 6A of the Irish Nationality and Citizenship Act, 1956 as amended (the Act). The Act provides that a person, born in the State on or after 1 January 2005, where neither parent is an Irish or British citizen or otherwise entitled to reside in the State or Northern Ireland without restriction at the time of that person's birth, may claim citizenship by birth in the State (and thereby establish eligibility for an Irish passport) only where a parent has been lawfully resident in the State for three years of the four years preceding that person's birth.

Two applications for a passport have been made to the Department for this person. The first of these was in 2006 and the most recent in 2012. However, neither application could be finalised to passport issue because the applicant's entitlement to Irish citizenship was not demonstrated. The Department wrote to the applicant's parents on three occasions to inform them of this and to advise them of the requirements, which were needed to finalise these applications to passport issue. There is no record of any reply from the parents in this matter.

It remains open to the parents to submit another application for a passport for their child. However, such an application must address the identified failings of the previous applications. In this regard the following advice is offered:

(a) evidence of either parent's lawful residence is required in respect of the four year period 22 March, 2002 to 22 March, 2006 (the latter being this person's date of birth);

(b) The evidence, which is acceptable to the Department in the context of a passport application, is permissions to remain in the State, which are endorsed on the parents' passports and/or their registration cards. Both items would have been issued by the Garda National Immigration Bureau;

(c) The amount of reckonable lawful residence must amount to three years otherwise it does not meet with the requirement of section 6A of the Act;

(d) If this person does not qualify under section 6A of the Act, the parents may consider making an application to the Department of Justice, Equality and Defence for their child to become a naturalised citizen. In the event that such an application was successful, a Certificate of Naturalisation should be submitted in any future passport application as evidence of this person's Irish citizenship. The Department should then be in a position to issue a passport to this person.

### **Passport Controls**

45. **Deputy Brendan Smith** asked the Tánaiste and Minister for Foreign Affairs and Trade the checks made to ensure the security and integrity of Irish passports; if he will outline the staff selection process carried out before hiring staff to the Passport Office; if he is concerned at recent investigations into the Passport Office by An Garda Síochána; and if he will make a statement on the matter. [7130/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Department of Foreign Affairs and Trade takes the issue of passport fraud very seriously. The Passport Service continues to balance measures to protect against identity theft on the one hand with maintaining our customer focus. The application and checking processes have therefore been designed to protect our customers. I can confirm that new measures were put in place in

the last year to improve our processes. These include changes to staffing structures, enhanced links with other Government Departments and overseas agencies.

Permanent staff of the Department of Foreign Affairs and Trade, including those assigned to the Passport Service, are hired through the Public Appointments Service. The Passport Service hires additional temporary staff for the peak production period each year with the assistance of the Public Appointments Service and the Department of Social Protection. All staff are security cleared prior to taking up duty

With regard to the recent investigation, while I am unable to provide specific details of an ongoing criminal investigation, I can say that the Department became concerned in Autumn 2013 when internal checks revealed irregularities in respect of passport applications and immediately launched a joint investigation with An Garda Síochána. To be clear, the irregularities were identified by the Passport Service which invited the Gardaí to assist in and take forward the investigation. Furthermore, I can say that this issue relates to a small number of Fraudulently Obtained Genuine Irish passports (FOGs).

### **Living City Initiative**

46. **Deputy Billy Kelleher** asked the Minister for Finance the progress of the roll-out of the Living City Initiative; when the designated areas will be identified by local authorities; when the ministerial order will be moved for commencement; and if he will make a statement on the matter. [7106/14]

**Minister for Finance (Deputy Michael Noonan):** I announced in my Budget Statement that the Living City Initiative, which was enacted in the Finance Act 2013, would be extended to now include the cities of Dublin, Cork, Galway and Kilkenny as well the original target cities of Limerick and Waterford. The inclusion of these four cities within the Initiative followed the results of a thorough independent ex ante cost benefit analysis.

The Initiative will target certain areas of these six cities, particularly those areas which are most in need of regeneration. Those designated areas will be decided upon following consultations with the relevant local authorities and other Government agencies. These consultations have just commenced. It is not yet possible to estimate the number of properties which might be eligible in any of the cities but I have made it clear that I do not see this as a wide-spread Initiative, as it is targeted at those areas which are most in need of attention.

The submission to the European Commission seeking State Aid approval will also be issued shortly. A commencement order will be signed when EU approval is received.

### **VAT Rate Application**

47. **Deputy Derek Nolan** asked the Minister for Finance if he will broaden the remit of those businesses which benefit under the special VAT rate of 9% for bus operators working in the tourism industry; and if he will make a statement on the matter. [6975/14]

**Minister for Finance (Deputy Michael Noonan):** The transport of passengers and their accompanying baggage is exempt from VAT. This includes services provided by the coach and bus sector. This means that a person who provides a bus or coach service does not register for VAT and does not charge VAT on the supply of their services. This also includes the hiring of a bus or coach with a driver. Persons who are exempt from VAT cannot recover VAT on goods

and services, such as fuel, tyres and mechanic charges, used for the purposes of the person's coach service.

VAT law in Ireland must comply with the EU VAT Directive. As passenger transport was exempt in Ireland on 1 January 1978, it is possible under the VAT Directive to continue to apply that exemption. With regard to broadening the 9% VAT rate so that it applies to transport services supplied by bus operators working in the tourism industry, I would point out that while it is possible under the EU VAT Directive to introduce VAT on passenger transport services, Ireland has traditionally exempted this service and this reduces the cost of passenger transport for the users of the service.

### Tax Rebates

48. **Deputy Derek Nolan** asked the Minister for Finance if he will allow bus operators working in the tourism industry to avail of a rebate on diesel charges similar to that applicable to airlines and ferry companies; and if he will make a statement on the matter. [6976/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners who have responsibility for the collection of mineral oil products tax that any rebate on mineral oil tax under national law must conform to the requirements of the EU Energy Tax Directive. That Directive obliges all member states to exempt jet fuel used by airlines and fuel used by shipping in Community waters from duty, but does not allow for a similar exception to be applied to fuel used by road transport operators. The Directive does, however, allow Ireland and other member states to give a rebate on diesel used by road transport operators and I introduced the Diesel Rebate Scheme last year on that basis.

The Diesel Rebate Scheme enables qualifying transport operators to claim a repayment of part of the mineral oil tax paid on auto-diesel purchased in the State for use in qualifying vehicles in the course of business. The amount of the repayment will vary in accordance with the average price at which auto-diesel is available for purchase in the State during a repayment period, subject to a maximum of 7.5 cent per litre. The rebate rate applicable for the current repayment period is 6.2 cent per litre. Full details of the scheme are available at [www.revenue.ie](http://www.revenue.ie).

### Departmental Bodies

49. **Deputy Michael McNamara** asked the Minister for Finance if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7001/14]

**Minister for Finance (Deputy Michael Noonan):** In response to the Deputy's question the following table contains a list of bodies under the aegis of the Department for which the Minister answers Parliamentary Questions pursuant to Standing Order 34.

Name of Body
National Treasury Management Agency
National Treasury Management Agency Advisory Committee
National Pensions Reserve Fund (NPRF)
National Pensions Reserve Fund Commission
National Development Finance Agency (NDFA)
State Claims Agency Policy Committee

<b>Name of Body</b>
New Economy and Recovery Authority (NewERA)
National Asset Management Agency
Financial Services Ombudsman
Irish Financial Services Appeals Tribunal
Credit Union Restructuring Board (ReBo)
Central Bank
Irish Fiscal Advisory Council
Credit Review Office
Social Finance Foundation

Note (i) the National Treasury Management Agency is known as the State Claims Agency when performing the functions of the State Claims Agency and (ii) the New Economy and Recovery Authority (NewERA) has been established within the National Treasury Management Agency (NTMA).

With regard to the Irish Fiscal Advisory Council I am responsible for answering questions concerning my functions (primarily appointment of Members and terms and conditions of Members and staff) under the Fiscal Responsibilities Acts 2012 and 2013. The Acts provide for the full independence of the Council in the performance of its functions.

### **Ministerial Appointments**

50. **Deputy Michael McNamara** asked the Minister for Finance if he will provide a list of bodies to which he has the authority to appoint board members. [7016/14]

**Minister for Finance (Deputy Michael Noonan):** In response to the Deputy's question the following is a list of bodies to which I may appoint board members.

<b>Name of Body</b>
National Treasury Management Agency Advisory Committee
State Claims Agency Policy Committee
National Pensions Reserve Fund Commission
National Development Finance Agency (NDFA)
Financial Services Ombudsman
National Asset Management Agency
Irish Financial Services Appeals Tribunal
Credit Union Restructuring Board (ReBo)
Central Bank Commission
Irish Fiscal Advisory Council
Disabled Drivers Medical Board of Appeal *
Social Finance Foundation**

\*Disabled Drivers Medical Board of Appeal appointments are made on foot of recommendation from the Minister of Health.

\*\*Appointments to the board of the Social Finance Foundation are made on approval of the Minister for Finance.

## **Local Authority Functions**

51. **Deputy Kevin Humphreys** asked the Minister for Finance if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7031/14]

**Minister for Finance (Deputy Michael Noonan):** The following powers or functions have been conferred on local authorities by legislation introduced by the Department of Finance since June 2009:

1. Sections 19 to 21 of the Finance (Local Property Tax) Act 2012 (as amended) confer a power on local authorities to vary the basic rate of Local Property Tax by + or - 15%. These provisions are due to commence with effect from July 2014.

2. Section 152 (2) of the Finance (Local Property Tax) Act 2012 (as amended) provides that for the purposes of administering the Local Property Tax the Revenue Commissioners may request the assistance of a local authority in identifying residential properties in its functional area and in verifying the accuracy of any information it holds in relation to such properties.

3. Section 156 (6) of the Finance (Local Property Tax) Act 2012 (as amended) provides that the local authority shall notify the Revenue Commissioners in writing of the address of the property and the name and address of the owner (within the meaning of the Act of 2011) of the property where the local authority is satisfied that all or any part of a liability to the household charge in respect of a resident property situation in the functional area of the local authority has not been discharged before 1 July 2013.

## **National Debt**

52. **Deputy Lucinda Creighton** asked the Minister for Finance if he will estimate the total annual savings to the State under debt servicing costs if the interest charged on Ireland's EFSF, EFSM and bilateral loans to the UK, Denmark and Sweden were reduced by 0.5%; if he will provide an estimate of the total annual savings to the State under debt servicing costs from the first year of maturity of the EFSF, EFSM and bilateral loans to the UK, Denmark and Sweden if an extension of maturities to 50 years were provided on all these loans; and if he will make a statement on the matter. [7041/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the NTMA that a reduction of 50 basis points in the interest rates charged by the EFSF, EFSM, UK, Sweden and Denmark would result in savings on debt service costs of €5 million per annum for every one billion euro outstanding during any particular year. However, it should be noted that the Government has already negotiated the removal of the interest rate margins on the EFSF, EFSM and UK loans to Ireland which, taken together, account for nearly all of the EU programme debt. Therefore, any cut to the interest rate from these lenders would result in an interest rate below their respective cost of funds and in effect represent a subsidy to Ireland.

The NTMA also inform me that an extension of maturities to 50 years on all EFSF, EFSM and bilateral loans from the UK, Sweden and Denmark may result in debt service savings to the extent that the interest rate on these loans would be below the replacement interest rate costs when they eventually mature over the coming years and decades. However, it is not possible to give a meaningful estimate of the replacement interest rate costs due to the protracted period of time involved and it should be noted that in general terms the EFSF and EFSM are currently in a position to borrow money at lower interest rates than Ireland can independently borrow at for similar maturities.

## Budget Consultation Process

53. **Deputy Michael Healy-Rae** asked the Minister for Finance his views on correspondence (details supplied) regarding representation for pensioners organisations in decision-making processes; and if he will make a statement on the matter. [7059/14]

**Minister for Finance (Deputy Michael Noonan):** In my 2014 Budget speech, I stated that the 0.6% levy on pension fund assets would end this year but that I was introducing an additional levy of 0.15% for 2014 and 2015, in order among other reasons, to continue to help fund the Jobs Initiative which is being successful in creating and maintaining employment in the areas affected by the measures in the Initiative.

Individuals and organisations have every right, of course, to question Government policy and to seek to influence that policy in the usual way through transparent verbal and written representation. In the context of taxation policy, for example, I receive many representations, particularly but not exclusively, in the lead-in to the annual Budget and Finance Bill processes. I also meet with quite a number of representative organisations as part of these processes. In these various ways, I am made very aware of the issues of concern, including the issues around the impact of the levy on pension fund assets.

I am not clear from the details supplied with the question what form of influence on the decision-making process is being recommended in relation, for example, to tax policy. Clearly, decisions on tax policy are matters for the Government to make having considered, among other things, the views and concerns expressed by interested parties in the manner I have outlined.

## Universal Social Charge Exemptions

54. **Deputy Terence Flanagan** asked the Minister for Finance if all couples are exempt from paying the universal social charge regardless of which spouse is over 70 years (details supplied); and if he will make a statement on the matter. [7064/14]

**Minister for Finance (Deputy Michael Noonan):** All individuals are liable to pay the Universal Social Charge (USC) if their gross liable income exceeds the threshold of €10,036 per annum. Each spouse or civil partner is treated individually for the year. The concept of joint assessment for a couple does not apply in relation to the USC. The amount of USC payable will depend on the individual's age and the amount of his or her income.

The standard rates of USC are:

- 2% on the first €10,036;
- 4% on the next €5,980; and
- 7% on the balance.

Individuals aged 70 years or over, whose aggregate income for the year is €60,000 or less, will only pay USC at a maximum rate of 4%, that is, the first €10,036 of liable income is chargeable to USC at 2% and the balance of liable income is chargeable at 4%. Social welfare payments are not liable to USC. Individuals in possession of a full medical card whose aggregate liable income for the year is €60,000 or less also only pay USC at a maximum rate of 4%. The first €10,036 is payable at 2% and the balance is payable at 4%.

In relation to the case referred to by the Deputy, I am advised by the Revenue Commission-

ers that their records show that the individual in question has been in possession of a medical card since 2013. As her income is less than €60,000, USC is payable at 2% on the first €10,036, with the balance charged at 4%. In 2012, the person in question was liable to pay USC at standard rates as Revenue records indicate that she was not in possession of a medical card at that time. If she was in possession of a medical card in 2012, she should notify the Fingal Revenue District and her USC liability for 2012 will be reviewed.

In the case of the individual's husband, Revenue records show that his liable income does not exceed the threshold of €10,036 per annum. Accordingly, he is exempt from USC.

### **Disabled Drivers and Passengers Scheme**

55. **Deputy Áine Collins** asked the Minister for Finance if he will direct the Revenue Commissioners to be flexible on a case-by-case basis in their approach to the type of vehicle, particularly the engine size criteria, as the current regulation of 2,000 cc does not suit certain specific applicants, that is, farmers who need 3 litres plus engines to enable them to participate to some extent in family farm work. [7105/14]

**Minister for Finance (Deputy Michael Noonan):** I assume the Deputy to be referring to the Disabled Drivers and Passengers Tax Concession scheme. The criteria relating to the engine size of a vehicle and the relief available for vehicles which qualify under the Disabled Drivers Passenger Scheme have been in place since 1989. The purpose of the scheme is to provide for ways in which people with a physical disability can become more mobile. It is considered that the present limit of 2000 cc is sufficient to allow for an extensive choice of vehicle for a driver with a disability. The limit is 4000 cc in the case of a passenger with a disability.

Given the scale and scope of the scheme, any possible changes can only be made after careful consideration and with regard to the existing and prospective cost of the scheme and the available resources.

### **VAT Rate Application**

56. **Deputy Gerry Adams** asked the Minister for Finance the VAT and other taxes or duties that apply in respect of the selling of coffins within the State. [7144/14]

57. **Deputy Gerry Adams** asked the Minister for Finance the VAT and other taxes or duties that apply in respect of undertakers within the State and the purchase of coffins. [7145/14]

58. **Deputy Gerry Adams** asked the Minister for Finance the VAT or any other taxes or duties payable on the importation of coffins from Northern Ireland. [7146/14]

59. **Deputy Gerry Adams** asked the Minister for Finance if his Department has carried out any investigation into allegations of non-payment of VAT, tax or other duties on the sale of coffins from Northern Ireland or outside the EU. [7147/14]

60. **Deputy Gerry Adams** asked the Minister for Finance the checks that are carried out to ensure that all VAT, taxes or other duties on the sale or purchase of coffins are properly collected. [7148/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 56 to 60, inclusive, together.

The supply of coffins within the State is liable to VAT at the standard rate, which is currently 23%. However, the supply of a coffin by a funeral undertaker as part of a funeral service is exempt from VAT. Funeral undertaking includes transportation of the body before and after it has been placed in the coffin, organisation of the funeral, organisation of the grave opening, embalming services, supply of a coffin or an urn, management and use of funeral homes, provision of hearses and conveyances for mourners and provision of ancillaries such as wreaths and flowers. All of these items will be included in the funeral account issued by the undertaker to the family of the deceased. Where a business is exempt from VAT this means that they do not charge VAT on the supply of their services but also means they cannot claim VAT deductibility on their business inputs. In the case of funeral undertakers, they will be charged VAT on some of their business inputs, such as coffins, urns, wreaths and flowers, but they are not entitled to recover the VAT paid on those items.

Where a funeral undertaker makes intra-Community acquisitions of goods, including coffins, from suppliers in other EU Member States, including Northern Ireland, and the value of the acquisitions exceeds a threshold of €41,000 in any 12 month period, that undertaker must register and self-account for Irish VAT at the standard rate on the coffins acquired. Where a funeral undertaker's intra-Community acquisitions is less than the €41,000 threshold, the suppliers in the other EU Member States should charge VAT at the appropriate VAT rate in their Member State on their supplies to that undertaker. The VAT rules in relation to intra-Community acquisitions and thresholds are contained in the VAT Directive with which Member States must comply. In addition, suppliers of goods to taxable persons in other Member States must provide details of such supplies of goods on periodic VIES returns, details of which are supplied to the Member State in which the taxable person acquiring the goods is established.

With regard to allegations of non-payment of VAT on the acquisition of coffins from Northern Ireland or outside the EU, the taxes and duties regimes are placed under the care and management of the Revenue Commissioners and my Department does not, therefore, carry out checks or investigations of the nature mentioned. As regards the allegations referred to by the Deputy, if the Deputy has information specific to tax evasion in the undertaking sector, or related sectors, I suggest that it be referred to Revenue. However, for reasons of confidentiality, I understand that Revenue will not be in a position to provide feedback on information received in relation to individual persons or businesses.

On a more general note, I am informed by Revenue that they are fully aware of the unfair competitive advantage to be gained by those businesses that do not fulfil their tax obligations. Revenue's tax compliance programmes are under constant review to ensure that they are focussed on the areas of greatest risk, including risks from the shadow/hidden economy.

### **Tax Reliefs Availability**

61. **Deputy Ciarán Lynch** asked the Minister for Finance if he has considered offering tax relief incentives to encourage householders and business owners to undertake flood prevention works to protect their premises from future weather events; and if he will make a statement on the matter. [7168/14]

**Minister for Finance (Deputy Michael Noonan):** While there are no existing "direct" tax incentive schemes specifically relating to expenditure by property-owners on flood prevention works, there are a number of provisions in the Tax Acts which might, depending on the owner's circumstances and the nature of the work on which the expenditure is incurred, provide a measure of relief in respect of such expenditure.

The Home Renovation Incentive, introduced in the recent Finance Act, provides for tax relief for homeowners by way of a tax credit at 13.5% of qualifying expenditure incurred on repair, renovation or improvement work carried out on a homeowner's only or main residence. The Incentive runs to the end of 2015. However, where planning permission for qualifying works is required and is in place before 31 December 2015, any work carried out between 1 January 2016 and 31 March 2016 will qualify for the relief. Expenditure of a revenue nature and interest on borrowings incurred for the purposes of a trade may be deductible in computing taxable trading profits.

In relation to rental property, section 97(2)(e) of the TCA 1997 provides for a deduction in computing taxable rent in respect of interest incurred on borrowed money used to improve the property. (In the case of residential property, the deduction is restricted to 75% of the interest). Wear and tear allowances (generally 12.5% over 8 years) may be due in respect of capital expenditure incurred on the provision of machinery or plant for the purposes of a trade or in relation to the letting of furnished residential property.

I have no plans to introduce any specific measures in respect of flood prevention works.

### **Pensions Levy Issues**

62. **Deputy Finian McGrath** asked the Minister for Finance the position regarding levies on ESB pensions (details supplied); and if he will make a statement on the matter. [7198/14]

**Minister for Finance (Deputy Michael Noonan):** The pension fund levy is a matter under my responsibility. I announced in my Budget 2014 speech that the 0.6% Pension Fund Levy introduced to fund the Jobs Initiative in 2011 will be abolished from the 31st of December 2014. I have, however, introduced an additional levy on pension funds at 0.15% for 2014 and 2015. I am doing this to, among other things, continue to help fund the Jobs Initiative.

The reduced VAT rate of 9% on tourism and certain other services was one of the very significant and successful measures introduced by the Jobs Initiative. It was due to end in 2013. In my Budget 2014 speech I announced the continuation of the reduced 9% VAT rate. I also announced that the Air Travel Tax is being reduced to zero with effect from 1 April 2014. The 9% VAT rate has helped to create 15,000 new jobs as well as protecting existing jobs. Since the Budget announcement about the reduction in the Air Travel Tax, airlines have announced the opening up of new routes resulting in significant increases in passenger numbers with the associated increase in tourism activity and employment. The additional 0.15% levy for 2014 and 2015 will also be used to help make provision for potential State liabilities which may emerge from pre-existing or future pension fund difficulties although funds from the levy will not be hypothecated or specifically set aside for this purpose. The Government has decided that such liabilities will be met by the Exchequer as they arise.

The chargeable persons for the pension fund levy are the trustees or other persons (including insurance companies) with responsibility for the management of the assets of the pension schemes or plans. The payment of the levy is treated as a necessary expense of a pension scheme and the trustees or insurer, as appropriate, are entitled, where they decide to do so, to adjust current or prospective benefits payable under a scheme to take account of the levy. It is up to the trustees to decide whether and how the levy should be passed on and who should be impacted and to what extent, given the particular circumstances of the pension schemes for which they are responsible. However, should the option of reducing scheme benefits be taken, in no case may the reduction in an individual member's or class of member's benefits exceed the member's or class of member's share of the levy.

I am advised by the Minister for Social Protection that in developing the measures contained in the Social Welfare and Pensions Act (No.2) 2013, consideration was given to imposing an obligation on employers to secure a minimum level of funding before a scheme could be wound up and to the provision of a pension protection scheme. Defined benefit pension schemes in Ireland are set up and maintained by employers on a voluntary basis. There has never been a statutory obligation on employers under Irish law to contribute to their pension scheme (although schemes rules can place some level of obligation). Most defined benefit pension schemes in Ireland were established under a trust deed. As part of the process of establishing each occupational pension scheme, an employer undertakes to be bound by the rules of the scheme and to undertake certain liabilities and duties defined therein. The position around the employers and employees contribution obligation in a trust deed varies from deed to deed.

Employers have, by and large, made great efforts to support and deliver on the promise made to scheme members. This process is generally managed through dialogue between trustees, employers and members, where efforts are made to reach agreement regarding the steps that must be taken to secure scheme viability which may include a mix of measures such as increased employer/member contributions, longer working and amended benefits. Given the uncertainties as to the overall impact and potential for unintended consequences of applying an obligation on an employer to secure a minimum level of scheme funding in the event of the wind up of a scheme, it was not considered appropriate to make provision for such a legislative obligation.

I am further advised by the Minister for Social Protection that while some countries with very large defined benefit markets provide pension protection schemes it was considered that such an approach was not appropriate for the Irish pensions market. The Social Welfare and Pensions (No.2) Act 2013, provides that, in the event of the wind up of an underfunded pension scheme where the employer is insolvent, the State guarantees that existing pension benefits will be protected to a level of 50%, with pensions of €12,000 or less being 100% protected. The Pension Board is actively engaged with the schemes which do not meet the scheme funding requirement in order to assist these schemes, particularly schemes in a weak funding position achieve a more sustainable funding position.

The overriding priority in this area is to ensure that pensioners and members of pension schemes are protected and the future viability and sustainability of their schemes is ensured and made safer. The Minister for Social Protection informs me that it is normal practice for her officials to engage with representatives of stakeholders in relation to any substantial change to the Pensions Act. The consultation process which preceded the publication of the Social Welfare and Pensions (No. 2) Bill, 2013 included engagement with representatives of pensioners, the pensions industry, employers and trade unions. Written submissions were also sought from these stakeholder groups.

The Minister for Social Protection also advises that any consideration of a restructure of pension scheme benefits under section 50 of the Pensions Act must comply with the provisions in the Pensions Act and with guidance issued by the Pensions Board. This guidance makes provision for the notification of all pensioners in advance of any application to the Pensions Board to restructure scheme benefits. In such circumstances a pensioner will have at least one month to make a submission to the trustees of the scheme in relation to such a proposal. The Pensions Board must be satisfied that all the provisions in the guidance are complied with before the Board will consider issuing a notice to restructure scheme benefits.

The matter of representation by pensioner groups in consideration of a change to scheme benefits might also be considered in a broader industrial relations context. This is a matter for my colleague, the Minister for Jobs, Enterprise and Innovation and the Minister for Social Pro-

tection has referred this matter to him for consideration.

### **Weight of Schoolbags**

63. **Deputy Anne Ferris** asked the Minister for Education and Skills his views on the concerns of parents that children's schoolbags are too heavy because of the weight of books; the action his Department will take in consultation with the Department of Children and Youth Affairs; and if he will make a statement on the matter. [7151/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department issued circulars to all primary and post-primary schools in 2005 to highlight the potential health hazard of overweight schoolbags and to outline a range of local measures that could be put in place to help alleviate the problem. The circulars referred to the recommendations of the previously published report of the Working Group on the Weight of School Bags. This report acknowledged that many of the solutions to this issue belong at local school level and made various recommendations in this regard, such as optimum use of storage facilities, developing pupil organisation skills and timetabling. It is a matter for each individual school to determine which particular measures are most suited to its individual circumstances and to how the school concerned organises teaching and learning. The circulars (PC 13/05 and M35/05) and the report of the Working Group on the Weight of School Bags are available on my Department's website at [www.education.ie](http://www.education.ie).

### **Book Rental Scheme**

64. **Deputy Derek Nolan** asked the Minister for Education and Skills if schools which, through their own endeavour, have already started a free book rental scheme for their students will be permitted to avail of his Department's funding for this same purpose when introduced; and if he will make a statement on the matter. [6974/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Department will continue to provide a book grant as usual to all primary schools. This grant can be utilised for the purposes of updating or expanding a school's existing book rental scheme. I want to commend all schools that have used it to help build up book rental schemes over the years. Their efforts mean that the high costs of school books is being significantly reduced for parents. At my request, the National Parents' Council surveyed the views of their members in relation to currently operating book rental schemes. Parents have reported that where book rental schemes operate, they are open to all parents in 95% of cases, and that the cost per child is under €40 per year in a considerable majority of schools. Perhaps most tellingly, the survey has found that 93% of parents believe that book rental schemes help with the costs of educating a child. Ensuring that book rental schemes are available to all parents must therefore clearly be our aim. I understand that it feels unfair to those schools who have invested time and money to establish such schemes, that they now cannot benefit from the additional funding which was secured as part of the Budget. Of course it is unfair, but equally, the status quo was deeply unfair on many parents. The parents who had no access whatsoever to book rental schemes needed more support. With the limited funding available, I believe that targeting this funding - to make sure that every parent in Ireland has access to some level of a book rental scheme - was the greatest good that could be achieved. The Department is contacting primary schools that do not currently operate a book rental scheme to advise them of the application process.

## Higher Education Grants Eligibility Criteria

65. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will review the eligibility for a higher education grant in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6986/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a student grant is a matter in the first instance for the awarding authority. Officials in my Department have confirmed with Student Universal Support Ireland (SUSI) that the application of the student referred to by the Deputy was refused as the reckonable income exceeded the prescribed thresholds for the award of grant assistance. 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 a grant. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to the appeals officer in SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form is available to download from [http://www.studentfinance.ie/downloads/1375344221/2013\\_SGAB\\_appeal\\_form.pdf](http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf).

## School Staffing

66. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding an appeal in respect of a school (details supplied) in County Kerry; and if he will make a statement on the matter. [6988/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The criteria used for the allocation of teachers to schools is published annually on the Department's website. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. Staffing arrangements at primary level for the 2014/15 school year are set out in Circular 0007/2014 which is now available on the Department website. The staffing process also includes an appeals mechanism for schools to submit an appeal under certain criteria to an independent Appeals Board. The appeals criteria include the provision whereby schools with high concentration of pupils requiring English as an additional language (EAL) can apply for additional temporary language support posts. Details of the criteria for appeal are contained in Circular 0007/2014. The Appeals Board meets three times per year. The next meeting of the Appeals Board will be held later in February 2014. An appeal application has been received from the school referred to by the Deputy and this will be considered by the Appeals Board at the February meeting. The school will be notified of the decision of the Appeal Board after that date. The Appeal Board operates independently of the Department and its decision is final.

## Departmental Bodies

67. **Deputy Michael McNamara** asked the Minister for Education and Skills if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [6999/14]

68. **Deputy Michael McNamara** asked the Minister for Education and Skills if he will provide a list of bodies to which he has the authority to appoint board members. [7014/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 67 and 68 together.

For the Deputy's information, the following table contains a list of the agencies under the aegis of my Department. I, as Minister, have the authority to appoint board members to these agencies. It should be noted that Board appointments, while made by me as Minister, are not in all cases made at my sole discretion. Individuals may be nominated for appointment by various organisations as specified in the relevant statute of the body concerned. The Deputy should further note that in making any direct Ministerial appointments, I am not necessarily confined to those who make such expressions of interest but will ensure that all of those appointed have the relevant skills and competencies for the positions.

**List of state agencies under the aegis of the Department of Education and Skills as at November, 2013**

Agency	Website
An Chomhairle um Oideachais Gaeltachta agus Gaelscolaíochta (COGG)	<a href="http://www.cogg.ie">http://www.cogg.ie</a>
An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS)	<a href="http://www.solas.ie">http://www.solas.ie</a>
Commission to Inquire into Child Abuse (CICA)	<a href="http://www.childabusecommission.ie/">http://www.childabusecommission.ie/</a>
Grangegorman Development Agency	<a href="http://www.ggda.ie">http://www.ggda.ie</a>
Higher Education Authority (HEA)	<a href="http://www.hea.ie">http://www.hea.ie</a>
Irish Research Council	<a href="http://www.ircset.ie/">http://www.ircset.ie/</a>
Léargas - The Exchange Bureau	<a href="http://www.leargas.ie">http://www.leargas.ie</a>
National Centre for Guidance in Education (NCGE)	<a href="http://www.ncge.ie">http://www.ncge.ie</a>
National Council for Curriculum and Assessment (NCCA)	<a href="http://www.ncca.ie">http://www.ncca.ie</a>
National Council for Special Education (NCSE)	<a href="http://www.ncse.ie">http://www.ncse.ie</a>
Quality and Qualifications Ireland (QQI)	<a href="http://www.qqi.ie">http://www.qqi.ie</a>
Residential Institution Redress Board (RIRB)	<a href="http://www.rirb.ie">http://www.rirb.ie</a>
Residential Institution Review Committee (RIRC)	-
Residential Institutions Statutory Fund (RISF)	<a href="http://www.caranua.ie">http://www.caranua.ie</a>
Skillnets Ltd	<a href="http://www.skillnets.ie">http://www.skillnets.ie</a>
State Examinations Commission (SEC)	<a href="http://www.examinations.ie">http://www.examinations.ie</a>
The Teaching Council	<a href="http://www.teachingcouncil.ie">http://www.teachingcouncil.ie</a>

**Local Authority Functions**

69. **Deputy Kevin Humphreys** asked the Minister for Education and Skills if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7029/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department has enacted

three pieces of legislation since June 2009 that provide for new powers or functions to be conferred on local authorities. They are: - The Education and Training Boards Act 2013, Section 30 of which confers on city and county councils the power to elect 12 members to each education and training board; - The Residential Institutions Statutory Fund Act 2012, Section 25 of which provides for the coordination, where appropriate, of the activities of local authorities (and other public bodies) with those of the Residential Institutions Statutory Fund (RISF) and for the appointment by local authorities of employees to act as liaison officers when requested to do so by the RISF; and - The Student Support Act 2011 which repealed the Local Authorities (Higher Education Grants) Acts 1968-1992 and provided for a new statutory basis for the making of student grants by awarding authorities to enable eligible persons to attend certain courses of higher and further education. Awarding authority is defined within the Act to include a local authority. The Act provides for the functions of the awarding authority which include the powers to award and pay grants that existed under the repealed legislation for local authorities. Part 2 of the Act provides for some additional specific powers for an awarding authority in relation to the administration of the grants scheme including the power to carry out inquiries under the Act, the power to recover debt and to share data with a person listed in schedule 2 of the Act or a person prescribed pursuant to Section 28 of the Act for a 'relevant purpose'.

### **Autism Support Services**

70. **Deputy Simon Harris** asked the Minister for Education and Skills if his attention has been drawn to the issue of isolation or withdrawal rooms in ASD units in national schools here; and if he will make a statement on the matter. [7044/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that the Board of Management of each school is responsible for the care and safety of all of the pupils in their school. Schools should supervise and support children who are distressed or out of control until they have recovered and are able to re-engage in the classroom. Schools may seek advice from their local National Educational Psychological Service (NEPS) psychologist, from their NCSE Special Educational Needs Organiser, or from the National Behavioural Support Services, as to how children with behavioural needs can best be supported in school. Some schools withdraw pupils occasionally from the main classroom for short periods of time in order to provide such support/to manage pupil behaviour if they are exhibiting behaviours which may be a danger to themselves and others.

The Department has recently published new Guidelines for Schools on Supporting Students with Behavioural, Emotional, and Social difficulties and training is available for schools in relation to the provision of support for children with special educational needs from the Special Education Support Services (SESS), who can, as part of their designated training modules, provide guidance for schools in relation to containment or management measures for difficult behaviour. My Department has asked the National Council for Special Education (NCSE) to prepare Policy Advice on Educational Provision for Children with Autism Spectrum Disorders. In developing this policy advice, the NCSE will consult widely with parents, professionals and other stakeholders and interested parties while also conducting research in relation to this area. The NCSE will consider the issue of the use of withdrawal/isolation rooms in schools for children with autism in the context of the policy advice.

Where a parent or any other person has concerns about the care or safety of a child they should report these concerns to the Board of Management of the school, or may report the matter as a child protection concern to the HSE or to the Department of Education and Skills.

### **Autism Support Services**

71. **Deputy Simon Harris** asked the Minister for Education and Skills if his attention has been drawn to the number of schools that have constructed small, safe spaces as per the school design guide for ASD units; and if he will make a statement on the matter. [7045/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department has produced technical guidance documentation, which provides information on space planning and design for school authorities and designers in the provision of permanent accommodation for pupils with special educational needs. Schools withdraw pupils occasionally from the main classroom for short periods of time in order to provide such support/ manage pupil behaviour if they are exhibiting behaviours which may be a danger to themselves or others until they are able to re-engage in the classroom.

My Department has asked the National Council for Special Education (NCSE) to prepare policy advice on educational provision for children with Autism Spectrum Disorders. In developing this policy advice, the NCSE will consult widely with parents, professionals and other stakeholders and interested parties, while also conducting research in relation to this area. As part of the process to develop this policy advice, the NCSE will consider the issue of the use of withdrawal rooms/safe spaces in schools for children with autism.

### **Autism Support Services**

72. **Deputy Simon Harris** asked the Minister for Education and Skills if he will consider mandatory training for teachers assigned to ASD units in national schools. [7046/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the Teaching Council Act 2001, the Teaching Council is the body with statutory regulatory authority for the professional registration of teachers. The Council sets standards of entry to the profession and accredits initial teacher education programmes. I am satisfied that primary teachers are qualified to teach in a wide range of school environments including ASD units. In the Education (Amendment) Act 2012, the Teaching Council Act 2001 was amended to enable the Council to regulate for conditions for renewal of teacher registration including attendance at programmes of continuing education and training. When Section 39 is commenced, the Council will have authority to review and accredit programmes providing continuing training and professional development for teachers.

My Department currently provides for a comprehensive system of continuing professional development (CPD) for teachers in the area of special educational needs. The Special Education Support Service (SESS) provides evidence based support for teachers of pupils across a wide range of special educational needs including ASD having regard to best practice. A range of specialist programmes are available nationally. Practice in this area continues to develop and evolve as new research becomes available. The National Council for Special Education has a formal role under Section 20.1(j) of EPSEN to advise the Minister ‘in relation to any matter relating to the education of children and others with disabilities’. I have requested the NCSE to prepare Policy Advice on the Educational Provision for Children with Autism Spectrum Disorders. The NCSE have commissioned research which will inform the advice. I expect that the NCSE final report will reflect the broadest possible range of views and provide recommendations which will assist the development of policy for future years.

### **Special Educational Needs Staffing**

73. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his plans

to reinstate a teacher following serious concerns for the future of the school (details supplied); and if he will make a statement on the matter. [7053/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As part of the Budget 2012 decisions, the number of pupils required to gain and retain a classroom teaching post in small primary schools is being gradually increased between September 2012 and September 2014. An appeals process is available to small schools which have had their staff number reduced as a result of the budget measure. The school referred to by the Deputy submitted an appeal to the Primary Staffing Appeals Board for the current school year. The appeal was refused as it did not meet the appeal criteria. The Primary Staffing Appeals Board operates independently of the Department and its decision is final.

The single allocation process for learning support (General Allocation Model) and language support, introduced in September 2012, provides an allocation based on the number of mainstream teachers in the school. The allocation is based on the number of mainstream classroom posts in schools in the previous school year.

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

It is a matter for schools to monitor and utilise and monitor their additional teaching support to best support the needs of identified pupils, in accordance with my Department's guidance. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

The staffing arrangements for the 2014/15 school year (Circular 0007/2014) were published in January and are available on the Department website.

The Government recognises that small schools are an important part of the social fabric of rural communities. They will continue to be a feature of our education landscape. In these extremely challenging times, all public servants are being asked to deliver our public services on a reduced level of resources and teachers in small schools cannot be immune from this requirement.

### **School Transport Provision**

74. **Deputy Billy Kelleher** asked the Minister for Education and Skills the reason a child (details supplied) in County Tipperary who will be attending a special needs school is being denied school transportation because the intervention team in their area no longer put the recommended school in writing as part of their assessment; if he will investigate this problem and rectify same; and if he will make a statement on the matter. [7058/14]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The Deputy will be aware that children with special educational needs are eligible for school transport if they are attending the nearest recognised: mainstream school, special class/special school or a unit, that is or can be resourced, to meet their special educational needs.

An application form for school transport has not been received by my Department on behalf of the pupil referred to in the details supplied.

In relation to the issues raised by the Deputy, there are discussions ongoing between officials at my Department, the Department of Health, the Health Service Executive and the National Council for Special Education in order to ensure that a resolution be found in advance of the coming school year.

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

75. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will include in the new adult literacy and numeracy strategy being developed as part of the further education and training strategy the following elements: awareness raising of learning opportunities and support for greater engagement by persons with literacy and numeracy needs in FET; integrated literacy and numeracy into all FET programmes, thereby ensuring that relevant literacy and numeracy are developed as part of the subject specific learning; intensive learning programmes for people who are unemployed in the workplace and supporting families; blended learning and recognition of prior learning to acquire qualifications at NFQ levels 1 to 4; and an efficient system for evaluating, monitoring and reporting progress and achievement against national targets. [7073/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** SOLAS, with the input of the ESRI is currently undertaking a comprehensive consultation process with a range of key informants inside and outside of the Further Education and Training (FET) sector including relevant Departments and Agencies, employers, unions, advocacy groups and learners as part of the development of a five year strategy for the FET Sector. This is taking place under the direction of the Board of SOLAS and my Department.

It is expected that a proposed FET Strategy will be available for my consideration towards the end of March 2014. The FET Strategy will include a strategy for the provision of further education and training programmes in the State aimed at promoting, developing and encouraging literacy and numeracy. The precise contents of the Strategy are, in the first instance, a matter for the SOLAS Board. It should be noted, however, that many of the items raised by the Deputy arose in the context of the recent review of adult literacy provision, which is an important input into the strategy.

### **School Enrolments**

76. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding admission policies for a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [7100/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am aware of some local concerns in relation to certain aspects of the enrolment policy of the school to which the Deputy refers. My Department is in contact with the authorities of the school in relation to this matter.

### **Education Grants**

77. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will provide an update regarding students of the two-year diploma course run by Trinity College (details supplied) who had previously received the student grant and maintenance payment but have been told they are no longer entitled to same and they must repay moneys received; the reason a change in the status of the course occurred; and if he will ensure that students who received grants and maintenance to do this course will not be forced to repay the moneys. [7112/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The student grants awarding body, SUSI (Student Universal Support Ireland) confirmed on Monday 20th January 2014 that students attending the course referred to by the Deputy are approved for funding. All applicants previously awarded a grant have had their payments reinstated and arrears paid. The decision follows a review carried out, as part of on-going audits of student grants, on a valid question which arose over the eligibility of the specified course. On looking into the matter, my Department clarified the position in respect of this course and grants are approved for students participating on the course in 2013/14.

### School Patronage

78. **Deputy Tony McLoughlin** asked the Minister for Education and Skills the position regarding an outreach class in a school (details supplied) in County Leitrim; if his attention has been drawn to the decision of the board of management to notify parents of its intention to withdraw as patrons from the school; and if his Department is prepared to liaise with parents and the community in making alternative arrangements for these children with special needs. [7118/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that the Patron Body concerned has notified my Department of its intention to divest patronage of the Outreach Class based in Mohill, Co. Leitrim, from the end of this school year. My Department has clarified for the Patron Body the importance of notifying parents of the intentions of the school authorities in this regard and of putting in place alternative arrangements for pupils currently enrolled in the class to ensure their successful transition to onward placements. I understand that the school authorities are currently liaising with the local National Council for Special Education Special Educational Needs Organiser (SENO) in order to identify appropriate alternative educational placements for the small number of remaining children who are currently enrolled in the outreach class. Parents may also contact their local SENO directly to discuss their child's special educational needs, including identification of educational placements, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

### State Examinations Issues

79. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding examination supports in respect of a person (details supplied). [7160/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. The State Examinations Commission operates a scheme of Reasonable Accommodations in the Certificate examinations, including an appeals process. Applications for such accommodations are submitted by schools on behalf of their students. Full details of the scheme are available for downloading from their website: [www.examinations.ie/candidates/reasonableaccommodations](http://www.examinations.ie/candidates/reasonableaccommodations). In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### School Staffing

80. **Deputy Tom Fleming** asked the Minister for Education and Skills the position regarding an appeal by a school (details supplied) in County Kerry; if he will take into consideration

the concerns of the board of management and ensure that this school does not lose a mainstream teacher in the 2014-2015 school year; and if he will make a statement on the matter. [7161/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The criteria used for the allocation of teachers to primary schools is published annually on the website of the Department of Education and Skills. The key factor for determining the level of staffing resources provided at individual school level is the staffing schedule for the relevant school year and pupil enrolments on the previous 30 September. The staffing arrangements for the 2014/15 school year (Circular 0007/2014) were published in January. The staffing schedule operates in a clear and transparent manner and treats all similar types of schools equally irrespective of location. It currently operates on the basis of a general average of 1 classroom teacher for every 28 pupils with lower thresholds for DEIS Band 1 schools.

As part of the Budget 2012 decisions, there is a phased increase in the number of pupils required to gain and retain a classroom teaching post in small primary schools with four teachers or less. The first phase of the budget measure took effect from September 2012. The final phase of the budget measure takes effect from September 2014. An appeals process is available to small schools which have had their staff number reduced as a result of the budget measure. A school with four classroom teachers or less which is losing a teacher or failed to gain an additional teacher as a result of the Budget 2012 measure can submit an appeal to the Primary Staffing Appeals Board. The closing date for submission of appeals for the February meeting of the Appeals Board is Friday 14 February, 2014. The Primary Staffing Appeals Board operates independently of the Department and its decision is final.

The Government recognises that small schools are an important part of the social fabric of rural communities. They will continue to be a feature of our education landscape. In these extremely challenging times, all public servants are being asked to deliver our public services on a reduced level of resources and teachers in small schools cannot be immune from this requirement.

### **School Enrolments Data**

81. **Deputy Charlie McConalogue** asked the Minister for Education and Skills further to Parliamentary Question No. 63 of 11 December 2013, if he will clarify the date on which schools are required to submit their returns detailing pupil numbers as at 30 September 2013; the date when he expects this information to be available and when it will be published on his Department's website; if he will provide, in tabular form, the mainstream primary schools in each county, the number of pupils currently enrolled in each, and the number of classroom teachers in each, as at 30 September 2013; and if he will make a statement on the matter. [7165/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department conducts the National School Annual Census in order to gather the data my Department needs for statistical, administrative and policy planning purposes. Schools are asked to return their forms to the Department by the end of October each year. Due to the large volume of forms it takes a number of months after the October deadline to receive all forms back, fully complete processing and produce final statistics. It is expected that data on the 2013/14 school year, including the number of schools, pupils and classroom teachers by county, will be on the Department's website by the end of the school year. It is hoped that with the introduction of the Primary Online Database, which will be piloted in the coming months, the process to produce statistics will become more streamlined.

## Departmental Bodies

82. **Deputy Michael McNamara** asked the Minister for Public Expenditure and Reform if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7006/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question the following is a list of bodies under my remit which I am responsible for answering Parliamentary Questions pursuant to Standing Order 34: The Department of Public Expenditure and Reform; Office of Public Works; Office of the Ombudsman; Office of the Information Commissioner; Commissioner for Environmental Information; Standards in Public Office Commission; State Laboratory; Public Appointments Service; Valuation Office; Valuation Tribunal; An Post National Lottery Board; Institute of Public Administration; Special EU Programmes Body (SEUPB).

## Ministerial Appointments

83. **Deputy Michael McNamara** asked the Minister for Public Expenditure and Reform if he will provide a list of bodies to which he has the authority to appoint board members. [7021/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question I can confirm that I have the authority to appoint Board members to An Post National Lottery and the Public Appointments Service. The Public Service Management (Recruitment and Appointments) Act, 2004 states that the Minister for Public Expenditure and Reform (in consultation with Minister for the Environment, Community and Local Government, the Minister for Health and the Minister for Justice and Equality) should appoint members of the Board of the Public Appointments Service. The Public Appointments Service Board is meant to be representative of our client base. The majority of the board is therefore civil or public servants, nominated by the relevant Minister. There is also a union representative nominated by ICTU. The two external members were appointed by the Minister because of their expertise in strategic change and public service recruitment respectively. The Chief Executive Officer is appointed to the Board on an ex officio basis.

## Local Authority Functions

84. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7036/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I have not conferred any new powers or functions on local authorities by legislation since my Department was established in 2011.

## Legislative Programme

85. **Deputy Derek Nolan** asked the Minister for Public Expenditure and Reform when it is

likely the Valuation (Amendment) (No. 2) Bill will become law; the timeline for same; and if he will make a statement on the matter. [7142/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Government published the Valuation (Amendment) (No. 2) Bill, 2012 on 3rd August, 2012 as part of its legislative programme. The Bill proceeded through its second stage in Seanad Éireann on 11th October 2012. The primary purpose of the Bill is to accelerate the national programme of revaluing every commercial and industrial property in the country which is being undertaken by the Valuation Office. Since the 2nd stage debate was taken in Seanad Éireann, officials in my Department and the Valuation Office have engaged in an extensive consultation process on various aspects of the Bill with a range of stakeholders. While the legislation is quite complex, the amendments to be proposed at Committee Stage in the Seanad are at an advanced stage of drafting. Every effort is being made to expedite the passage of the Bill and I expect to see it progressing through the Oireachtas before the Summer recess.

### Departmental Bodies

86. **Deputy Michael McNamara** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7004/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I am interpreting the Deputy's question as referring to the bodies under the aegis of my Department in relation to which I am responsible for answering Parliamentary Questions. The following are the offices under the aegis of my Department.

Number	Name
1.	Companies Registration Office
2.	Employment Appeals Tribunal
3.	Labour Court
4.	Labour Relations Commission
5.	National Employment Rights Authority
6.	Office of the Director of Corporate Enforcement
7.	The Equality Tribunal (responsibility for the Equality Tribunal transferred to the Minister for Jobs, Enterprise and Innovation with effect from 1 January, 2013)
8.	Patents Office
9.	Registry of Friendly Societies

The following are the Agencies under the aegis of my Department.

Number	Name
1.	Enterprise Ireland
2.	IDA Ireland
3.	Science Foundation Ireland
4.	Shannon Development
5.	County and City Enterprise Boards (35)

Number	Name
6.	National Standards Authority of Ireland
7.	Forfás
8.	National Consumer Agency
9.	The Competition Authority
10.	Irish Auditing and Accounting Standards Authority
11.	Personal Injuries Assessment Board
12.	The Health and Safety Authority

In addition, I would draw the Deputy's attention to the fact that, following enactment of the Microenterprise Loan Fund Act 2012, Microfinance Ireland was established as a private limited company in August 2012, as a subsidiary of the Social Finance Foundation and has charitable status. Microfinance Ireland has been funded by the Government to provide loans to newly established and growing microenterprises across all industry sectors that do not meet the conventional risk criteria applied by banks. Furthermore, the Crafts Council of Ireland which is the national design and economic development organisation for the crafts industry in Ireland with the objective of fostering the sector's growth and commercial strength, communicating its unique identity and stimulating quality design, innovation and competitiveness. Since 1976, the State, through my Department, has provided funding to the Crafts Council. The Council's annual Exchequer allocation is approved by my Department and disbursed through Enterprise Ireland.

The Crafts Council engages directly with my Department and also through Enterprise Ireland in regard to funding, strategy, business plans and its other corporate governance matters. Where a Parliamentary Question is tabled which relates to the day-to-day operational/administration of the Agencies listed above, Microfinance Ireland or the Crafts Council of Ireland, this is a matter for the individual body concerned, for which I have no direct function.

### Ministerial Appointments

87. **Deputy Michael McNamara** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of bodies to which he has the authority to appoint board members. [7019/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The following are the bodies for which I have authority to appoint board members: Forfás; National Competitiveness Council; National Standards Authority of Ireland; Crafts Council of Ireland; Enterprise Ireland; Tyndall National Institute; Shannon Free Airport Development Company Limited; IDA Ireland; Science Foundation Ireland; Trade Mark Agent Board; Patent Agent Board; Labour Relations Commission; Health & Safety Authority; Personal Injuries Assessment Board; National Consumer Agency; Irish Auditing & Accounting Supervisory Authority.

### Local Authority Functions

88. **Deputy Kevin Humphreys** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7034/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** No further specific new powers or functions have been conferred on local authorities by legislation under my Department since June 2009.

However the County Enterprise Boards (Dissolution) Bill, 2013, currently being debated by the Oireachtas, provides for the dissolution of the County and City Enterprise Boards and the transfer of their existing functions to Enterprise Ireland. The functions will be delivered by Local Authorities, on behalf of EI under the terms of a Service Level Agreement. Therefore, the functions will rest legally with Enterprise Ireland and the Minister for Jobs, Enterprise and Innovation will retain responsibility for policy and budgets.

### **Human Rights Issues**

89. **Deputy Maureen O’Sullivan** asked the Minister for Jobs, Enterprise and Innovation the way, within the areas in which he has responsibility, Ireland pushes for the inclusion of human rights clauses in trade deals between the European Union and other countries requiring improvements in human rights in return for opening up trade and investment opportunities; and specifically Ireland’s efforts in this matter. [7111/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The EU has competence to negotiate Free Trade Agreements (FTAs) in consultation with its Member States. Increasing trade and investment is the way forward to create growth and jobs, addressing inequalities, increasing individual opportunities and providing mechanism to tackle abuses of individual rights.

Before negotiations on any FTA takes place however, an extensive Impact Assessment is undertaken by the Commission that includes, for example, an analysis of any trade and investment agreement on human rights/labour standards, environmental impacts etc. Before starting talks on a trade agreement the Commission requires a mandate from the Council. This sets out the areas that should be covered in any agreement. It is here that I have frequently made it clear that when it comes to sustainable development, issues related to human rights should be given the utmost priority.

Many of the EU’s trade agreements now contain strong provisions to promote respect for core labour and environmental standards. Those agreements with South Korea, Singapore, Central America (Panama, Honduras, El Salvador, Guatemala, Nicaragua, Costa Rica) and Colombia/Peru include such provisions. Specifically, topics covered extend to adherence by both parties to essential international labour and environment standards and agreements, as well as the promotion of activity encouraging sustainable development, such as Corporate Social Responsibility.

For example the EU-Colombia, among others, includes far-reaching provisions on the respect of the rule of law and effective implementation of international conventions on labour rights and environmental protection. Civil society organisations are and will be systematically involved in the practical implementation of this agreement, as well as others, to monitor how these important commitments are being put into practical and meaningful effect. In addition, implementation will also be subject to oversight by a special committee, and can be subject to an arbitration process. In respect of this agreement, a meeting between the EU and civil society took place on 7 February to open the dialogue with citizens and local Non Governmental Organisations to look at how the sustainable development provisions of the trade agreement are being implemented. The meeting is the first open meeting of the Subcommittee on Trade and Sustainable Development set up under the EU-Colombia/Peru Trade Agreement. This is one

important agreement where my Department was especially vocal due to the serious concerns about the ability of trade unionists to undertake their legitimate role.

In other areas the EU promotes and encourages countries to comply with international core labour and environmental standards by granting them preferential access to the EU market. Full tariff removal is given to countries that commit to implementing 27 international conventions covering labour rights, environmental standards, human rights. Participating countries must report on their ratification and implementation procedures and are required to be open to international monitoring of their implementation activity.

These preferences can and have been withdrawn by the EU, as instanced in the withdrawal of these preferences from Sri Lanka over shortcomings in implementing three UN human rights conventions. This scheme is a real incentive for economies to develop economically and comply with international standards that affect their citizens' fundamental rights.

Trade and investment are ways to improve the well being of economies and citizens alike and I will continually urge that individual welfare is a priority in all trade related agreements negotiated by the Commission.

### **Enterprise Support Services Provision**

90. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation the supports Enterprise Ireland has provided to a company (details supplied) in County Louth; and if he will make a statement on the matter. [7149/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I understand from Enterprise Ireland that the company concerned received a Small Business Grant equivalent to €10,158 in 1979. Enterprise Ireland has interacted with the company on a number of occasions over the years, for example, an Enterprise Ireland Export Awareness event in Dundalk in March 2012, which included a one-to-one meeting with Enterprise Ireland's Regional Director. There have been no significant plans to develop exports.

However, Enterprise Ireland is available to assist the company in any way that it can, within its remit.

### **IDA Site Visits**

91. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the reason for his recent defence of IDA Ireland's record in County Kerry despite the fact that the authority arranged just five site visits to the county in the past two years (details supplied); and if he will make a statement on the matter. [7189/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** There are many complex factors influencing investor location decision-making such as the increasing preference of investors globally for cities of scale with 1 million plus population, significant challenges from lower cost locations in the UK and Eastern Europe and attractive regional aid.

There are 12 IDA Ireland client companies in Kerry employing 1,638 people. IDA Ireland has strong relationships with all these companies and works closely with them to ensure their long term sustainability and to encourage their growth, development and continuing re-investment in their sites. The primary opportunity for regional locations is in respect of the existing client base and potential further investment opportunities from same. Approximately 70% of

all FDI investments won by IDA Ireland is from the existing client base.

When marketing Kerry for new inward investment IDA Ireland particularly focuses on the ICT (including software), International Financial Services and Globally Traded Business sectors.

I understand that the Deputy was involved with Minister Deenihan in the announcement last June by MYMIC Global that twenty two jobs would be created in Valentia over the next three years. In addition there will be a further 15 jobs in the construction phase. That jobs announcement was made in conjunction with IDA Ireland, Kerry County Enterprise Board and the Valentia Island Development Company.

I am determined to ensure that Ireland can continue to compete globally for foreign direct investment. In winning such investments, I am, however, mindful of the need to address the concerns that have been expressed to me by Deputies on all sides of the House about the relatively low level of site visits to certain regional locations. I have, accordingly, requested IDA Ireland and Enterprise Ireland to work with my Department so that we can explore what further initiatives we can take to ensure we have a better approach to enterprise development in regional locations. This exercise will complement the in-depth analysis of our FDI strategy which is currently being undertaken by Forfás and which will take account of factors such as key trends emerging in FDI best practice internationally, Ireland's strengths in attracting FDI and any changes to the EU's State Aid Rules, which will come into effect on 1 July 2014. The results of these two exercises will form the basis of IDA Ireland's strategy from 2015 onwards.

### **Flood Relief Schemes Expenditure**

92. **Deputy Michael Healy-Rae** asked the Minister for Social Protection further to the humanitarian assistance scheme operated by her Department for assistance in the aftermath of floods, since this scheme was developed, if she will provide a detailed breakdown of the amount of money that has been paid; the average payment to persons; the amount of money that has been received in each county; the amount that was paid out of that scheme to County Kerry; the average payment to persons living in County Kerry; and if she will make a statement on the matter. [6992/14]

**Minister for Social Protection (Deputy Joan Burton):** The humanitarian assistance scheme was approved by Government in November 2009. The scheme, which is means tested, is available to assist people whose homes are damaged by flooding and who are not in a position to meet costs for essential needs, household items and in some instances structural repair.

Total expenditure on the humanitarian assistance scheme to the end of 2013 was approximately €2.2 million in respect of approximately 3,500 payments. The statistics available show that payments issued ranged from approximately €50 to €28,000. The Government has not set a limit on the amount that can be paid to an individual household under this scheme.

In dealing with events of this nature the Department generally adopts a three stage approach as follows:

- Stage 1 is to provide emergency income support payments for food, clothing, personal items and temporary accommodation in the immediate aftermath of the event. A relatively small amount of financial assistance is generally provided initially but this will increase as the extent of the problems become clearer;

- Stage 2 generally involves the replacement of white goods, basic furniture items and other

essential household items. It is not until the flood water abates and houses dry out that the full extent of the damage to homes will become known;

- Stage 3 is to identify what longer term financial support or works are required. It could take several months before this stage of response commences and this involves a cross Departmental/Agency response. Works carried out can include plastering, dry-lining, relaying of floors, electrical re-wiring and painting.

A detailed breakdown of humanitarian assistance per county is provided in respect of 2013 and 2014 to date. A similar breakdown for previous years is not available. There were no payments under the scheme in 2013 or 2014 to persons living in County Kerry. Any person who is experiencing hardship as a result of the recent weather events should contact the Department's local representative administering SWA who may be able to offer assistance.

#### **Tabular Statement – Humanitarian Assistance 2013**

<b>COUNTY</b>	<b>No. of PAYMENTS</b>	<b>EXPENDITURE</b>
GALWAY	108	€66,724
DUBLIN	23	€51,008
CORK	4	€16,285
ROSCOMMON	13	€8,950
OFFALY	11	€5,500
WICKLOW	6	€3,300
CAVAN	1	€50
Total	166	€151,817

#### **Humanitarian Assistance 2014 (as of 7 February)**

<b>COUNTY</b>	<b>No. of PAYMENTS 2014</b>	<b>EXPENDITURE 2014</b>
LIMERICK	160	€24,600
DUBLIN	2	€6,955
GALWAY	8	€5,490
ROSCOMMON	1	€2,250
CLARE	5	€1,808
WATERFORD	3	€1,090
WEXFORD	3	€1,050
OFFALY	2	€1,000
MAYO	1	€674
Total	185	€44,917

#### **Departmental Bodies**

93. **Deputy Michael McNamara** asked the Minister for Social Protection if she will provide a list of bodies under the aegis of her Department in respect of Government policy for which she is responsible for answering parliamentary questions, pursuant to Standing Order 34. [7007/14]

**Minister for Social Protection (Deputy Joan Burton):** The statutory bodies operating under the aegis of the Department of Social Protection are the Citizens Information Board, the

Pensions Board, the Pensions Ombudsman and the Social Welfare Tribunal.

I am responsible for answering Parliamentary Questions relating to the above statutory bodies.

### **Ministerial Appointments**

94. **Deputy Michael McNamara** asked the Minister for Social Protection if she will provide a list of bodies to which she has the authority to appoint board members. [7022/14]

**Minister for Social Protection (Deputy Joan Burton):** The statutory bodies operating under the aegis of the Department of Social Protection are the Citizens Information Board, the Pensions Board, the Pensions Ombudsman (which does not have a board) and the Social Welfare Tribunal.

#### **Citizens Information Board**

Under the Comhairle Act, 2000 and the Citizens Information Act, 2007, I have the authority to appoint members to the Citizens Information Board

#### **Pensions Board**

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

It was recommended that the governance structure of the Pensions Board be restructured. Oversight of the Pensions Board will be undertaken by a three person body called the Pensions Authority. This will consist of a Chairperson and two officials from the Department of Social Protection and the Department of Finance.

A separate unpaid Pensions Council, with a majority of members representing consumer interests, will be established to advise me on pensions policy. I expect to appoint the Chairperson of the Pensions Authority shortly. I intend to call for expressions of interest for the appointment to the Pensions Council through the Public Appointments Service.

#### **Social Welfare Tribunal**

Under the provisions of Social Welfare legislation, I have the authority to appoint members to the board on the nomination of the Irish Congress of Trade Unions and the Irish Business and Employer's Confederation.

### **Local Authority Functions**

95. **Deputy Kevin Humphreys** asked the Minister for Social Protection if she will provide a list of all specific new powers or functions conferred on local authorities by legislation under her area since June 2009 and a reference to the specific section or regulation in each case; and if she will make a statement on the matter. [7037/14]

**Minister for Social Protection (Deputy Joan Burton):** There is a high level of interaction between local authorities and the Department of Social Protection in the provision of housing

assistance. For instance, the Rent Supplement scheme administered by the Department of Social Protection provides short-term income 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. A number of eligibility criteria apply to the Rent Supplement, including a requirement that the applicant must be assessed by a local authority as being in need of social housing support in accordance with the Housing Acts.

In general, the social welfare legislation does not confer specific powers or functions on local authorities in relation to the provision of housing assistance. However, section 265 of the Social Welfare Consolidation Act 2005, inter alia, enables local authorities to share information with other State bodies and agencies for the purposes of assessing a person's housing needs and allocating local authority accommodation. These provisions were amended by section 8 of the Housing (Miscellaneous Provisions) Act 2009 and were brought into effect by the Housing (Miscellaneous Provisions) Act 2009 (Commencement) Order 2010 (S.I. No. 253 of 2010) and the Housing (Miscellaneous Provisions) Act 2009 (Commencement) Order 2011 (S.I. No. 83 of 2011).

While the amendments contained in the Housing (Miscellaneous Provisions) Act 2009 updated relevant references to provisions contained in the Housing Acts, they did not make any substantive change in the existing powers provided for in section 265 of the Social Welfare Consolidation Act 2005.

Section 15 of the Social Welfare Act 2012 introduced a new household budgeting arrangement whereby local authority tenants who are in receipt of a social welfare payment may agree to have a portion of their social welfare payment withheld and paid to the local authority in respect of their rent. Once a person participates in this household budgeting arrangement, that person cannot withdraw from such agreement without the consent of the relevant local authority. However, the consent of the local authority cannot be unreasonably withheld in these circumstances.

These new arrangements were introduced with effect from 1 January 2014 by way of the Social Welfare Act 2012 (Section 15) (Commencement Order) 2013 (S.I. No. 579 of 2013) and the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 11) (Budgeting in Relation to Social Welfare Payments) Regulations 2013 (S.I. No. 580 of 2013).

### **Disability Allowance Application Numbers**

96. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection if she will provide in tabular form the number of persons in receipt of invalidity pension; the number of persons in receipt of disability allowance in each of the years 2011, 2012, 2013 and to date in 2014; and if she will provide a breakdown of same by counties Cavan, Monaghan, Meath and Louth. [7043/14]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is collated at county level by my Department annually for inclusion in the Statistical Information on Social Welfare Services report. Work has commenced on the compilation of data for the production of the 2013 report. However, the most recent data available, at present, in respect of the number of persons in receipt of invalidity pension and the number of persons in receipt of disability allowance in each of the years 2011, 2012, 2013 and to date in 2014, including a breakdown of same by counties Cavan, Monaghan, Meath and Louth, are detailed in the following tabular statements.

Disability Allowance

-	2011	2012	2013	End of January 2014
Total	102,866	101,784	106,279	106,673
Cavan	1,364	1,367	Not Yet Collated	Not Yet Collated
Monaghan	1,245	1,216	Not Yet Collated	Not Yet Collated
Meath	2,449	2,516	Not Yet Collated	Not Yet Collated
Louth	2,747	2,673	Not Yet Collated	Not Yet Collated

Invalidity Pension

-	2011	2012	2013	End of January 2014
Total	49,792	50,053	53,196	53,222
Cavan	593	581	Not Yet Collated	Not Yet Collated
Monaghan	522	508	Not Yet Collated	Not Yet Collated
Meath	1,409	1,421	Not Yet Collated	Not Yet Collated
Louth	1,779	1,755	Not Yet Collated	Not Yet Collated

**Carer's Allowance Appeals**

97. **Deputy Patrick O'Donovan** asked the Minister for Social Protection the position regarding a carer's allowance appeal in respect of a person (details supplied) in County Wexford; if assistance will be offered to call them for an oral hearing as a matter of urgency; and if she will make a statement on the matter. [7047/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who has decided to convene an oral hearing in this case.

Every effort will be made to hear the case as quickly as possible and the appellant will be informed when arrangements for the oral hearing have been made. The person concerned may claim reasonable travel expenses involved in attending the 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.

**Social Welfare Appeals Status**

98. **Deputy Damien English** asked the Minister for Social Protection when a decision will issue on an appeal registered on 25 March 2013, in respect of a person (details supplied) in County Meath; the reason for the delay; and if she will make a statement on the matter. [7074/14]

**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 25 March 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 the 13 September 2014 and the case has been referred to an Appeals Officer who

expects to issue a decision in the matter to the person concerned within the next week.

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

### **Free Travel Scheme Administration**

99. **Deputy Terence Flanagan** asked the Minister for Social Protection her views on correspondence (details supplied) regarding a free travel pass; and if she will make a statement on the matter. [7077/14]

**Minister for Social Protection (Deputy Joan Burton):** Free travel passes are already widely used on bus routes which are operated by private companies. The current free travel scheme provides free travel on the main public and private transport services for those eligible under the scheme. These include road, rail and ferry services provided by companies such as Bus Átha Cliath, Bus Éireann and Iarnród Éireann, as well as Luas and services provided by over 90 private transport operators. There are currently over 780,000 people in receipt of free travel.

Funding for the free travel scheme was frozen by the previous Government as outlined in the National Recovery Plan 2011-2014. During this period it has not been possible to accept additional routes or providers within the scheme.

Given the increasing number of recipients and the funding pressures, the Minister for Transport, Tourism and Sport and I established a working group with representatives from the two Departments, as well as the Department of Public Expenditure and Reform and the National Transport Authority to review the free travel scheme. The purpose of this review is to examine and report on the current operation and future development of the free travel scheme. This will include the conditions imposed on the scheme in the National Recovery Plan 2011 – 2014. The work of this group is expected to conclude shortly.

### **One-Parent Family Payment Applications**

100. **Deputy Willie O’Dea** asked the Minister for Social Protection when payment of one-parent family benefit will issue in respect of a person (details supplied) in County Clare who is currently paying €540 per month rent with an income of €1,500 and who has three children; and if she will make a statement on the matter. [7082/14]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned made an application for one-parent family payment on 7 November 2013. The file was forwarded to a Social Welfare Inspector for investigation as this forms part of the application process. The Inspector’s investigations are now complete and the file has been returned to a deciding officer.

Notification of the decision on the application will issue as soon as possible.

### **Carer’s Allowance Appeals**

101. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review an appeal for carer’s allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [7095/14]

**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 available evidence disallowed the appeal of the person concerned by way of a summary decision. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Following the submission of additional evidence, the file has been requested to be returned to the Social Welfare Appeals Office. On receipt of this file, the Appeals Officer will 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 on social welfare entitlements.

### **Invalidity Pension Appeals**

102. **Deputy Noel Coonan** asked the Minister for Social Protection when an appeal for invalidity pension payment will be finalised in respect of a person (details supplied) in County Tipperary. [7096/14]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence including that adduced at the oral hearing, has decided to disallow the appeal of the person concerned. 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.

### **Community Employment Schemes Eligibility**

103. **Deputy Charlie McConalogue** asked the Minister for Social Protection the reason a person who was eligible to participate on a community employment scheme on 17 December 2013 finds that they are no longer eligible as they finished a JobBridge placement in June 2013; if they can appeal the decision on the basis that they were eligible on 17 December 2013; and if she will make a statement on the matter. [7102/14]

**Minister for Social Protection (Deputy Joan Burton):** The JobBridge scheme is considered suitable for those who are already job-ready and unemployed and wish to gain work experience and remain active in the labour market. The Community Employment (CE) scheme is aimed at those who are long-term unemployed and not ready for employment (those who are 12 months plus on the Live Register) or from other disadvantaged cohorts (e.g. drug rehabilitation, travellers, ex-prisoners). To this end, time spent on the JobBridge scheme cannot count towards the qualifying period for entry to CE. Persons who complete the JobBridge scheme are advised to continue their job-search activities and if special supports are required they are advised to keep in touch with the local Intreo Office who may refer them to a Jobsclub for additional support.

### **Departmental Staff Data**

104. **Deputy Joan Collins** asked the Minister for Social Protection the number of staff employed by her Department in the Government offices leased by the Office of Public Works

in Tubbercurry, County Sligo, which are shared with the Department of the Environment, Community and Local Government, on 1 January 2010, 1 January 2011, 1 January 2012, 1 January 2013 and 1 January 2014; if there are any proposals to increase or reduce the staff level in 2014; and if she will make a statement on the matter. [7115/14]

**Minister for Social Protection (Deputy Joan Burton):** Responsibility for the Rural Social Scheme and the Community Services Programme, the staff of which are based in the Government Offices in Tubbercurry, County Sligo transferred to my Department from the Department of Community, Equality and Gaeltacht Affairs in August 2010. Details of the number of staff and posts are shown in the following table. The staffing of all sections in my Department is constantly reviewed to ensure the best use of available resources. I have no specific plans in relation to the staffing levels in the office in Tubbercurry at this time.

Date	No. of staff	No. of posts
August 2010	9	8.3
1 January 2011	9	8.3
1 January 2012	10	9.3
1 January 2013	10	9.3
1 January 2014	10	9.3

### Jobseeker's Allowance Payments

105. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if payment of jobseeker's allowance will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [7119/14]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned was disallowed a jobseekers allowance claim on the grounds that he not genuinely seeking employment. The person concerned had advised the Department that he was not looking for work during part of a review process. If the person concerned can provide evidence that he is genuinely seeking employment, his entitlement to a payment will be reviewed.

### Pensions Legislation

106. **Deputy Willie O'Dea** asked the Minister for Social Protection if she will consider amending the legislation pertaining to what appears to be an unfair and inequitable aspect of the State contributory pension provision whereby an applicant is penalised for working during teenage school-going years by the inclusion of these years when averaging lifetime contributions on reaching pension age; and if she will make a statement on the matter. [7120/14]

**Minister for Social Protection (Deputy Joan Burton):** The State pension is a very valuable benefit and is the bedrock of the Irish pension system. Therefore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives and the reform measures introduced to date go somewhat toward that goal. To ensure that the individual can maximise their entitlement to State pension all contributions paid over their working life from when they first enter insurable employment until pension age, is taken into account when assessing whether they are entitled to State pension and the level of their State pension entitlement.

Once over 16, the date a person enters into insurance is taken as the date used for averaging purposes in order to qualify for a State pension.

To qualify for a state pension a person must:

have at least 520 paid contributions and

satisfy a yearly average (a yearly average of 48 is required for a full rate pension).

The yearly average test has been in existence since 1961 when contributory pensions were first introduced. The scheme was designed with a view to ensuring that people could qualify for contributory pensions immediately and to suit a system where social insurance coverage was limited.

Under the pension reform programme, there is a plan to adopt a total contributions approach where the number of contributions paid over a work life will closely reflect the rate of payment received. For example, 30 years contributions (1560) could qualify a person for maximum State pension (contributory). A person would accumulate 1/30th of a pension for each year of contributions up to a maximum of 30/30ths inclusive of a certain number of credits. The introduction of new rate bands in September 2012 moves somewhat closer to this process. It had been planned to introduce this change in 2020 but in the context of changing demographics and longer working, this date may be brought forward.

The OECD Review of the Irish Pension System which was published in April 2013 also endorsed the move to a total rather than an average contributions test to determine entitlement to a State pension.

An increase for a qualified adult, which is a means tested payment may be made to an individual who does not qualify for a pension in their own right or qualifies for a lower rate of pension due to gaps in insurance or the means tested non-contributory pension may be available to an individual who meets the qualifying criteria.

### **National Internship Scheme Eligibility**

107. **Deputy Joanna Tuffy** asked the Minister for Social Protection if people who transfer their social insurance credits to their spouse's tax free allowance are not eligible to apply for JobBridge; and if she will make a statement on the matter. [7153/14]

108. **Deputy Joanna Tuffy** asked the Minister for Social Protection her views on whether the requirement of an applicant for JobBridge to be in receipt of a social protection payment or signing on for credits might discriminate against young persons just out of school or college who do not have the required credited contributions to permit them to sign on for credits; and if she will make a statement on the matter. [7154/14]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 107 and 108 together.

The eligibility to access JobBridge is based on the overall objective of labour market policy in ensuring a pathway to appropriate employment, training and education opportunities for those on the Live Register. JobBridge has been launched in this targeted way to allocate scarce exchequer resources fairly while ensuring that it does not displace the normal operation of the labour market, which is an essential element of Ireland's economic recovery.

Participation on JobBridge requires an applicant to have a live qualifying claim in their own right and to have accumulated 3 months (78 days) in the previous 6 months on an eligible claim (Jobseekers Allowance, Jobseekers Benefit, One Parent Family Payment, Disability Allowance, signing for credits). These rules apply to young people in the same way as they do to all other jobseekers.

## One-Parent Family Payment Eligibility

109. **Deputy Paul J. Connaughton** asked the Minister for Social Protection if a person in receipt of the one-parent family payment who returns to his or her native Nigeria, gets married and returns here to live with his or her children, who is not in receipt of any payment or material support from his or her spouse who remained in Nigeria, and who informs the Department of the marriage can continue to receive the one-parent family payment in view of the fact that the family in question is a one-parent family unit; and if she will make a statement on the matter. [7164/14]

**Minister for Social Protection (Deputy Joan Burton):** The one-parent family payment (OFP) is a payment for persons who are bringing up a child or children without the support of a partner. In order to get this payment, a person must first meet certain qualifying conditions, satisfy a means test, and be habitually resident in the State.

The OFP payment, by its nature, is only payable to persons who are widowed, separated or divorced, unmarried (including one whose marriage has been annulled or civil partnership has been dissolved), or whose spouse is imprisoned. If a person who is in receipt of the OFP payment marries, entitlement to the payment ceases as and from the date of that person's marriage.

In addition, OFP is only payable to persons who are not cohabiting. There are a number of criteria used when assessing cohabitation that takes into account living arrangements, financial arrangements, dependent children and the degree to which the couple present themselves as a couple. As such, the payment is not made in instances where a parent has a husband or wife or a partner, irrespective of distance unless they are separated and no longer in a relationship.

The outcome in specific cases will depend on the exact circumstances and detail of the claim.

## Employment Support Services

110. **Deputy Eoghan Murphy** asked the Minister for Social Protection if she is considering incentivising retraining in certain areas, for example technology, by allowing persons taking part in such courses to maintain their jobseeker's benefit so they can afford to learn the necessary skills. [7169/14]

**Minister for Social Protection (Deputy Joan Burton):** The major elements of my Department's response to unemployment are set out in the Pathways to Work policy which is aimed at ensuring that as many as possible of the job vacancies that are created are filled by people from the Live Register, with a particular focus on those who are long term unemployed or at risk of long-term unemployment.

The Pathways to Work policy aims, with regards to supports for unemployed persons, to:

Provide all registered unemployed people with efficient, work-focused income supports together with access to the information and the advice required to help them plan and action a pathway back into employment.

Provide unemployed people, in particular people who are long-term unemployed and young unemployed people, with opportunities to enhance their job prospects through value-adding work experience, education and training activities.

As part of this, there are in place a number of supports that allow unemployed people to receive a payment, based on their underlying job-seekers payment, while engaging in re-training:

The Back to Education Allowance (BTEA) scheme run by my Department provides income maintenance for unemployed people returning to full-time further or higher education, including the full range of technology courses provided at these levels across universities, Institutes of Technology and further education colleges. Approximately 26,000 previously-unemployed people participated in the BTEA in the last academic year.

Former FÁS Training Centres (all of which will be part of the Education and Training Boards by the middle of this year) also provide full-time shorter training courses for unemployed people, either in the centres or through contracted external trainers. There is a wide range of courses, including technology-related. Participants receive a training allowance in lieu of their jobseeker payment while attending these courses.

The Momentum programme, delivered through FÁS in 2013, provides free education and training projects for 6,500 long-term unemployed jobseekers in four themes of activity. One theme is devoted to technology occupations i.e. ICT, digital media, gaming and telecommunications. Participants retain the equivalent of their prior welfare payment, under the BTEA provisions.

The Springboard Initiative in higher education offers free, part-time courses at Certificate, Degree and Masters levels. Information Communications Technology (ICT) has been identified as one of the areas with demand from employers for qualifications. Participants in receipt of a jobseeker's payment can retain their payment by registering for the Part-Time Education Option at their local social welfare office.

Evening courses and blended learning technology courses are also available through the former FÁS Training Centres, for which participants can retain their social welfare payments.

In general, unemployed people taking up full-time training (other than of very short duration) are supported either through training allowances or through BTEA. In order to incentivise young people to take up training, those young people on a reduced social welfare payment (i.e. €100 or €144) see their payments increase up to €160 while attending full-time training or education programmes.

Those taking up part-time courses or more intensive short duration courses are supported the Part-time Education Option (PTEO) and Education Training and Development Option (ET&D). The PTEO allows participants to attend part-time day/evening or weekend courses of education or training and retain their jobseeker's payment while an entitlement exists provided that they continue to satisfy the conditions of being available for and genuinely seeking employment on an on-going basis. The ET&D allows participants to attend certain courses of education, training or development of short duration and retain their jobseeker's payment while an entitlement exists. Participants are exempt from engaging in job search but must be available for employment should an opportunity arise.

In addition to these education and training options, JobBridge (the National Internship Scheme) provides work experience placements for interns for a 6 month or a 9 month period. Participants retain their prior welfare payment and also receive an additional weekly top-up payment of €50. Placements are in a range of occupational areas, including technology-related. Some 6,400 people are currently participating on this scheme.

### **Illness Benefit Appeals**

111. **Deputy Seán Kenny** asked the Minister for Social Protection when an appeal against the disallowance of illness benefit will be decided in respect of a person (details supplied) in

Dublin 13. [7185/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals office has advised me that the payment of illness benefit to the person concerned was disallowed by a Deciding Officer following an examination by a Medical Assessor of the Department who expressed the opinion that she was capable of work.

An appeal was registered on 5th December 2013 and the Social Welfare Appeals Office has advised me that, in accordance with statutory requirements, the Department has been asked to provide the documentation in the case and the Deciding Officer's comments on the grounds of the appeal. In that context, the person concerned was invited to attend another examination by a Medical Assessor on the 24th January 2014. Following this examination the Medical Assessor also expressed the opinion that the person concerned was capable of work. Subsequently the person concerned submitted further medical evidence which was referred back to the Medical Assessor for their opinion on the 5th February 2014. At present the Social Welfare Appeals Office is awaiting a response from the Medical Assessor.

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 Bodies

112. **Deputy Michael McNamara** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [6995/14]

113. **Deputy Michael McNamara** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a list of bodies to which he has the authority to appoint board members. [7010/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 112 and 113 together.

The information requested by the Deputy regarding the names of bodies, funded from my Department's Vote Group, in respect of which I have responsibility for answering Parliamentary Questions are listed in the table below, together with references to the relevant statutory provisions for making board appointments, where appropriate. In the case of certain bodies, board appointments may also be made by specified bodies or on an *ex officio* basis.

It should be noted also that appointments to the boards of Foras na Gaeilge (16 members) and the Ulster-Scots Agency (8 members), being agencies of the North South Implementation Body, An Foras Teanga, are made by the North South Ministerial Council, arising from nominations on a 50:50 basis from each jurisdiction.

In addition to the bodies listed below, responsibility for the Censorship of Publications Board and the Censorship of Publications Appeal Board has recently transferred to my Department. I am currently making appropriate arrangements to fill the vacancies on these boards.

<b>Body</b>	<b>Authority to appoint board members</b>	<b>Statutory provision for making the ministerial appointments.</b>
An Foras Teanga (comprising Foras na Gaeilge and the Ulster-Scots Agency)	50:50 basis from each jurisdiction (North South Ministerial Council)	British-Irish Agreement Act 1999
Arts Council	Yes	Arts Act 2003
Heritage Council	Yes	Heritage Act 1995
Irish Film Board	Yes	Irish Film Board Act 1980
National Concert Hall	Yes	Articles and Memorandum of Association
National Gallery of Ireland	Yes	The National Gallery of Ireland Acts 1854-55
Crawford Art Gallery	Yes	Companies Act 1963 et al
Chester Beatty Library	Yes	N/A
National Archives Advisory Council	Yes	National Archives Act 1986
Irish Manuscripts Commission	Yes	Companies Act 1963 et al
Údarás na Gaeltachta	Yes	Údarás na Gaeltachta Act 1979 (as amended by the Gaeltacht Act 2012)
National Museum of Ireland	Yes	National Cultural Institutions Act 1997
National Library of Ireland	Yes	National Cultural Institutions Act 1997 and S.I. No. 218/2005
Irish Museum of Modern Art	Yes	Articles and Memorandum of Association
Waterways Ireland	No board	N/A
An Coimisinéir Teanga	No board	N/A

### **Local Authority Functions**

114. **Deputy Kevin Humphreys** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7025/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department was established on 2 June 2011 and, therefore, the Deputy will appreciate that the information sought by him can only be provided from that date. The information sought by the Deputy in relation to my Department, and as advised in relation to bodies funded from my Department's Vote Group, is set out in the table.

Division	Details of specific new powers or functions conferred on local authorities by legislation since June 2009	Details of the section or regulation
NPWS - Designated areas and legislation	In the European Communities (Birds and Natural Habitats) Regulations 2011, all public authorities, including local authorities, are assigned duties arising from the obligations placed on the State by the E.C. Birds Directive and Natural Habitats Directive.	S.I. No. 477 of 2011, in particular Regulations 27, 42 paragraph (21) and 44.
Údarás na Gaeltachta	County Councils that have a Gaeltacht within their jurisdiction may nominate a member from amongst its members, for appointment by the Minister, to the Board of Údarás na Gaeltachta.	Section 6 (2) of Údarás na Gaeltachta Act 1979 as amended by Section 16 (1) of the Gaeltacht Act 2012.

### Departmental Bodies

115. **Deputy Michael McNamara** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [6997/14]

116. **Deputy Michael McNamara** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of bodies to which he has the authority to appoint board members. [7012/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 115 and 116 together.

My Departmental remit includes complex policy areas and oversight of State regulation and provision of key strategic services such as energy and public broadcasting. In this context, the number of Commercial State Bodies and Non-Commercial State Bodies, including Regulators, currently under the aegis of my Department is 18, broken down as set out in the table. In relation to appointments to the Boards of State Bodies, the procedure applicable in each case is generally set out in the relevant statute.

Name of Body	Status
An Post Bord Gáis Éireann Bord na Móna EirGrid Electricity Supply Board (ESB) Raidió Teilifís Éireann TG4	Commercial State Bodies

Name of Body	Status
Inland Fisheries Ireland Digital Hub Development Agency Foyle, Carlingford and Irish Lights Commission (Loughs Agency) National Oil Reserves Agency Irish National Petroleum Corporation Mining Board Ordnance Survey Ireland Sustainable Energy Authority of Ireland	Non Commercial State Bodies
Broadcasting Authority of Ireland Commission for Energy Regulation Commission for Communications Regulation	Regulators

### Local Authority Functions

117. **Deputy Kevin Humphreys** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7027/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** There have been no new powers or functions conferred on local authorities by legislation within the remit of my Department since June 2009.

### North-South Interconnector Issues

118. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources if the North-South interconnector project will be included for review by the newly formed expert panel; and if he will make a statement on the matter. [7067/14]

119. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources his views on whether it would be fair and proper to exclude the North-South interconnector project from the scope of the review panel, therefore not subjecting that project to the same scrutiny and examination as the Grid Link and Grid West projects; and if he will make a statement on the matter. [7068/14]

120. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources when he expects EirGrid to lodge an application for planning permission in respect of the North-South interconnector; and if he will make a statement on the matter. [7072/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 118 to 120, inclusive, together.

On 28 January last, in response to EirGrid's recent public consultation process, I announced that I have appointed an independent panel of experts, to be chaired by Mrs Justice Catherine McGuinness, to decide terms of reference for comprehensive, route-specific studies of overhead and underground options for both Grid Link and Grid West. The outputs from those studies, which will be required to be complete, objective and comparable, will be published before proceeding to the next stage of public consultation on those two projects. The two studies will

take account of environmental (including visual amenity) impacts, technical efficacy and cost factors. The independent panel will have power to commission its own work if there is any perceived deficiency in the studies presented.

Since then, I met with the Chair of the expert panel on 31 January 2014. I also briefly met with the full Panel on 10 February 2014 prior to the start of their first meeting to thank them for undertaking the work. The Panel has now commenced its deliberations including considering what work, if any, it might usefully undertake in relation to the North South Transmission Line project.

Detailed studies have already been conducted for the North South transmission line, including consideration of a route specific underground option and, most recently, an assessment by the Independent International Commission of Experts appointed in July 2011 which reported in February 2012. Previously, in 2009, the then Minister for Communications, Energy and Natural Resources commissioned an independent study on Comparative Merits of Overhead Electricity Transmission Lines versus Underground Cables. That study was conducted by international consultants Ecofys.

I understand that EirGrid has taken full account of the contents of those studies in finalising the planning application for the North South transmission line. The timing of the submission of the planning application to An Bord Pleanála is a matter for EirGrid.

### **Severe Weather Events Expenditure**

121. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will provide the exact figure for the amount of money that has been sent by central Government to Kerry County Council over the past five weeks to help alleviate the hardship that has been imposed on families and business people who are affected by the flooding of recent weeks; and if he will make a statement on the matter. [7063/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Following consideration of a report from me on the severe weather that has affected Ireland, the Government yesterday decided that a sum of up to €70 million will be made available for a programme of repair and remediation works. This will enable local authorities in the areas worst affected by the storms, including the most recent flooding, to help affected communities by restoring roads, coastal protection and other infrastructure and amenities. The Government decision was based on estimated costs from local authorities, including Kerry County Council. The arrangements for the drawing down of the funds by local authorities will be finalised following discussions between local authorities, my Department and the Department of Public Expenditure and Reform, with the intention that it will be done as speedily as possible to enable local authorities to continue to help affected communities in the areas worst impacted by the storms, including the most recent flooding.

This funding is in addition to the €25 million which Government has already announced for the Department of Social Protection's Humanitarian Assistance schemes and €1 million of this will now be channelled through the Society of St Vincent de Paul and the Irish Red Cross to assist families affected by the storms and flooding.

### **Local Authority Functions**

122. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local

Government the powers he has at his disposal to direct a local authority in respect of taking an estate in charge; and if he will make a statement on the matter. [6973/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** The taking in charge of an estate, which is provided for under section 180 of the Planning and Development Act 2000, is a matter for the local authority concerned and I have no power to direct them in this regard.

Local authorities are separate, independent statutory bodies whose members are directly elected and therefore accountable to the electorate. Section 63(3) of the Local Government Act, 2001 provides that subject to law, a local authority is independent in the performance of its functions. My role in relation to local authorities is primarily to provide the policy, financial and legislative framework within which they perform their functions. Accordingly while they operate within a framework of legislation and policy guidance, local authorities are not, as a general rule, subject to direction by the Minister for the Environment, Community and Local Government in specific matters.

### **Roads Maintenance Issues**

123. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if emergency funding will be provided to residents of private roads who have had their roads completely destroyed in the recent storms; and if he will make a statement on the matter. [6987/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The restoration of public roads damaged during the recent severe weather is a matter for local authorities, and I understand that such repairs are in progress. Private roads and repairs thereto are a matter for the owners of those roads and their insurers, if applicable.

However, in accordance with the Road Grants Schemes operated by my colleague the Minister for Transport, Tourism and Sport, local authorities have the option to allocate up to 15% of their initial Discretionary Grant under the Regional and Local Roads Grant 2014 towards non-public roads provided certain criteria are fulfilled. Any queries in this regard should be addressed to the relevant local authorities.

### **Water Meters Issues**

124. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding repairs to homes where water meters have been installed; and if he will make a statement on the matter. [6993/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Programme for Government sets out a commitment to the introduction of water charges based on usage above a free allowance. The Government considers that charging based on usage is the fairest way to charge for water and it has, therefore, decided that water meters should be installed in households connected to public water supplies. The Water Services Act 2013 provided for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group and assigned the necessary powers to allow Irish Water to undertake the metering programme.

Irish Water has confirmed to my Department that it was always anticipated that in the course

of installing meters, pre-existing leaks and other latent defects due to the age or condition of the water pipes would be discovered. It is not accurate to assume that these leaks are caused by Irish Water's contractors. The meter installation programme gives Irish Water a strong starting point for mains rehabilitation by enabling the discovery of pre-existing leaks and helping to target more effective investment in leak repair.

In order to ensure that there was no delay to the metering project and that no Local Authority was financially disadvantaged by having to redeploy resources, my Department provided funding to contribute towards this expenditure incurred between the start of the metering programme and 31 December 2013. In 2014, the cost of these repairs is part of the operating costs of Irish Water.

### **Departmental Bodies**

125. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7000/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The following State Agencies are under the aegis of my Department:

An Bord Pleanála  
Dublin Docklands Development Authority  
Environmental Protection Agency  
Housing Finance Agency  
Irish Water Safety  
Housing & Sustainable Communities Agency  
Local Government Management Agency  
Private Residential Tenancies Board  
Radiological Protection Institute Ireland  
Western Development Commission  
Pobal  
Pyrite Resolution Board

The Water Services Act 2013 provided for the establishment of Irish Water as a subsidiary of Bórd Gáis Éireann to be formed and registered under the Companies Act. I am responsible for replies to Parliamentary Questions in respect of the above bodies and in accordance with standing order 34.

### **Ministerial Appointments**

126. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government if he will provide a list of bodies to which he has the authority to appoint board members. [7015/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The bodies under the aegis of my Department, in respect of which I have the authority to appoint board members, are as follows:

An Bord Pleanála

Building Regulations Advisory Body

Dublin Docklands Development Authority

Housing Finance Agency

Housing and Sustainable Communities Agency

Irish Water Safety

Local Government Management Agency

National Travellers Accommodation Consultative Committee

Private Residential Tenancies Board

Pyrite Resolution Board

Radiological Protection Institute of Ireland

Western Development Commission

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

The directors of the Environmental Protection Agency are appointed by the Government. In addition, although not a State Board in the traditional sense, appointments to the Board of Pobal, a not-for-profit company, fall to be made by the Government, having considered nominees from a range of stakeholders.

### **Local Authority Functions**

127. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7030/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested is being compiled and will be forwarded to the Deputy as soon as possible.

### **Leader Programmes Applications**

128. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader part-

nership company Teoranta by a company (details supplied). [7042/14]

129. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader partnership company Teoranta in respect of an organisation (details supplied) in County Mayo. [7054/14]

130. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader development company by an organisation (details supplied) in County Mayo. [7055/14]

132. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader development company by an organisation (details supplied) in County Mayo. [7057/14]

139. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding an application to Mayo north east Leader in respect of an organisation (details supplied) in County Mayo. [7155/14]

141. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader partnership company Teoranta in respect of an organisation (details supplied) in County Mayo. [7157/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 128 to 130, inclusive, and 132, 139 and 141 together.

In line with the ‘bottom-up’ approach to rural development, there are 35 Local Action Groups (LAGs) contracted, on my Department’s behalf, to deliver the LEADER elements of the Rural Development Programme 2007-2013 (RDP) throughout the country.

The relevant LAG in respect of the projects referred to is Mayo North East LEADER Partnership (MNELP). The LAGs are the principal decision-makers in relation to the allocation of project funding. Such decisions are made in the context of the local development strategy of the individual groups and in line with Programme’s Operating Rules and EU regulations.

I understand that MNELP has received applications from all of the promoters in question. These applications are currently at various stages in the assessment process and I understand that they will be submitted to my Department for review shortly.

### **Leader Programmes Applications**

131. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding a grant application to Mayo north east Leader partnership company by an organisation (details supplied) in County Mayo. [7056/14]

140. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding an application to Mayo north east Leader partnership company in respect of an organisation (details supplied) in County Mayo. [7156/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 131 and 140 together.

In line with the ‘bottom-up’ approach to rural development, there are 35 Local Action

Groups (LAGs) contracted, on my Department's behalf, to deliver the LEADER elements of the Rural Development Programme 2007-2013 (RDP) throughout the country.

The relevant LAG in respect of the projects referred to is Mayo North East LEADER Partnership (MNELP). The LAGs are the principal decision-makers in relation to the allocation of project funding. Such decisions are made in the context of the local development strategy of the individual groups and in line with Programme's Operating Rules and EU regulations.

The project applications in question were submitted to my Department for review which has been completed. The project applications will now go back to the Board of MNELP for final decisions.

*Question No. 132 answered with Question No. 128.*

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

133. **Deputy Willie O'Dea** asked the Minister for the Environment, Community and Local Government if, following his recent meeting with the county manager, he will make emergency funding available to North Tipperary County Council to purchase housing in the Ashbury development, Roscrea, which is urgently required for the provision of social housing in the Roscrea area; and if he will make a statement on the matter. [7065/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** In 2013 my Department provided in excess of €3.5 million to North Tipperary County Council in respect of all the measures included in the Social Housing Investment Programme. This included €442,851 for the purchases of houses in Ballina, Nenagh and Roscrea.

In the case of the properties at Ashbury, Roscrea, my Department recently requested North Tipperary County Council to submit further information in relation to the proposal to purchase these properties, including an assessment of the condition of the properties, the extent of the repairs and refurbishment required to bring these up to the required standard and the overall cost involved. On receipt of this information the proposal will be further examined.

### **Leader Programmes Funding**

134. **Deputy Emmet Stagg** asked the Minister for the Environment, Community and Local Government if he will allocate any further funding to Kildare Leader partnership for projects in 2014; and if he will make a statement on the matter. [7090/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Cill Dara ar Aghaidh is the Local Development Company contracted by my Department to deliver the Leader elements of the Rural Development Programme 2007-2013 in Kildare and the Company has an allocation of €10,642,073 under the Programme.

The current programme funding is fully allocated and I anticipate commencement of the next programme in early 2015.

### **Emergency Planning**

135. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if any requests have been received in his Department to declare or approve an

emergency in any local authority area; if he will name such authorities; when the request was received arising from the recent adverse weather conditions and flooding; and if he will make a statement on the matter. [7093/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Ireland's Framework for Emergency Management (2006) enables the Principal Response Agencies (Local Authorities, An Garda Síochána and the HSE) to prepare for and make a coordinated response to a variety of major emergencies, including flooding. Local Authorities are the lead agency for coordination purposes at local level.

Under the Framework, Departmental or national-level approval is not required to declare a major emergency at local level. The triggers for such a declaration at local level depend on the nature and scale of the emergency being experienced. National level support can be brought to bear if a Local Major Emergency Management Coordination Group requests any such assistance.

The local authorities which were particularly affected by the severe weather led the coordinated response, with all relevant local agencies and organisations, to the particular conditions in their areas. No local authority declared a major emergency during the recent severe weather, nor was any request made for national assistance.

### **Decentralisation Programme Staff Transfers**

136. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the number of staff employed by his Department in the Government offices leased by the Office of Public Works in Tubbercurry, County Sligo, which are shared with the Department of Social Protection, on 1 January 2010, 1 January 2011, 1 January 2012, 1 January 2013 and 1 January 2014; if there are any proposals to increase or reduce the staff level in 2014; and if he will make a statement on the matter. [7114/14]

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

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

The following table sets out the information requested regarding the number of staff employed by my Department in Tubbercurry since May 2011. Information prior to this date is not available in my Department.

Period	No of Staff (Headcount)
1 May 2011	61
1 January 2012	54
1 January 2013	33
1 January 2014	18

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

### Building Regulations Amendments

137. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government if he will respond to correspondence sent by the Irish Association of Self Builders seeking clarification in respect of correspondence sent from the RIAI to his Department regarding the Building Control (Amendment) Regulations SI 9 (details supplied); if the code of practice for inspections has been finalised or not to date; if the electronic systems for lodgment of commencement notices and design certificates have been tested or rolled out; if he will address questions surrounding the updating of construction contract forms, including the issue of the finalised versions of the design and completion certificates and if they are available; and if his attention has been drawn to the potential increasing risk of unforeseen delay in construction projects, embroiling new contracts in claims for additional payments, and increased cost for building owners for commissioning bodies and house purchases. [7123/14]

138. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government if he will clarify in relation to the statutory instrument, SI 9, Building Control (Amendment) Regulations, to be enacted in March 2014, if an owner who intends to build who accepts responsibility and ensures the building or work concerned complies with the requirements of the second Schedule to the building regulation, and if the owner does everything necessary to achieve this and signs the certification on completion, taking legal responsibility as a builder, if they can then go ahead and self-build; and if so, should the wording, to be signed by a principal or director of a building company only, under the certification section in the Building Control (Amendment) Regulations SI 9, be removed, as self-builders may not be a principal or director of a building company; and if he will make a statement on the matter. [7124/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 137 and 138 together.

A reply to the Irish Association of Self Builders will issue within the next week.

The Code of Practice for Inspecting and Certifying Buildings and Works has now been finalised and was circulated to industry stakeholders on 7 February 2014.

The new online Building Control Management System will provide a common platform for clear and consistent administration of building control matters across the local authority sector. Briefing and guidance for local authority staff on the new system has begun in recent weeks and arrangements are being made to brief key industry stakeholders on 17 February 2014, before the system is made publicly available in advance of 1 March 2014.

The prescribed forms of the statutory certificates of compliance required at design and completion stage of a construction project are included in the Building Control (Amendment)

Regulations 2014 as signed into law on 15 January 2014. The impact of the Regulations for building owners and commissioning bodies and, in particular, the implications for projects currently subject to tender or for which contracts have recently been signed were addressed in the reply to Question No. 119 of 29 January 2014. My Department is continuing to liaise closely with the relevant Departments and agencies in relation to this aspect of the matter.

Concerns that the new regulations prevent a self-build situation are unfounded although all house-builders must comply with them. An owner who intends to self-build will, as before, assume legal responsibility for ensuring that the building or works concerned are compliant and they will be required, as builder, to sign the Undertaking by the Builder and the Certificate of Compliance on Completion.

Arrangements for a smooth transition to the new regulatory environment are well in hand and my Department will continue to work with all parties to ensure they understand their obligations and the steps necessary to meet them.

*Question No. 139 answered with Question No. 128.*

*Question No. 140 answered with Question No. 131.*

*Question No. 141 answered with Question No. 128.*

### **Local Authority Housing Provision**

142. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government the timeframe a local authority is required to keep housing applications in storage or on file after an application has been deemed closed because information to update a file was not submitted by the applicant; and if he will make a statement on the matter. [7192/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Regulation 12 of the Social Housing Assessment Regulations 2011 prescribes the timescales for the processing of applications by housing authorities for social housing support, including timescales for the submission by an applicant of any additional information requested by an authority. In order for an application to be processed by a housing authority, the application form must be fully completed and any necessary additional information submitted by the applicant within the prescribed timescale.

The Regulations do not set down timescales for the retention of an application for which additional information is not submitted as requested and which has been deemed closed by a housing authority. However, housing authorities should also have regard to the provisions of the Data Protection Act, 1988, as amended, which stipulate that data should not be kept longer than is necessary for the purpose for which it was obtained.

### **Firearms Licences**

143. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding legislation to limit, restrict or remove firearms licences (details supplied); and if he will make a statement on the matter. [7126/14]

149. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality his views on correspondence (details supplied) regarding firearms legislation; and if he will make a statement on the matter. [6989/14]

153. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the position regarding changes to firearms licensing legislation (details supplied); and if he will make a statement on the matter. [7049/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 143, 149 and 153 together.

My Department is currently 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 due course. No decisions will be made in advance of consideration of these recommendations. However, the issue of public safety will be paramount in such consideration.

Opportunities for consultation with relevant stakeholders will be explored when work on the proposals is further advanced.

### Airport Security

144. **Deputy Brendan Smith** asked the Minister for Justice and Equality the cost of provision of security by gardaí for flights carrying US troops through Shannon Airport in 2012 and 2013; and if he will make a statement on the matter. [7129/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda Authorities that the cost to An Garda Síochána of security for Shannon airport was €862,574 in 2012 and €758,152 in 2013 comprising salaries and other pay and non-pay related expenditure.

### Garda-PSNI Transfers

145. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality further to Parliamentary Question No. 402 of 22 October 2013, the number of members of An Garda Síochána and of the PSNI who have taken part in personnel exchanges for each year since 2005; and the timeframe each exchange lasted. [6969/14]

146. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality further to Parliamentary Question No. 402 of 22 October 2013, the rank of those members of An Garda Síochána and of the PSNI who have taken part in personnel exchanges for each year since 2005; and the timeframe each exchange lasted. [6970/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 145 and 146 together.

I have been informed by the Garda Commissioner that the number of members of An Garda Síochána and the PSNI who have taken part in personnel exchanges since 2005, was as set out in the following table.

Year	AGS to PSNI (Duration)	PSNI to AGS (Duration)
2005	1 (2 months)	1 (2 months)
2006	3 (2 months)	1 (2 months)
2007	9 (2 months)	11 (2 months)
2008	17 (2 months)	11 (2 months)
2009	8 (2 months) 7 (1 month)	7 (2 months) 4 (1 month)

<b>Year</b>	<b>AGS to PSNI (Duration)</b>	<b>PSNI to AGS (Duration)</b>
2010	15 (1 month)	15 (1 month)
2011	15 (1 month)	16 (1 month)
2012	9 (1 month)	10 (1 month)
2013	5 (1 month)	1 (1 month)

I have requested the additional information sought by the Deputy from the Garda authorities. I will be in contact with the Deputy when this information is to hand.

### **Garda Síochána Ombudsman Commission Issues**

147. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Justice and Equality if he will issue a clarification regarding the Garda Síochána Ombudsman Commission’s non-compliance with its customer charter, specifically sections 1 to 4, inclusive, and 7 of that charter, which assures members of the public they will be provided with a prompt and comprehensive response to their communications (details supplied); and if he will make a statement on the matter. [6982/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána Act 2005 established the Garda Síochána Ombudsman Commission to receive complaints from members of the public concerning the conduct of members of the Garda Síochána. The Act stipulates that the Ombudsman Commission is independent in the exercise of its functions. I have no role in the processing of individual complaints which are referred to the Ombudsman Commission for investigation.

### **Stardust Fire**

148. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he has reviewed the new evidence in relation to the Stardust tragedy; and if he will make a statement on the matter. [6983/14]

157. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality if he will consider reopening the Stardust inquiry in view of new evidence; and if he will make a statement on the matter. [7197/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 148 and 157 together.

As I have previously indicated, nothing I have seen in the extensive correspondence from the Stardust Victims Committee to date, including the considerable volume of correspondence circulated recently, would be grounds for my taking a different view to the conclusions set out in the Independent Examination by Mr. Paul Coffey. That is, in the absence of any identified evidence, the most another inquiry could achieve would be another set of hypothetical findings, which would not be in the public interest.

It had been indicated in reported statements that the Committee intended to present a submission concerning the cause of the fire on the occasion of the forthcoming anniversary. Whether at that time, or at any other point, I will of course arrange for the examination as appropriate of any such submission, and for a response to issue to the Committee in due course.

In saying this I should caution against raising unrealistic expectations about what can be achieved or appearing to suggest that the outcome of the Coffey examination can be set aside, simply on the basis that his conclusions are not accepted by some.

*Question No. 149 answered with Question No. 143.*

### **Departmental Bodies**

150. **Deputy Michael McNamara** asked the Minister for Justice and Equality if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7005/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, Standing Order 34 requires that Questions addressed to a member of the Government must relate to public affairs connected with his or her Department, or to matters of administration for which he or she is officially responsible, including bodies under the aegis of his or her Department in respect of Government policy. The following is a list of independent statutory bodies under the aegis of my Department which are comprehended by Standing Order 34 in respect of Government policy:

An Garda Síochána  
Courts Service  
Equality Authority and Human Rights Commission  
Garda Síochána Ombudsman Commission  
Insolvency Service of Ireland  
Irish Film Classification Office  
Legal Aid Board  
Mental Health (Criminal Law) Review Board  
National Disability Authority  
Office of the Data Protection Commissioner  
Office of the Inspector of Prisons  
Office of the Refugee Applications Commissioner  
Private Security Authority  
Property Registration Authority  
Property Services Regulatory Authority  
Refugee Appeals Tribunal.

In addition, I wish to advise the Deputy that there are a number of other bodies, of varying size and scale, which are not statutorily independent. Accordingly, I also have responsibility for answering Parliamentary Questions in respect of these bodies. These include:

Criminal Injuries Compensation Tribunal;

Forensic Science Laboratory;

INIS (the Irish Naturalisation & Immigration Service), including the Reception and Integration Agency (RIA);

Irish Prison Service;

Parole Board;

Probation Service;

State Pathologist's Office; and

a number of Executive Offices, namely -

Anti-Human Trafficking Unit

COSC

Irish Youth Justice Service (in respect of those matters not falling within the policy competency of the Minister for Children and Youth Affairs)

Office for Internet Safety; and

Victims of Crime Office.

### **Ministerial Appointments**

151. **Deputy Michael McNamara** asked the Minister for Justice and Equality if he will provide a list of bodies to which he has the authority to appoint board members. [7020/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am interpreting the Deputy's question in a broad manner so as to provide the information which I believe he is seeking.

To be of assistance to the Deputy I have interpreted his question as embracing all bodies called Boards, irrespective of their functions, as well as other bodies with a governance remit whose title does not include the term "Board". In addition, I have included all bodies where at least one Ministerial appointment can be made to the Board.

Details of all such bodies/boards are detailed below:

- Classification of Films Appeal Board
- Courts Service Board
- Judicial Appointments Advisory Board
- Legal Aid Board
- Mental Health (Criminal Law) Review Board
- National Disability Authority (NDA)
- Parole Board

- Private Security Authority (PSA)
- Property Registration Authority
- Property Services Regulatory Authority
- The Equality Authority.

While I do not regard the following entities as boards, even within the broad definition of board defined above, for the purpose of transparency I have listed below two other bodies to which Ministerial appointment can be made. They are as follows:

- Commissioners of Charitable Donations and Bequests for Ireland
- Committee to monitor the effectiveness of the Garda Diversion Programme under Section 44 of the Children Act 2001 (as amended).

### **Local Authority Functions**

152. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7035/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that, in the time frame referred to, there have been no new powers or functions conferred on local authorities by legislation under the remit of my Department.

*Question No. 153 answered with Question No. 143.*

### **Firearms Licences**

154. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the different types and the numbers of licensed firearms held in the State over the past five years; the cost of the licence fee; the procedure involved in the renewal of each licence; and if he will make a statement on the matter. [7050/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The information on the different types and number of licensed firearms held in the State is being compiled by An Garda Síochána and I will write to the Deputy when it becomes available.

Firearms Certificates are now issued for a period of three years, unless otherwise revoked, as against a period of one year until August 2009. Each three year firearm certificate costs €80 with the exception of a Firearms Training Certificate which costs €40 for three years.

Approximately three months prior to the expiry of an existing firearm certificate, the holder of the certificate receives a Firearms Renewal Form in the post. The renewal form contains all of the details in relation to the existing certificate and if any changes or updates are required (for example, regarding changes to referees, doctor, or land permissions etc), this information can be updated on the form by the applicant prior to the applicant returning the signed completed form for processing by An Garda Síochána. Under Section 32 of the Criminal Justice Act,

2006, which inserted a new Section 4 into the Firearms Act 1925, an issuing person shall not grant a firearm certificate unless satisfied the applicant complies with a number of conditions referred to in the Section including good reason, that the applicant can possess, use and carry the firearm without danger to the public safety or security or the peace, is not disentitled, has provided secure accommodation for the firearm, referees, medical enquiries etc.

Each application for a firearm certificate requires the issuing person to consider a wide range of factors prior to making a final decision and further information may be required from the applicant in some cases.

### **Garda Stations Opening Hours**

155. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will consider extending the opening hours of Celbridge Garda station, County Kildare, with particular reference to the recent high number of burglaries and car thefts that have occurred in the local area; and if he will make a statement on the matter. [7060/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have requested the information sought by the Deputy from the Garda authorities. I will be in contact with the Deputy when this information is to hand.

### **Suicide Prevention**

156. **Deputy Niall Collins** asked the Minister for Justice and Equality his plans to publish Garda procedures dealing with suicidal drivers; and if he will make a statement on the matter. [7140/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Garda Commissioner that An Garda Síochána issued a Roads Policing Manual in 2013. The roles and responsibilities of Garda members involved in pursuit incidents are clearly set out in the manual as are the policies and procedures to be followed where an individual appears to be intent on harming themselves, with the safety of all those involved in such situations, including the general public, being paramount. As this is an internal Garda document, there are no plans for it to be published.

*Question No. 157 answered with Question No. 148.*

### **Airport Security**

158. **Deputy Brendan Smith** asked the Minister for Defence the cost of provision of security by Defence Forces personnel for flights carrying US troops through Shannon Airport in 2012 and 2013; and if he will make a statement on the matter. [7129/14]

**Minister for Defence (Deputy Alan Shatter):** An Garda Síochána has the primary responsibility for law and order, including the protection of the internal security of the State. Among the roles assigned to the Defence Forces is the provision of Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so. Since the 5th February, 2003, the Gardaí have requested support from the Defence Forces at Shannon Airport on occasion. The following items are taken into consideration when calculating the costs involved in providing ATCP at Shannon Airport; Security Duty Allowance, rations and fuel. The

costs incurred for 2012 and 2013 are as follows:

Year	Amount (€)
2012	275,008
2013	221,693

### Army Barracks Closures

159. **Deputy Paul J. Connaughton** asked the Minister for Defence the plans that exist for the sale of the former Army barracks in Loughrea; if a reserve price has been put in place; when an auction will take place or where members of the public can get more information on the sale; and if he will make a statement on the matter. [7162/14]

**Minister for Defence (Deputy Alan Shatter):** The former FCA premises in Loughrea, Co. Galway was vacated in March of last year and has been identified as being surplus to military requirements. In accordance with normal procedure for the disposal of State property, my Department invited other Government Departments and Public Bodies to register any interest in this property. As no interest has been expressed, preparations are underway for the disposal of the property by Public Auction in 2014. A Reserve Price has not been set as this stage. When preparations have been finalised, all relevant information regarding the sale will be advertised both nationally and locally.

### Departmental Bodies

160. **Deputy Michael McNamara** asked the Minister for Defence if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [6998/14]

**Minister for Defence (Deputy Alan Shatter):** As Minister for Defence I have responsibility for answering Parliamentary Questions in respect of the Defence Forces and the Army Pensions Board.

### Ministerial Appointments

161. **Deputy Michael McNamara** asked the Minister for Defence if he will provide a list of bodies to which he has the authority to appoint board members. [7013/14]

**Minister for Defence (Deputy Alan Shatter):** In my role as Minister for Defence I have the authority to make appointments to the Army Pensions Board.

The Army Pensions Board is an independent statutory body established under the Army Pensions Act, 1927. It consists of a chairman and two ordinary members. The two ordinary members must be qualified medical practitioners of whom one (but only one) must be an officer of the Army Medical Corps. In accordance with legislation, the chairman and the non Military ordinary member are appointed by the Minister for Defence with the concurrence of the Minister for Public Expenditure and Reform. The Army Medical Corps ordinary member is appointed by the Minister for Defence.

### Local Authority Functions

162. **Deputy Kevin Humphreys** asked the Minister for Defence if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7028/14]

**Minister for Defence (Deputy Alan Shatter):** There have been no new powers or functions conferred on local authorities by legislation published by my Department since June 2009.

### **Disadvantaged Areas Scheme Appeals**

163. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Galway can expect to have a decision issued in respect of their disadvantaged areas scheme appeal; and if he will make a statement on the matter. [6965/14]

**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 several of the land parcels declared contained ineligible features.

The applicant has sought a review of the decision and this review is currently being undertaken. The case in question has been sent for a ground verification check to clarify the matter. My Department will be in direct contact with the person named regarding the outcome of the review once this verification check has been completed. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

### **Animal Welfare**

164. **Deputy Simon Harris** asked the Minister for Agriculture, Food and the Marine if he intends to ban the removal of the dew claw from dogs considering this practice is already banned by the national vets body; if he will consider introducing such a ban in animal welfare legislation; and if he will make a statement on the matter. [6966/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** After widespread consultation, including with veterinary representatives, I will be bringing forward regulations shortly to cover dew claws and other practices under the Animal Health & Welfare Act 2013. I look forward to bringing these forward shortly.

### **Disadvantaged Areas Scheme Applications**

165. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the position regarding an exercise in establishing the position of a holding in respect of a person (details supplied) in County Donegal in respect of their disadvantaged areas scheme application for 2013; and if he will make a statement on the matter. [6968/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the 2013 Disadvantaged Areas Scheme, eligible applicants are required to have met a minimum stocking density of 0.15 livestock units for a retention period of seven consecutive months, in addition to maintaining an annual average of 0.15 livestock units calculated over the twelve months of the scheme year.

While the holding of the person named was confirmed as having satisfied the twelve-month average, it did not satisfy the seven month minimum requirement. Therefore, unfortunately, no payment is due to the person named under the 2013 Scheme. The person named has been informed of this in writing advising him of the right to appeal.

## **Departmental Funding**

166. **Deputy Ciara Conway** asked the Minister for Agriculture, Food and the Marine if he will earmark or set aside some funding to compensate those who fish for a living due to the fact they have been unable to take out their boats for at least five weeks in some instances and in many cases their boats have been in harbour since before Christmas due to dangerous and stormy weather conditions; the supports available to these citizens in view of the fact that they have had no income and no recourse to earning income during this time; and if he will make a statement on the matter. [6977/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** On 7 February 2014, I received a letter from the Irish Fish Producers Organisation requesting a compensation scheme be put in place to compensate fishermen for financial losses suffered due to their being tied up because of the prolonged spell of bad weather. Along with all my colleagues in Government I am acutely aware of the ferocity of the winter storms which have resulted in widespread damage right around the coast and also the ongoing stormy weather since which has impacted on the fishing industry. I am conscious of the damage to the many small Local Authority piers and harbours right around the coast, of the loss of fishing gear by many inshore fishermen and of the impact in terms of loss of income on the fishing fleet and its crews as highlighted by the IFPO letter.

A key priority for me, in allocating any limited resources that might become available, is the repair of storm damage to fisheries and aquaculture landing places. Such repairs to harbours, piers and slipways are essential to facilitate the fishing and aquaculture segments in the continuation of their normal operations. Another priority for consideration, subject to any available resources, is to possibly assist inshore fishermen who have lost static fishing gear in the recent weather events.

In considering any possible response to the situation of the fishing fleet and its crews I must take account of the fact that EU Law limits the options. Any financial assistance provided by Government to the seafood sector must always be considered in terms of what is permissible under EU State Aid rules. It is clear that under Council Regulation 1198/2006 on the European Fisheries Fund, that while it provides for compensation for temporary cessation of fishing activities due to natural disasters and other exceptional occurrences, article 24 of the Regulation confines that aid to the period 2007-2013. There are no other provisions in the EFF Regulation available to me to assist those fishermen identified by the IFPO letter. The proposed Regulation on the European Maritime and Fisheries Fund, which is to replace the European Fisheries Fund, and is to cover the period 2014–2020, has not yet been adopted in law. There is therefore a hiatus in terms of State Aid rules permitting aid to fishermen tied up for prolonged periods because of the stormy weather.

I understand that a self employed fisherman or a person engaged in share fishing (crew) may, in certain circumstances, qualify for assistance under schemes administered by the Department of Social Protection, including for example Fish Assist. The Deputy will be able to obtain further information on this from my colleague, the Minister for Social Protection.

## **Departmental Bodies**

167. **Deputy Michael McNamara** asked the Minister for Agriculture, Food and the Marine if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing

Order 34. [6994/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The twelve State Bodies listed below come under the aegis of my Department. I have responsibility for answering parliamentary questions in respect of Government policy matters related to and/or involving these State Bodies. The Bodies are responsible for their own operational matters.

<b>Non-Commercial Bodies</b>	<b>Commercial Bodies</b>
Aqua licensing Appeals Board	Bord na gCon
Bord Bia	Coillte
Bord Iascaigh Mhara	Horse Racing Ireland
Marine Institute	Irish National Stud
National Milk Agency	-
Sea Fisheries Protection Agency	-
Teagasc	-
Veterinary Council of Ireland	-

### **Ministerial Appointments**

168. **Deputy Michael McNamara** asked the Minister for Agriculture, Food and the Marine if he will provide a list of bodies to which he has the authority to appoint board members. [7009/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I appoint board members to the Bodies listed below. In the case of the Aquaculture Licensing Appeals Board, Bord Bia, Horse Racing Ireland, National Milk Agency, Teagasc and the Veterinary Council of Ireland, the appointments, whilst made by me, are not made at my sole discretion and, instead, individuals are nominated for appointment by me by various organisations as specified in the relevant statute.

<b>Non-Commercial Bodies</b>	<b>Commercial Bodies</b>
Aqua licensing Appeals Board	Bord na gCon <sup>3</sup>
Bord Bia	Coillte
Bord Iascaigh Mhara	Horse Racing Ireland
Marine Institute	Irish National Stud
National Milk Agency	-
Sea Fisheries Protection Agency <sup>1</sup>	-
Teagasc	-
Veterinary Council of Ireland <sup>2</sup>	-

<sup>1</sup> The Sea Fisheries Protection Authority consists of three full-time members, including the Chairperson. The Minister for Agriculture, Food and the Marine appoints members of the Authority to hold office for a period of not less than three years and not more than seven years. Appointments are made following a public competition.

<sup>2</sup> The Veterinary Practice Act 2005 (Section 16) lays down certain requirements for persons to be appointed to the Council.

<sup>3</sup> When the term of office of a board member has expired, the Minister may decide to re-appoint or replace the board member.

### Local Authority Functions

169. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7024/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has not conferred any new powers on or functions to Local Authorities since this Government took office.

### Agriculture Schemes Payments

170. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the number of farmers who have had their REP scheme and SPS payments held up due to the delay in the area aid and REP scheme cross-check; when this cross-check is likely to happen; when these farmers are likely to receive their outstanding payments; and if he will make a statement on the matter. [7039/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Area-based schemes under the Rural Development Programme, 2007-13, in particular, are subject to EU Regulations which require detailed administrative checks on all applications, including cross checks with the Land Parcel Identification Scheme (LPIS), to be completed before payments can issue. These rigorous procedures, including on-farm inspections, apply to payments under the Single Payment Scheme, the Disadvantaged areas, the Rural Environment Protection Scheme (REPS) and the Agri-Environment Options Scheme (AEOS), to ensure that applications meet the scheme conditions and cross-compliance requirements.

I have given the highest priority to the processing and payment of all scheme payments and to the elimination of all unnecessary delays.

### Agriculture Schemes Payments

171. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine if he will consider increasing the beef genomic scheme payment rate per cow as the current €80 proposal announced as part of the Common Agricultural Policy reform programme is considered inadequate in terms of the impact needed to stabilise suckler cow numbers nationally and provide reasonable support for the extremely low incomes of suckler farmers; and if he will make a statement on the matter. [7066/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** While suckler cow numbers have remained relatively stable since payments were decoupled from production in January 2005, my Department monitors the composition and strength of the national herd on an ongoing basis. The most recent results published by the CSO show a stability in the herd in 2013 relative to 2012, although more recent figures signal a decline in the number of calves born to beef breeds, as high cattle prices have encouraged beef producers to restock their herds.

Year	Beef Cow Herd - '000 head
2011	1,123.3
2012	1,148.6
2013	1,150.3

Recognising the importance of maintaining confidence in a sector that has benefited from

historically high price levels in recent years, I recently announced the operational details of an investment package worth up to €40m to beef farmers in 2014. This package includes:

- €23m for the Beef Genomics Scheme;
- €10m for the Beef Data Programme;
- €5m for the Beef Technology Adoption Programme; and
- €2m in residual payments under the Suckler Cow Welfare Scheme.

The Government's investment is a strong vote of confidence in the suckler beef sector. It exemplifies the smart, green growth initiatives envisioned in the Food Harvest 2020 strategy. It is important to note that this investment in the beef sector is aimed not just at sustaining a critical mass in the suckler cow herd, which is the seed bed of our high quality beef industry, but also at improving efficiency, profitability and viability at farm level.

I have recently announced details in relation to the financial allocations for the new Rural Development Programme 2014-2020 (RDP) as well as outlines of the proposed measures for inclusion. The development of a new RDP for the period 2014-2020 will be a key support in enhancing the competitiveness of the agri-food sector, achieving more sustainable management of natural resources and ensuring a more balanced development of rural areas.

My Department has also published a consultation document outlining proposed measures for inclusion in the new RDP, including a new beef data and genomics measure worth up to €52 million per year. Under the new RDP, beef sucker farmers will be eligible for participation under a range of measures including:

- a substantial new agri-environment/climate scheme (GLAS), which will build on the progress made under REPS and AEOS. This will provide for a maximum payment of €5,000 for up to 50,000 farmers, and a further payment of up to €2,000 for a limited number of farmers who take on particularly challenging actions;

- continued strong support for disadvantaged areas (now Areas of Natural Constraint), to the tune of about €195 million per year;

- incentives for on-farm capital investment, including support for the expansion of the dairy sector following the abolition of milk quotas in 2015;

- knowledge transfer and innovation measures, aimed at underpinning farm viability, sustainability and growth through the adoption of best practice and innovative solutions;

- a new beef data and genomics measure worth up to €52 million per year aimed at improving the genetic quality of the beef herd;

- a separate strand of the support for on-farm capital investment will be ring-fenced for young farmers at a higher rate of aid intensity of 60%; and

- other supports aimed at collaborative farming, artisan producers, organic farming etc.

I am confident that this range of measures will, when taken together with other Pillar I direct payments, assist suckler farmers to improve their on farm viability.

The proposed measure outlines are now available on my Department's website and will form the basis for a public consultation. Written submissions are now being sought by the deadline of 19th February 2014. This consultation process will be a key step in designing a draft

RDP and the allocation of funding for the proposed measures under the RDP for submission to the EU Commission for their approval.

Finally, having regard to the payment per animal in the Beef Data and Genomics Scheme proposed in the draft Rural Development Programme, the Deputy will appreciate that the very substantial investment proposed is nonetheless subject to financial limits, and that any increase in the rate paid per animal would necessarily reduce the number of animals and/or farmers eligible for payment under the scheme. I do not believe that limiting participation in this way would represent optimal use of the funding available.

### **Rural Environment Protection Scheme Payments**

172. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 575 of 4 February 2014, when payment will issue; and if he will make a statement on the matter. [7083/14]

**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 applications to be completed before any payment can issue. Following the Land Parcel Identification System (LPIS) Review an area discrepancy was identified which had resulted in the necessity for further clarification. This issue has now been resolved and the 75% Year 6 payment has been confirmed for payment. It is expected that this payment will issue in the next week. The remaining 25% balancing payment will issue shortly.

### **Single Payment Scheme Appeals**

173. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when a single farm payment appeal will be finalised in respect of a person (details supplied) in County Tipperary. [7097/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A review of the land parcels declared by the person named under the 2013 Single Payment Scheme revealed that several of these land parcels declared for payment contained ineligible features. The person named was notified of the situation in a letter dated 27 November 2013. To date, no application for a review of the decision made was submitted by the applicant.

However, an official of my Department has made direct contact with the person named and the request for a review will be forwarded without delay. Immediately on receipt, the case will be considered and the person named notified in due course, in writing, of the outcome.

### **Agriculture Schemes Payments**

174. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment and disadvantaged area payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [7098/14]

**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 of the land parcels declared contained ineligible features.

The applicant has sought a review of the decision and this review is currently being undertaken. The case in question has been sent for a ground verification check to clarify the matter. My Department will be in direct contact with the person named regarding the outcome of the review once this verification check has been completed. If the applicant is not satisfied with the outcome of the review, he can appeal his case to the Independent LPIS Appeals Committee.

### **Agriculture Schemes Appeals**

175. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment and disadvantaged area payment in respect of a person (details supplied); if this case has been reviewed; and if he will make a statement on the matter. [7099/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was the subject of a Nitrates inspection carried out on 5 April 2013 by my Department on behalf of the Department of the Environment, Community and Local Government. This inspection recorded breaches under the Nitrates Regulations relating to the failure to minimise the creation of soiled water and structural defects in storage facilities for livestock manure. This resulted in a penalty of 20% being applied against the 2013 Direct Payments.

The person named was notified of this decision on the 30 April 2013. The person named has appealed this decision and this request for a review is currently being examined. The person named will be notified of the outcome of this review as soon as possible.

In the event that the person named is dissatisfied with the outcome of this review, the decision can be appealed to the independent Agriculture Appeals Office within 3 months.

A review of the land declared by the person named under the Single Payment Scheme revealed that one land parcel declared contained ineligible features and a letter issued from my Department on 27 November 2013. To date no appeal has been received.

### **Disadvantaged Areas Scheme Applications**

176. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork has not received their payment under the disadvantaged areas scheme; and if he will make a statement on the matter. [7101/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under 2013 Disadvantaged Areas Scheme, eligible applicants' holdings are required to have satisfied a minimum stocking density of 0.15 livestock units for a retention period of seven consecutive months, in addition to maintaining an annual average of 0.15 livestock units calculated over the twelve months of the scheme year.

While the holding of the person named was confirmed as having satisfied the twelve-month average, it did not satisfy the seven month minimum requirement. Therefore, unfortunately, no payment is due to the person named under the 2013 Scheme. The person named has been informed of this in writing and advised of his right to appeal.

### **Sulky Racing**

177. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine the action he will take in response to the recent death of a horse during a sulky race in County Tipperary; the current legal status of sulky racing here; his plans to ban such activities which prove harmful to the animals involved; and if he will make a statement on the matter. [7127/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I understand that the matter to which the Deputy refers is being investigated by An Garda Síochána. This investigation is currently ongoing. Like all activities on the public road, sulky racing is governed by the Road Traffic Acts and imposes an obligation pursuant to these acts on the person engaged in this activity to drive their vehicles with due care for other road users and not to indulge in dangerous driving of the vehicles. In conjunction with the Dept of Transport, my Department is examining the legal avenues available to regulate this activity. Under the Control of Horses Act 1996, Local Authorities have the power to introduce bye-laws regulating activities involving horses in their functional area.

While not all sulky racing involves a threat to animal welfare, under the Animal Health and Welfare Act a person involved in any activity relating to animals is obliged to take all necessary measures to protect the welfare of an animal under his or her control. At present, cruelty to animals is dealt with by the Protection of Animals Act 1911 (as amended by the 1965 Act). Responsibility for pursuing cases under this legislation rests with the Garda Síochána, who may on receipt of a complaint investigate and bring a prosecution against any person alleged to have committed an offence under this Act.

### **Farm Inspections**

178. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine the position regarding penalties in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [7128/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was the subject of a Nitrates inspection carried out on 27 February 2013 by my Department on behalf of the Department of the Environment, Community and Local Government. This inspection recorded breaches under the Nitrates Regulations relating to the failure to minimise the creation of soiled water and the inadequate collection of livestock manure. This resulted in a penalty of 20% being applied against the 2013 Direct Payments.

The person named was notified of this decision on the 19 March 2013. The person named has appealed this decision and this request for a review is currently being examined. The person named will be notified of the outcome of this review as soon as possible.

In the event that the person named is dissatisfied with the outcome of this review, the decision can be appealed to the independent Agriculture Appeals Office within 3 months.

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

179. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when a 2013 agri-environment options scheme payment will issue in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [7135/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person

named was approved for participation in the Agri-Environment Options Scheme (AEOS 3) with effect from 1st May 2013.

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 are well under way and I anticipate that payments for the AEOS 3 in respect of 2013 will commence in March 2014.

### **Land Parcel Identification System**

180. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine the progress that has been made in resolving the dual claim issue in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [7188/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As indicated in reply to a previous Question regarding this matter, following initial processing of the application of the person named, dual claims were identified in respect of a number of land parcels declared. Query letters issued to both applicants regarding their entitlement to claim the disputed land. While replies have been received, both farmers maintain that they have the right to declare the disputed land. An Official of my Department then made direct contact with the person named with a view to resolving all the outstanding issues.

As matter remains unresolved, the Departmental Official again contacted the person named yesterday (Monday 10th February) outlining the position and explaining that due to the complexity of the legal issues in this case we cannot proceed without further written instruction from the person named. The response of the person named is awaited.

### **Departmental Bodies**

181. **Deputy Michael McNamara** asked the Minister for Children and Youth Affairs if she will provide a list of bodies under the aegis of her Department in respect of Government policy for which she is responsible for answering parliamentary questions pursuant to Standing Order 34. [6996/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I am responsible for answering Parliamentary Questions pursuant to Standing Order 34 for the following bodies: the Child and Family Agency, the Adoption Authority of Ireland, the board of management with responsibility for the Children Detention Schools and the Ombudsman for Children's Office.

In addition, I would note that under the Child and Family Agency Act, 2013, the Family Support Agency and the National Educational Welfare Board were dissolved and the service provision for these Agencies along with Child and Family Services previously provided by the HSE transferred to the new Agency with effect from 1st January, 2014.

Gaisce, The President's Award, is a limited company set up under the Companies Acts (in 1996) with a memorandum and articles of Association. It has been my usual practice to provide information to the Dáil in response to Parliamentary Questions in relation to the activities of Gaisce.

### **Ministerial Appointments**

182. **Deputy Michael McNamara** asked the Minister for Children and Youth Affairs if she

will provide a list of bodies to which she has the authority to appoint board members. [7011/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Minister has the authority to appoint board members to the following bodies: the Child and Family Agency, the Adoption Authority of Ireland, and the board of management with responsibility for the Children Detention Schools.

Gaisce, The President's Award is a limited company set up under the Companies Acts (in 1996) with a memorandum and articles of Association. The Articles of Association provide that there shall be 15 members of the Gaisce Council, appointed by the Minister for Children and Youth Affairs.

### **Local Authority Functions**

183. **Deputy Kevin Humphreys** asked the Minister for Children and Youth Affairs if she will provide a list of all specific new powers or functions conferred on local authorities by legislation under her area since June 2009 and a reference to the specific section or regulation in each case; and if she will make a statement on the matter. [7026/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I wish to inform the Deputy that, in the Child and Family Agency Act 2013 which was commenced with effect from 1st January 2014, I have made provision at Section 10 for public bodies, including local authorities, to make agreements with the Child and Family Agency (CFA) in respect of the performance by the Agency of the local authorities' functions and vice versa. Section 11 allows for informal arrangements between the CFA and public bodies including local authorities concerning the performance of the duties relating to their respective functions. While these are new powers for local authorities in respect of the CFA, equivalent provisions previously existed in the Health Act 2004 in relation to the HSE.

### **Early Child Care Education Issues**

184. **Deputy Kevin Humphreys** asked the Minister for Children and Youth Affairs the reason the age limit cut-off for the early childhood care and education scheme forces children born after 1 July to wait another year; her plans to amend the eligible age range so that children born in July and August can access same (details supplied); and if she will make a statement on the matter. [7108/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Early Childhood Care and Education (ECCE) programme provides a free pre-school year to all eligible children in the year before commencing primary school. Approximately 68,000 children availed of the ECCE programme in the 2012/13 school year.

Children qualify for the free pre-school provision when they are within the qualifying age range which is 3 years and 3 months to 4 years and 7 months in the September of the relevant year. Children born between 2 February 2010 and 30 June 2011 will qualify for the free pre-school provision in September 2014. Children born between 1st July and 31st August 2011 will qualify in the school year commencing in September 2015. There is no provision under the programme to enrol children who are below the qualifying age.

The objective of the ECCE programme is to make early learning in a formal setting available to eligible children in the year before they commence primary school. To achieve this, services participating in the pre-school year are expected to provide age-appropriate activities and programmes to children within a particular age cohort. For this reason, it is appropriate to

set minimum and maximum limits to the age range within which children will qualify. I am satisfied that the qualifying age range for entry to the programme provides the optimum opportunity for children to participate in pre-school education and there are no plans to amend the age range at this time.

When evaluating the most appropriate age range for eligibility for the pre-school programme, consideration must be given to the significant body of evidence provided by international research, which points to the fact that children who start school at a younger age perform at a lower level than children whose entry into the education system is at a later age. The enrolment patterns must also be considered and these show that most parents choose to enrol their children in primary school when they are aged between 4 years 6 months and 5 years 6 months.

Situations will arise where children qualifying for the free pre-school provision are also eligible to commence primary school, and in such situations it is a matter for parents to decide on which option they wish to avail of.

### **Child Abuse Reports**

185. **Deputy Anne Ferris** asked the Minister for Children and Youth Affairs her response to the UN Committee on the Rights of the Child report on the Vatican's child protection procedures; her views on the level of co-operation between church authorities here and the relevant civil agencies under the new child protection reforms; and if she will make a statement on the matter. [7152/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I have noted the concerns raised by the UN Committee on the Rights of the Child in its concluding observations on the second periodic report of the Holy See. Reports such as these remind us once again of the scale of historical abuse and of past failures to protect children.

As regards the issue of cooperation between the Irish church authorities and the relevant civil agencies I would like to acknowledge the ongoing work being done by the National Board for Safeguarding Children in the Catholic Church of Ireland (NBSCCCI) in ensuring that appropriate safeguarding and reporting measures are in place and operating properly across the Catholic Church.

On 10 December, 2013, the NBSCCCI published its fourth tranche of reviews into safeguarding practices at both diocesan and Religious Congregation level. The publication of these review reports brings the Board closer to completing a national picture of how Catholic dioceses and Religious Congregations are currently engaging with the issue of child protection, and the regimes in place in order to ensure that proper safeguarding arrangements are being applied and complied with. I am pleased to note that the reviews highlighted generally high levels of compliance by dioceses and orders currently with respect to best practice in child protection. However, it is imperative that the standards are fully implemented across the Church and that compliance continues to be validated by the Safeguarding Board.

I would also like to acknowledge the strong and positive working relationship between the NBSCCCI and the new Child and Family Agency including with respect to ensuring ongoing compliance with the Children First Guidance on child protection. Officials from the Child and Family Agency will continue to liaise on an ongoing basis with the NSBCCCI in this regard.

### **Child Care Services Expenditure**

186. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs if she is propos-

ing any large-scale capital grants for child care, especially for the community sector. [7166/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Considerable capital funding was made available to community and commercial mainstream childcare providers for the development and refurbishment of childcare facilities under the National Childcare Investment Programme (NCIP) 2006-2010, and previously under the Equal Opportunities Childcare Programme (EOCP). Because of the economic situation, a review of capital expenditure was undertaken in 2009 and following this a decision was taken not to approve any further capital grant applications under the NCIP programme.

I did secure capital funding totalling €6m in Budget 2012 to provide for the refurbishment of services in which substantial Government capital and support funding had already been invested. I was also successful in securing €2.75m in capital funding in Budget 2013 to support the ongoing improvement of established childcare services participating in one or more of the childcare support programmes implemented by my Department.

While I hope to be in a position to provide further capital funding to childcare providers, I do not expect to be in a position to provide capital grants which for large scale developments.

*Question No. 187 answered with Question No. 28.*

### **Child and Family Agency Remit**

188. **Deputy Aodhán Ó Ríordáin** asked the Minister for Children and Youth Affairs the role that will be played by Tusla, the Child and Family Agency, in helping to deliver on the Youth Justice Action Plan 2014-2018 to tackle and prevent youth crime; if she envisages a preventative role for Tusla in the proposed national anti-crime strategy; and if she will make a statement on the matter. [7172/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** On 3 February 2014, in conjunction with my colleague, the Minister for Justice and Equality, I launched the Youth Justice Action Plan 2014-2018. The overall mission statement of the Action Plan is to create a safer society by working in partnership to reduce youth offending through appropriate interventions and linkages to services. It is focused on continuing the downward trends in high volume crime and reduce the necessity for detention. The Youth Justice Action Plan 2014-2018 will form part of the Children and Young People's Policy Framework (CYPPF) currently being developed in my Department, with its focus on better outcomes for children and families. The Action Plan will also form part of the National Anti-Crime Strategy currently being developed by the Department of Justice and Equality as part of the White Paper on Crime process, with its focus on crime reduction and safer communities.

The implementation of the Youth Justice Service Action Plan 2014-2018 will be driven by a steering group, chaired by the Director of the Irish Youth Justice Service, and comprising senior representatives from my Department, the Probation Service, the Courts Service, an Garda Síochána, Tusla - the Child and Family Agency and the Department of Justice and Equality. Tusla is one of the agencies consulted in the drawing up of the Youth Justice Service Action Plan 2014-2018 and is also on the steering group which will monitor the Youth Justice Action Plan 2014-2018.

It is important to note that Tusla will be one of a number of stakeholder agencies/Departments involved in the delivery of the Action Plan, which contains a major emphasis on inter-agency working based on agreed objectives. In particular, Tusla will work alongside other relevant agencies toward the following objectives in the Action Plan.

- Enhanced collaboration between partners through effective information-sharing and to promote best practice (Objective 1.1)
- Ensuring that Government investment in the youth justice system yields positive results (Objective 1.2)
  - To improve and increase the availability of reliable and relevant research on youth crime and the youth justice system, via improved sharing of data and statistics between criminal justice agencies, partners and stakeholders (Objective 2.2)
  - Exploring active means by which the views of young people can inform policy and improve performance of the youth justice system (Objective 2.4)
  - Engaging with other youth service providers to promote the use of crime prevention supports and a standardised working ethos in delivery of youth services (Objective 3.2)
  - Embedding pro-social development strategies towards preventing any young person from becoming involved in offending behaviour. In this respect the stakeholders will work to address the needs of those involved and/or at serious risk of involvement in crime. Relevant stakeholder agencies will also ensure that young people identified at risk of offending receive appropriate and adequate care (Objective 3.3)
  - Provision of specialist therapeutic services to young people in the detention schools and the review of protocols for care of young people in detention (Objective 5.1)
  - Inputting as necessary into a review of the appropriate governance structure for the integration of the detention schools (Objective 5.2).

By its input into the Youth Justice Action Plan, Tusla will also be directly impacting on all relevant goals of the proposed National Anti - Crime Strategy. I welcome the positive role that Tusla has committed to providing in the implementation of the Youth Justice Action Plan and by extension, the National Anti Crime Strategy.

### **Child Protection**

189. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department is in a position to monitor children at risk; and if she will make a statement on the matter. [7173/14]

190. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the number of reports received by her Department in respect of children and-or teenagers at risk in the past 12 months; the extent to which it has been found possible to offer assistance and follow-up support; and if she will make a statement on the matter. [7174/14]

195. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the position regarding the setting up of the Child and Family Agency; the degree to which it is expected to be in a position to engage with families or children at risk; and if she will make a statement on the matter. [7179/14]

196. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which children and teenagers deemed to be at risk for whatever reason continue to be brought to the attention of her Department; the extent to which the primary cause or causes contributing to their situations continue to be assessed; if such issues of social deprivation, health, depression or other reasons such as intimidation or bullying have been identified; and if she will

make a statement on the matter. [7180/14]

198. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she is satisfied regarding the ability of the relevant bodies to respond to calls in respect of children and young adults at risk; and if she will make a statement on the matter. [7182/14]

200. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department remains in contact with child support services in the Health Service Executive with a view to determination of the best practice to be pursued in cases of children at risk that have been brought to the attention of the HSE and-or her Department; and if she will make a statement on the matter. [7184/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 189, 190, 195, 196, 198 and 200 together.

The Child and Family Agency was established on 1st January, 2014. Responsibility for promoting the welfare and protection of children at risk is a key function of the Agency. The context within which our child welfare and protection services operate today is very challenging. The number of child welfare and protection referrals to social work departments increased by nearly one third to over 40,000 in 2012.

It is my intention that the Child and Family Agency will bring a renewed focus on delivering safe and effective services for children and families who need a wide continuum of supports and interventions. The Agency will address the persistent issues which have been raised regarding the standardisation of services, communication, coordination and sharing of risk assessment, management and treatment for many children and families with the most complex needs. The Agency is tasked with developing a role in supporting families more universally by providing less complex, less intrusive, less expensive responses which have a preventive function.

The principles underlying this responsibility are outlined in the prevention, early intervention, family support and therapeutic and care interventions which are key to the provision of integrated multi-disciplinary services for children and families in need. A key policy objective for the Agency is to ensure that the fundamental principles of co-operation and co-ordination in the development and delivery of services are in place.

My Department has a range of systems in place to ensure it is informed of risk to children and the measures put in place to minimise these risks. Monthly, quarterly and annual reports are received from the Child and Family Agency in respect of all its functions, including detailed reporting of key performance indicators. Officials have a range of meetings with the Agency to review areas in need of improvement. There are protocols in place for the Agency to inform the Minister and the Department of specific issues where risk is identified and to enable a robust management response to be put in place.

Inspection reports are also received on an ongoing basis and meetings with HIQA managers and inspectors will be held on a regular basis to review key inspection findings in relation to children in detention schools, children in care in residential care including special care, foster care and children in receipt of child welfare and protection services in the community. Reports from the Ombudsman for Children and the National Review Panel where risk to children is noted are reviewed by Department officials to identify issues that require input and progress in the area of policy or of operational issues.

I am satisfied that in establishing the new Child and Family Agency we now have in place the necessary structure to ensure the provision of a more responsive and integrated service to

children and young people at risk.

### **Child Protection**

191. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which it is intended to reinforce the rights of the child with particular reference to addressing issues of physical, mental or sexual abuse; and if she will make a statement on the matter. [7175/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department is taking a lead role in the cross-sectoral implementation of Children First: National Guidance for the Protection and Welfare of Children [2011]. A Children First Implementation Inter-Departmental Group has been established involving key Government Departments, An Garda Síochána and the Child and Family Agency. The purpose of the Group is to promote the importance of Children First compliance across Government and to ensure consistency of approach. The Group has completed a benchmark phase of establishing structures, mechanisms and activities in place within each sector to support and drive the implementation process. In July 2013 the Government approved the publication of each Departmental Children First Sectoral Implementation Plan on the relevant Department websites. A key priority of the Group is the development of appropriate reporting mechanisms in respect of the implementation of Children First within each sector and the assurance arrangements to monitor implementation and compliance.

It is important to emphasise that there have been significant legal and structural reform changes to improve all of the systems of protection of children in Ireland. In my own area, these changes include the establishment of the Child and Family Agency, the ongoing implementation of Children First National Guidelines and the development of legislation to put key aspects of Children First on a statutory footing. Officials from my Department are continuing to liaise with the Office of Parliamentary Counsel in relation to the drafting of the Children First Bill, which is now at an advanced stage. The Bill is included in the Government's legislative programme for the Spring/Summer session and I expect to submit it to Government in the coming weeks.

### **Youth Services Issues**

192. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department continues to have dialogue with the various community-based youth support voluntary groups with a view to addressing areas of concern; and if she will make a statement on the matter. [7176/14]

193. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department is in a position to reach out to and support young persons deemed to be in danger arising from depression and possible self-harm; the means used to liaise with such persons; the number of such contacts made in each of the past two years to date; and if she will make a statement on the matter. [7177/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 192 and 193 together.

My Department administers a range of funding schemes and programmes to support the provision of youth services to young people throughout the country including those from disadvantaged communities. Targeted supports for disadvantaged, marginalised and at risk young people are provided through the Special Projects for Youth Scheme, the Young Peoples Facili-

ties and Services Fund, Rounds 1 and 2, Local Drugs Task Force Projects and certain other programmes including the Local Youth Club Grant Scheme and Youth Information Centres. The funding schemes support national and local youth work provision to some 400,000 young people and involve approximately, 1,400 youth work staff in 477 projects and 40,000 volunteers working in youth work services and communities throughout the country. In 2014, funding of €50.530m including €750,000 for a new capital funding programme has been provided to my Department for these schemes.

I, and officials of my Department have met, and continue to meet, regularly with many youth organisations and groups to see how we can work together to bring about the best possible outcomes for young people, having regard to resources available to us and to ensure that the programmes and services being provided are relevant and responsive to young people's needs.

Young people benefit hugely from participation in youth work services. There is a growing body of research evidence which highlights how engagement in quality programmes helps young people to acquire important life skills such as confidence, problem solving, resilience and the ability to develop and maintain positive relationships and how it can enhance young people's competences for communication, leadership and innovation and their employability.

My Department also provides funding on an annual basis to support the work of the National Youth Health Programme (€83,940 in 2013). This programme is a partnership between the National Youth Council of Ireland, my Department and the HSE. The programme aims to provide a broad-based, flexible health promotion/education support and training service to youth organisations and to all those working with young people in out-of-school settings.

This work is achieved through the development of programmes and interventions specifically for and with youth organisations throughout the country and the provision of training and support for workers and volunteers who implement these programmes. In particular, the Mindout Mental Health Promotion training and resource pack, which was developed by Health Promotion HSE West and NUI Galway, takes a positive approach to the promotion of emotional and mental health among young people and adopts a universal mental health promotion approach which has strong links with the "Support for all" element of the recent guidelines on Mental Health Promotion for Schools published by the HSE, Department of Education and the National Office for Suicide Prevention.

Ongoing engagement and dialogue with the youth sector organisations and with young people themselves are priorities in the development of the policies and services to support young people's development and learning.

The National Youth Work Advisory Committee, appointed by me in January 2013 includes the key national youth organisations, that work directly with young people. The Committee, which also includes representatives of Government Departments, the Education and Training Boards and other statutory agencies involved in youth matters, has an important advisory role to me on issues to do with how youth work practice and services can better meet the requirements of young people.

My Department has regular engagement with members of the youth sector organisations in the development of policy initiatives that impact on young people. At this time, members of youth sector organisations are contributing to the development of the Children and Young Peoples' Policy Framework, my Department's new strategy for children and young people. They are also engaged with my Department in relation to the potential contribution of the youth sector to the measures to implement the youth guarantee. The National Youth Council of Ireland has a lead role in carrying out the EU structured dialogue process with young people in Ireland and the youth sector organisations are represented on the National Steering Committee chaired

by my Department. It is planned that youth organisations will have a significant role in the new youth policy strategy which is being developed in my Department for completion in 2014. The next stage of the development of the youth policy strategy will include a consultation process with youth organisations, other youth stakeholders and young people themselves.

### **Departmental Budgets**

194. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which she remains confident regarding the adequacy of resources available to her Department to meet in full the cost of services; and if she will make a statement on the matter. [7178/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Revised Estimates for Public Services 2014 allocated gross funding to my Department of some €997 million which includes over €955 million in current funding and €42 million in capital funding. When Appropriations-in-Aid receipts of just over €22.8 million are taken into account, the net current funding allocated to my Department in 2014 is some €974.3 million. This level of funding (€997m) represents an increase of over €558 million on the 2013 Estimate of €439 million and the significant investment demonstrates that, while operating within difficult Budgetary constraints, this Government is strongly committed to delivering important reforms and service developments to support children and families.

I consider that the estimate provision for my Department will facilitate the delivery of a significant level of public services as well as a number of new policy measures that include the following. The establishment of the new Child and Family Agency took effect on 1 January 2014. This was a historic development and a significant milestone in the programme of this Government to fundamentally reform the delivery of services to vulnerable children and families. The level of funding allocated to the Agency is over €602m in current funding and €6.8m in capital spending. This resource allocation is for the continuing provision of services previously administered by the Health Service Executive, the National Educational Welfare Board and the Family Support Agency. The overall level of funding available, which is significant by any measurement, will help the agency to respond to demand and to the needs of clients. It will help to improve the level and quality of services and assist in responding to the historic legacy of failings highlighted in the various inquiry reports published in recent years. An additional €4 million was provided to support implementation of the Preschool Quality Agenda which seeks to support high standards through supporting the efforts of providers and their staff in delivering improved and more reliable quality; and to respond to concerns raised by parents. An increase of €1.5 million in funding was provided to address child poverty through the new Area Based Childhood (ABC) programme. This will bring to €4 million the State funding to be invested in this initiative in 2014. The total budget allocation for the programme over the period 2013 – 2016 is almost €30 million. €31m in capital funding is being made available to facilitate the continuation of construction work on the new Children Detention School facilities in Oberstown, Lusk, Co. Dublin. The timeline for the project will see the first three residential units available in the third quarter of 2014 and will be prioritised for the transfer of 17 year old boys from adult prison facilities, currently in St Patrick's Institution.

Other important areas being supported in 2014 are the free Preschool Year in Early Childhood Care and Education (ECCE) programme which has a funding provision of €175 million. Some 4,300 preschool services are participating in the programme and approximately 68,000 children are currently benefiting from it. In addition, in excess of €50 million is also being made available to support the delivery of a range of youth work programmes and services by

the voluntary youth sector for all young people including those in disadvantaged communities.

*Questions Nos. 195 and 196 answered with Question No. 189.*

*Question No. 197 answered with Question No. 9.*

*Question No. 198 answered with Question No. 189.*

### **Juvenile Offenders**

199. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs the extent to which her Department continues to engage with juvenile offenders with a view to providing rehabilitative or educational supports; and if she will make a statement on the matter. [7183/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I refer the Deputy to my response to Parliamentary Question No. 411 of 12 November 2013 for background information on the extent of my Department's engagement with the issue of juvenile offending and youth justice issues in general.

In addition, I wish to advise that on 3 February 2014, in conjunction with my colleague, the Minister for Justice and Equality, I launched the Youth Justice Action Plan 2014-2018. The overall mission statement of the Action Plan is to create a safer society by working in partnership to reduce youth offending through appropriate interventions and linkages to services. It is focused on continuing the downward trends in high volume crime and reduce the necessity for detention. The Youth Justice Action Plan 2014-2018 will form part of the Children and Young People's Policy Framework (CYPPF) currently being developed in my Department, with its focus on better outcomes for children and families. The Action Plan will also form part of the National Anti-Crime Strategy currently being developed by the Department of Justice and Equality as part of the White Paper on Crime process, with its focus on crime reduction and safer communities.

The implementation of the Youth Justice Service Action Plan 2014-2018 will be driven by a steering group, chaired by the Director of the Irish Youth Justice Service, and comprising senior representatives from my Department, the Probation Service, the Courts Service, an Garda Síochána, the Child and Family Agency and the Department of Justice and Equality.

*Question No. 200 answered with Question No. 189.*

### **Child Care Reports**

201. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs if she will consider, in consultation with the Department of Social Protection, the implementation of any of the tax relief or tax credit options suggested in the Right from the Start report for reducing the costs of child care; and if she will make a statement on the matter. [7190/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Tax incentives for working parents who incur childcare costs were previously proposed, and the issue of tax allowances or credits was considered, prior to the introduction of the targeted childcare supports which are now in place to support parents with the cost of childcare. A number of issues

emerged at that time which did not favour the introduction of childcare tax relief.

Tax relief or tax credits would not, for example, support parents working in the home and could therefore, as opposed to the targeted approach, be seen by some as discriminatory. Also these reliefs would favour the better paid and those on the minimum wage or in part time work or student parents would not be in a position to benefit to the same extent as higher income families. Many parents use childminders or relatives to meet their childcare needs and might not be in a position to obtain receipts making it impossible for them to establish their entitlement to such benefit.

I am very much aware of the relatively high cost of childcare in this country and of the difficulties that this presents, particularly where both parents are in employment outside of the home. To help address the issue, funding of €260 million is provided annually by my Department to support a number of targeted childcare support programmes that assist parents in accessing quality and affordable childcare.

For example, the Community Childcare Subvention (CCS) programme provides funding to community-based childcare services to enable them to provide childcare at reduced rates to parents in receipt of social welfare payments or parents in employment who are on low or relatively modest incomes. My Department also implements the Early Childhood Care and Education (ECCE) programme which provides one free pre-school year to all eligible children before they commence primary school.

I am happy to advise the Deputy that a review of the childcare support programmes will be undertaken by my Department in the coming year with a view to identifying areas where they could be enhanced and improved to ensure the best use of the investment which is currently being made in this area. All proposals relating to childcare supports will be considered as part of this review.

The recommendations by the Expert Advisory Group on the Early Years Strategy, detailed in the report to which the Deputy refers, will also be considered prior to finalising the Strategy later this year.

### **Early Years Strategy Implementation**

202. **Deputy Joanna Tuffy** asked the Minister for Children and Youth Affairs the number and dates of consultations between officials of her Department and officials from the Departments of Health, Education and Skills, Social Protection, Environment, Community and Local Government (Housing), Justice and Equality, and Jobs, Enterprise and Innovation in terms of input into the early years strategy; her level of satisfaction with interdepartmental and inter-agency co-operation; and if she will make a statement on the matter. [7195/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Early Years Strategy is one of a number of detailed strategies under the National Children and Young People's Policy Framework 2014-2018 which is nearing finalisation. This will set out the overall principles, vision and outcomes for children and young people and will guide actions across Government over the period 2014 to 2018. I hope to publish the Policy Framework later this year. I expect that the Early Years Strategy will be finalised and published shortly thereafter.

I appointed an Expert Advisory Group, chaired by Dr Eilis Hennessy of UCD, to advise on recommendations for inclusion in the Strategy and their comprehensive report, 'Right from the Start', was launched at the end of last year. The recommendations in the report are being considered within my Department.

I held a consultation event at which key stakeholders from a wide range of relevant areas examined the recommendations and considered whether other issues needed to be considered for inclusion in the Early Years Strategy. There is also ongoing consultation and collaboration between officials from my Department and other Government Departments and agencies on matters relevant to the delivery of childcare services. These consultations together with the report of the Expert Advisory Group will contribute substantially to the final draft of the new Strategy. Further discussion will be arranged if considered appropriate before the final Strategy is published.

### **Child Care Services Funding**

203. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs if she is aware of the impact that the delay in the CCS allocations has had on the community sector; and if she will make a statement on the matter. [7199/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Childcare Directorate of my Department implements the Community Childcare Subvention (CCS) programme, with assistance from Pobal in relation to issuing payments.

Community childcare services qualify for funding under the CCS programme on the basis of the level of service they provide and the profile of the parents benefiting from their service. The information provided in the parental declaration forms submitted to my Department is verified by the Department of Social Protection (DSP) and the HSE. This information determines the level of subvention which applies to each individual parent. This information is gathered during a ‘snap shot’ week in the month of October.

Service providers consider their budget and fees policies prior to the ‘snap shot’ week based on the number of children they have in the service and their own requests for information from parents to estimate what subvention level they can apply for. The DCYA also advises that service providers should request this information again from parents during the ‘snap shot’ week.

All service providers receive preliminary payments before the verification process is complete, from which over or under payment may be adjusted at the next payment run, following the verification process.

Following verification, participating services are provided with a list of qualifying parents and confirmation of the subvention level applied to each parent. Parents can appeal if they consider that they are entitled to a higher rate of subvention. Applications for appeal must be submitted within one month of receipt of confirmation of subvention level. Confirmation of subvention levels is usually administered in mid-December, with appeals to be submitted by the end of January.

I appreciate that there was a delay last year in the verification process. Service providers received an extra preliminary payment in December due to this delay. The verification process in this school year issued to childcare providers in January and the closing date for parents to appeal these decisions and to establish their eligibility for the programme is the 28th February.

The appeals process for this year is underway and the outcomes will be communicated to the childcare providers as quickly as possible. While there was a delay in the verification of subvention levels, the appeals process is currently being processed at a quick pace and so, it is anticipated that the complete process will be finalised earlier than other years.

In cases where a decision is required as a matter of urgency, it is always open to the partici-

pating childcare service to contact the Childcare Directorate in advance of a formal determination being issued.

It is my intention to review all aspects of the childcare support programmes with a view, inter alia, to ensure that the maximum benefit is provided to parents and children in need of childcare support and that the payment process is streamlined so that providers are in a position to meet their financial deadlines.

### Dental Services Provision

204. **Deputy Derek Nolan** asked the Minister for Health the date on which a person (details supplied) in County Galway will have all necessary dental treatment carried out; and if he will make a statement on the matter. [6971/14]

**Minister of State at the Department of Health (Deputy Alex White):** As this is a service matter it has been referred to the HSE for direct reply to the Deputy.

### Departmental Bodies

205. **Deputy Michael McNamara** asked the Minister for Health if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7003/14]

**Minister for Health (Deputy James Reilly):** Standing Order 34 directs that questions addressed to a member of the Government must relate to public affairs connected with his or her Department, or to matters of administration for which he or she is officially responsible (including bodies under the aegis of his or her Department in respect of Government policy).

Operational matters for bodies under the aegis of my Department are a matter for the relevant Director/CEO/Registrar. Issues regarding governance, funding for and employment control in the bodies, where relevant, are generally matters for answer by my Department.

A list of the bodies agencies under the aegis of my Department is set out below.

<b>Non Commercial Agencies</b>	-
The Nursing and Midwifery Board of Ireland (Self funding)	-
Dental Council (Self funding)	-
Food Safety Authority of Ireland	-
Food Safety Promotions Board	-
Health and Social Care Professionals Council	-
Health Information and Quality Authority	-
Health Insurance Authority (Self funding)	-
Health Research Board	-
Irish Blood Transfusion Service (Self funding)	-
Irish Medicines Board (approximately 14% exchequer funded, 86% self funded)	-
Medical Council (Self funding)	-
Mental Health Commission	-
National Cancer Registry Board	-
National Paediatric Hospital Development Board (Funded by HSE)	-
National Treatment Purchase Fund	-

<b>Non Commercial Agencies</b>	-
Opticians Board (Self funding)	-
Pharmaceutical Society of Ireland (Self funding)	-
Pre-Hospital Emergency Care Council	-
Commercial Agency	-
VHI	-

### Ministerial Appointments

206. **Deputy Michael McNamara** asked the Minister for Health if he will provide a list of bodies to which he has the authority to appoint board members. [7018/14]

**Minister for Health (Deputy James Reilly):** I have statutory authority under the legislation which established the following agencies to make appointments to their boards. In some cases I have nominating rights for board members. In others I make the appointments on the nomination of other bodies, in accordance with the establishing legislation.

Beaumont Hospital Board.

Consultative Council on Hepatitis C.

Dental Council.

Dieticians Registration Board.

Dublin Dental Hospital Board.

Food Safety Authority of Ireland and its Scientific Committee.

Health and Social Care Professionals Council.

Health Information and Quality Authority.

Health Insurance Authority.

Health Research Board.

Hepatitis C and HIV Compensation Tribunal.

Irish Blood Transfusion Service.

Irish Medicines Board and its Advisory Committee for Veterinary Medicines, Advisory Committee on Medical Devices and National Committee for the Protection of Animals used for Scientific Purposes.

Leopardstown Park Hospital Board.

Medical Council.

Mental Health Commission.

National Cancer Registry Board.

National Haemophilia Council.

National Paediatric Hospital Development Board.

National Treatment Purchase Fund.

Nursing and Midwifery Board of Ireland.

Occupational Therapists Registration Board.

Opticians Board.

Pharmaceutical Society of Ireland.

Physiotherapists Registration Board.

Pre Hospital Emergency Care Council.

Radiographers Registration Board.

St. James's Hospital Board.

Speech and Language Therapists Registration Board.

Social Workers Registration Board.

Tallaght Hospital Board.

Voluntary Health Insurance Board.

In addition, in my role as Minister for Health, I have made appointments to the following non statutory Boards, which have been established as part of the Health Reform agenda:

Children's Hospital Group Board

Dublin East Hospital Group Board

Dublin Midlands Hospital Group Board

Dublin North-East Hospital Group Board

South/Southwest Hospital Group Board

University of Limerick Hospital Group Board

West/Northwest Hospital Group Board.

### **Local Authority Functions**

207. **Deputy Kevin Humphreys** asked the Minister for Health if he will provide a list of all specific new powers or functions conferred by legislation on local authorities under his remit since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7033/14]

**Minister for Health (Deputy James Reilly):** The information requested by the Deputy is set out below. Local authorities are "official agencies" carrying out functions under a service contract and acting on behalf of the Food Safety Authority of Ireland pursuant to section 48 of the Food Safety Authority of Ireland Act of 1998.

*Questions - Written Answers*

Title of Legislation	Description of new power or function conferred on local authorities	Date legislation passed
<p>EUROPEAN COMMUNITIES (PURITY CRITERIA ON FOOD ADDITIVES OTHER THAN COLOURS AND SWEETENERS) REGULATIONS 2009 – S.I. 277 of 2009 Regulation 19</p>	<p>These Regulations give effect to Commission Directive 2008/84/EC of 27 August 2008 laying down specific purity criteria on food additives other than colours and sweeteners, as amended by Commission Directive 2009/10/EC of 13 February 2009. Regulation 19 permits local authorities to prosecute summary offences for breaches of the above.</p>	<p>23 July 2009</p>
<p>EUROPEAN COMMUNITIES (NUTRITION LABELLING FOR FOODSTUFFS) REGULATIONS 2009 – S.I. 461 of 2009 Regulation 24</p>	<p>These Regulations give further effect to Council Directive 90/496/EEC on nutrition labelling for foodstuffs as amended by Commission Directive 2003/120/EC. They also specifically give effect to Commission Directive 2008/100/EC amending Council Directive 90/496/EEC on nutrition labelling for foodstuffs as regards recommended daily allowances, energy conversion factors and definitions, particularly as regards fibre. Regulation 24 permits local authorities to prosecute summary offences for breaches of the above.</p>	<p>26 November 2009</p>
<p>EUROPEAN COMMUNITIES (EXTRACTION SOLVENTS USED IN THE PRODUCTION OF FOODSTUFFS AND FOOD INGREDIENTS) REGULATIONS 2010 - S.I. 119 of 2010 Regulation 25</p>	<p>These Regulations give effect to Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients. Regulation 25 permits local authorities to prosecute summary offences for breaches of the above.</p>	<p>23 March 2010</p>
<p>EUROPEAN COMMUNITIES (CERTAIN CONTAMINANTS IN FOODSTUFFS) REGULATIONS 2010 – S.I. 218 of 2010 Regulation 32</p>	<p>The principal effect of these Regulations is to provide for the enforcement of the maximum levels for certain contaminants in foodstuffs set in Commission Regulation (EC) No. 1881/2006, as amended, and to provide for the enforcement of the methods of sampling, and for the sample preparation and methods of analysis for the official control of the levels of certain contaminants in foodstuffs which methods are set out in the Annexes to Commission Regulations (EC) Nos. 401/2006, as amended, 1882/2006, 1883/2006 and 333/2007. Regulation 32 permits local authorities to prosecute summary offences for breaches of the above.</p>	<p>19 May 2010</p>

Title of Legislation	Description of new power or function conferred on local authorities	Date legislation passed
EUROPEAN UNION (FOOD-STUFFS INTENDED FOR PARTICULAR NUTRITIONAL USES) REGULATIONS 2012 – S.I. 169 of 2012 Regulation 26	These Regulations give effect to Directive 2009/39/EC of 6 May 2009 on foodstuffs intended for particular nutritional uses and to Commission Regulation (EC) No. 953/2009 of 13 October 2009 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses as amended by Commission Regulation (EU) No. 1161/2011 of 14 November 2011. Regulation 26 permits local authorities to prosecute summary offences for breaches of the above.	24 May 2012
EUROPEAN UNION (NUTRITION AND HEALTH CLAIMS MADE ON FOODS) REGULATIONS 2014 – S.I. 11 of 2014 Regulation 34	These Regulations give effect to Regulation (EC) No. 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods, as affected by Corrigendum to Regulation (EC) No. 1924/2006 and as amended. They also give effect to other EU Regulations establishing a list of permitted health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health. Furthermore, they also give effect to numerous EU Regulations on the authorisation of certain health claims made on foods and referring to the reduction of disease risk and to children's development and health. Regulation 24 permits local authorities to prosecute summary offences for breaches of the above	21 January 2014

### Hospital Transfers

208. **Deputy Aengus Ó Snodaigh** asked the Minister for Health to explain the reason patients who have had total hip replacements performed are transferred to another hospital in a taxi rather than an ambulance; and if he will make a statement on the matter. [7040/14]

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

### Hospital Charges

209. **Deputy Denis Naughten** asked the Minister for Health his plans to change the way claims for private patients are processed by hospitals in view of the recent audit at the Galway-Roscommon university hospitals group; the steps he is taking to address other deficiencies uncovered by the audit relating to credit cards, failure to record staff leave and giving doctors allowances they were not entitled to and so on; and if he will make a statement on the matter. [7051/14]

**Minister for Health (Deputy James Reilly):** In relation to the detailed information requested by the Deputy, as these are service matters, I have asked the Health Service Executive to respond to him directly.

### **Hospital Charges**

210. **Deputy Denis Naughten** asked the Minister for Health if he will provide a breakdown for each hospital in the Galway-Roscommon university hospitals group of unpaid patient bills from 2010 to date in 2014; the amount that has been written off by each hospital for the same period; the amount which is being sought by debt recovery agencies; the amount currently awaiting sign-off by a consultant; and if he will make a statement on the matter. [7052/14]

**Minister for Health (Deputy James Reilly):** In relation to the detailed information requested by the Deputy, as these are service matters, I have asked the Health Service Executive to respond to him directly.

### **Speech and Language Therapy**

211. **Deputy Jack Wall** asked the Minister for Health when a child (details supplied) in County Kildare will receive speech and language therapy; and if he will make a statement on the matter. [7061/14]

**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.

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

212. **Deputy Billy Kelleher** asked the Minister for Health if there has been a policy change in terms of the ability of Health Service Executive early intervention teams to recommend a school for special needs children as part of their assessment; if his attention has been drawn to the fact that one intervention team (details supplied) no longer provides this one-line recommendation and this is affecting children's entitlement to school transportation in line with Department of Education and Skills requirements; if he will rectify this situation; and if he will make a statement on the matter. [7062/14]

**Minister for Health (Deputy James Reilly):** The policy issue raised by the Deputy is the subject of discussions involving the Department of Education and Skills, the National Educational Psychological Service, the National Council for Special Education, the Health Service Executive and the Department of Health. My Department has asked the HSE to reply directly to the Deputy in relation to the particular local issue that he has raised.

### **Vaccine Damage Compensation Scheme**

213. **Deputy Colm Keaveney** asked the Minister for Health in reference to his reply on 23 January 2014 on children and adults with narcolepsy, where he referred to his discussion with the Chief Medical Officer about a no-fault compensation scheme, if he will explain the stage these discussions are at; what the proposal contains; the way he proposes to compensate children and adults with narcolepsy; and if he will make a statement on the matter. [7069/14]

214. **Deputy Colm Keaveney** asked the Minister for Health in reference to his reply on 23 January 2014 in respect of children and adults with narcolepsy, the basis on which the prognosis is better than previously indicated; the timeframe for this improved prognosis; and if he will

make a statement on the matter. [7070/14]

215. **Deputy Colm Keaveney** asked the Minister for Health in reference to his reply on 23 January 2014 in respect of children and adults with narcolepsy, if he will accept an invitation from Sufferers of Unique Narcolepsy Disorder to meet affected families and not just the committee members of that organisation; and if he will make a statement on the matter. [7071/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 213 to 215, inclusive, together.

My Department is currently examining the recommendations of the Vaccine Damage Steering Group. However, this issue is complex and needs to be considered in the wider context of how best to address the long term health and social needs of people who may have experienced adverse outcomes from other health services.

With regard to the prognosis for individuals with narcolepsy, experts agree that progress has been made in the treatment of narcolepsy. In the majority of cases functioning can be restored to approximately 80% of normal with appropriate medication and lifestyle modifications. Recent research is indicating that narcolepsy is an autoimmune disorder, and it is now possible to explore new therapies which may have more beneficial effects. Further information regarding progress in treatment can be found at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3480574/>.

I have met with affected families on two occasions in the past (September 2011 and July 2012). I have given a commitment that affected individuals will continue to receive individualised medical supports on an ex-gratia basis.

### **Nursing Homes Support Scheme Eligibility**

216. **Deputy Bernard J. Durkan** asked the Minister for Health if he will indicate eligibility for assistance under the fair deal scheme in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [7078/14]

**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 Appointments Administration**

217. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will have an endoscopy carried out; and if he will make a statement on the matter. [7079/14]

**Minister for Health (Deputy James Reilly):** In relation to the particular patient query raised by the Deputy, as this is a service matter, I have asked the Health Service Executive to respond directly to him.

### **Ambulance Service Response Times**

218. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the target response time for emergency ambulance call-outs in County Donegal; the number of emergency ambulance call-outs in County Donegal in 2011, 2012, 2013 and to date in 2014; the number of times

in which the teams failed to meet the target response time; and if he will make a statement on the matter. [7084/14]

**Minister for Health (Deputy James Reilly):** As these are service matters, I have asked the Health Service Executive to respond directly to the Deputy.

### **Hospitals Funding**

219. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the staffing and funding provision for the James Connolly Memorial Hospital in Carndonagh in County Donegal for 2014; the comparable figures for 2011, 2012 and 2013; and if he will make a statement on the matter. [7085/14]

**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.

### **Ambulance Service Staff**

220. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health if he will provide, in tabular form, a breakdown of the number of staff currently employed in the ambulance service in County Donegal, including a breakdown of the various grades and locations of these posts; and if he will provide comparable figures for the years 2009, 2010, 2011 and 2013. [7086/14]

**Minister for Health (Deputy James Reilly):** The detailed information sought by the Deputy in relation to health service staff is a matter for the HSE and, accordingly, I have asked the HSE to respond directly to him.

### **Ambulance Service Provision**

221. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health the funding that will be provided for the ambulance service in County Donegal in 2014 and the comparable figures for 2009 to 2013, inclusive. [7087/14]

**Minister for Health (Deputy James Reilly):** As these are service matters, I have asked the Health Service Executive to respond directly to the Deputy.

### **Medical Card Appeals**

222. **Deputy Bernard J. Durkan** asked the Minister for Health if he will review a recent decision to refuse a medical card on appeal in the case of a person (details supplied) in County Kildare who is an epileptic; and if he will make a statement on the matter. [7117/14]

**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 Homes Support Scheme Applications**

223. **Deputy Jack Wall** asked the Minister for Health the reason persons (details supplied) in County Kildare are being assessed as individuals in respect of the nursing home support

scheme; and if he will make a statement on the matter. [7121/14]

**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.

### **Calorie Posting on Menus**

224. **Deputy Michael Healy-Rae** asked the Minister for Health his views on correspondence (details supplied) regarding calorie counts in restaurants; and if he will make a statement on the matter. [7125/14]

**Minister for Health (Deputy James Reilly):** There are no current plans to introduce legislation in this area. As Minister for Health, I set up a Special Action Group on Obesity (SAGO), comprising representatives from the Department of Health, the Department of Children and Youth Affairs, the Department of Education and Skills, the Health Service Executive, the Food Safety Authority of Ireland and *safefood* to examine and progress a number of issues to address the problem of obesity. Voluntary calorie-posting in restaurants is just one of SAGO's various initiatives, amongst others, to assist halting the rising levels of overweight and obesity.

I previously wrote to a range of Businesses - Food Fast Food Outlets, Coffee Shop Chains and Catering Companies requesting that they put calories on menus. The most recent survey showed that 76% of fast-food outlets have put calorie menu labelling in place and this represents 410 individual outlets nationally. 50% of Coffee Shop Chains have put calorie menu labelling in place and this represents 92 individual coffee shops nationally. 43% of Catering Companies have put calorie menu labelling in place and this represents 320 individual catering companies who serve on average 170,000 meals per day.

Smaller/individual eating establishments indicated that they needed some support in introducing the scheme and a calorie counter software tool is being developed by the FSAI and is currently being finalised. As 95% of the public would like to see calories on menus, once this tool is available and the food businesses have had adequate time to use the software tool and put calorie menu labelling in place, the Department of Health will review the operation of the calorie menu labelling scheme.

### **Home Help Service Expenditure**

225. **Deputy Joanna Tuffy** asked the Minister for Health the amount spent in 2012 and 2013 on home help nationwide and the amount spent in 2012 and 2013 on home help in the Health Service Executive west area; and if he will make a statement on the matter. [7136/14]

**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.

### **Health Services Provision**

226. **Deputy Michael McCarthy** asked the Minister for Health the provisions that are being made for a person (details supplied) in County Laois to be transferred from Beaumont Hospital, Dublin, to their residence; and if he will make a statement on the matter. [7139/14]

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

### **Speech and Language Therapy**

227. **Deputy Billy Timmins** asked the Minister for Health further to Parliamentary Ques-

tion No. 179 of 6 February 2014, the position regarding the issue raised in the second half of the question and the policy, if any, surrounding the IQ level of the student. [7158/14]

**Minister for Health (Deputy James Reilly):** As previously indicated to the Deputy, health related supports and interventions for children who are of primary school age can be accessed through HSE Primary Care Teams and HSE Disability Services. Each individual presenting to the HSE's speech and language service has an initial assessment to determine their individual need for therapy. The therapist, in conjunction with the parent(s) or carer, will determine the severity of the individual's difficulties and prioritise for therapy accordingly. The level of intervention is in line with clinical policy, age and severity of the diagnosis. The waiting period for intervention is dependent on the nature and severity of the disorder following assessment. In an effort to address the issue of waiting lists and ensure that services are delivered in as equitable a manner as possible within available resources, the HSE has introduced a number of initiatives such as therapists increasing clinic based work instead of domiciliary work and providing family-centred interventions in a group, as opposed to a one-to-one setting, whenever possible.

The HSE has informed me that decisions regarding the provision of services, including therapy services, are not based simply on an individual's level of IQ; rather best practice dictates that each case is assessed individually on its merits and therapy decisions made accordingly. I understand, however, that cognitive assessments are a specific diagnostic requirement for children with Specific Language Impairment to access language classes in schools.

#### **Health Services Staff Data**

228. **Deputy Jonathan O'Brien** asked the Minister for Health if general practitioners are considered officers of the Health Service Executive. [7193/14]

229. **Deputy Jonathan O'Brien** asked the Minister for Health the grades at which employees would be considered officers of the Health Service Executive. [7194/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 228 and 229 together.

As this is a service matter it has been referred to the Health Service Executive for direct reply.

#### **Military Aircraft Landings**

230. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport the landing fees received by Shannon Airport in 2012 and 2013 for flights carrying US troops through the airport; and if he will make a statement on the matter. [7129/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue of airport charges, including landing fees at Shannon Airport, is an operational matter for the Shannon Airport Authority (SAA). As such, this question has been referred directly to the SAA for reply to the Deputy. If a response has not been received within 10 working days, please advise my private office.

#### **Departmental Bodies**

231. **Deputy Michael McNamara** asked the Minister for Transport, Tourism and Sport if he will provide a list of bodies under the aegis of his Department in respect of Government policy for which he is responsible for answering parliamentary questions pursuant to Standing Order 34. [7008/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** While I have overall responsibility for policy matters relating to Transport, Tourism and Sport, the agencies and state-owned enterprises (semi-states) themselves are responsible for those functions devolved to them by the Oireachtas through legislation. North-South bodies such as Tourism Ireland were established pursuant to an international treaty and accountable to the North-South Ministerial Council of which I am member but are not accountable directly to me or to the Oireachtas or the Northern Ireland Assembly.

When I receive a question which is within the remit of an agency, I forward it to that agency for direct response to the Deputy within ten working days. This is a new initiative and is in stark contrast to previous practice where those questions were submitted for disallowance and the information not provided. The agencies involved are:

#### **Agencies under the Remit of the Department**

<b>Sector</b>	<b>Agency</b>
-	Dublin Airport Authority
-	Shannon Airport Authority
-	Irish Aviation Authority
Aviation	Commission for Aviation Regulation
-	Drogheda Port Company
-	Dublin Port Company
-	Dun Laoghaire Harbour Company
-	Galway Harbour Company
-	New Ross Port Company
-	Port of Cork Company
-	Port of Waterford Company
-	Shannon Foynes Port Company
Maritime	Wicklow Port Company
-	CIÉ Holding Company
-	Bus Éireann
-	Dublin Bus/Bus Átha Cliath
-	Irish Rail/Iarnród Éireann
-	Railway Procurement Agency
-	National Transport Authority
Public Transport	Railway Safety Commission
-	Medical Bureau of Road Safety
-	National Roads Authority
Roads	Road Safety Authority
-	Irish Sports Council
Sports	National Sports Campus Development Authority/NSCDA
-	National Tourism Development Authority/Fáilte Ireland
Tourism	Tourism Ireland

#### **Ministerial Appointments**

232. **Deputy Michael McNamara** asked the Minister for Transport, Tourism and Sport if he will provide a list of bodies to which he has the authority to appoint board members. [7023/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** A list of the bodies to which I have the authority to appoint some or all of the board members is available on my Department's website at the following link:<http://www.dttas.ie/sites/default/files/content/corporate/english/general/state-board-membership-and-approved-fees/20140130-report-state-boards.pdf>.

### Local Authority Functions

233. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will provide a list of all specific new powers or functions conferred on local authorities by legislation under his area since June 2009 and a reference to the specific section or regulation in each case; and if he will make a statement on the matter. [7038/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The information requested by the Deputy regarding the powers or functions conferred on Local Authorities by legislation since June 2009 is available in the table.

#### Powers or functions conferred on Local Authorities

#### S.I. No. 472/2011 - European Communities (Road Infrastructure Safety Management) Regulations 2011.

These Regulations give effect to Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management.

New power or function conferred on local authorities under S.I. 472/2011	Specific regulation in S.I. 472/2011
The Authority (NRA) may give a direction in writing to a road authority in relation to any matter arising under these Regulations or the Directive and a road authority issued with such a direction shall comply with same.	Regulation 3(1)
Any person or body (i.e. including a road authority) carrying out activities covered by these Regulations or the Directive shall ensure that those activities are carried out in accordance with guidelines issued by the Authority (NRA).	Regulation 3(11)
Any person or body (i.e. including a road authority) undertaking an infrastructure project shall ensure that a road safety impact assessment is carried out for that project, in accordance with guidelines issued by the Authority (NRA)	Regulation 4(1)

New power or function conferred on local authorities under S.I. 472/2011	Specific regulation in S.I. 472/2011
Any person or body (i.e. including a road authority) undertaking an infrastructure project shall ensure that – (a) a road safety audit is carried out for that project, in accordance with guidelines issued by the Authority; (b) road safety audits form an integral part of the design process of the infrastructure project at the stage of draft design, detailed design, pre-opening and early operation, and (c) an audit report is produced setting out - (i) safety critical design elements for each stage of the infrastructure project, and (ii) relevant recommendations from a safety point of view.	Regulation 5(1)
Any person or body (i.e. including a road authority) undertaking roadworks shall ensure that any temporary safety measures applying to roadworks are in accordance with guidelines issued by the Authority (NRA). Appropriate signs, warning road users of roads undergoing repairs, shall be put in place by those (i.e. including a road authority) carrying out the said repairs. Where designated by an inspection scheme published by the Authority, a person or body (i.e. including a road authority) shall carry out inspections of roadworks in accordance with that inspection scheme and in accordance with guidelines issued by the Authority.	Regulation 9(1), 9(2), 9(4)

### Road Traffic Act 2002

New power or function conferred on local authorities	Section of the Act
Power to decide the location of bus stops	Section 16 of the Road Traffic Act 2002 which commenced on 1st February 2013

### Driver Licences

234. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport, Tourism and Sport the way a person (details supplied) in County Monaghan who was married in Rome can have their driving licence renewed to reflect their change of name; and if he will make a statement on the matter. [7048/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The overall requirements related to the registering of a person's name by the State is not of itself a matter for my Department. I shall therefore confine myself to the requirements for the driving licence.

Irish law allows drivers to change their surname on driving licences following marriage

provided they produce evidence of a marriage in this jurisdiction or in the UK. In cases where the marriage took place in any other jurisdiction, a passport or Irish travel document will be accepted as evidence of a change of name. If an individual correctly re-registers his or her name with the State, the National Driving Licence Service will therefore be able to issue a licence under the new name.

### Road Improvement Schemes

235. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if he will make funding available under the local improvement scheme to local authorities in 2014; and if he will make a statement on the matter. [7080/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** On 23 January 2014, I announced details of the €332.9 million investment programme for regional and local roads. I can confirm that the Local Improvement Scheme remains in place for 2014; however there is no separate allocation available towards this grant category. Instead local authorities may use up to 15% of their initial Discretionary Grant (up from 7% in 2013) towards local improvement schemes should they wish to do so. Some local authorities want the LIS, others prefer to put the money into public roads. I think this decision is best made locally by the councillors themselves.

The total grant to local authorities for Discretionary Grant was €70m for 2014. The table below sets out the amount allocated to each local authority under this grant as well as the maximum permissible spend from this heading on local improvement schemes.

County Councils - €	Discretionary Grant	Available for Local Improvement Schemes (15% of Discretionary)
CARLOW	€ 882,900	€ 132,435
CAVAN	€ 2,030,550	€ 304,583
CLARE	€ 3,081,100	€ 462,165
CORK	€ 9,128,050	€ 1,369,208
DONEGAL	€ 4,503,150	€ 675,473
DUNLAOGHAIRE - RATHDOWN	€ 1,012,600	€ 151,890
FINGAL	€ 1,095,000	€ 164,250
GALWAY	€ 4,807,000	€ 721,050
KERRY	€ 3,264,800	€ 489,720
KILDARE	€ 2,105,650	€ 315,848
KILKENNY	€ 2,282,000	€ 342,300
LAOIS	€ 1,558,600	€ 233,790
LEITRIM	€ 1,596,300	€ 239,445
LIMERICK	€ 2,594,000	€ 389,100
LONGFORD	€ 1,136,050	€ 170,408
LOUTH	€ 1,032,250	€ 154,838
MAYO	€ 4,620,600	€ 693,090
MEATH	€ 2,954,400	€ 443,160
MONAGHAN	€ 1,708,750	€ 256,313
NORTH TIPPERARY	€ 1,902,400	€ 285,360

County Councils - €	Discretionary Grant	Available for Local Improvement Schemes (15% of Discretionary)
OFFALY	€ 1,517,950	€ 227,693
ROSCOMMON	€ 2,862,500	€ 429,375
SLIGO	€ 1,863,650	€ 279,548
SOUTH DUBLIN	€ 836,900	€ 125,535
SOUTH TIPPERARY	€ 2,073,500	€ 311,025
WATERFORD	€ 2,006,350	€ 300,953
WESTMEATH	€ 1,552,800	€ 232,920
WEXFORD	€ 2,528,400	€ 379,260
WICKLOW	€ 1,461,800	€ 219,270
TOTAL	€ 70,000,000	€ 10,500,000

The local contribution for these schemes remains at 20% of the total cost of the project. The same eligibility rules apply for these schemes.

### Public Service Obligation Services

236. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will ensure that the public service obligation for Dublin Airport to Kerry Airport is renewed in November when the current PSO expires in view of the fact that this renewal of PSO is crucial for the economic future of County Kerry with regard to tourism, business and all economic activity in the county Kerry and the general south west region. [7091/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The current Public Service Obligation (PSO) Air Services Scheme, which includes the Kerry-Dublin route, ends in November this year. The policy on regional airports post-2014 is currently being developed in my Department. This policy will reflect the recommendations arising out of the recently published IWA Knock Study Group, which are being incorporated into the draft National Aviation Policy. This future policy will also have to comply with the revised EU Guidelines on State Aid once they are finalised. No decisions have been made in respect of future PSO supports for the Kerry-Dublin or any other route at this stage.

### Public Service Obligation Services

237. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport his views on correspondence (details supplied) regarding the privatisation of bus routes; and if he will make a statement on the matter. [7116/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The direct award contracts for the provision of Public Service Obligation (PSO) bus market services held by Dublin Bus and Bus Éireann expire later this year. The awarding of subsequent contracts is a matter for the National Transport Authority (NTA). On the 5th of December last, 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.

The objective of Government is to ensure a system of public transport throughout the coun-

try that is as efficient and as widespread as possible. It must be recognised that the tendering decisions announced by the NTA are relatively modest and there will be a long-lead in before they take effect. Furthermore, it is open to the two incumbent companies (Dublin Bus and Bus Éireann) to compete for any tendered routes.

### Public Transport Initiatives

238. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide an update on the current status of the DART underground and metro north projects; his views on whether bus rapid transit would provide a cheaper and more effective transport link to the airport instead of metro north; his views on whether expanding the DART to Dublin Airport is a viable project; and if he will make a statement on the matter. [7131/14]

239. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the consultancy costs to the National Transport Authority in reviewing the bus rapid transit options for transport in Dublin; the total spend on consultancy fees by NTA since January 2012 by project; and if he will make a statement on the matter. [7132/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 238 and 239 together.

Following the comprehensive review of capital expenditure carried out in 2011 a decision was taken to defer the Metro North and DART Underground and a number of other projects which were not affordable. These projects were not therefore included for funding in the Government's 5-year plan *Infrastructural and Capital Investment 2012-2016: Medium term Exchequer Framework*. It was made clear at the time that these projects would be reviewed again in preparation for the next capital plan post-2016.

Preparation for the next capital plan will be informed by work underway such as the Strategic Framework for Investment in Land Transport (SFILT) which is being developed in my Department and the technical consultancy proposed by the National Transport authority (NTA) to assess the long term rail transport requirements of the North Dublin/Fingal corridor, extending from Finglas to Malahide and including Dublin Airport and Swords. This review will examine existing proposals as well as other options for a rail-based transport solution to meet the area's needs in the long term. The specific projects identified to meet current and future demand will be prioritised for inclusion in the next capital plan on the basis of a detailed appraisal with regard to their benefits and costs.

In relation to BRT projects the NTA has proposed a BRT Scheme as an interim solution to the short term demand needs of the Swords/Airport corridor. In the initial planning work carried out by the NTA for the BRT scheme, it was identified that the proposed scheme would not be sufficient on its own to cater for projected transport demand along this corridor in the longer term, and that a higher capacity solution, most likely rail based, would be required in the medium to long-term.

Under the current capital plan funding is only available for the initial design and route selection of a small number of BRT schemes. These schemes, of which Swords/Airport has been identified as a priority, will be included for consideration with other projects in deciding on priorities for the capital plan post 2016. I understand that the NTA is shortly to commence a public consultation process on BRT.

I have referred the Deputy's question to the NTA for a more detailed response with regard to consultancy costs for BRT. Please advise my private office if you don't receive a reply within

10 working days.

### **Rail Network**

240. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide an update on plans to upgrade the Dublin-Cork railway line; if he will further provide an update on plans to upgrade the Dublin-Belfast line; if it will be possible to separate the operation of the DART from this line; and if he will make a statement on the matter. [7133/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The capital plan to 2016 prioritises protecting existing assets and maintaining safety standards. As a result the bulk of the funding for rail under the plan goes towards asset renewal and maintenance across the rail network. There is limited funding for enhancements and upgrades but some funding has been allocated for projects such as the Dublin City Centre Resignalling (which improves capacity and throughput at Connolly station), removal of level crossings and for new ticketing and customer information systems.

My Department is also pursuing opportunities for funding rail infrastructure under EU programmes such as INTERREG, which even if limited, would be additional to existing resources.

I understand from Irish Rail that there are currently no plans to fully separate the operation of the DART and Enterprise services on the Northern line.

### **Rail Services**

241. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on whether the use of commuter trains on the Limerick-Galway railway line is inappropriate and has resulted in low passenger numbers; if it is possible to provide intercity trains for this line; if Irish Rail will consider running an intercity service from Cork via Limerick and Ennis to Galway; and if he will make a statement on the matter. [7134/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The National Transport Authority (NTA) has entered into a Public Service Obligation Contract with Iarnród Éireann for the provision of rail services. As the NTA has responsibility for review of or amendments to the contract, 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.

### **Sporting Events**

242. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport if he has given consideration to Ireland hosting a regular season NFL American football game, considering the success the UK is having in hosting such games and the continued rise in support for the game in this country; and if he will make a statement on the matter. [7163/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The Programme for Government includes a commitment that event tourism will be prioritised in order to continue to bring major events to Ireland. The hosting of major sports events, both participative and spectator sports, can provide a great showcase for Ireland, drive international visitor numbers and the media coverage of sports tourism events helps to put Ireland onto travel itineraries as a holiday destination.

In this regard, I am supportive of the ongoing efforts of the State Tourism Agencies and the National Governing Bodies of Sport to attract international events, subject, of course, to an assessment of the costs/benefits involved in any State financial support. This year I look forward to the Giro d'Italia and the Penn State-UCL American Football game coming to Ireland.

I am aware of the regular NFL season games in London but it is primarily a matter for the NFL if it wants to stage more games overseas. If it was possible to attract such a game and it was attractive from a cost/benefit perspective then I would support efforts to bring it about.

### **Road Safety**

243. **Deputy Martin Heydon** asked the Minister for Transport, Tourism and Sport the position regarding proposed changes to weight restrictions for tractors and trailers; the implications this will have for users of these vehicles; and if he will make a statement on the matter. [7191/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** In 2008, the RSA commenced a consultation and review of the regulation, classification and safety issues surrounding the use of agricultural and related works vehicles on public roads. Their report, delivered in March 2009, contained a number of recommendations for dealing with the issue. Following my approval, in principle, of the recommendations, extensive consultations were held with the Road Safety Authority (RSA), the Irish Farmers Association, representatives of agricultural contractors and the Irish Road Haulage Association.

In the wake of these consultations, a number of road safety related proposals were formulated by the RSA and I agreed them in November 2012. Depending on the number of axles, axle spacing, and type of coupling, agricultural vehicles will be able to draw up to 28 tonnes. In view of the increase in safety risk associated with larger and heavier vehicles using the public road, tractors and trailers operating at the higher weights would be subject to roadworthiness testing. The proposed arrangements also regulate axle spacing, vehicle and trailer plating, lighting and visibility, braking and coupling, and will, in time also extend to driving licences, on-road behaviour, accident reporting and enforcement.

The draft Statutory Instruments to give legislative effect to the road safety related decisions are being prepared by the RSA and will be submitted to my Department shortly