

## 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.*

### Schools Building Projects Status

10. **Deputy James Bannon** asked the Minister for Education and Skills the position regarding a new school (details supplied) in County Longford which was approved in 2010; if her Department have been in contact with the board of management; if the site has been selected; if planning has been sought; the timeframe for the process; and if she will make a statement on the matter. [37877/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I can confirm that the school referred to by the Deputy submitted an application for capital funding for a new school.

The school's request must be considered in the context of the financial constraints imposed by the need, as outlined in the Five Year Plan, to prioritise available funding for the provision of essential school accommodation to meet demographic demand. The area where the school is situated has not been identified as an area of demographic growth.

My Department's over-riding objective is to ensure that every child has access to a physical school place and that our school system is in a position to cope with increasing numbers. This will continue to be the main focus for investment by my Department in the coming years.

In the interim, my Department has been in contact with the school management related to the leasing arrangements for the school on its current site.

*Questions Nos. 11 and 12 answered orally.*

### Pupil-Teacher Ratio

13. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if her attention has been drawn to the widespread concerns of boards of management and parents' associations of smaller fee-charging schools about the increase in the pupil-teacher ratio; if her further attention has been drawn to the serious impact such increases will have on such schools, particularly schools under the patronage of Protestant churches; and if she will make a statement on the matter. [37967/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** The Government's focus in recent years has been on operating a budgetary programme that is designed to return the Gov-

ernment finances to a sustainable basis.

I am conscious that the budget measures have impacted on all schools large and small, across all patronage types and whether or not they were precluded from charging fees or could charge them. The measures had a focus in particular in protecting as far as possible DEIS schools.

One aspect of the budgetary decisions was to increase the pupil-teacher ratio for fee-charging schools. Fee-charging schools have the resources, through fees charged, to employ teachers privately, an option which is not available to schools in the free education scheme.

The Government recognises the importance of ensuring that students from a Protestant background can attend a school that reflects their denominational ethos, while at the same time ensuring that funding arrangements are in accordance with the provisions of the constitution.

*Question No. 14 answered orally.*

### **Schools Building Projects Status**

15. **Deputy Seán Kyne** asked the Minister for Education and Skills if she will provide an update on the progress of a school (details supplied) in County Galway on its application to build an extension and remove the prefabricated classrooms currently in use; and if she will make a statement on the matter. [37947/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I can confirm that the school referred to by the Deputy submitted an application for capital funding for an extension.

My Department is currently reviewing the accommodation brief for the school in question and in that regard will be in contact with the school authorities in the near future. It is anticipated that when the accommodation brief is finalised, the project concerned will be considered for progression into the architectural planning process.

As the Deputy will understand, due to the competing demands on my Department’s capital budget imposed by the need to prioritise the limited funding available for the provision of essential additional school accommodation to meet increasing demographic requirements, it is not possible at this point to provide an indicative timeframe for the provision of an extension to the school in question.

### **Minor Works Scheme Restoration**

16. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will commit to a permanent restoration of the minor works grant; and if she will make a statement on the matter. [37962/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** At the publication in November 2011 of the Government’s Medium Term Infrastructure and Capital Investment Framework the emphasis in the education sector was focused on major school projects and smaller projects devolved to schools to meet demographic demands. Given the requirement to meet the need for additional school places over the years 2012 to 2016, it was deemed unlikely that Minor Works Grant funding would be available during that period.

However, the grant did issue to schools in November 2011 for the 2011/12 school year, and last November for the 2013/14 school year. The advice to schools which accompanied the grant

to schools last November made very clear that “the grant will only be paid in future years as funding permits”. I cannot yet give any commitment to restore this payment to an annual basis.

### **Educational Disadvantage**

17. **Deputy Mick Wallace** asked the Minister for Education and Skills the requirements needed for primary schools currently holding a DEIS 2 status, to be upgraded to a DEIS 1 status; when the last review of the overall DEIS system took place; and if she will make a statement on the matter. [37946/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The DEIS programme is the subject of ongoing evaluation by both the Educational Research Centre and my Department’s Inspectorate who have produced a series of evaluation reports to date, copies of which are available on my Department’s website.

This research was also the subject of a recent research seminar entitled “Learning from DEIS” at which my predecessor Minister Ruairí Quinn announced plans to commission a further overall report in relation to DEIS to provide recommendations for a renewal of the Government’s policy in relation to educational disadvantage, including DEIS. Commissioning of this report is currently underway.

A key priority in the current economic climate is to prioritise and target resources at schools with the most concentrated levels of educational disadvantage. In these circumstances the opportunities for increasing expenditure on current programmes are limited and exclude the capacity for a reclassification of schools within the DEIS programme.

### **Action Plan on Bullying**

18. **Deputy Seán Kyne** asked the Minister for Education and Skills if she will provide an update on the implementation of the updated and comprehensive anti-bullying policy; if the inspectorate section of her Department is examining compliance by schools with the new policy; the steps being taken to ensure all schools have implemented the policy in view of the fact that they hoped the deadline was for the past school year. [37948/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** When the new anti-bullying procedures for schools were published, it was acknowledged that schools would need time to develop an anti-bullying policy in line with the new procedures. Accordingly the accompanying circular allowed schools a period up to last Easter to make the necessary arrangements, including consultations with the school community.

All schools should by now have completed this process. I would urge Parents’ Associations to contact their school if they have not yet received a copy of the school’s anti-bullying policy.

Arising from commitments made in the Action Plan on Bullying, my Department’s Inspectorate is placing a stronger focus on the actions schools take to create a positive school culture and to prevent and tackle bullying. For example, parent and student questionnaires issued as part of whole school evaluations, include, since January 2014, additional questions to get a clearer picture of how the school deals with bullying. Furthermore, the Inspectorate’s plan for the current school year provides for a focused evaluation to be conducted in a sample of schools to examine the school’s work to create and sustain safe and healthy environments.

## **Research and Development Funding**

19. **Deputy Mick Wallace** asked the Minister for Education and Skills her views on whether it is good policy to ask research students from the humanities to compete on an equal footing with those from economics and the sciences for funding, in particular the stress on transferable skills as a prerequisite for funding and the detrimental effects it is having on the humanities as a research area here; and if she will make a statement on the matter. [37945/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):** Competitive research funding available from my Department is managed by the Irish Research Council. The Council has a broad remit to support and enhance human capital development, in particular at postgraduate and early stage postdoctoral levels. Its remit covers the full range of disciplines spanning the humanities, social sciences, business, law, sciences, engineering and technology.

The Council's main postgraduate and postdoctoral schemes categorise applications from a) humanities and social sciences, and b) engineering and technology separately, and each applicant only competes with applications from a similar cohort of student. Awards are made in each category on the basis of excellence following assessment by expert independent panels, whose membership is primarily international.

## **Third Level Charges**

20. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if her attention has been drawn to the high costs incurred by students undertaking Gaeltacht placements as part of third level degrees. [37918/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):** I can appreciate that supporting a student through third level education can be challenging. The decision to abolish the Gaeltacht Placement grants, from September 2012, has to be viewed in the context of the prevailing requirement to reduce costs and achieve efficiencies where possible. Priority was given to protecting resources for front line education services as far as possible in the coming years, which is especially challenging with rising numbers of school-going children.

To assist with the costs of the Gaeltacht placement, students in receipt of a student grant which includes a 100% fee grant, or who would have qualified for a full fee grant but for the Free Fees Schemes, can apply for funding towards travel and accommodation costs under the field trip element of a fee grant, subject to the normal terms and conditions of the scheme.

Apart from the student grant system, in circumstances of particular need students may apply for support under the Student Assistance Fund.

I am not in a position to reinstate the funding to this area.

## **Pupil-Teacher Ratio**

21. **Deputy Maureen O'Sullivan** asked the Minister for Education and Skills if she is fully committed to previous guarantees provided on reducing class sizes as a priority in view of the extent of the reports into smaller classes having a positive effect on education, on inclusiveness and maintaining stimulation most notably at a younger age; the work being completed to

achieve the goal of class sizes set previously. [37875/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I have already stated publicly that because of increasing demographics my Department requires additional resources to simply maintain existing levels of service. Between this year and last year this has involved an increase of around 2,300 teachers.

In my pre-budget discussions with the education partners I expressed the hope that continued improvement in the economy will take us to a position where we can make improvements. However, as I have earlier noted my focus in preparing for Budget 2015 has to be to seek the funding necessary to meet this demographic growth, and not on additional spending measures such as that proposed by the Deputy. If in future years there is funding available to reduce class sizes my preference is that it would be targeted at reducing class sizes at the infant years.

### **Private Schools**

22. **Deputy Mary Mitchell O’Connor** asked the Minister for Education and Skills if her attention has been drawn to concerns of parents of children in fee-charging schools that further cuts to funding in their sector in budget 2015 will jeopardise teaching jobs; and if she will make a statement on the matter. [37966/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I am conscious that the budget measures in recent years have impacted on all schools large and small, across all patronage types and whether or not they were precluded from charging fees or could charge them. The measures had a focus in particular in protecting as far as possible DEIS schools. I am not in a position to engage with the Deputy on what may or may not be in next week’s budget announcements.

However I have already stated publicly that because of increasing demographics my Department requires additional resources to simply maintain existing levels of service.

I do not believe it will be possible in this budget to begin any reversal of the measures that were taken during the economic crisis.

In my pre-budget discussions with the education partners I expressed the hope that continued improvement in the economy will take us to a position where we can start to make improvements in some areas.

### **School Accommodation**

23. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills when a school (details supplied) in County Dublin may expect to move into the permanent building allocated by her Department, in view of the fact that parents and teachers have serious health and safety issues with regard to the temporary rooms they are currently in, especially when any further deterioration will force the school to vacate these rooms; and if she will make a statement on the matter. [37964/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I wish to confirm to the Deputy that it is my Department’s intention to provide improved accommodation for the school to which he refers. It is intended that the school will be accommodated in a former school building currently occupied by a special school pending the construction of a new school for the special school.

The building project for the special school is included in my Department's Five Year Construction Plan and is scheduled to proceed to tender/construction in 2014/15.

### **Special Educational Needs Service Provision**

24. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills further to Parliamentary Question No. 1258 of 17 September 2014, if she will provide further details regarding the manner in which the new model of allocating resources to children with special needs will be developed; when it is expected that the full and comprehensive consultation with stakeholders and education partners, including the parents of special needs children will take place. [37879/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** The National Council for Special Education published its Report on a Proposed New Model for Allocating Teachers for Students with Special Educational Needs on 18 June 2014.

The report recommends that a new allocation model should be developed, based on a schools educational profile, while providing a baseline allocation to every mainstream school to support inclusion.

My Department is currently collecting information required to develop the proposed new model.

My Department recently invited education partners, stakeholders, and parent representative groups to make written submissions in relation to the NCSE report. 26 submissions have been received to date.

My Department also held a number of consultation meetings on 1st and 3rd October last week, with stakeholders, education partners, and parent representative groups.

The consultation process will be ongoing at each stage of the development of proposals for a new model.

### **Pupil-Teacher Ratio**

25. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills if she review the pupil-teacher ratio for small rural schools in the upcoming budget; and if she will make a statement on the matter. [37958/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I am not in a position to engage with the Deputy on what may or may not be in next week's budget announcements. However I have already stated publicly that because of increasing demographics my Department requires additional resources to simply maintain existing levels of service.

I do not believe it will be possible in this budget to begin any reversal of the measures that were taken during the economic crisis. In my pre-budget discussions with the education partners I expressed the hope that continued improvement in the economy over a sustained period will take us to a position where we can make improvements in some areas.

### **School Costs**

26. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if she will ensure schools report to her Department the level of voluntary contributions they receive from parents; and if she will make a statement on the matter. [37919/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** As the Deputy is aware, voluntary contributions by parents are permissible provided it is made absolutely clear to parents that there is no question of compulsion to pay and that, in making a contribution, they are doing so of their own volition. Decisions in relation to such contributions are dealt with at local school level. My Department does not require schools to report to it on the amounts involved and I have no plans to require such reporting - with 4,000 schools in our education system, doing so would seem to create a very significant administrative burden, both on schools and on the Department.

However, I believe that schools need to be accountable to parents and we need greater levels of communication, engagement and transparency in how schools serve their communities. Better information for parents, including information in relation to the collection and use of voluntary contributions, is an issue that I will be looking at in the context of my Department's work on developing plans for a Parents' and Students' Charter.

### **Pupil-Teacher Ratio**

27. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the measures she plans to take to alleviate the problem of large class sizes; and if she will make a statement on the matter. [37965/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I have already stated publicly that because of increasing demographics my Department requires additional resources to simply maintain existing levels of service. Between this year and last year this has involved an increase of around 2,300 teachers in our primary and post-primary schools. This is a very significant investment at a time of scarce resources. There is no funding available for additional teachers to reduce class sizes and it is premature within our budgetary context to be looking for this to be done.

The national average class size at primary level is 24.8 pupils. However, with over 21,100 classes in over 3,100 primary schools throughout the country there will always be variations in class sizes at individual school level. My Department's guidance to local school management is that such variations should be kept to the minimum and to use their autonomy under the staffing schedule to keep classes for infants as low as possible.

### **Public Sector Staff Recruitment**

28. **Deputy Stephen S. Donnelly** asked the Minister for Education and Skills if she will consider a derogation to the public sector hiring embargo for education and training boards, ETBs, that are experiencing a dearth of senior and middle management posts, for example, education officers, principal officers, assistant principal officers, adult education officers and youth officers due to retirements, which is impacting negatively on the performance by ETBs of their statutory functions; and if she will make a statement on the matter. [29664/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** The Deputy may be aware that a new organisational design for ETBs is being devised in order to reflect their roles. To progress this, a consultative team has been established with representatives from my Depart-

ment, the ETBs and SOLAS. In January 2014, pending the conclusion of this process, my Department gave approval to 9 ETBs, which did not have an Education Officer, to appoint a temporary Education Officer on an acting basis for a period of 6 months. Those ETBs which sought an extension to this arrangement had the sanction extended to 31st December 2014. In addition, my Department approved the filling, on an acting basis, of 13 business critical vacancies at middle and senior management in 5 ETBs. These measures were undertaken with the approval of the Department of Public Expenditure and Reform.

### **State Examinations Reviews**

29. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills her views on reform of the junior certificate, teachers correcting the junior certificate work of their own students, schools providing their own individual certification and her views in relation to the subject of history on the junior certificate curriculum. [37876/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The junior cycle reforms aim to bring about improved outcomes for students through, a more meaningful assessment of student ability. I have confidence in the professionalism and integrity of Irish teachers. I want to work with teacher unions to bring this about in a way that is meaningful and appropriate in an Irish context.

Some 90% of junior cycle students go on to senior cycle. The junior certificate should recognise learning at that level need not be a dry run for the leaving certificate.

In relation to history, over 90% of students choose history although it is currently compulsory in only half our schools. Curriculum choice is important in motivating students to learn and to remain in school to completion of senior cycle.

I was pleased to meet with the teaching unions in early September to hear their concerns in relation to implementation of the revised junior cycle. I look forward to meeting with them again later this month to advance those discussions further. As the Deputy will appreciate, out of respect for the process, I do not intend that this engagement should be pre-empted in a public setting.

### **Special Educational Needs Staffing**

30. **Deputy Clare Daly** asked the Minister for Education and Skills if she will abolish the cap on special needs assistants numbers and allocate resources based on need in accordance with the EPSEN Act 2004. [37928/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Despite the ongoing requirement to make expenditure savings across a range of areas, expenditure in 2013 supporting pupils with Special Educational Needs was some €1.3bn or approximately 15% of the entire budget of my Department.

This year, provision is being made for up to 10,965 Special Needs Assistants (SNAs). This is an increase of 390 posts on the previous cap of 10,575 posts. In September, over 10,900 SNAs were allocated to schools.

This will ensure that all pupils who need SNA support will be able to access such support based on their care needs.



My Department recently clarified the criteria under which SNA support is allocated to schools, to support the care needs of qualifying children, in Circular 0030/2014.

Further consideration of the number of SNA posts which may be required in future years will take place as part of the forthcoming budgetary and estimates process.

### **Autism Support Services**

31. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills to detail her plans for more detailed information guidelines for parents and guardians of children and young persons with autism spectrum disorder to be published by the National Council for Special Education when it produces its policy advice on educational supports for children with autism spectrum disorder in spring 2015. [37878/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The National Council Special Education (NCSE) has recently published an information pamphlet for parents/guardians of children and young people with Autism Spectrum disorder. The pamphlet is one in a series of pamphlets aimed at informing parents and guardians of supports and services available for children and young people with special educational needs.

As the Deputy is aware the NCSE is currently preparing policy advice on the education of children with autism. Their report which is due early in 2015 will identify the nature and extent of educational interventions, teaching practices and other supports which should be provided to enable children with autism to achieve educational outcomes appropriate to their needs and abilities. This advice will inform future policy development in this area.

I will await the publication of the NCSE Policy advice before considering whether the NCSE should publish more detailed guidelines for parents and guardians of young persons with autism. I would note that the NCSE has a strong track record of delivering appropriate and comprehensive guidance and support to parents, and I have every confidence this will continue to be the case.

### **State Examinations**

32. **Deputy Patrick O’Donovan** asked the Minister for Education and Skills if she will examine the situation where students are hospitalised during their leaving certificate examinations with a view to seeing if deferred examinations may be sat. [37873/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I am informed by the State Examinations Commission that it regularly receives requests for assistance from candidates who either cannot take an examination or cannot perform to the best of their abilities because of illness, bereavement or other trauma. However, our examinations model is constrained in the degree to which the life experiences of individual students can be accommodated. Each year the Commission makes arrangements, such as early or deferred sittings and special sittings in hospitals, to cater for a wide range of situations but this is only possible on the day of the examination.

The SEC has examined the possibility of providing repeat examinations and advises that within our current, externally examined examinations model it would not be possible to hold repeat examinations and to have results available to the required deadlines.

### **Pupil-Teacher Ratio**

33. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which she expects to be in a position to address the ongoing issue of class sizes, pupil-teacher ratios and special needs teachers and assistants in the most detrimentally affected schools throughout the country; if her Department has identified those areas throughout the greater Dublin area that have experienced the most dramatic demographic changes; if she has examined the extent to which class sizes have exceeded the national average in these areas; her plans to take remedial measures to address such issues in the course of the current year or in the future; and if she will make a statement on the matter. [37916/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Schools with significantly increasing enrolments are catered for within the staffing arrangements by being allocated teachers on the basis of their current pupil numbers rather than on a previous year basis which is the case for the majority of schools.

The staffing appeals process has been extended to include a new criterion which helps those schools that make a significant contribution to the provision of school places, which assists the response to demographic growth within their area, and as a result are under significant pressure on their class sizes at infants level.

I have already stated publicly that because of increasing demographics my Department requires additional resources to simply maintain existing levels of service. Between this year and last year this has involved an increase of around 2,300 teachers in our primary and post-primary schools. This is a very significant investment at a time of scarce resources. There is no funding available for further improvements and it is premature within our budgetary context to be looking for this to be done.

### **Student Grant Scheme Eligibility**

34. **Deputy Jonathan O’Brien** asked the Minister for Education and Skills if her attention has been drawn to anomalies within the Student Universal Support Ireland procedures for assessing independent students; and her plans to reform this. [37920/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I understand that the Deputy is referring to how students are categorised for student grant purposes.

For student grants purposes, students are categorised according to their circumstances either as students dependent on parents or a legal guardian, or as independent mature students.

A student may be assessed as an independent mature student if he or she has attained the age of 23 on 1 January of the year of first entry to an approved course or of re-entry following a break in studies of at least three years and is not ordinarily resident with his/her parents from the previous October. Otherwise he or she would continue to be assessed on the basis of parental income.

Only in exceptional cases, where compelling evidence of estrangement from parents/guardians is provided, can candidates who are under 23 be assessed without reference to their parents/guardians income or address.

There are no plans at present to change these eligibility arrangements.

## **Bullying in Schools**

35. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school bullying remains an issue throughout the country; the extent to which her Department continues to receive up-to-date reports of any such incidents on a regular basis; if any particular schools appear to feature in any such reports on a more regular basis than the national average; if any particular action will be taken or is pending in respect of such locations; the measures put in place to facilitate early detection and follow up on foot of reports; and if she will make a statement on the matter. [37917/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** There is no requirement on schools to report bullying incidents to my Department.

The School Principal under the anti-bullying procedures for all schools is required to report regularly to the Board of Management on the overall number of bullying cases and provide confirmation that these are being dealt with in accordance with the procedures.

The Board is required to undertake an annual review and publish the schools anti-bullying policy on their website.

My Department’s Inspectorate is placing a stronger focus on the actions schools take to create a positive school culture and to prevent and tackle bullying. For example, parent and student questionnaires issued as part of whole school evaluations, include, since January 2014, additional questions to get a clearer picture of how the school deals with bullying. Furthermore, the Inspectorate’s plan for the current school year provides for a focussed evaluation to be conducted in a sample of schools to examine the school’s work to create and sustain safe and healthy environments.

This work will give a better overview on how well the procedures are being implemented at school level.

This is also an issue that will need to be considered in the context of developing a Parent and Students Charter that each will be obliged to have. An important aspect of the Charter will be how parents receive information and feedback on the operation of school policies and how parents concerns are addressed.

## **Departmental Expenditure**

36. **Deputy Tom Barry** asked the Minister for Education and Skills if she will provide details of the cost of the archaeological dig at the site of Coláiste Mhuire, Buttevant, County Cork. [37874/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy is aware archaeological excavations on the south-eastern part of the site are still on-going and until this work is completed the final cost will not be known.

## **Departmental Schemes**

37. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the position regarding dental treatment benefit schemes (details supplied); if she will restore same in the budget for 2015; and if she will make a statement on the matter. [38353/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The dental benefit scheme continues to provide for free annual examinations to qualifying customers who fulfil the PRSI eligibility criteria. The free dental examination has been retained in order to encourage people to continue to attend for check-ups and to ensure that good oral health is maintained.

Any changes to the dental or other treatment benefit schemes would have to be considered in the context of the economic realities of available funding and competing priorities.

### **Commissions of Investigation**

38. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Social Protection if she will provide a list of the commissions of investigation, inquiries and similar investigations established under her Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38340/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** There were no commissions of investigations, inquiries or similar investigations established by my Department in the past 12 months. None are being considered for establishment in the coming 12 months.

### **Back to School Clothing and Footwear Allowance Scheme Eligibility**

39. **Deputy Áine Collins** asked the Tánaiste and Minister for Social Protection the reason a person (details supplied) in County Kerry has been refused back to school clothing and footwear allowance. [38385/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** A claim for back to school clothing and footwear allowance from the person concerned was processed on 21 July 2014. The claim was refused as her assessable income exceeds the weekly income limit for a family with 2 children, which is €593.40.

The person concerned has an income from her TUS scheme, which combined with her spouse's income leave her exceeding the weekly limit for award of the allowance. The decision not to award her claim was reviewed on 26 August 2014 following a request and the decision was upheld.

*Question No. 40 withdrawn.*

### **Public Services Card**

41. **Deputy Sean Fleming** asked the Tánaiste and Minister for Social Protection if elderly persons who are in long-stay nursing homes receive the social services card; and the arrangements that will be put in place in respect of photographs and identification; and if she will make a statement on the matter. [38411/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The Public Services Card (PSC) has been introduced to enable individuals to gain access to public services more efficiently and with a minimum of duplication of effort, while at the same time preserving their privacy to the maximum extent possible. The PSC is designed to replace other cards within the public sector such as the free travel pass and the social services card and to make it easy for

providers of public services to verify the identity of customers.

A PSC is currently issued following a registration process which involves the capture of an individual's photograph and signature and the verification of identity data already held by the Department of Social Protection.

Face-to-Face registration is taking place countrywide in 80 offices of the Department for individual applicants for a Personal Public Service (PPS) Number and people applying for, or in receipt of, social protection payments or benefits, including Jobseeker payments, Free Travel entitlement, Child Benefit payments, State Pensions, and One Parent Family payments.

Selected low-risk customers have also been invited to avail of a 'postal' registration process which involves utilisation, with consent, of information already provided to other Government agencies, for example, a photograph supplied in connection with an application for a passport.

In addition, selected pensioners over 66 who collect their payments at a Post Office are being invited to register by post. This process includes the person providing two passport-standard photographs.

The Department is currently finalising the development of a mobile registration facility that is suitable for the registration of persons who wish to register for a PSC but cannot avail of other registration options referred to above. This option may be offered to elderly persons who are in long stay nursing homes and wish to register for a PSC.

It should be noted that a person's entitlement to a social welfare benefit will not be adversely affected if he/she is legitimately unable, for health or mobility reasons, to complete the PSC registration process.

*Question No. 42 withdrawn.*

### **Carer's Allowance Appeals**

43. **Deputy James Bannon** asked the Tánaiste and Minister for Social Protection if she will expedite a carer's allowance review-appeal in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [38477/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 8 September 2014. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these papers have been received from the Department, the appeal in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

### **Respite Care Grant Expenditure**

44. **Deputy Ruth Coppinger** asked the Tánaiste and Minister for Social Protection her views on a reversal of the reduction in the respite care grant that took place in budget 2013; and

if she will make a statement on the matter. [38478/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** I am very aware that the reduction in the respite care grant in Budget 2013 proved difficult for carers. However, in order to protect the core weekly payments which people receive, including disability payments, pensions and carer's allowance, the Government had to look very carefully at other additional payments, including the respite care grant. This approach to protecting core weekly payments still applies.

It is worth making the point that the rate of the respite care grant at €1,375 is still more than twice what it was in 2002 when it was €635, and higher than it was in 2006 at the height of the economic boom, when it was €1,200.

It should also be noted that such an annual payment - in a single lump sum with no requirement to satisfy a means test - is not available for any other group nor indeed is there an equivalent payment for carers in any other country in Europe.

### **Household Benefits Scheme**

45. **Deputy Ruth Coppinger** asked the Tánaiste and Minister for Social Protection her views on a reversal of the reductions and changes to the household benefits package that has taken place since 2011. [38479/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The overall concern of Government in Budget 2014 and previous Budgets has been to protect the primary social welfare rates. Expenditure on pensions at approx. €6.5 billion is the largest block of expenditure in the Department in the Estimate for 2014, representing approx. 33% of overall expenditure. Because of demographic changes the Department's spending on older people is increasing year on year. In 2013, the Department had to make provision for an additional €190 million for the increasing number of pensioners. Maintaining the rate of the State pension and other core payments is critical in protecting people from poverty.

The fuel allowance scheme and the free travel pass have also been protected for older people and people with disabilities. The living alone allowance has been maintained at €7.70 per week.

The adjustments made to the household benefits package in recent years have made it much easier for customers to switch to cheaper energy suppliers, without the loss of any credits they may have built up. The decision to discontinue the telephone allowance provided annual savings of €48 million and meant that the Department was able to retain the other elements of the household benefits package such as the electricity and gas allowance and the television licence. These are valuable supports for recipients. The Department will spend €230 million this year on these elements of the household benefits package for over 411,000 customers.

In 2010 the monthly value of the free electricity allowance was €40.70. It is currently €35.00. Restoring the allowance to 2010 levels would cost an additional €28 million for 411,000 customers.

In 2010 the monthly value of the telephone allowance was €26. The telephone allowance was discontinued in 2014. Restoring the telephone allowance to 2010 levels would cost an additional €128 million.

The Government has already announced that from 2015 the household benefits package will also include a quarterly water support payment of €25. The estimated cost of this new water

support payment of €100 per annum will be in the region of €42 million in 2015.

The appropriate levels of weekly social welfare rates of payment, including any changes to household benefits, are being considered in the context of the forthcoming Budget which will be announced on Tuesday, October 14.

### **Domiciliary Care Allowance Payments**

46. **Deputy Paul J. Connaughton** asked the Tánaiste and Minister for Social Protection when arrears relating to a domiciliary care allowance and respite grant will issue to a person (details supplied) in County Galway as the appeal to the appeals office was deemed successful; and if she will make a statement on the matter. [38503/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person concerned was notified on the 30th September 2014 that her domiciliary care allowance (DCA) appeal was successful. DCA is paid monthly. Payment of the allowance, along with arrears due, will be available in the customer's nominated bank account on 21 October 2014 and on the third Tuesday of each month thereafter. Following the award of DCA payment of Respite Care grant for 2013 and 2014 will also be paid into her nominated account in the coming weeks.

### **Rent Supplement Scheme Eligibility**

47. **Deputy Billy Timmins** asked the Tánaiste and Minister for Social Protection the position regarding a rent supplement in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [38531/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** Following a recent review, the clients Rent Supplement of €750 per month was found to be in excess of the maximum limit of €600 applicable to her circumstance and family composition in Wicklow.

The client has been requested to secure a rent reduction or source alternate accommodation within the maximum limits. The client's Rent Supplement will remain in payment until 31 December 2014 to allow sufficient time for this.

### **Financial Services Regulation**

48. **Deputy Clare Daly** asked the Minister for Finance his views on the fact that a non-Governmental organisation (details supplied) operating here and funded by a membership entirely located here, can have its banking services terminated at short notice because of the decision of an American company which a bank is using to process financial transactions which are wholly transacted between Irish bank accounts by persons resident here. [38366/14]

49. **Deputy Clare Daly** asked the Minister for Finance if an Irish bank refuses to provide banking services to an organisation (details supplied) as a result of US banking regulations administered by the US Office of Foreign Assets Control, if he will prosecute them in accordance with Irish and European law prohibiting the extraterritorial application of US law in relation to the illegal US blockade of Cuba. [38367/14]

58. **Deputy Clare Daly** asked the Minister for Finance the emergency facilities he will make available to allow an organisation (details supplied) to operate a functioning Irish bank

account with cheque clearing and electronic transfer facilities whilst prosecutions are being undertaken. [38368/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 48, 49 and 58 together.

The Deputy is aware that I have responded to a number of recent Parliamentary Questions on this same topic and, for the benefit of the Deputy, I include the substance of my previous responses in the following:

I have no direct role in the relationship between banks and their customers. Neither have I a statutory function in relation to banking decisions made by individual lending institutions at any particular time as these decisions are taken by the Board and Management of the relevant institution. Accordingly, the banking facilities of an individual customer, or organisation, is a matter entirely for that individual, or organisation, to arrange. A Relationship Framework has been specified that defines the nature of the relationship between the Minister for Finance and each bank. These Frameworks were published on 30 March 2012 and can be found at: <http://banking.finance.gov.ie/presentations-and-latest-documents/>.

Notwithstanding this, officials in my Department have referred the issue to Bank of Ireland and have received the following comment in this regard:

“The US Government has a restrictive trade embargo against Cuba. The US legislative and regulatory measures include an embargo on making or receiving payments from Cuba and/or facilitating the making or receiving of payments from Cuba.

Bank of Ireland depends on correspondent banks for the processing of our national, European and international transactions, including our SEPA (Single European Payment Area) transactions. We are reliant on our correspondent banks because they process and facilitate all such transactions on our behalf. The current issue has arisen as a result of the transition to SEPA. As it happens, our principal correspondent bank for SEPA transactions is a leading US bank who must comply with its own regulatory requirements and obligations to avoid a possible exposure to regulatory sanctions and penalties.

As a result, we are not in a position to process such transactions. This affects all international payments to or from Cuba and also any related SEPA payments.”

The Deputy may be aware that a breach of the relevant regulatory requirements can have severe consequences for an institution and the following link refers to one recent high profile case, which was reported in the international financial media, in this regard:

<http://www.reuters.com/article/2014/07/01/us-bnp-paribas-settlement-idUSKBN0F52HA20140701>.

Finally, I have also been asked previously if I, as Minister for Finance, would challenge relevant U.S. policy. My response, which has not changed, is to highlight that US policy in this regard is not restricted to Ireland and extends worldwide and accordingly I do not intend to challenge this policy as I would not expect a positive outcome to such an action. In the same vein neither do I believe it to be appropriate for me to undertake a prosecution in relation to this matter as you suggest.

## **Tax Rebates**



50. **Deputy Martin Ferris** asked the Minister for Finance if a person (details supplied) in County Tipperary is entitled to a refund from the Revenue Commissioners for having been wrongly penalised for alleged overpayments which were taken out of the person's single farm payment over recent years. [38305/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that in the time available, having regard to the need to establish the full facts in this particular case, Revenue are not in a position to provide the information sought. However, I will arrange for the information to be supplied directly to the Deputy.

### **IBRC Bond Issues**

51. **Deputy Joan Collins** asked the Minister for Finance the number of bonds, from the €25 billion in bonds created in February 2013 for the special liquidation of Irish Bank Resolution Corporation, and of the €3 billion in bonds created in 2012 to fund the payment of the IBRC promissory note redemption, that have been sold by the Central Bank of Ireland in 2012, 2013 and to date in 2014; and the predicted additional quantum to be sold by the end of 2014. [38315/14]

52. **Deputy Joan Collins** asked the Minister for Finance the position of the European Central Bank on the €25 billion in bonds created in February 2013 for the special liquidation of Irish Bank Resolution Corporation, and of the €3 billion in bonds created in 2012 to fund the payment of the IBRC promissory note redemption; if he or his Department has had recent discussions with the ECB regarding these bonds and if the ECB has expressed the view that its concerns about these bonds would be somewhat mitigated if the bonds were sold into the sovereign bond market; and if he will make a statement on the matter. [38316/14]

53. **Deputy Joan Collins** asked the Minister for Finance if there is no net benefit to the Exchequer if the Central Bank of Ireland disposes into the sovereign bond market the €25 billion of bonds created in February 2013 for the special liquidation of Irish Bank Resolution Corporation, and the €3 billion in bonds created in 2012; if he will fund the payment of the IBRC promissory note redemption, in view of the net surplus at the CBI remitted to the State, and that the interest paid by the CBI to the European Central Bank on these bonds is nugatory. [38323/14]

54. **Deputy Joan Collins** asked the Minister for Finance further to the ongoing legal challenge to the lawfulness of the promissory notes used to capitalise the former Anglo Irish Bank, the Irish Nationwide Building Society and the Educational Building Society the risks of the Central Bank of Ireland disposing, in advance of the conclusion of this court case, of the €25 billion in bonds created in February 2013 for the special liquidation of Irish Bank Resolution Corporation, and the €3 billion in bonds created in 2012 to fund the payment of the IBRC promissory note redemption, his views on whether it is prudent to copperfasten the legitimacy of these bonds by disposing of them in the sovereign bond market when the sole lender is the European Central Bank; and if he will make a statement on the matter. [38324/14]

55. **Deputy Joan Collins** asked the Minister for Finance the contact he and his Department has had with the Central Bank of Ireland regarding the disposal and in particular, the accelerated disposal, of the €25 billion in bonds created in February 2013 for the special liquidation of Irish Bank Resolution Corporation, and the €3 billion in bonds created in 2012 to fund the payment of the IBRC promissory note redemption; and if he will make a statement on the matter. [38325/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 51 to

55, inclusive, together.

Subsequent to the liquidation of IBRC the Central Bank acquired €25bn of Floating Rate Notes (FRNs) and €3.46bn of Government Fixed Coupon 2025 Government bonds. The Bank undertook to sell the combined portfolio of the FRNs and the fixed rate bond as soon as possible provided the conditions of financial stability permit.

The Bank also indicated that, as a minimum, it will make sales in accordance with the following schedule: to end 2014 (€0.5 billion), 2015-2018 (€0.5 billion per annum), 2019-2023 (€1 billion per annum), and 2024 on (€2 billion per annum until all bonds are sold). The current schedule would see all of the bonds held by the CBI sold by c.2034. The Bank's recent Annual Report notes that sales have been made from this combined portfolio, with the Bank selling €350mn of its holdings of the Government 2025 Fixed Rate Bond in 2013. The Central Bank does not provide updates on bond sales outside of their annual report.

Under the original Promissory Note arrangement, the Government was scheduled to make annual payments of €3.1 billion thereby putting significant upward pressure on the amounts to be funded from the market. Following a long period of negotiation the notes were replaced in February 2013 with a portfolio of Irish Government bonds (as outlined above). The provision of these long-term non-amortising Government bonds to replace the amortising Promissory Notes has therefore had significant benefits from a market perspective as it ensures that there will be much less issuance of Irish Government bonds into the market over the next decade and beyond than would otherwise have been the case.

The market continues to react positively to the restructuring and we have recently seen further reduction of the 10 year bond yields to 1.65%, far lower than had been the case before the State entered the EU/IMF programme and thus enabling the State to substantially reduce its cost of borrowings.

The Central Bank is independent in respect of its decisions to sell the bonds held by them as a consequence of the promissory note exchange, however, as outlined above, the current schedule would see all of the bonds held by the CBI sold by c.2034.

In summary, the timing of the sales and the management of its investment holdings are matters for the Central Bank and it is independent in the exercise of its functions and therefore, neither I nor the Department of Finance have any role in the matter.

### **Commissions of Investigation**

56. **Deputy Eoghan Murphy** asked the Minister for Finance if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38334/14]

**Minister for Finance (Deputy Michael Noonan):** I would like to advise the Deputy that no commissions of investigation, inquiries and similar investigations have been established under my Department during the past 12 months. At this time my Department is not considering the establishment of any commissions of investigation, inquiries and similar investigations during the next 12 months.

### **VAT Rate Application**

57. **Deputy Clare Daly** asked the Minister for Finance further to Parliamentary Question No. 177 of 23 September 2014, if he will reconsider the position of taxing e-books at the standard 23% rate as of January 2015 (details supplied). [38364/14]

**Minister for Finance (Deputy Michael Noonan):** As you will be aware, the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. In this regard, EU VAT law specifically provides that all digitised publications, including e-books, are treated as the supply of a service liable at the standard rate of VAT, which in Ireland is 23%.

The VAT charged on electronically supplied services was always the standard VAT rate, and is not related to the changes being made on 1 January 2015. The 2015 changes relate to the country in which tax is to be charged, and not the rate of VAT that is to be charged. From 1 January 2015, electronically supplied services, including e-books, will be liable to VAT in the country of the consumer and not the country of the supplier, as is currently the case. This means that an e-book purchased by a person in Ireland will be charged at the Irish standard VAT rate, and not the standard VAT rate of the Member State of the supplier. This is known as the destination principle, and it is designed to remove the competitive advantage gained by Member States charging lower rates of VAT; as under the destination principle a customer in Ireland purchasing an e-book from any EU Member State will be charged Irish VAT on that service.

As stated previously, while Ireland applies a zero VAT rate to printed books including atlases, children's picture, drawing and colouring books and books of music, by virtue of a derogation under the VAT Directive for such exceptional treatment, there is no option under EU VAT Law to either exempt e-books from VAT or to apply the zero VAT rate or a reduced VAT rate to such products. The different VAT treatment of printed books and e-books reflects the nature of these products, the latter being a richer product often providing content beyond simple text to include embedded digital music, software, film and internet links.

In 2012, France and Luxembourg unilaterally made the decision to defy the well-established and recognised EU VAT position in relation to the VAT rate charged on electronic supplies of e-books, by applying a reduced VAT rate to these services. The EU Commission took both Member States to the European Court of Justice in 2013 because of this breach of law. A judgement in the case has not yet been made. This is separate from the K Oy European Court of Justice Case C-219/13 which dealt specifically with the VAT treatment of printed and audio books, but did not deal with e-books.

*Question No. 58 answered with Question No. 48.*

## EU Regulations

59. **Deputy Clare Daly** asked the Minister for Finance the steps he will take to defend Ireland from the imposition of fines and other sanctions for failing to implement EU Council Regulation (EC) 2271/96. [38370/14]

**Minister for Finance (Deputy Michael Noonan):** EU Council Regulation (EC) 2271/96 provides protection against and counteracts extra-territorial effects of certain US laws and regulations specified in the Annex to the Regulation. In the main, the Regulation takes direct effect across the EU through the activities of the Commission, while the Regulation may also entitle EU persons and entities to take action to recover damages and costs where they have been negatively impacted by the application of laws whose effects are intended to be neutralised by the Regulation.

Currently I have no indication that fines or sanctions are contemplated in relation to the Regulation.

Member States have taken varying approaches to implementing this regulation and these different approaches are currently under examination. My officials consult with the Department of Foreign Affairs and Trade to ensure that the regulation is implemented fully and comprehensively.

### **Fuel Laundering**

**60. Deputy Peadar Tóibín** asked the Minister for Finance the role Customs and Excise have in the stretched fuel crisis that is currently affecting the midlands and western part of the country; if there is an investigation being carried out by his Department; if Customs and Excise are accepting evidence from garages with regard to this crime; and his views on the creation of a fund to help those who have had their vehicles damaged. [38371/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners, who are responsible for tackling fuel fraud, that they are very aware of the risks posed to consumers' vehicles, legitimate businesses and the exchequer by all forms of such fraud. Revenue has made great progress in tackling the problem of diesel laundering over the past three years, and reports now indicate the emergence of another form of fuel fraud, commonly referred to as petrol stretching. This involves the illegal addition of a low tax commodity to petrol to defraud the exchequer and the motorist.

Petrol stretching is an offence under section 102(IA) of the Finance Act 1999. It carries a penalty on summary conviction of a fine of €5,000 or a term of imprisonment not exceeding 12 months, or both a fine and imprisonment. Where conviction occurs on indictment, a fine of up to €126,970, or a term of imprisonment of up to 5 years, or both a fine and imprisonment, may be imposed.

I am advised by Revenue that they are investigating the recent reports concerning petrol stretching and that they have been in contact with the motor and oil trades. I understand also that they have taken samples from a number of filling stations that it has been claimed may have been sources of adulterated fuel, and that they will undertake any further enquiries that are required as a result of reports or information that they receive. These enquiries will seek to establish if there is evidence that petrol stretching has occurred, and whether there is evidence to support a prosecution. The analysis of petrol samples is time consuming and results for the samples recently taken is awaited.

Revenue and the oil sector have cooperated very successfully to tackle diesel laundering and I am confident that, with this cooperation and with the supply chain information available to Revenue, the problem of petrol stretching can also be tackled successfully. It is essential that petrol distributors report any reduction in the pattern of legitimate supplies of fuel to the retail trade which may indicate that specific retailers are shifting some of their sourcing to laundered or "stretched" fuel.

Motorists themselves should take care about where they source their petrol and report to Revenue any suspicions concerning the source of adulterated petrol that may have damaged their engines. Revenue will investigate such reports and pursue prosecutions where possible. In that regard, Revenue has recently launched a dedicated section of its website specifically on the black economy and this includes an electronic reporting facility for anyone who has information about shadow economy practices including petrol stretching.

I would also like to advise the Deputy that the first point of contact for motorists whose vehicles have been affected should be the insurance companies they hold their policies with. Further to that, those affected should also contact the point of purchase and seek redress through them. If they remain unsatisfied they may have recourse to civil remedies and as such could seek legal advice.

### **Excise Duties**

61. **Deputy Robert Troy** asked the Minister for Finance in view of the repeatedly increased alcohol tax, if he will refrain from any increase in this budget. [38396/14]

63. **Deputy Arthur Spring** asked the Minister for Finance his views on reducing excise on alcohol; and if he will make a statement on the matter. [38487/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 61 and 63 together.

It is not my practice to comment on what measures may or may not be introduced in advance of the Budget.

### **Excise Duties**

62. **Deputy Thomas P. Broughan** asked the Minister for Finance the estimated cost to the Exchequer from decreasing the excise duty on a litre of petrol by 5 cent and decreasing the excise duty on a litre of diesel by 3 cent. [38435/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the Budget 2015 Ready Reckoner, available on the Commissioners website at <http://www.revenue.ie/en/about/statistics/index.html>, shows a number of indicative changes to Excise Duty on unleaded petrol and diesel. While the Ready Reckoner shows illustrative increases in Duty rates, the cost of the specific decreases requested by the Deputy can be broadly assumed to be in the same magnitude as the yields shown from equivalent increases in rates.

*Question No. 63 answered with Question No. 61.*

### **Tax Compliance**

64. **Deputy Eoghan Murphy** asked the Minister for Finance if it was obligatory in 2002 for a purchaser of a house to pay stamp duty on the contract if all of the purchase money had been paid to the vendor and there was no purchase deed and the purchaser was in occupation; if this was the law at the time; if the Revenue Commissioners pursued those builders for the stamp duty where they had breached this law; if the Revenue Commissioners were unaware of the practice at the time, when was it brought to their attention subsequently; the cause of the delay of the activation of prepared legislation in this area; and the amount of money lost to the State on development land as a result. [38489/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that stamp duty, which is mainly chargeable on instruments, such as deeds of conveyance or transfers of property, was mandatory in relation to instruments executed in 2002. Where an instrument was executed in 2002 stamp duty was generally payable within 30 days

of its execution. Interest and penalties were applicable where an instrument was not stamped within this time limit. The person accountable for payment of stamp duty was the purchaser or transferee.

I take it the Deputy's question relates to a number of arrangements, such as the use of resting in contract, building licences and agreements for lease, whereby developers could, in effect, acquire and develop land without incurring a liability to stamp duty. Legislation was introduced in Section 110 of Finance Act 2007 to address these matters, subject to a commencement order. The then Minister for Finance commissioned a report on the potential effects of commencing these provisions. The report recommended that, on balance, the section should not be commenced at that time as it would have led to a rise in land prices with a knock-on increase in house prices, especially for first-time buyers, and possibly risked exacerbating the downturn in the property market.

The legislation was further amended by Section 82 of Finance (No. 2) Act 2008, taking on board the recommendation of the report. The redrafted provision exempted public private partnership arrangements from the scope of the legislation and commencement was again made subject to commencement from a date to be appointed by the Minister for Finance. In the light of the economic climate at the time, commencement of the legislation was deferred.

The Deputy will be aware that, having regard to the subsequent reduction in the rates of Stamp Duty from up to 9% down to 1% to 2% and having regard to the economic climate in 2013, I introduced legislation (Section 78 of Finance Act 2013) which contained similar provisions to those not commenced in 2008. The effect of these provisions is that if any of these arrangements were entered into on or after 13 February 2013, stamp duty would be payable on foot of the arrangements.

### **Fuel Laundering**

**65. Deputy Fergus O'Dowd** asked the Minister for Finance the cost of cleaning up the countryside as a direct result of diesel laundering and dumping of waste in local authority areas, particularly in Border counties, for each of the past three years; the action taken to curb same; the numbers prosecuted; the result of increased co-operation between State agencies north and south of the Border to fight this crime; when the new marker resistant to all known fuel laundering will be introduced; and if he will make a statement on the matter. [38512/14]

**Minister for Finance (Deputy Michael Noonan):** I will address the aspects of the Deputy's question that relate to diesel laundering, cross border cooperation between State agencies and fuel markers.

The Revenue Commissioners, who are responsible for combating fuel fraud, advise me that they have prioritised the problem of diesel laundering and have implemented a comprehensive strategy to tackle the problem through enhanced supply chain controls, the acquisition of a more effective fuel marker and continued robust enforcement action.

Revenue's strategy includes the following elements:

- The licensing regime for auto fuel traders was strengthened with effect from September 2011 to limit the ability of the fuel criminals to get laundered fuel onto the market;
- A new licensing regime was introduced for marked fuel traders in October 2012, which is designed to limit the ability of criminals to source marked fuel for laundering;

- New requirements in relation to fuel traders' records of stock movements and fuel deliveries were introduced to ensure data are available to assist in supply chain analysis;

- Following a significant investment in the required IT systems, new supply chain controls were introduced from January 2013. These controls require all licensed fuel traders, whether dealing in road fuel or marked fuel, to make monthly electronic returns to Revenue of their fuel transactions. Revenue is using this data to identify suspicious or anomalous transactions and patterns of distribution that will support follow-up enforcement action where necessary, and

- An intensified targeting, in co-operation with other law enforcement agencies on both sides of the border, of enforcement action against suspected fuel laundering operations.

In addition to the measures implemented to date, Revenue and Her Majesty's Revenue and Customs in the UK completed an Invitation to Make Submissions process to identify a more effective fuel marker and it is expected that a new marker will be introduced in both jurisdictions early in 2015, following consultation with the oil industry and other stakeholders.

To support further the integrity of the distribution system and minimise the risk of fraud, I introduced a provision in the Finance (No. 2) Act 2013 that will make a supplier who is reckless in supplying rebated fuel for a use connected with excise fraud liable for the duty at the standard rate of tax. This new provision will strengthen Revenue's hand in dealing with those traders supplying rebated fuel recklessly to dubious customers and will provide a further disincentive to such activity. Revenue has published guidelines for mineral oil traders which will assist them in identifying and avoiding such transactions.

Revenue works very closely with fuel sector representative bodies in tackling the problem and these bodies have been very supportive of the measures introduced to combat fuel laundering. Revenue chairs the Hidden Economy Monitoring Group to facilitate traders reporting suspicious matters through their representative associations on a confidential basis. This information can assist Revenue in closing down the illicit trade by identifying traders supplying fuel to launderers and by identifying outlets that are selling laundered diesel.

I am advised also that the Revenue Commissioners work in close cooperation with other enforcement authorities, in this jurisdiction and in Northern Ireland, in combating this all-island problem. The Cross Border Fuel Fraud Enforcement Group, which includes representatives of the Revenue Commissioners, An Garda Síochána, Her Majesty's Revenue and Customs and the Police Service of Northern Ireland and other relevant organisations, was established to facilitate this cooperation, and has proven effective in supporting the identification and targeting of the organised crime gangs, many of whom have links to paramilitaries and former paramilitaries, that are responsible for the bulk of fuel fraud. All enforcement authorities engaged in combating fuel fraud are committed to working closely together on an ongoing basis in this important work. Revenue's enforcement strategy in the fuel sector has already yielded significant results. Since the beginning of 2011, over 3 million litres of fuel have been seized and 29 oil laundries detected and closed down, including 9 oil laundries in 2013. In addition, over 130 filling stations have been closed in that period. In the past 18 months Revenue has secured 6 convictions for mineral oil offences and a further 16 prosecution cases are underway.

The evidence available to Revenue, in terms of feedback from the legitimate trade and increased consumption of road diesel, indicates that the strategy has been effective. The legitimate trade indicates that the incidence of laundered diesel on the market has dropped significantly and that they have experienced an increase in road diesel sales. This is supported by tax data which shows road diesel consumption has increased significantly over the past couple of years.

### **Excise Duties**

66. **Deputy Tom Fleming** asked the Minister for Finance his views on correspondence (details supplied) regarding the negative impact that consistent excise duty has on all alcohol products and the resultant closure of pubs and job losses; in view of budget 2015 if he will take cognisance of the fact that in the drinks industry there are 92,000 jobs, €2 billion in wages, 8,298 hotels and pubs and 44 distilleries and brewers; and if he will make a statement on the matter. [38514/14]

**Minister for Finance (Deputy Michael Noonan):** The correspondence attached to the Deputy's question makes a number of points in relation to excise duty increases in Budgets 2013 and 2014. The correspondence also refers to the incentive for cross-border shopping and the risks to tourism resulting from increases in excise on alcohol.

The increases to excise duty on alcohol in Budgets 2013 and 2014 must be seen firstly in the context of the Government's need to raise revenue to provide services. Secondly, these increases should not be viewed in isolation but together with the history of excise rates on alcohol in Ireland. To this end I would remind the Deputy that excise duties on alcohol were reduced significantly in Budget 2010 and also that the rate of duty on spirits and beer remained largely unchanged between 2002 and 2009. It should also be noted that the excise, as a proportion of the pint, is lower now in 2014 than it was 10 years ago.

In relation to the points raised about tourism, I would point out that in July 2011 I introduced a 9% reduced VAT rate for tourism related services as part of the Government Jobs Initiative. The measure was designed to boost tourism and create additional jobs in that sector. The 9% rate applies to the supply of food and drink (excluding alcohol, soft drinks and bottled water) in the course of catering. I also provided for the abolition of the Air Travel Tax in Budget 2014 to further assist the tourism sector.

In relation to cross-border shopping, the most recent cross-border price survey carried out by the Revenue Commissioners in July 2014 can be found online on the Revenue website. The survey compares prices in the off-trade rather than the on-trade, and does not support the attached correspondence's contention that a price difference of 35% in respect of beer, wine and spirits exists between prices in Northern Ireland and the State.

### **Foreign Earnings Deduction**

67. **Deputy Billy Timmins** asked the Minister for Finance his plans to amend foreign earnings tax deduction for short-term workers, commonly known as journeymen, to encourage them take up short-term work overseas; and if he will make a statement on the matter. [38525/14]

**Minister for Finance (Deputy Michael Noonan):** Section 12 of Finance Act 2012 introduced the Foreign Earnings Deduction (FED) scheme which provides for a limited tax deduction for individuals who temporarily carry out the duties of their office or employment in Brazil, Russia, India, China or South Africa. The provision applies as respects the years 2012, 2013 and 2014. The scheme was extended in Finance Act 2013 to include travel to Nigeria, Senegal, Algeria, Egypt, Ghana, the Democratic Republic of Congo, Kenya and Tanzania for 2013 and 2014.

As the Deputy may be aware, the FED is currently being reviewed by my Department in consultation with the Revenue Commissioners. A public consultation was carried out seeking submissions from interested parties on the FED and its operation, views on whether the scheme



should be extended or not and suggestions for improvement should the scheme be extended.

It is a longstanding practice of the Minister for Finance not to comment, in advance of the Budget, on any tax matters that might be the subject of Budget decisions. However, the outcome of the review of the FED will be considered in the context of the forthcoming Budget and Finance Bill and any announcements will be made on Budget Day.

### **Vehicle Registration**

68. **Deputy Finian McGrath** asked the Minister for Finance the reason, under Section 134 of the Finance Act, 1992 (as amended) and the Vehicle Registration Tax (Permanent Reliefs) Regulations, 1993 (S.I. No. 59 of 1993), a person in County Meath that has applied for transfer of residence on a vehicle is being pursued to pay vehicle registration tax on the said vehicle brought in from the United Kingdom when all paperwork is in order and all requirements and criteria are being met but officials are insisting payment must be made and that the decision can be appealed at a later stage; and if he will make a statement on the matter. [38533/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that under Section 147 of the Finance Act 2001, Vehicle Registration Tax (VRT) must be paid before an appeal can be lodged against a refusal to allow an exemption under Transfer of Residence. Because the specific details of the particular case are not provided by the Deputy, the Revenue Commissioners are not in a position to advise me in relation to the particular case. It must be assumed that if the exemption application has been refused, the applicant must not have met all the necessary requirements to avail of the exemption.

If the applicant is dissatisfied with this refusal, they may now appeal this decision under Section 147 of the Finance Act 2001, firstly paying the VRT involved.

### **Commissions of Investigation**

69. **Deputy Eoghan Murphy** asked the Minister for Public Expenditure and Reform if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38339/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** In response to the Deputy's question I can confirm that no commissions of investigation, inquiries or similar investigations were established under my Department during the past 12 months nor, at this stage, are there any plans to establish any commission of investigations, inquiries or similar investigations under my Department in the next 12 months.

### **Coastal Protection**

70. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the position regarding works to prevent storm damage in an area (details supplied) in County Kerry; and if he will make a statement on the matter. [38399/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** The Government Decision of 11 February, 2014 specifically addressed the allocation

of funding for the repair of existing public infrastructure damaged by storms in the period of 13th December to 6th January 2014. The Department of the Environment, Community and Local Government (DoECLG) wrote to Kerry County Council indicating that, based on the estimate submitted by the Council to that Department, up to €1,226,920 was being made available to the Council via the OPW to undertake the necessary repair works to damaged coastal protection and flood defence infrastructure. This was a once-off measure to reinstate built coastal defences to their pre storm condition.

The estimates submitted by Kerry County Council to the DoECLG and the programme of works the Council submitted to the OPW detailing how it proposes to spend the total allocation of €1,226,920 included an amount of €30,000 for repairs to a coastal embankment at Cromane Lower. This programme was approved and it is a matter for the Council to progress these works.

### **Flood Relief Schemes Applications**

71. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform the number of outstanding applications for funding with the Office of Public Works for flood relief works on the River Suck; the estimated cost of any such works; and if he will make a statement on the matter. [38475/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** The Office of Public Works currently has no outstanding applications for funding for flood relief works on the River Suck under the Minor Flood Mitigation Works Scheme.

Significant funding has been provided by the Office of Public Works under the Minor Works Scheme to allow Galway and Roscommon County Councils undertake specific flood alleviation projects within the River Suck catchment. To date almost €2.1m has been approved to Galway County Council and over €300,000 to Roscommon County Council for this purpose. The majority of these projects have been completed. Details of all the projects for which funding has been approved to local authorities under the Minor Works Scheme are available on the OPW website, [www.opw.ie](http://www.opw.ie).

The Shannon Catchment Flood Risk Assessment and Management Study is dealing with management of flood risk in the River Suck catchment as a whole. Updates on this study are available on [www.shannoncframstudy.ie](http://www.shannoncframstudy.ie).

### **Flood Prevention Measures**

72. **Deputy Denis Naughten** asked the Minister for Public Expenditure and Reform his plans to address the flooding issue in Ahascragh, County Galway; and if he will make a statement on the matter. [38476/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** The Ahascragh River forms part of the Ahascragh River Drainage District for which the responsibility for maintenance rests with the relevant local authority, in this case Galway County Council. Under the Arterial Drainage Act, 1945, as amended, all local authorities are required to provide to the Office of Public Works (OPW) an annual report in respect of the condition of the Drainage Districts within their care. The report for the year ended 31st December, 2013, submitted by Galway County Council, shows that the Council expended €15,000 on maintaining the district, which involved general channel maintenance in the Clonbrock area.

The OPW approved funding of €45,000 to Galway County Council in 2010 under its Minor Flood Mitigation Works and Coastal Protection Scheme for channel cleaning works at Ahascragh. The Council has fully drawn down this funding and these works are complete. The OPW is currently reviewing a further Minor Works Scheme application submitted by the Council in respect of Ahascragh. Any application received under the Minor Works Scheme is assessed under the eligibility criteria of the Scheme, including a requirement that any measures are cost beneficial, and having regard to the overall availability of funding. It is open to Galway County Council to carry out flood mitigation works using their own resources.

Ahascragh was identified through the national Preliminary Flood Risk Assessment as an area where the flood risk was potentially significant. It is therefore designated as an area for which detailed analysis is being carried out under the Shannon Catchment Flood Risk Assessment and Management (CFRAM) Study, which the OPW is currently undertaking in partnership with the relevant local authorities including Galway County Council.

The analysis under the CFRAM project will enable flood maps to be produced in 2014 and the identification of flood risk management options for this area in 2015. There will be public consultation on the draft flood maps within the next couple of months and this will be advertised locally.

### **Prompt Payments**

73. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation the position regarding assistance to small businesses (details supplied). [38534/14]

77. **Deputy Finian McGrath** asked the Minister for Jobs, Enterprise and Innovation his views on correspondence (details supplied) regarding money owed to a company; and if he will make a statement on the matter. [38502/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 73 and 77 together.

My Department is responsible for the implementation of the Late Payment Directive that established EU law in the area of prompt payments which was recast through an EU Directive (2011/7/EU) and came into effect across the EU on 16 March 2013. The issue of prompt payment is now covered in Irish law by the European Communities (Late Payment in Commercial Transactions) Regulations 2012 (S.I. No. 580 of 2012).

This legislation acts as a deterrent to late payment and as a driver for payment on time by establishing a clear expectation in law that payment will be made according to agreed terms. It lays down the specific deadlines for the payment of invoices and establishes a right to compensation in the event of late payment in all commercial transactions, whether they relate to transactions between private or public undertakings, or between undertakings and public authorities. There are steps that can be taken in cases of disputes including arbitration and legal proceedings.

For business to business transactions, where no contract exists, the payment period is set at 30 days. Where a contract stipulating the payment period does exist, normally such a period should not exceed 60 calendar days unless both parties agree otherwise and providing it is not “grossly unfair” to the creditor.

In relation to the specific query which the Deputy mentions I wish to advise that as a Member of the Government I am not officially responsible to the Dáil for interpreting or stating the

law.

The Sheriff (or County Registrar) is responsible to the Court for the Enforcement of the Court Orders and the law and procedures governing the execution of Court Orders is contained in the Enforcement of Court Orders Acts, 1926 to 1940 and the Rules of Court made thereunder.

The Courts are, subject only to the constitution and the law, independent in the exercise of their judicial functions and the conduct of any court case is a matter entirely for the presiding judge. It is not open to me as Minister to comment or intervene in any way in relation to how a particular case is being conducted or the outcome of any such proceedings.

I am sorry that I cannot be of more assistance to the Deputy on this occasion.

### **Commissions of Investigation**

74. **Deputy Eoghan Murphy** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date, envisaged. [38337/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** No commissions of investigation, inquiries or similar investigations have been established under the aegis of my Department during the past 12 months or are being considered for establishment during the next 12 months.

### **IDA Data**

75. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation if he will provide by county a breakdown of the number of Industrial Development Authority led jobs created in 2011, 2012, 2013 and to date in 2014; the number of IDA sponsored visits of potential investors on a county basis in 2011, 2012, 2013 and to date in 2014; and if he will make a statement on the matter. [38356/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Forfás Annual Employment Survey reports on the number of jobs gained and lost in the enterprise development agencies. The survey shows that over the past three years there have been a total of 43,255 new jobs created in IDA Ireland client companies (including companies that were formerly clients of Shannon Development). Details of the number of jobs created in the three year period 2011 to 2013 inclusive, is set out in the attached tabular statement (A). Employment data for 2014 will not be available until early next year.

I am informed by IDA Ireland that during 2011, 2012, 2013 and to the end of September 2014 there were a total of 1,353 IDA Ireland sponsored site visits by potential investors to various locations across the country. Details of the number of site visits during this period are set out in the attached tabular statement (B).

There are many complex factors influencing decision location making, such as the increasing preference of investors globally for cities of scale with 1 million plus populations, significant challenges from lower cost locations in Eastern Europe and the Far East and attractive regional aid. While IDA Ireland does attempt to influence the choice of location the final decision as to where to visit and ultimately where to locate is taken in all cases by the investor.

The Action Plan for Jobs 2014 includes a commitment to develop a framework for a Regional Enterprise Strategy to better integrate the efforts of the enterprise development agencies and other regional stakeholders in supporting enterprises. My intention is that the framework will be developed on a pilot basis initially, focusing on the Midlands region, and involving the agencies under the remit of my own Department – Enterprise Ireland, IDA Ireland and the Local Enterprise Offices. The objective is to enhance synergies between the agencies and their client companies and build on the competitive strengths of the region to maximise the potential for job creation. The role which other public bodies in the region can play in working towards this objective will also be examined as the project develops. The aim is that this framework will serve as a model for other regions of the country.

**Table shows the number of IDA Ireland jobs created in 2011, 2012 and 2013 (A)**

County	New jobs created in 2011	New jobs created in 2012	New jobs created in 2013
Carlow	197	132	91
Cavan	5	10	15
Clare	77	76	15
Cork	2,179	2,388	2,143
Donegal	277	164	177
Dublin	7,351	8,464	6,862
Galway	1,921	923	1,098
Kerry	171	120	101
Kildare	349	546	276
Kilkenny	1	125	80
Laois	2	0	0
Leitrim	24	0	31
Limerick	253	556	560
Longford	6	44	25
Louth	242	401	595
Mayo	152	96	242
Meath	88	53	68
Monaghan	0	7	29
Offaly	41	54	21
Roscommon	96	59	28
Shannon Transfers 2013	327	260	185
Sligo	187	163	184
Tipperary North Riding	22	1	21
Tipperary South Riding	25	67	180
Waterford	144	117	172
Westmeath	162	177	132
Wexford	111	100	149
Wicklow	84	106	72
Total excluding Shannon	14,167	14,949	13,367
Total including Shannon	14,494	15,209	13,552

**Table showing the number of IDA Ireland sponsored site visits, on a county by county basis in 2011, 2012, 2013 and to the end of September 2014 (B)**

County	2011	2012	2013	Jan-Sept 2014
Carlow	2	4	1	1
Cavan	0	3	2	1

County	2011	2012	2013	Jan-Sept 2014
Clare	15	14	5	9
Cork	27	38	31	26
Donegal	2	1	7	2
Dublin	150	196	180	184
Galway	35	18	15	16
Kerry	2	1	1	1
Kildare	3	1	1	1
Kilkenny	0	3	3	3
Laois	2	0	2	0
Leitrim	0	0	1	2
Limerick	40	30	23	21
Longford	0	0	0	0
Louth	26	12	4	10
Mayo	0	1	3	1
Meath	2	0	1	2
Monaghan	1	0	1	0
Offaly	1	3	1	0
Roscommon	0	0	4	0
Sligo	3	6	10	6
Tipperary	1	5	4	2
Waterford	11	26	14	8
Westmeath	15	7	9	8
Wexford	0	3	2	0
Wicklow	3	6	1	4
Total	341	378	326	308

### Trade Agreements

76. **Deputy Mick Wallace** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 227 of 30 September 2014, where he references documents on the EU Commission's website that have been tabled by the EU in the TiSA negotiations, stating that they clearly exclude public services from the remit of the talks, his understanding of the TiSA definition of public services; and if his response should be corrected in the context of information (details supplied). [38406/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The information in my reply to Parliamentary Question No. 227 of 30 September 2014 contains a link which explains the draft legal text tabled by the EU. This includes a clear explanation as to how public services are protected.

In the TiSA talks, each country is free to choose the services or activities it wants to allow foreign companies to provide. These choices are known as 'commitments'.

The EU always excludes from its commitments:

- publicly-funded health and social services
- publicly-funded education
- water collection, purification, distribution and management services

- film, TV and other audiovisual services.

The EU has also excluded these services from TiSA, as it has in all its other trade agreements.

*Question No. 77 answered with Question No. 73.*

### **Single Payment Scheme Payments**

78. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if he will issue area aid even in cases where deductions apply in order that farmers will not experience undue delays in receiving payments; the current procedure in such cases; and if he will make a statement on the matter. [38310/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** As the Deputy is no doubt aware the Single Farm Payment scheme is 100% EU funded with the Disadvantaged Areas Scheme co-funded and as such both are governed by the relevant EU rules and regulations. These regulations provide for a comprehensive system of controls and checks including both remote sensing and on farm inspections. It is not possible under the EU legislation governing the payment of aid under both the Single Payment Scheme and other area based schemes to make payment in cases that are not fully processed and clear. Payments under the Disadvantaged Areas Scheme commenced on target on 24 September, with in excess of €159m paid to 76,211 applicants to date. Payments will continue to issue thereafter, on a twice weekly basis as individual cases become eligible.

Advance Payments under the 2014 Single Payment Scheme will begin, on schedule, on 16 October. Payments runs thereafter continue on a twice weekly basis, with individual cases being paid as they are confirmed eligible.

### **Commissions of Investigation**

79. **Deputy Eoghan Murphy** asked the Minister for Agriculture, Food and the Marine if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the time frame, including start and end date, envisaged. [38327/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department has not established any commissions of investigation, inquiries or similar investigations during the past 12 months nor are any being considered for establishment during the next 12 months.

### **Bovine Disease Controls**

80. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if he has information on the prevalence of mycoplasma bovis in Irish farms; the strategies which his Department is promoting to contain this disease; and if he will make a statement on the matter. [38350/14]

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

*bovis* is one of a range of micro-organisms that cause respiratory disease in calves and older cattle in Ireland as elsewhere. For example, *Mycoplasma bovis* was detected in 6% of cases of respiratory disease presented for diagnosis by post-mortem examination in 2012\*. The Veterinary Laboratories of my Department provide a laboratory diagnostic service, advice and support and collated monthly and annual disease surveillance\* information to assist practitioners and herd owners identify the causes of disease in their livestock, in order to apply optimally directed herd health programs in their herds. Less frequently, *Mycoplasma bovis* can occur as infection in one or more joints (arthritis) or as mastitis. DAFM Laboratories diagnosed a number of cases of arthritis and/or mastitis in dairy cows in nine Irish dairy herds in 2013 and in eight further dairy herds this year. In addition, DAFM Laboratories provided laboratory testing and technical disease control advice and support to private veterinary practitioners and herd owners, who implemented herd health programs specifically to control *Mycoplasma bovis* mastitis and arthritis in their dairy cows. Most of these programs have been followed by the reduction in occurrence or cessation of new cases of *Mycoplasma bovis* mastitis and arthritis in each of the affected herds.

\*All-Island animal Disease Surveillance Report 2012, <http://www.agriculture.gov.ie/media/migration/animalhealthwelfare/labservice/rvlreportpictures/All%20Island%20Animal%20Disease%20Surveillance%20Report%202012.pdf>.

### Agriculture Schemes Penalties

81. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine the reason for significant penalties being applied in respect of a person (details supplied) in County Cork over consecutive years; and if he will make a statement on the matter. [38362/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2013 Single Farm Payment/Disadvantaged Areas' scheme application on 15 May 2013. In order to comply with EU requirements, the application of the person named was selected for a ground eligibility inspection.

This inspection identified discrepancies between the area declared and the area found resulting in an over-declaration in area of greater than 50% under both the Single Farm Payment and the Disadvantaged Areas' schemes. Based on the Terms and Conditions of these schemes, this resulted in no payments issuing in respect of 2013 and the application of administrative fines to be offset against any future EU payments. The person named was notified of this decision on 21 October 2013.

The person named has appealed this decision and this request 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.

While additional inspections were undertaken on the holding of the person named in previous years in relation to cattle identification and registration requirements, these inspections did not result in any penalties being applied under the Single Farm Payment and Disadvantaged Areas' schemes.

### Land Transfers

82. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when a



letter of confirmation of transfer will issue to a person (details supplied) in County Tipperary; the reasons for the delay in same; and if he will make a statement on the matter. [38365/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A Transfer of Entitlements application was received on 13 May 2014 to transfer 5.93 standard entitlements from the above herd number to another herd number by way of sale. My Department has been processing some 16,000 Transfer of Entitlement applications since the closing date of 15 May 2014. The application for the person named has now been processed and acceptance letters were issued on 6 October 2014.

### **Disadvantaged Areas Scheme Payments**

83. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Roscommon will receive a payment; the reason for the delay in same; and if he will make a statement on the matter. [38382/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Eligible applicants for the Disadvantaged Areas Scheme in 2014 must have met (a) a minimum stocking density of 0.3 livestock units per hectare in 2011, or have been granted derogation and (b) 0.15 livestock units per hectare in 2014. The person named is one of a number of applicants who have failed to meet the requirement of farming to a minimum stocking density in 2011 of 0.3 livestock units per forage hectare and whom did not apply for derogation in this regard. No appeal has been received from the person named in relation to this matter.

### **Disadvantaged Areas Scheme Payments**

84. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Donegal was cut in their area aid application; and if he will make a statement on the matter. [38393/14]

**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/Disadvantaged Areas Scheme revealed that a number of the land parcels declared by the person named contained ineligible features. This resulted in reduction of 1.29 hectares being applied to the area based payments, including the 2013 Disadvantaged Areas Scheme, where an overpayment of €412.84 was notified to the person named.

The person named was notified of this overpayment by letter of 15 September, 2014 which also advised that if payments are not recouped directly they will be debited from any future payments that may fall due from my Department. This is the normal recoupment policy for debts due of my Department. There is a comprehensive series of mechanisms in place should the person named wish to appeal the reduction in payment.

Payments under the 2014 Disadvantaged Areas Scheme began issuing, on target, on 24 September; with payment issuing directly to the nominated bank account of the person named on 24 September less the outstanding amount due to the Department.

### **Disadvantaged Areas Scheme Payments**

85. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine when

a person (details supplied) in County Mayo will receive their disadvantaged area scheme payment. [38421/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 1 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on-farm inspections, be completed before any payments issue. The application of the person named was selected for a ground eligibility inspection. This inspection has been completed and the results are now being finalised with the intention of issuing any payment due as soon as possible. In the event that any queries arise officials in my Department will be in contact with the person named.

### Beef Imports

86. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine the number of tonnes of beef imported here in 2014. [38422/14]

88. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine the country of origin of the beef imported here in 2014. [38424/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I propose to take Questions Nos. 86 and 88 together.

There has been 13,123 tonnes of beef imported into Ireland in the period between January 2014 and July 2014 according to Central Statistics Office data. Bord Bia estimates that more than 470,000 tonnes of beef were exported from Ireland in 2013.

Please see below details of countries of origin and volumes imported.

Country	Import Tonnes Total	Country	Import Tonnes Total
Australia	7	Italy	3
Austria	35	Lithuania	103
Belgium	18	Netherlands	129
Brazil	62	New Zealand	1
China	32	Northern Ireland	2255
Croatia	5	Poland	106
Denmark	19	Romania	14
France	67	Spain	21
Gabon	1	Sri Lanka	15
Germany	162	Sweden	62
Great Britain	9997	Turkey	6
India	1	Uruguay	2

### Beef Imports

87. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine the persons his Department granted licences to import beef in 2014. [38423/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Please see below a list of companies to whom import licences for beef issued since the start of the current calendar year.

Company Name trader
Food Bridge Ltd
Taneydale Ltd
Blisket Ltd
Q.K. Meats Ardmore Ltd.
Q.K. Meats Allen Ltd.
Q.K. Meats Ltd
Dawn Farm Foods Ltd

*Question No. 88 answered with Question No. 86.*

### Sheepmeat Sector

89. **Deputy Martin Ferris** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the new restrictions on the movement of breeding ewes and hoggets from here to Northern Ireland across the Border; and the effects of these restrictions on live-stock marts and breeders here. [38425/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** No new requirements have been introduced to the movement of sheep in intra community trade. Intra - Community trade in sheep is governed by the provisions of Council Directive 2003/50/EC which amends Council Directive 91/68/EEC. These controls apply to breeding sheep whether they are imported or exported and all sheep must be certified with regard to their health status.

Breeding and fattening sheep must be certified as having been continuously resident on a holding of origin for at least 30 days prior to export including a standstill period of 21 days prior to export during which time no sheep have been introduced on to the holding. A derogation applies where sheep introduced during the standstill period are completely isolated from all other animals on the holding.

Breeding sheep must have been obtained from a holding and must only have been in contact with animals from such a holding in which in the previous 6 months contagious agalactia of sheep, in the previous 12 months paratuberculosis or caseous lymphadenitis, and in the previous 3 years pulmonary adenomatosis or Maedi Visna have not been clinically diagnosed.

Breeding rams must also come from a holding on which no case of contagious epididymitis (*Brucella Ovis*) has been recorded in the last 12 months and they must have been kept permanently on the holding for 60 days prior to export. Breeding rams must also be tested for contagious epididymitis (*Brucella Ovis*) with a negative result, within 30 days prior to export.

The rules in relation to Scrapie are that all breeding sheep must either be of the ARR/ARR prion protein genotype, or have been kept in a scrapie monitored flock for at least 3 years with no cases of scrapie being confirmed during this period.

*Under EU Regulation 630/2013 all flocks participating in the Scrapie Monitored Scheme have to be classified as “controlled risk” or “negligible risk”. A holding may be recognized as having a controlled risk for classical scrapie provided it has complied with the conditions specified in the Regulation for at least 3 years. Achieving the negligible risk status will be a continuation of the controlled risk status for an increased period of time.*

*Only animals from holdings with a higher status may be introduced into the holding and at a*

*minimum, they must come from holdings of at least the same status. Animals may also be traded to holdings of at least the same or lower status both within Ireland and to other Member States. Most of the current members of the Scrapie Monitored Scheme have automatically achieved controlled risk status.*

### **Fishery Harbour Centres**

90. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Food and the Marine if he will report on the works which have been carried out at Howth Harbour under the fishery harbour and coastal infrastructure capital development programme in the years 2013 and to date in 2014. [38438/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Howth Fishery Harbour Centre in County Dublin is one of the six designated Fishery Harbour Centres, which are owned, managed and maintained by my Department. Notwithstanding the prevailing economic environment in which we operate, I am happy to be able to advise that in excess of €1.3 million has been invested in maintenance, development and upgrading works at Howth FHC as part of my Department's Fishery Harbour and Coastal Infrastructure Development Programme in 2013.

In 2013 works consisted of upgrading disability access, completion of the first phase of the Harbour Electrical System upgrade, East Pier investigation project, improvements to road markings and footpaths in the harbour and other general safety and maintenance works in the harbour.

On 20 March I approved funding of €1.18 million for the maintenance and development of Howth Fishery Harbour Centre this year. A major part of the works for 2014 includes the continued upgrading of the electrical system at the harbour. Other projects include design and planning for pontoons, syncrolift platform painting and repairs, and repairs to the East Pier. This is in addition to other general safety and maintenance works in the harbour.

### **Disadvantaged Areas Scheme Payments**

91. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine the reason a second deduction is being made on a 2013 disadvantaged area scheme payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [38442/14]

**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/Disadvantaged Areas Scheme revealed that one of the land parcels in question contained ineligible features. Following the review of my Department's decision, sought by the person named, a visit by a Department official to verify the position on the ground is necessary. The person named will be informed of the outcome of this inspection in due course.

### **Forestry Premium Payments**

92. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine when payment of a forestry premium-headage payment will be made in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [38443/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payments under the 2014 Disadvantaged Areas Scheme began issuing, on target, on 24 September. Processing of the application of the person named has recently been finalised, with payment due to issue shortly, directly to the nominated bank account of the person named. No application under the Forestry Schemes has been received from the person named, therefore no payment is due.

### **Disadvantaged Areas Scheme Payments**

93. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive the disadvantaged area aid payment; and if he will make a statement on the matter. [38486/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payments under the 2014 Disadvantaged Areas Scheme began issuing, on target, on 24 September. Processing of the application of the person named has recently been finalised, with payment due to issue shortly, directly to the nominated bank account of the person named.

### **Commissions of Investigation**

94. **Deputy Eoghan Murphy** asked the Minister for Defence if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38331/14]

**Minister for Defence (Deputy Simon Coveney):** No commissions of investigation, inquiries or similar investigations were established during the past 12 months. The announcement of the establishment of further commissions of investigation, inquiries or similar investigations is not being considered at this time.

### **Garda Deployment**

95. **Deputy Brendan Smith** asked the Minister for Justice and Equality if the Cavan-Monaghan drugs unit with proper resourcing will be re-established as the scourge of drugs is a serious issue throughout both counties; and if she will make a statement on the matter. [38312/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continuing review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of these resources.

I have been informed by the Garda Commissioner that the personnel strength of the Cavan/Monaghan Garda Division on 31 August 2014, the latest date for which figures are readily available, was 326. There are also 26 Garda Reserves and 36 Civilians attached to the Division. All Gardaí have responsibility, inter alia, to deal with drugs issues as and when they arise.

The Detective Branch in the Cavan/Monaghan Division take a lead role in the enforcement of drug related legislation in conjunction with the Garda National Drugs Unit members of the

Cavan/Monaghan Division.

Tackling the issue of drug misuse in our society remains one of the most complex challenges that we face. The overall response to the problem is set out in the National Drugs Strategy for the period 2009-2016. The Strategy provides a co-ordinated and comprehensive response to issue of drug misuse and is very much founded on a partnership approach. Drug law enforcement remains a fundamental feature of our overall approach and continues to be a key priority area. This is very much reflected in An Garda Síochána's Policing Plan for 2014 which highlights a strong focus in combating serious crime in all its forms, in particular organised crime and its close links with drug trafficking.

The specific strategies put in place by An Garda Síochána, to address the sale, supply, importation and distribution of illegal drugs include the establishment of targeted intelligence led operations focused on specific facets of the drugs trade. A further feature of the Garda response is the continued and close co-operation with the Revenue Commissioners (Customs Service) and with other national drug law enforcement agencies, such as the Health Products Regulatory Authority in tackling drug supply.

### Commissions of Investigation

96. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if she will provide a list of the commissions of investigation, inquiries and similar investigations established under her Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38338/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The information requested by the Deputy in relation to Commissions of Investigation, inquiries and similar investigations established under, or otherwise falling under the remit of my Department, during the past 12 months is contained in the table below.

In regard to the Commission of Investigation into matters arising from the report by Seán Guerin SC, I have been conscious that this period of preparation could provide an opportunity for consideration to be given to the inclusion in the terms of reference of such additional cases, if any, as may be identified as appropriate for a Commission of Investigation arising from the establishment of the independent review by counsel of allegations of Garda misconduct which commenced work recently. The panel does have a significant number of cases to examine, however, and it may be that any recommendations it may make in regard to a Commission of Investigation will be dealt with subsequent to the establishment of this Commission of Investigation.

Investigation/Inquiry	Person Conducting Inquiry	Date of Commission	Time frame
Inquiry into the circumstances surrounding the taking into care of the children of two Roma families	Ms. Emily Logan	December 2013	Published 1 July 2014
The independent examination of the report of the Serious Crime Review Team relating to the Garda Investigation into the death of Fr. Niall Molloy	Mr. Dominic McGinn SC	February 2014	No definitive time frame set
Commission of Investigation into the fatal shooting in May 1998 of Ronán MacLochlainn by members of An Garda Síochána in Ashford, Co. Wicklow	Ms. Mary Rose Gearty, SC	July 2014	Within six months

Investigation/Inquiry	Person Conducting Inquiry	Date of Commission	Time frame
Cooke Inquiry Arising out of allegations in the media that Garda Síochána Ombudsman Commission (GSOC) was the subject to surveillance	Judge Cooke	February 2014	Report furnish to Department of An Taoiseach - June 2014
Guerin Inquiry Independent inquiry into certain allegation made by Sergeant McCabe regarding Cavan/Monaghan Garda Division	Seán Guerin SC	February 2014	Report furnish to Department of An Taoiseach - May 2014
Commission of Investigation into matter arising from the report by Seán Guerin SC of the review of action taken by An Garda Síochána pertaining to certain allegations made by Sergeant McCabe	Under consideration	Under consideration	Under consideration
Investigation into the circumstances surrounding the recording of telephone conversation between prisoners and their solicitors by the Irish Prison Service	Judge Michael Reilly, Inspector of Prisons	April 2014	To report to the Minister as soon as possible

Separately, the Deputy may wish to note that the Fennelly Commission operates under the auspices of the Department of the Taoiseach. The report is due back to Government no later than 31 December 2014.

### Proposed Legislation

97. **Deputy Robert Troy** asked the Minister for Justice and Equality if she will introduce laws targeting sex buyers to end exploitation, abuse and trafficking. [38386/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am examining the recommendations made by the Joint Committee on Justice, Defence and Equality, the advices of the Attorney General and the views of the Minister for Health regarding a new approach to prostitution legislation.

As the Deputy is aware, prostitution raises a wide range of issues and when I have had the opportunity to complete consideration of the issues, any proposals will be brought to Government.

I would also draw attention to the existing legislative provisions addressing the trafficking of persons for the purposes of exploitation (including sexual exploitation) which can attract significant penalties. The Criminal Law (Human Trafficking) Act 2008 prohibits trafficking for the purposes of sexual exploitation. Any person found guilty of such an offence shall be liable to imprisonment for life or a lesser term, and at the discretion of the court, to a fine.

There are also provisions in our criminal law directed at the public nuisances and exploitation associated with prostitution. Solicitation, by both the client and the prostitute, living on the earnings of prostitution, organising prostitution and running a brothel are all offences under the Criminal Law (Sexual Offences) Act 1993.

### Garda Deployment

98. **Deputy Noel Harrington** asked the Minister for Justice and Equality if she will confirm that a resident Garda sergeant who is retiring soon from a rural station (details supplied) in County Cork will be replaced following their retirement; and if she will make a statement on the matter. [38420/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will appreciate, the Garda Commissioner is responsible for the distribution of personnel among the Garda Regions, Divisions, and Districts. Garda management keep this distribution under continuing review in the context of crime trends and policing priorities so as to ensure that the best possible use is made of these resources.

I have asked the Garda Commissioner for the information requested and will correspond directly with the Deputy as soon as it is to hand.

### **Crime Prevention**

99. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality her plans to recommend the introduction of a new knife amnesty to address the increase in serious incidents of knife crime. [38436/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Under the Firearms and Offensive Weapons Act, 1990, the possession of specified offensive weapons is prohibited and it is an offence for any person to manufacture, import, sell, hire or loan such weapons. Specifically, under Section 9 of the Firearms and Offensive Weapons Act, it is an offence to possess any knife or any other article which has a blade or which is sharply pointed in any public place, without having good reason or lawful authority.

I can advise that a comprehensive and robust legal framework is now in place in this area including heavy penalties for breaches of the laws concerned. The Garda Commissioner, in 2008, made recommendations in relation to knives and sharply pointed or bladed weapons, and subsequently the Criminal Justice (Miscellaneous Provisions) Act 2009 was enacted, further strengthening the law and responding to Garda concerns about knife crime. The maximum penalty for possessing a knife in a public place without good reason or lawful authority has been increased from one to five years, and An Garda Síochána were given an extended power of search without warrant in relation to knives and offensive weapons. In tandem with the new legislation, samurai swords were generally banned from importation and sale.

I wish to assure the Deputy that I am in ongoing contact with the Garda Commissioner in relation to a wide range of crime and policing concerns, including knife and other violent crime. At an operational level, An Garda Síochána pro-actively target public disorder and anti-social behaviour, including knife related crime through the strategic deployment of Garda resources. In this regard, areas identified as public order hot-spots by local Garda management are the subject of additional foot and mobile patrols. In addition, Detective Units and Divisional Crime Task Forces may be utilised to provide a high visibility presence in areas such as late night bars, clubs etc, particularly when people are exiting, to deter and detect anti-social behaviour and possible altercations. However, it should be noted that many knife crimes occur in domestic settings and often with a degree of spontaneity, which increases the challenges for preventative policing and enforcement.

In relation to the investigation of specific knife-related crimes, I am assured that all appropriate resources, including any necessary technical and forensic facilities are employed by An Garda Síochána to secure detections and identify perpetrators of these crimes.

In addition to these enforcement measures, An Garda Síochána are involved in a number of awareness measures relating to knife crime, and I understand that the Garda Schools Programme is utilised to include talks on knives and other weapons for secondary school pupils, emphasising the dangers involved and the need for care, vigilance and social responsibility.



There are at present no plans to hold a knife amnesty.

### **Garda Policing Plans**

100. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality her plans to roll out the new Garda community policing initiative particularly in the Garda R and J districts. [38437/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy directly as soon as the report is to hand.

### **Crime Data**

101. **Deputy Niall Collins** asked the Minister for Justice and Equality the number of persons who reside here but do not have Irish citizenship, who have been convicted of murder in their state of citizenship; and if she will make a statement on the matter. [38508/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I can advise the Deputy that procedures are provided in the Immigration Act 1999 and under the European Communities (Free Movement of Persons) Regulations 2006 for the removal from the State of persons who are not citizens of Ireland or the United Kingdom of Great Britain and Northern Ireland, who are known or suspected of engaging in criminal activity. Furthermore, under section 4 of the Immigration Act 2004 an immigration officer may refuse to give permission to enter the State under certain circumstances, including in relation to a previous conviction, if an immigration officer has reason to believe that the persons entry into, or presence, in the State could pose a threat to national security or be contrary to public policy.

In this context criminal record checks take place in appropriate circumstances and An Garda Síochána maintain liaison with other police forces and with Interpol, and relevant intelligence information may be obtained in relation to persons who may have been convicted of serious crimes in other jurisdictions. Statistics in relation to the outcome of such inquiries and the number of instances of the type referred to by the Deputy are not readily available.

### **Departmental Funding**

102. **Deputy Michael Creed** asked the Minister for Justice and Equality if her attention has been drawn to concerns that have been expressed about governance issues at an organisation (details provided) which receives funding from her Department for the operation of the community alert scheme; if she will take necessary steps to ensure the continued viability and operation of this essential community-based service; and if she will make a statement on the matter. [38524/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** In 2014 as in previous years, my Department has provided funding to Muintir na Tíre to support the operation of the Community Alert scheme. In relation to the other issues raised by the Deputy, the arrangements for the continuing management of the scheme will be discussed with Muintir na Tíre in the context of considering the question of funding for 2015, and having regard to the views of An Garda Síochána as the partners in the programme.

## Stardust Fire

103. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding outstanding issues raised by the Stardust victims (details supplied); and if she will make a statement on the matter. [38541/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I met with the Stardust Relatives' and Victims Committee in July of this year and this meeting provided an opportunity for me to hear their concerns at first hand. At that meeting the Committee and their representatives set out, in some detail, their concerns in relation to the Inquiries into this matter that have been undertaken previously and some related financial issues that have arisen. Since that meeting I have exchanged correspondence with the Committee and their representatives and am now examining whether there is anything that the State can reasonably do to seek to assuage these concerns. I have indicated to the Committee that, while I am prepared to examine matters they wish to bring to my attention, I am anxious that no unrealistic expectations about what can be achieved are raised.

I wish also to inform the Deputy that allegations raised by the Stardust Committee in relation to certain matters are the subject of an ongoing investigation by An Garda Síochána. I am informed, by the Interim Garda Commissioner, that this is a complex investigation and, you will understand, I cannot do anything that might cut across this investigation.

## Commissions of Investigation

104. **Deputy Eoghan Murphy** asked the Minister for Children and Youth Affairs if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38329/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** My Department is currently making arrangements for the establishment of one investigation under the Commission of Investigations Act 2004. The information being sought by the Deputy in respect of this investigation is as follows:

Title of investigation being considered for establishment	Establishment and timeframe	Persons conducting
Commission of Investigation into matters relating to Mother and Baby Homes (title remains to be formalised within a Statutory Order to establish the Commission).	To be decided by Government	The Minister for Children and Youth Affairs has announced that Judge Yvonne Murphy is to Chair the Commission. Final decisions on membership to be made by Government in the context of decisions necessary to establish the Commission.

## Water Quality Issues

105. **Deputy Michael Colreavy** asked the Minister for Health the amount allocated for adding fluoride to water for public consumption each year; the persons who receive this funding to insert the fluoride; and if he will make a statement on the matter. [38372/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Water fluoridation is the adjustment of the natural concentration of fluoride in drinking water to the optimal recommended level for the prevention of dental decay. The Health (Fluoridation of Water

Supplies) Act 1960 and the Fluoridation of Water Supplies Regulations 2007 provide for the making of arrangements by the HSE for the fluoridation of public water supplies. The local authorities, acting on behalf of Irish Water, act as agents for the HSE in providing, installing and maintaining equipment for fluoridation and in adding the fluoride to water and testing the fluoride content of water to which fluoride has been added. Total expenditure on fluoridation in 2013 was €4.8 million. The costs include €1.7 million paid to Chemifloc Ltd for the supply and delivery of hydrofluorosilicic acid - the chemical used for fluoridating water, as well as operational costs of €2.1 million and capital costs of €1 million.

### **Home Care Packages**

106. **Deputy James Bannon** asked the Minister for Health the progress to date in the determination of a home care package in respect a person (details supplied) in County Longford; and if he will make a statement on the matter. [38516/14]

**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.

### **Dental Services Provision**

107. **Deputy Brendan Smith** asked the Minister for Health if adequate dental services will be restored for primary school children in the Carrickmacross-Castleblayney areas of County Monaghan; and if he will make a statement on the matter. [38311/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I have asked the HSE to investigate this matter and respond to the Deputy as soon as possible.

### **Medical Card Appeals**

108. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Roscommon will receive a decision on a medical card appeal; and if he will make a statement on the matter. [38314/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

### **Commissions of Investigation**

109. **Deputy Eoghan Murphy** asked the Minister for Health if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next

12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38336/14]

**Minister for Health (Deputy Leo Varadkar):** From time to time, a Minister for Health may seek a report into certain issues but in the main, bodies such as the Health Service Executive or the Health Information and Quality Authority carry out investigations or inquiries into health related issues. The Commissions of Investigation Act 2004 provides for the establishment of commissions to investigate into and report on matters considered to be of significant public concern. No such commissions of investigation have been established in the Department in the last twelve months, and I do not have any plans to establish any in the next twelve months.

### **Registration of Nurses**

110. **Deputy Joan Collins** asked the Minister for Health in view of the Nursing and Midwifery Board of Ireland voting to increase the retention fee for 2015 from €100 to €150 (details supplied), if he is prepared for a crisis in staffing levels in the Health Service Executive in 2015 [38342/14]

**Minister for Health (Deputy Leo Varadkar):** A new Nurses and Midwives Act was passed into legislation in 2011. The Act provides, inter alia, for the protection of the public in its dealings with nurses and midwives and the enhancement of their high standards of professional education and competencies. The Department of Health is responsible for oversight of the governance of the Nursing and Midwifery Board of Ireland (NMBI). The Department has no role in setting or approving registration fees.

The Board is an independent body, answerable to the Oireachtas, with the responsibility to ensure that it has the financial capacity to undertake all its legal obligations. The cost of enacting the additional requirements under the Nurses and Midwives Act 2011 was set out in the Regulatory Impact Analysis that was carried out prior to the enactment of the legislation. These costs include an enhanced regulatory process with supporting systems for continued professional development and certain education and training requirements for the professions.

It was also made clear at the time of the legislation that the Board would continue to be self-funding and needed to plan and cost how it would fulfil its legal obligations. Following detailed negotiations with the Executive and Board members in 2013 it was agreed in October 2013 that an initial once-off sum of €1.6m would be granted by the Department to the Board to cover 2013/2014 costs, but that the Board would have to increase its income in 2015 to undertake its commitments in the legislation. The Board of the NMBI made the decision to increase the annual registration fee at its meeting on 17th September, 2014. A helpline, email address and website information page have been made available by the NMBI to provide clarification for registrants who may have queries on this matter. Any potential implications for nurse staffing levels arising from the increase in registration fees will be kept under review by the HSE.

### **Home Help Service Provision**

111. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding an increase of hours for home care in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [38343/14]

**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.

### **Medical Card Eligibility**

112. **Deputy Bernard J. Durkan** asked the Minister for Health the reason for refusal of a medical card in the case of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [38355/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

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

*Question No. 113 withdrawn.*

### **Prescription Charges**

114. **Deputy Billy Kelleher** asked the Minister for Health when persons who were former long-term illness card holders will receive the money owed from being incorrectly charged prescription fees now that they are on the medical card; and if he will make a statement on the matter. [38358/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Health Service Executive is making final preparation for the refunds to persons holding Long Term Illness (LTI) eligibility who paid prescription charges for medicines dispensed in respect of their LTI condition(s) in the period October 2010 to December 2013. It is expected that refunds will be issued by the end October 2014.

### **Orthodontic Service Provision**

115. **Deputy Brian Walsh** asked the Minister for Health when an appointment for orthodontic treatment will be provided in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [38373/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The HSE provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines and priority is given to patients with greatest needs. The HSE has been asked to examine the specific query raised by the Deputy and to reply to him as soon as possible.

### **Ambulance Service Provision**

116. **Deputy Denis Naughten** asked the Minister for Health the plans the Health Service Executive has to deploy additional rapid response advanced paramedic vehicles; the proposed locations; and if he will make a statement on the matter. [38377/14]

**Minister for Health (Deputy Leo Varadkar):** As this is a service matter, I have asked the

HSE to respond directly to the Deputy.

### **Departmental Expenditure**

117. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide a breakdown of funding which his Department and the Health Service Executive have granted to the Royal College of Physicians for programme managers and other external consultancy posts; his views that this represents the optimal use of resources in view of the current crisis in health care; and if he will make a statement on the matter. [38383/14]

**Minister for Health (Deputy Leo Varadkar):** The Royal College of Physicians in Ireland has not received any such funding from the Department in the past three years. In 2012 and 2013, registration and conference fees of €784 and €100 were paid respectively. I have asked the Health Service Executive to respond directly to the Deputy regarding any relevant funding it may have provided.

### **Home Help Service Provision**

118. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health when prescribed home support hours will be allocated in respect of a person (details supplied) in County Meath; and if he will make a statement on the matter. [38387/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### **Home Help Service Provision**

119. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of persons who have been recommended home help and home support hours in County Meath but are currently on a waiting list for same; the total number of hours shortfall-recommended; and if he will make a statement on the matter. [38388/14]

**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.

### **Nursing Home Accommodation**

120. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the number of persons currently waiting for nursing home beds in the Dublin North East Health Service Executive region; and a breakdown of same by county of residence; and if he will make a statement on the matter. [38389/14]

**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.

### **Care of the Elderly Provision**

121. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the reason there is no community response team for care of the elderly in County Meath; his plans to create one; and if he will make a statement on the matter. [38390/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I understand the Deputy is referring to Community Intervention Teams. As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

### **Cancer Screening Programmes**

122. **Deputy Michael Healy-Rae** asked the Minister for Health if there has been any risk assessment regarding the use of digital mammograms; and if he will make a statement on the matter. [38391/14]

124. **Deputy Michael Healy-Rae** asked the Minister for Health if there is a safety statement that has been issued regarding digital mammograms; and if he will make a statement on the matter. [38404/14]

125. **Deputy Michael Healy-Rae** asked the Minister for Health if there is or was a conflict of interest regarding the matter of the head of the Health Service Executive and BreastCheck being the same person; and if he will make a statement on the matter. [38405/14]

**Minister for Health (Deputy Leo Varadkar):** I propose to take Questions Nos. 122, 124 and 125 together.

BreastCheck utilises digital mammography as it is the most advanced method available, giving enhanced image quality and significant reductions in the radiation dose associated with screening examinations.

Information regarding manufacturers' manuals and safety data for digital mammography equipment is included as part of the BreastCheck tendering process. Quality assurance processes and measurements are a vital aspect of the BreastCheck programme and their 'Guidelines for Quality Assurance in Mammography Screening' is available from the publications section of the BreastCheck website. These guidelines are consistent with those of the European Reference Organisation for Quality Assured Breast Screening and Diagnostic Services which is the EU standard.

The National Screening Service operates three population based cancer screening programmes: BowelScreen, BreastCheck and CervicalCheck and is an integral part of the Health and Wellbeing division of the HSE. The Screening Service reports through the Office of the Director of Health and Wellbeing to the Director General of the HSE. There is no conflict of interest in this reporting structure.

### **Respite Care Services**

123. **Deputy Joe Costello** asked the Minister for Health if transport will be provided to enable persons (details supplied) in Dublin 9 to access respite care on 14 October 2014; and if he will make a statement on the matter. [38398/14]

**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.

### **Medical Card Administration**

126. **Deputy Sandra McLellan** asked the Minister for Health if he will ensure local property tax payments are not considered a voluntary deduction from persons' wages, when the Primary Care Reimbursement Service is assessing persons' payslips; and if he will make a statement on the matter. [38410/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** 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.

### **Proposed Legislation**

127. **Deputy Ruth Coppinger** asked the Minister for Health his views regarding a change in law and regulations to allow for the medicinal prescription of cannabis; and if he will make a statement on the matter. [38414/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Misuse of Drugs Regulations 1988, made under the Misuse of Drugs Act 1977, are the primary legislative instrument regulating the import, export, manufacture, production, prescribing, supply, possession and administration of controlled drugs in Ireland. On 11th July this year, the Misuse of Drugs Regulations were amended to allow for certain cannabis based medicinal products to be used in Ireland.

Subsequently the Health Products Regulatory Authority (HPRA) granted a marketing authorisation for cannabis based medicinal product Sativex® to be marketed in this State. Sativex® is indicated for the relief of symptoms of spasticity for people with multiple sclerosis where other conservative treatments have failed to provide adequate benefit.

### **Health Services Provision**

128. **Deputy Joanna Tuffy** asked the Minister for Health his policy regarding integrative health otherwise known as integrative medicine; if the practice has been recognised here; and if he will make a statement on the matter. [38418/14]

**Minister for Health (Deputy Leo Varadkar):** Integrative medicine relates to the combining of alternative therapies with those of evidence based medicine. Complementary and alternative therapies and are not funded through the public health system and are not regulated by the Department. All regulated healthcare professionals are required to practice in accordance with their respective professional and ethical codes of conduct and the use by these regulated professionals of such therapies has to be in accordance with the requirements of the respective regulators.



General policy on complementary therapy is informed by the National Working Group on the Regulation of Complementary Therapists which reported in 2005. Their report is available at <http://health.gov.ie/blog/publications/report-of-the-national-working-group-on-the-regulation-of-complementary-therapists-to-the-minister-for-health-and-children>. In line with a recommendation of the National Working Group, the Department of Health supports greater voluntary self-regulation of complementary therapy.

While those providing complementary therapies are not subject to professional statutory regulation, they are subject to a range of legislation and regulation, similar to other practitioners including consumer legislation, competition, contract and criminal law.

People should be supported and empowered to make informed choices about how they can best look after their own and their families health and wellbeing. It is important that people have access to current, accurate and reliable information about health and health-related services and products, and that they consult relevant healthcare professionals for advice about their health needs.

The Department also produced an information leaflet to help consumers make an informed health choice on complementary medicine. It is on the Departments website [http://health.gov.ie/wp-content/uploads/2014/04/complementary\\_therapists\\_leaflet.pdf](http://health.gov.ie/wp-content/uploads/2014/04/complementary_therapists_leaflet.pdf).

### **Long-Term Illness Scheme Administration**

129. **Deputy Michael Lowry** asked the Minister for Health the waiting times for the processing of long-term illness card applications in each office; the number of persons working in each of these offices and processing long-term illness applications; if he will provide for individual staff to assist those processing these applications; his views that these backlogs are acceptable in view of the illness of the applicants; and if he will make a statement on the matter. [38426/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the Health Service Executive (HSE) has statutory responsibility for the administration of the primary care schemes, including the Long Term Illness Scheme, therefore the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Medicinal Products Prices**

130. **Deputy Robert Dowds** asked the Minister for Health his plans to reduce the costs of drugs-medicines for patients; and if he will make a statement on the matter. [38431/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Government has introduced a series of reforms in recent years to reduce the prices of drugs and medicines which are paid for by the HSE. This has resulted in reductions in the price of thousands of medicines. Price reductions of the order of 30% per item reimbursed have been achieved between 2009 and 2013; the average cost per items reimbursed is now running at 2001/2002 levels.

A major new deal on the cost of originator drugs in the State was concluded with the Irish Pharmaceutical Healthcare Association (IPHA) in October 2012. It will deliver a number of important benefits, including, significant reductions for patients in the cost of drugs, a lowering

of the drugs bill to the State, timely access for patients to new cutting-edge drugs for certain conditions, and reducing the cost base of the health system into the future.

The IPHA agreement provides that prices are referenced to the currency adjusted average price to wholesaler in nine EU member states (Austria, Belgium, Denmark, Finland, France, Germany, Netherlands, Spain, and UK) and these are the maximum prices paid by the HSE for originator drugs supplied through the community drug schemes.

The gross savings arising from this deal will be in excess of €400 million over 3 years. €210 million from the gross savings will be available to fund new drugs.

The IPHA agreement provides for a mid-term review in 2014. As the outcome of this review is dependent on negotiations with IPHA further comment at this stage would not be appropriate.

A new agreement was also reached with the Association of Pharmaceutical Manufacturers in Ireland (APMI), which represents the generic drugs industry, in 2012. Under this Agreement the maximum price the HSE pays for generic products was 50% of the initial price of an originator medicine, this was further reduced to 40% from 1 May 2014. This has resulted in the price differential between off-patent drugs and most generic equivalents increasing from 5% to approximately 20%.

The Health (Pricing and Supply of Medical Goods) Act 2013 provides that from June 2013 the maximum price of all new medicinal products reimbursed under the community drug schemes will be set in accordance with the criteria set out in the Act. The Act introduces a system of generic substitution and reference pricing. Reference pricing involves the setting of a common reimbursement price, or reference price, for a group of interchangeable medicines. This is the maximum price that the HSE will reimburse to pharmacies for all medicines in the group, regardless of the individual medicine's prices. It is estimated that reference pricing will yield €50 million in savings in 2014.

In the case of drugs and medicines which are paid for by the HSE, prices are set in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013 or the terms of the framework agreements between the Department of Health and the HSE and the representative bodies for pharmaceutical manufacturers in Ireland. However, neither the Minister for Health nor the HSE has any power to set the prices of drugs and medicines purchased by private patients. It would nonetheless be disappointing if all pharmacists were not passing on the benefits of lower prices to patients.

The HSE advises the public that if they are being charged prices which exceed the reimbursement price listed on the HSE website (<http://www.pcrs.ie/>), plus a dispensing fee of between €3.50 and €5, then they should discuss the differential with their pharmacist to ensure they get the best possible price for the medicine concerned.

In addition, measures have been taken to increase price transparency among retail pharmacies. In March of this year the Pharmaceutical Society of Ireland issued guidelines to pharmacists on procedures and minimum standards of information to be provided to customers, including a requirement to provide an itemised receipt of purchase of medicines.

### **Nursing Homes Support Scheme Administration**

131. **Deputy Michael Healy-Rae** asked the Minister for Health his views on correspondence (details supplied) regarding the fair deal scheme; and if he will make a statement on the matter. [38434/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Nursing Homes Support Scheme provides financial support towards the cost of long term residential care services in nursing homes. The total budget for long-term residential care is €939m in 2014. A number of people covered by funding arrangements which preceded the Scheme are also covered by this funding. However, €23m has been transferred from the Nursing Homes Support Scheme to provide additional community services, with a view to allowing more older people to be supported in their own homes and communities for longer in line with both Government policy and with the expressed wishes of older people. The target in the HSE's Service Plan 2014 is for 22,061 persons to be in receipt of financial support for long-term residential care by year end.

The HSE operates a national placement list for the Nursing Homes Support Scheme to enable it to operate within budget. All applicants who are approved for funding are put on the placement list in chronological order by the date of determination of their application, and funding issues to applicants in this chronological order to ensure equity nationally. Funding is released by the HSE on a weekly basis to ensure those on the placement list receive it as soon as possible.

Funding for the Nursing Homes Support Scheme will be considered in the context of the Estimates Process 2015, which is currently underway. The funding that becomes available must be balanced across all of the various service areas in a way that achieves the best possible outcomes for the greatest number of service users and prioritises areas of greatest need as far as possible.

### **Medical Card Administration**

132. **Deputy Thomas P. Broughan** asked the Minister for Health further to Parliamentary Question Nos. 828 of 27 May 2014 and 950 of 17 September 2014, in respect of the reference in the reply to emergency medical cards being issued within 24 hours of receipt of the required patient details, if he will report on the circumstances under which a medical card would be issued in an emergency and the procedure to be followed by a patient to have a medical card issued in emergency circumstances. [38439/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I understand that the HSE issued a reply to Questions 828 and 950 directly to the Deputy on 2 October 2014.

The Health Service Executive has been asked to examine this further 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 Data**

133. **Deputy Thomas P. Broughan** asked the Minister for Health the number of persons on the waiting list to be admitted to nursing homes who are seeking to avail of the fair deal scheme, including the number on the waiting list in Dublin; and the number of patients who are currently in hospital wards across the country and are waiting to be accommodated in nursing

homes, including the number of persons who are patients of Beaumont Hospital, Dublin 9 and are awaiting nursing home places. [38440/14]

**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.

### **Mental Health Services Provision**

134. **Deputy Thomas P. Broughan** asked the Minister for Health if his attention has been drawn to the ongoing bed crisis at the Aislinn Centre at Beaumont Hospital, Dublin 9 such that there are an insufficient number of beds available to comply with the guidelines contained in the Health Service Executive National Mental Health Division Operational Plan 2014; if his attention has been further drawn to the fact that there are only 15.3 inpatient beds per 100,000 persons in the Dublin north east region compared to the HSE target of 21.2 beds per 100,000 persons; the actions he will take to address the severe bed shortages in mental health services in the Dublin north east region and to address the instances of patients in need of mental health services being denied treatment due to the shortage of inpatient beds. [38441/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter this question has been referred to the HSE for direct reply.

### **Medicinal Products Prices**

135. **Deputy Denis Naughten** asked the Minister for Health further to Parliamentary Question No. 965 of 17 September 2014, the timeframe for a decision on this application; and if he will make a statement on the matter. [38474/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Health Service Executive (HSE) has statutory responsibility for decisions on pricing and reimbursement of medicinal products under the community drug schemes in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013, therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Community Care Provision**

136. **Deputy Ruth Coppinger** asked the Minister for Health if he will create a statutory entitlement to community care services, including home helps and home care packages, as recommended in the Seanad Éireann report on the rights of older people of March 2012; and if he will make a statement on the matter. [38481/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The creation of a statutory entitlement would not be possible in this context as services can only be provided in line with the resources that are available. It is my objective to ensure that available resources are deployed to achieve the best possible outcomes for older people.

In 2014 the budget of €315m for home help and home care services was augmented with an extra €23m, redirected from the provision for residential care, to strengthen the community provision and to develop new and more flexible approaches to community-based care.

The current review of the Nursing Home Support Scheme will include consideration of the

way that residential and community care are currently balanced, and whether new approaches to financing community care would be appropriate.

### **Hospital Services**

137. **Deputy Denis Naughten** asked the Minister for Health the reason the MRI machine at Galway University Hospital is only operational Monday to Friday; the hours of operation; the hours within which the results may be read; his plans to extend the hours of operation and the availability of a consultant to read the results; his plans to provide software in order that the results may be transmitted electronically to another hospital and protocols to have such results read; and if he will make a statement on the matter. [38482/14]

**Minister for Health (Deputy Leo Varadkar):** In relation to the specific queries raised by the Deputy, as these are service matters they have been referred to the HSE for direct reply.

### **Hospital Services**

138. **Deputy Denis Naughten** asked the Minister for Health the hours of operation of each MRI machine in each acute hospital; if an on-call service is available in each case; if he will confirm that software is operational to allow results to be read remotely in each hospital; if he will confirm that a clear protocol is in place to have results read off site when a consultant is not available and out of hours; the steps he will take to provide appropriate cover where a 24-7 service is not available; and if he will make a statement on the matter. [38483/14]

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

### **Hospital Services**

139. **Deputy Denis Naughten** asked the Minister for Health the hours of operation of each CAT machine in each acute hospital; if an on-call service is available in each case; if he will confirm that software is operational to allow results to be read remotely in each hospital; if he will confirm that a clear protocol is in place to have results read off site when a consultant is not available and out of hours; the steps he will take to provide appropriate cover where a 24-7 service is not available; and if he will make a statement on the matter. [38484/14]

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

### **Hospital Services**

140. **Deputy Denis Naughten** asked the Minister for Health if he will provide a list of the acute hospitals where an x-ray is not available 24-7; if an on-call service is available in each case; if he will confirm that software is operational to allow results to be read remotely in each hospital; if he will confirm that a clear protocol is in place to have results read off site when a consultant is not available and out of hours; the steps he will take to provide appropriate cover where a 24-7 service in such hospitals; and if he will make a statement on the matter. [38485/14]

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

### Health Services Provision

141. **Deputy Billy Kelleher** asked the Minister for Health his views on the findings of the Irish Heart Foundation report *Towards Earlier Discharge, Better Outcomes, Lower Cost: Stroke Rehabilitation in Ireland* compiled by the Economic and Social Research Institute and the Royal College of Surgeons of Ireland; his further views that more than 3,000 stroke survivors every year could benefit from early supported discharge programmes that would yield net savings of up to €7 million per annum to the health service; the action he will take to deliver improved community stroke rehabilitation services; and if he will make a statement on the matter. [38490/14]

142. **Deputy Billy Kelleher** asked the Minister for Health in view of the findings of the Irish Heart Foundation report, if he will ensure specific plans are put in place to tackle significant regional variations in stroke services such as access to physiotherapy and speech and language therapy, length of hospital stay, availability of nursing home places, community rehabilitation staffing and the intensity of therapy available in different locations; and if he will make a statement on the matter. [38491/14]

143. **Deputy Billy Kelleher** asked the Minister for Health his views that any delay in developing community stroke rehabilitation services in view of the findings of the Irish Heart Foundation report would represent an avoidable and unnecessary failure to enable many stroke survivors to make the best possible recovery by addressing service deficits resulting in one in three discharged stroke patients here having no access to physiotherapy, half with no speech and language therapy or occupational therapy and just 11% having access to psychological services; and if he will make a statement on the matter. [38492/14]

144. **Deputy Billy Kelleher** asked the Minister for Health his views on the recommendations of the Irish Heart Foundation report regarding patients with severe stroke, in particular that capacity and staffing should be expanded for specialist inpatient rehabilitation; his further views that the numbers of nursing home places should be increased, especially in areas where there are long delays in hospital discharge due to difficulties in accessing nursing home care; and if he will make a statement on the matter. [38493/14]

**Minister for Health (Deputy Leo Varadkar):** I propose to take Questions Nos. 141 to 144, inclusive, together.

I am aware of the findings of The Irish Heart Foundation Report *“Towards Earlier Discharge, Better Outcomes, Lower Cost: Stroke Rehabilitation in Ireland,”* and am asking that the HSE provide a further response to the Deputy in relation to the specific recommendations contained therein.

### Health Services Provision

145. **Deputy Sandra McLellan** asked the Minister for Health if he will ensure physiotherapy is provided in respect of a child (details supplied) in County Cork; and if he will make a statement on the matter. [38495/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the par-

ticular 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.

### **Pharmacy Regulations**

146. **Deputy Patrick O'Donovan** asked the Minister for Health if he will review the guidelines of the regulatory authority of pharmacists in view of the unfair restrictions these guidelines impose on assistant pharmacists acting in a temporary absence by requiring them to be employed 15 hours per week and the steps assistant pharmacists may take to challenge these guidelines; and if he will make a statement on the matter. [38497/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Pharmacy Act 2007 (the Act) provided for the establishment of the Pharmaceutical Society of Ireland (PSI) as the statutory regulatory authority responsible for the regulation of the practice and profession of pharmacy in Ireland. The PSI established in 2007 replaced the previous professional regulatory body of the same name.

The PSI regulates approximately 5,250 pharmacists, 1,800 pharmacies and 450 pharmaceutical assistants. The Act provides for a formal system of registration and inspection of retail pharmacy businesses (pharmacies), a registration system for pharmacists which takes account of the obligations imposed by a statutory Code of Conduct for pharmacists, disciplinary procedures and mandatory continuing professional development, and a registration system for pharmaceutical assistants.

Pharmaceutical assistants are a grade of pharmacy professionals that are permitted under section 30(1) of the Act to act on behalf of a registered pharmacist during the temporary absence of the registered pharmacist.

In December 1994, the “old PSI” and the Pharmaceutical Assistants Association agreed a Code of Practice governing temporary absence. This Code does not place restrictions on what may or may not be done by a pharmaceutical assistant in the temporary absence of pharmacists, but provides a framework for the interpretation of the phrase “temporary absence”. Section 5(6)(b) of the Pharmacy Act provides that in any contract or other agreement to which the old society was a party, the Society is substituted for the old Society. This Code of Practice has been in place since that time and the PSI has operated it in so far as practicable, in accordance with its terms.

Section 30(2) of the Act provides for the PSI Council to make rules (with the consent of the Minister) defining temporary absence and also what may or may not be done by a pharmaceutical assistant when acting on behalf of a registered pharmacist.

The PSI is aware of the concerns raised by pharmaceutical assistants regarding the current employment environment and continues to engage with pharmaceutical assistants and the Pharmaceutical Assistants Association. This engagement will inform the development of policy and an applicable legislative framework that may be established under section 30(2) of the Act. This process is ongoing, and the PSI is committed to expediting this work as quickly as possible.

### **Health Services Provision**

147. **Deputy Finian McGrath** asked the Minister for Health the health and Health Service

Executive support services available for the residents of an area (details supplied) in Dublin 9; and if he will make a statement on the matter. [38498/14]

**Minister for Health (Deputy Leo Varadkar):** The HSE support services available in any area can be identified on the HSE website <http://www.hse.ie/eng/services/maps/>. Officials from the Department have been in contact with the Deputy's office to see if there are any particular support services he is interested in. If the Deputy can provide further information regarding particular service requirements, I will ask the HSE to investigate further.

### **Community Care Provision**

148. **Deputy Catherine Murphy** asked the Minister for Health if there are plans to develop a purpose built designated facility for older persons at Connolly Hospital, Dublin; and if funding has been identified for such a development. [38505/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Community Nursing Unit infrastructure programme must be considered within the overall capital budget available to the health service and there is limited funding available for new projects over the next multi-annual period 2015-2019 given the level of commitments already in place.

As the demand for capital investment far exceeds the funding available, the funding for the Services for Older People must focus on the upgrade and refurbishment of existing facilities to achieve HIQA compliance. The development of Connolly Hospital will be considered in that context.

### **Home Help Service Provision**

149. **Deputy Finian McGrath** asked the Minister for Health the position regarding home help in respect of persons (details supplied) in Dublin 9; and if he will make a statement on the matter. [38539/14]

**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.

### **Home Care Packages**

150. **Deputy Finian McGrath** asked the Minister for Health if he will re-examine the need for home care in respect of a person (details supplied) in Dublin 9; and if he will make a statement on the matter. [38542/14]

**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.

### **Departmental Expenditure**

151. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the expenditure profile for his Department at the end of September 2014; and if he will make a statement on the matter. [38309/14]



**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Department of Foreign Affairs Group's profiled budget to end of September 2014 is €560,186m and the actual spend to end of September 2014 is €506,610m resulting in a period variance of €53,576m.

These variances in the main arise in Vote 27 and are due to timing differences between the planned or profiled draw down of funding by implementing partners and the actual drawn down demands to date. My Department continues to operate within the budget allocation.

### **Commissions of Investigation**

152. **Deputy Eoghan Murphy** asked the Minister for Foreign Affairs and Trade if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38335/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** On foot of the detection of internal fraud in the Passport Service in 2013, the Secretary General requested an external group to undertake a review of Passport Service systems, processes and controls including a wider examination of the spectrum of challenges/risks to the integrity of the Irish passport – both internal and external. The Review Group was chaired by a retired Assistant Secretary from the Department of Public Expenditure and Reform, with representation on the Group from An Garda Síochána, the Defence Forces and the Department's Evaluation and Audit Unit. The investigation took place over a period of 6 months and a confidential report was presented to the Secretary General in March 2014.

A dedicated project team has been established with the Department tasked with examining the recommendations in the report; evaluating options to deliver on these recommendations; and delivering on the options selected.

### **North South Ministerial Council**

153. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the issues discussed at the recent North South Ministerial Council meeting; and if he will make a statement on the matter. [38523/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** A meeting of the North South Ministerial Council (NSMC) in plenary format was held at Dublin Castle on 3 October 2014. This was the 18th Plenary meeting of the NSMC. At the meeting, discussions covered a wide range of financial, economic and EU matters including the employment situation in both jurisdictions and measures to encourage job creation. Also discussed were actions to build trade links with developing markets, attraction of foreign direct investment and issues relating to banking, in particular lending to Small and Medium-sized Enterprises, economic and budgetary challenges facing both administrations and measures aimed at rebalancing the Northern Ireland economy. Progress on the disposal of NAMA's Northern Ireland portfolio was welcomed by the Council.

Ministers also welcomed the success of the Giro d'Italia cycling event which secured widespread global media coverage. We also noted the opportunities for tourism and trade through the hosting of all-island events and agreed to continue to cooperate on a joint bid for the 2023 Rugby World Cup.

We noted that the draft Programmes for the new INTERREG V and PEACE IV Programmes for the period 2014-2020 have been submitted to the EU Commission. As several other new European programmes may present opportunities for cooperation to maximise the drawdown of EU funding to the island, we agreed that these should be further examined.

With regard to the St Andrews Agreement Review, the Council noted that discussions on Sectoral Priorities have now taken place, following the decisions taken at the last NSMC Plenary in November 2013 and the NSMC Institutional meeting in January 2014. These discussions focused on efforts to support economic recovery, job creation, ensuring the best use of public funds and the most effective delivery of services for citizens.

Ministers agreed that it had been useful to review progress and identify opportunities within the existing agreed work programmes and noted that a report on other priorities identified during the Ministerial discussions will be brought to the next NSMC Institutional Meeting.

The Council also reviewed the progress made on the areas of co-operation by the North/South Bodies and in the other areas for co-operation, and noted the current position on a North South Consultative Forum.

We also discussed the North West Gateway Initiative noting the conclusion of the consultation process that had been carried out with regional stakeholders and agreed that further consultation with relevant Government Departments should be undertaken on the issues identified during the consultation process and that there should be a meeting of Ministers in the North West to consider strategic approaches to the development of the region.

The Government is firmly committed to developing North South cooperation in every possible respect and I am looking forward to continuing to work with our Northern colleagues in the North South Ministerial Council.

### **Overseas Development Aid Expenditure**

154. **Deputy Joan Collins** asked the Minister for Foreign Affairs and Trade his plans to ensure Ireland meets its stated commitment of allocation of 0.7% of GNI to overseas aid. [38532/14]

**Minister of State at the Department of Foreign Affairs and Trade (Deputy Sean Sherlock):** The Government is strongly committed to Ireland's overseas aid programme, which is at the heart of our foreign policy. Our policy on International Development, "One World, One Future" restates the Programme for Government commitment to achieving the UN target of providing 0.7% of Gross National Product (GNP) for Official Development Assistance (ODA), when economic circumstances permit.

Since coming to office, the Government has successfully managed to stabilise the budget for development assistance. This is a significant achievement, particularly in light of the difficult budgetary circumstances we faced. It is a clear demonstration of our commitment to the aid programme. Since 2011 we have allocated in excess of €2.5 billion to ODA, providing €657 million in 2011, €629 million in 2012, and €637 million last year. For 2014 we expect to provide in excess of €600 million for ODA. These are substantial allocations of public funds and represent a genuine investment on behalf of the Irish people to assist those less fortunate than ourselves.

The estimates process for Budget 2015 is now in its final stages. As with allocations to all Government Departments, the 2015 budget for Ireland's aid programme will be framed in the context of our policy commitments and the overall budgetary circumstances we face. The final

allocation to ODA is ultimately a decision for Government, and will be announced by the Minister for Public Expenditure and Reform on Budget Day. As the Deputy can appreciate I am not in position to announce next year's allocation but, as I have repeatedly stated publicly, and in response to previous Questions, I and the Minister for Foreign Affairs and Trade have made, and will continue to make, the strongest case possible for the allocation to the development assistance programme.

I am determined to ensure that Ireland's aid programme continues to be recognised as a world leader, focusing relentlessly on delivering real and sustainable results that provide lasting improvements to the lives of some of the world's poorest people.

### **Public Sector Staff Recruitment**

155. **Deputy Seamus Kirk** asked the Minister for Education and Skills if her attention has been drawn to the potential crisis in the area of recruitment for tutors and teachers in SOLAS and the VECs because of the moratorium on recruitment; the way the foregoing are restricted in the number of courses they can organise because of the recruitment embargo; and if she will make a statement on the matter. [38361/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):** The Education and Training Board (ETB), formerly VEC, staff referred to by the Deputy are not comprehended by the public service staffing moratorium. However, former SOLAS staff that have recently transferred to ETBs are subject to the moratorium on recruitment. In relation to these staff, it is the practice in my Department to seek an exemption from the moratorium to replace mission critical staff when a vacancy occurs or when there is growth in demand in specific areas like apprenticeship.

### **School Transport Provision**

156. **Deputy Gerry Adams** asked the Minister for Education and Skills if her attention has been drawn to the case of a child (details supplied) in County Louth; if her attention has been further drawn to the fact that this child's parents had paid for and were approved for a concessionary bus ticket on 15 July 2014 and that Bus Éireann issued a full ticket on 11 September 2014; and if she will make a statement on the matter. [38407/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):** Bus Éireann which operates the School Transport Scheme on behalf of my Department has advised that the child in question is now availing of a service on a concessionary basis.

Bus Éireann has confirmed that while a temporary service was in place initially, the service now being availed of by the child in question is operating to the same pick up point and time as last year.

### **Apprenticeship Programmes**

157. **Deputy Billy Timmins** asked the Minister for Education and Skills her plans to expand the number of apprenticeships available in the trades; if she will consider offering a basic welding course separate from the inclusion of coding; and if she will make a statement on the matter. [38526/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):**

By its nature, the Irish Apprenticeship system is employer-led and the number of apprenticeship registrations is dictated by the numbers taken on by approved employers in the first instance. However, following on from the Apprenticeship Review an Apprenticeship Implementation Plan was published in June 2014. As part of this plan a new Apprenticeship Council is in the process of being established. The Council will be enterprise led and will have representatives from business, trade unions, as well as further and higher education bodies. The first job of work of the new Apprenticeship Council will be to develop a call for proposals from industry for new apprenticeships. Alongside this work, the curricula for current apprenticeships will continue to be reviewed under existing structures.

Furthermore, in addition to the SOLAS Further Education and Training Strategy 2014-2019, SOLAS has published the first ever integrated Further Education and Training Services Plan for 2014. The plan provides information on the range of further education and training funded by the Irish Government and it sets out in detail how the State's investment in 2014 will be used by SOLAS and the Education and Training Boards to meet the skills needs of learners and employers. The plan is available on the SOLAS website, [www.solas.ie](http://www.solas.ie). The process to develop the 2015 services plan will begin shortly and each Education and Training Board will develop proposals to SOLAS on its planned training programmes based on local skills demands, patterns of unemployment, overall demand for programmes and the resources available. The process is also informed by skills demand forecasts produced at a national level.

*Question No. 158 withdrawn.*

**Special Educational Needs Service Provision**

159. **Deputy Finian McGrath** asked the Minister for Education and Skills if she will ensure all children with a physical and intellectual disability get a quality service in our national and second level schools. [38017/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** My Department provides for a continuum of special education provision to be made available for children with special needs, so that regardless of the level of need of the child, educational provision can be made for them.

The policy of my Department is that children with special educational needs should be included in mainstream placements with additional supports provided. In circumstances where children with special educational needs require more specialised interventions, special school or special class places are also available.

The level of investment, some €1.3 billion this year, shows that the overall level of funding for special education has been protected, and increased in some areas for this school year, despite the ongoing severe financial position.

I want to assure the Deputy of my commitment to continue to provide appropriate high quality resources to schools for the education of children with special educational needs.

**Pupil-Teacher Ratio**

160. **Deputy Jim Daly** asked the Minister for Education and Skills the cost to her Department of a reduction of two points in the retention figure on pupil-teacher ratio for three and four

teacher primary schools; if she will provide favourable consideration to such a move ahead of the upcoming budget; and if she will make a statement on the matter. [38307/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Teacher allocations to all schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. The staffing schedule at primary level operates on the basis of 1 classroom teacher for an average of every 28 pupils. More favourable ratios operate in DEIS schools.

Each one point adjustment to the current 28.1 schedule at primary level is estimated to cost of the order of 250 posts (€15m).

A significant amount of analysis would be required to provide an indicative estimate for the costings requested by the Deputy. It is not possible in the time available, to undertake such an analysis. This information will be provided to the Deputy as soon as it can be gathered.

Given the current budgetary environment there is no scope in the short term to consider improvements to pupil teacher allocation ratios. My Department’s focus for the foreseeable future is on targeting any additional resources to cater for the continuing increase in demographics at all levels in the education system.

### **Student Grant Scheme Applications**

161. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if and when a higher education grant will be granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [38326/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Officials in my Department understand from Student Universal Support Ireland (SUSI) that the application from the student in question has been assessed.

SUSI has made direct contact with the student regarding the outcome of this assessment.

### **Commissions of Investigation**

162. **Deputy Eoghan Murphy** asked the Minister for Education and Skills if she will provide a list of the commissions of investigation, inquiries and similar investigations established under her Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the time-frame, including start and end date envisaged. [38332/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I can confirm to the Deputy that no commissions of investigation, inquiries or similar investigations have been established under my Department during the past 12 months nor is there any being considered for establishment in the next 12 months.

### **Private Schools**

163. **Deputy Sean Fleming** asked the Minister for Education and Skills her views on the support for the fair funding campaign being organised on behalf of fee paying schools; and if

she will make a statement on the matter. [38346/14]

198. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which she has had dialogue with voluntary or private fee paying schools with a view to recognising the needs of such schools; and if she will make a statement on the matter. [38470/14]

205. **Deputy Brendan Smith** asked the Minister for Education and Skills if her attention has been drawn to the concerns of the smaller fee charging schools, particularly small schools in rural areas under the patronage of minority churches, in respect of the reduction in financial support for them in the past three years such as through changes in pupil-teacher ratio; the proposals, she has to ensure that these schools are adequately supported to remain viable; and if she will make a statement on the matter. [38522/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I propose to take Questions Nos. 163, 198 and 205 together.

I wish to inform the Deputies that I have been in discussions with all the education partners, which included Pre-Budget matters.

I met with the Joint Managerial Body which represents all voluntary secondary schools, including fee charging schools.

I received their Pre-Budget 2015 submissions, which covered the matters raised by the Deputies.

I am not in a position to engage with the Deputies on what may or may not be in next week’s budget announcements.

### **Minor Works Scheme Applications**

164. **Deputy Ciarán Lynch** asked the Minister for Education and Skills her views on the concerns raised by a person (details supplied) in regard to the minor capital works grant; and if she will make a statement on the matter. [38347/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Circular Letter 0062/2013 which was published as the Minor Works Grant for the school year 2013/2014 issued last November states “the grant will only be paid in future years as funding permits”. The focus under the Infrastructure and Capital Investment Programme 2012-2016 is on meeting the demand for additional school places. Consequently, there is no funding provided at this time in the 2014 capital allocation for the payment of a Minor Works Grant.

Funds transferred to schools under the Minor Works Grant must be spent on the physical infrastructure of the school or on items of furniture and equipment for educational use including IT related equipment. As the Minor Works Grant may not be used for items of a non-capital nature, it has no role to play in the day-to-day running costs of a primary school such as the payment of electricity and telephone accounts, the purchase of fuel and other current expenses.

The Calendar of Grants has not included reference to the Minor Works Grant over the last number of years as payment of the grant no longer issues from the Central Funds Section in my Department.

I am aware that whenever my Department is in a position to issue a Minor Works Grant (to all primary schools with permanent recognition) that it is welcomed by school communities and management bodies as a valuable contribution towards the cost of maintaining school

infrastructure.

### Third Level Data

165. **Deputy Peter Mathews** asked the Minister for Education and Skills for each higher education institution for each year since 2004, the percentage of persons who at examination for a PhD fail this examination; the percentage of persons enrolled in masters degrees who fail; and if she will make a statement on the matter. [38352/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The information requested by the Deputy is not available to my Department or the HEA (Higher Education Authority).

### School Accommodation

166. **Deputy Michael McCarthy** asked the Minister for Education and Skills further to Parliamentary Question No. 281 of 15 July 2014, when departmental officials will make contact with the school concerned regarding both its immediate and long-term accommodation needs; and if she will make a statement on the matter. [38354/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy may be aware, the longer term options in respect of the provision of permanent accommodation for the school in question, are currently being considered in the context of other school developments in the area and the reorganisation of existing accommodation.

In that context, I wish to advise that my Department is currently liaising with Cork Education and Training Board with a view to agreeing a permanent accommodation solution for the school. My Department will be in further contact with the school authorities shortly in this regard.

### Teaching Qualifications

167. **Deputy Ciarán Lynch** asked the Minister for Education and Skills her views on the concerns raised by a person (details supplied) regarding a student teacher Gaeltacht placement; and if she will make a statement on the matter. [38359/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Changes to the structure and content of the Gaeltacht Placement arose from the Teaching Council’s new accreditation criteria, published in June 2011 (Initial Teacher Education: Criteria and Guidelines for Programme Providers) which provide, inter alia, for “an extended and reconceptualised Gaeltacht residency which will now form part of the overall programme and be under the direct jurisdiction of the teacher education providers.”

The Teaching Council established a Gaeltacht Placement Working Group and published a report in May 2012 which, among other things, provides for the placement duration to be extended to take place in two blocks of two weeks and a common course content across all initial teacher education providers. Initial teacher education providers have responsibility for quality assuring the content, teaching and assessment of the Gaeltacht element of initial teacher education programmes. Any concerns in this regard should be taken up directly with the provider in the first instance and/or the Teaching Council. My Department supports the changes as contributing to overall quality improvement in initial teacher education.

A decision was made to abolish payments by my Department towards the cost of attendance at Gaeltacht courses by initial teacher education students with effect from September 2012. In making difficult decisions such as this, priority was given to protecting resources for front line education services as far as possible in the coming years, which is especially challenging with rising numbers of school-going children. The changes to the gaeltacht placement grant were publicised in advance of implementation so that students would be aware of the new arrangements before embarking on Initial Teacher Education programmes.

I can appreciate that supporting a student through third level education can be challenging. However, I am not in a position to reinstate funding to this area.

### **Site Acquisitions**

168. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if a site survey was carried out by an architect or other person contracted by or employed by or connected to her Department, on the Dominican site where a school (details supplied) is located; if a report based on this survey was produced; if she will make the report available to parents of students attending this school. [38376/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I wish to advise the Deputy that a Department architect visited the Dominican site and prepared a descriptive report of the current accommodation in the schools concerned on the basis of the information provided by the schools.

This outline indicated that a more in depth examination of the accommodation would be required to determine the extent, if any, of additional accommodation that may be required in the event of any amalgamation. I will ask the Patron to make the relevant information available to the Board of Management and the parents' representatives.

### **Schools Building Projects Status**

169. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Tipperary that has applied for an extension; the timeframe for completion of works; and if she will make a statement on the matter. [38408/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** The Department of Education and Skills, through the services of a Department based Architect, has secured planning permission for the school building project referred to by the Deputy. A tender exercise to appoint the remaining members of a design team is expected to commence shortly. Once appointed, the full design team will progress the project through the remaining stages of architectural planning including the completion of the design and the preparation of tender documents.

Due to competing demands on my Department's capital budget imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements it was not possible to include this project in the 5 year construction programme announced in March 2012. School building projects, including the project for this school, which have been initiated but not included in the current five year construction programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to my Department in the future.



### **Schools Building Projects Status**

170. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will provide an update on the progress of a new school building for a primary school (details supplied) in County Dublin; and if she will make a statement on the matter. [38412/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I wish to confirm to the Deputy that it is my Department’s intention to provide improved accommodation for the school to which he refers. It is intended that the school will be accommodated in a former school building currently occupied by a special school pending the construction of a new school for the special school.

The building project for the special school is included in my Department’s Five Year Construction Plan and is scheduled to proceed to tender/construction in 2014/15.

### **Site Acquisitions**

171. **Deputy Sandra McLellan** asked the Minister for Education and Skills when the site identified for a new school (details supplied) in County Cork is to be transferred to her Department; the reason for the delay; and if she will make a statement on the matter. [38415/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The conveyancing process for the site referred to by the Deputy is currently underway, and due diligence must be performed in this regard. My officials will however ensure that the process is completed as soon as possible.

Once the site acquisition is completed, my Department will be in contact with the relevant school authorities in relation to the progression of the building project.

### **Pupil-Teacher Ratio**

172. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which she expects to be in a position to address the issue of class sizes in the course of the next two years at primary and post-primary level with particular reference to those schools located in areas of expanding population; the extent to which a strategy is being developed to deal with the situation; and if she will make a statement on the matter. [38444/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My main priority for any additional resources for the foreseeable future will be to cater for the continuing increase in demographics at all levels in the education system. We have a growing population of young people in this country and despite the difficult financial circumstances we face as a country, we prioritised education so that the number of teachers we have in the system has also grown in order to protect existing pupil teacher ratios. Between this year and last year this has involved an increase of around 2,300 teachers in our primary and post-primary schools. This is a very significant investment at a time of scarce resources. There is no funding available for additional teachers to reduce class sizes and it is premature within our budgetary context to be looking for this to be done.

If in future years there is funding available to reduce class sizes my preference is that it would be targeted at reducing class sizes at the infant years.

173. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the position regarding the replacement for the intermediate school examination at second level; the extent to which the various stakeholders have reached agreement on the issue; and if she will make a statement on the matter. [38445/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Since I have come into office I have met with parents, teacher and school management representatives and discussed Junior Cycle reform with all these groups. At my invitation, the teacher unions have outlined to me their concerns in relation to aspects of the proposed reforms. In doing so, the unions underlined teacher support for the reforms that will lead to better quality teaching and learning experiences and thence outcomes for students I am currently considering the concerns which were raised by teacher representatives, and what different forms of engagement might be considered to facilitate an overall agreement.

### **Skills Shortages**

174. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which the primary, second and third level educational sectors are currently focused on meeting the skills requirements subsequent to their education; and if she will make a statement on the matter. [38446/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The Deputy will be aware that there is a wide ranging programme of reform underway across the education and training sector and one of the key aims is to ensure the continued development of skills appropriate to enterprise, particularly through the implementation of the National Literacy and Numeracy Strategy, reform of the Junior Cycle, the establishment of the local Education and Training Boards and SOLAS, reform of Higher Education and the Review of Apprenticeships.

Since 2011, targeted funding continues to be allocated for further and higher education and training opportunities in areas where there are skills shortages identified by the Expert Group on Future Skills Needs.

The HEA has recently published the first System Performance Report on how higher education performance will align with the broader national objectives of the Higher Education Strategy. While the report has noted that programmes and disciplines are well aligned to what the market needs, there are high rates of employer satisfaction with graduates entering the workforce, and there is good and improving graduate employment, it also recognises that there is a need for improved liaison between the HEIs and industry/enterprise. The HEA acknowledges the need to continue to monitor and report on this engagement. With this in mind, the HEA is developing an engagement strategy as part of its 2014 work plan, the completed strategy is expected by the end of this year.

### **School Curriculum**

175. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which any changes in the school curriculum are required or have been identified as necessary to facilitate work place requirements; and if she will make a statement on the matter. [38447/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy is aware, the

new Junior Cycle programme is currently being introduced to schools on a phased basis. As part of this change key skills are being built into every subject. These include skills such as communicating, working with other and managing information and thinking. Over the course of the three year Junior Cycle, every student should have the opportunity to “take initiative, be innovative and develop Entrepreneurial skills”.

There are already measures in place to support students in gaining useful skills for the workplace. For example, in Transition Year as well as the opportunity for work placement, students can take part in enterprise units and in student enterprise competitions such as the Student Enterprise award and the mini company “Get up and Go” competition. The mini-company involves students in research, planning, establishing a business, perhaps experiencing some risks and some failures - before getting it right, marketing, making or providing a service/product, drafting accounts, writing a report and finally winding down the company.

Furthermore, in Senior Cycle students taking the Leaving Certificate Vocational Programme and the Leaving Certificate Applied are provided with specific opportunities to acquire enterprise skills. These programmes place a strong focus on active learning, community-based approaches, personal development and teamwork. Students also engage in work experience.

### **Bullying in Schools**

176. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which the issue of school bullying during and after school hours continues to be monitored by her Department with particular reference to early identification and assistance; and if she will make a statement on the matter. [38448/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** There is no requirement on schools to report bullying incidents to my Department.

The School Principal under the anti-bullying procedures for all schools is required to report regularly to the Board of Management on the overall number of bullying cases and provide confirmation that these are being dealt with in accordance with the procedures.

The Board is required to undertake an annual review and publish the schools anti-bullying policy on their website.

Arising from commitments made in the Action Plan on Bullying, my Department’s Inspectorate is placing a stronger focus on the actions schools take to create a positive school culture and to prevent and tackle bullying. For example, parent and student questionnaires issued as part of whole school evaluations, include, since January 2014, additional questions to get a clearer picture of how the school deals with bullying. Furthermore, the Inspectorate’s plan for the current school year provides for a focussed evaluation to be conducted in a sample of schools to examine the school’s work to create and sustain safe and healthy environments.

This work will give a better overview on how well the procedures are being implemented at school level.

This is also an issue that will need to be considered in the context of developing a Parent and Students Charter that each school will be obliged to have. An important aspect of the Charter will be how parents receive information and feedback on the operation of school policies and how parents concerns are addressed.

### **Skills Shortages**

**177. Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which education continues to meet the skills requirement of the workplace; and if she will make a statement on the matter. [38449/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** An Enterprise Engagement Forum, chaired by the Secretary General of the Department of Education and Skills, provides a regular opportunity for the major organisations representing enterprise and employers in Ireland to input to and discuss interests and concerns relevant to education and training policy and provision. The agenda for meetings are agreed with employer representatives and span the full range of education and training provision from school level through further education and onto higher education participation and research.

At school level, there are a range of subjects which foster workplace skills. As the new Junior Cycle is being introduced to schools, key skills are being built into every subject. These include skills such as communicating, working with other and managing information and thinking. Over the course of the three year Junior Cycle, every student should have an opportunity to “take initiative, be innovative and develop Entrepreneurial skills”.

In Transition Year as well as the opportunity for work placement, students can take part in enterprise units and in student enterprise competitions such as the Student Enterprise award and the mini company “Get up and Go” competition. The latter is specifically for transition year students with an emphasis on team work. The mini-company involves students in research, planning, establishing a business, perhaps experiencing some risks and some failures - before you get it right, marketing, making or providing a service/product, drafting accounts, writing a report and finally winding down the company.

In Senior Cycle students taking the Leaving Certificate Vocational Programme and the Leaving Certificate Applied are provided with specific opportunities to acquire enterprise skills. These programmes place a strong focus on active learning, community-based approaches, personal development and teamwork. Students also engage in work experience.

My Department has a number of strategies and initiatives in place to ensure that further education and training meets the skills requirements of the workplace. SOLAS with the assistance of relevant experts such as the ESRI, employers and local and national organisations have published a five year strategy for the further education and training sector which provides us with a strategic roadmap for this crucial element of the education and training system. The strategy includes a vision of a flexible, quality-driven, labour market-relevant, integrated and responsive sector that supports learner progression, transitions into employment and personal development. In addition to the 5 year Strategy, SOLAS has published a first ever integrated Further Education and Training Services Plan for 2014 and it will provide information on the range of further education and training funded by the Irish Government and it will set out in detail how the State’s investment in 2014 will be used by SOLAS and the Education and Training Boards to meet the skills needs of learners and employers.

Following on from the Apprenticeship Review an Apprenticeship Implementation Plan was published in June 2014. As part of this plan a new Apprenticeship Council is in the process of being established. The Council will be enterprise led and have representatives from business, trade unions, further and higher education bodies. The first job of work of the new Apprenticeship Council will be a call for proposals from industry for new apprenticeships. Along side this work, the curricula for current apprenticeships will continue to be reviewed under existing structures.

In the Higher Education Sector, engagement with enterprise is one of the core pillars of the National Strategy for Higher Education and provides a detailed framework and range of recommendations to ensure the system continues to respond to enterprise needs. This includes structured employer surveys and interaction, alignment of funding to national priorities, including skills needs, increased work placement opportunities, staff mobility into enterprise, a focus on the development of generic skills in undergraduate programmes and the establishment of higher education institutional clusters at a regional level to support enterprise development and employment needs. In the Higher Education Sector, to address specific skills needs of enterprise and support jobseekers into employment my Department funds the Springboard and the ICT Conversion Programmes under the ICT Action Plan.

My Department, in conjunction with the Department of An Taoiseach, the Department of Social Protection and the relevant agencies - has developed an awareness campaign targeted at both the unemployed and employers - which brings together some of the range of enterprise-focused re-skilling initiatives that have been introduced in recent years. The 'brand' is entitled 'Skills to Work' and has been rolled out at various roadshows in recent months.

### **Schools Building Projects Administration**

178. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number of schools throughout the country likely to benefit from refurbishment or replacement in the coming year; the extent to which adequate budgetary provisions have been made in this regard; and if she will make a statement on the matter. [38450/14]

180. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the steps she has taken or proposes to take to meet the school building requirements at primary and second level throughout the country in the coming year; and if she will make a statement on the matter. [38452/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I propose to take Questions Nos. 178 and 180 together.

The Five Year Construction Plan that was announced in March 2012 as part of the Department's €2 billion capital investment programme, outlines the major school projects that are scheduled to commence construction over the duration of the Plan. These have been prioritised on the basis of meeting significant demographic needs.

In addition, my Department will also consider applications from individual schools for devolved funding to meet an immediate accommodation requirement because of increased enrolments and where an additional teacher is being appointed.

My Department will continue to analyse demographic trends and to monitor enrolments in all areas, to determine the level of additional school provision which may be required into the future and to ensure that this is provided in a timely manner.

The current status of all projects on the school building programme may be viewed on my Department's website at [www.education.ie](http://www.education.ie) and this is updated regularly throughout the year.

### **Teacher Recruitment**

179. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which she remains satisfied regarding the adequacy of teacher numbers at primary and second

level schools throughout the country; if she has received communications from the various school authorities in this regard; and if she will make a statement on the matter. [38451/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Teaching resources are allocated to schools on a school year basis. The bulk of teaching posts in schools are allocated on a permanent basis. Unlike most other areas of the public service teaching vacancies continue to be filled in accordance with published Department criteria. The Government has prioritised, as best as possible, the filling of front-line posts in the Education sector within the constraints of the Employment Control Framework.

We have a growing population of young people in this country and despite the difficult financial circumstances we face as a country, we prioritised education so that the number of teachers we have in the system has also grown in order to protect pupil teacher ratios. Between this year and last year this has involved an increase of around 2,300 teachers in our primary and post-primary schools. This is a very significant investment at a time of scarce resources.

While there has been a moratorium on recruitment across other sectors in the public service, this has not applied to teaching and shows the commitment this Government has to educating our future generations.

The main priority for any additional resources for the foreseeable future will be to cater for the continuing increase in demographics at all levels in the education system.

*Question No. 180 answered with Question No. 178.*

### **Special Educational Needs Staffing**

181. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which special needs teachers and special needs assistants are adequate in terms of numbers sufficient to meet requirements; and if she will make a statement on the matter. [38453/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Despite the ongoing requirement to make expenditure savings across a range of areas, expenditure in 2013 supporting pupils with Special Educational Needs was some €1.3bn or approximately 15% of the entire budget of my Department.

Provision includes over 11,000 learning support/resource teacher posts, including those provided under the General Allocation model, in mainstream primary and post primary schools providing additional teaching support to pupils with special educational needs.

For children for whom mainstream provision is not appropriate, placement may be made in one of the 125 special schools which have approximately 1,000 teachers and approximately 860 special classes and units located around the country.

This year, provision is being made for up to 10,965 Special Needs Assistants (SNAs), of whom over 10,900 SNAs have initially been allocated to schools in September. This is an increase of 390 posts on the previous cap of 10,575 posts. This is the highest level of SNA allocation that we have ever had. The policy of the Government is that every child who is assessed as needing SNA support will receive access to such support.

I want to assure the Deputy of my commitment to continue to provide appropriate high quality resources to schools for the education of children with special educational needs.

### **Special Educational Needs Service Provision**

182. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the number of schools currently catering for special needs students at primary and second level schools throughout the country; if additional staffing is required; when she expects to be in a position to respond favourably to any such requests from the various school authorities; and if she will make a statement on the matter. [38454/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The policy of my Department is that children with special educational needs should be included in mainstream placements with additional supports provided. In circumstances where children with special educational need require more specialised interventions, special school or special class places are also available.

All State funded primary and post primary schools have been allocated additional resources to provide for children with special educational needs enrolled in school. For children for whom mainstream provision is not appropriate, placement may be made in one of the 125 special schools which have approximately 1,000 teachers and approximately 860 special classes and units located around the country.

Primary and Post Primary schools have a permanent allocation of additional teaching supports to provide for children whose educational psychological assessment places them in the high incidence, or less complex, disability category.

Separately, the National Council for Special Education (NCSE) allocates Special Needs Assistants (SNAs) for children with additional care needs, as outlined in Circular 00030/2014 and additional resource teaching hours to schools for children who have been assessed within the low incidence, or more complex, category of special need, as defined by my Department’s Circular Sp Ed 02/05. The NCSE operates within my Department’s established criteria for the allocation of Special Education supports and the staffing resources available to my Department.

The total number of Resource Teaching posts which the National Council for Special Education (NCSE) may allocate to schools to support children with special educational needs for the 2014/15 school year is presently set at 6,225 WTE posts.

The NCSE are continuing to process applications for Resource Teaching support for the 2014/15 school year, where the necessary supporting documentation was not made available for the 26 March 2014 deadline. Decisions in relation to the remaining applications received by 22 September 2014 are expected to issue to schools in mid October.

To date, the NCSE has allocated over 10,900 Special Needs Assistant (SNA) posts to schools supporting students with special educational needs for the 2014/2015 school year. As the SNA allocation process is still ongoing, the exact numbers of SNAs and pupils being supported will become clear following the finalisation of enrolments of students in mainstream schools as at 30th September.

Should a school wish to make an application for additional SNA support for a child who was not previously considered for SNA support or who is due to enrol to a school, they may do so to the NCSE.

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).

It is a matter for schools to monitor and utilise their allocation of additional staffing resources to best support the needs of identified pupils, in accordance with my Department's guidance.

### **Special Educational Needs Data**

183. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the total number and location of special needs classes at primary and second level throughout County Kildare at present; if any augmentation is expected; and if she will make a statement on the matter. [38455/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I wish to advise the Deputy that my Department's policy focuses on ensuring that all children with special educational needs can have access to an education appropriate to their needs and abilities.

A range of placement options for pupils with special educational needs is provided, in order to ensure that all pupils can receive a school placement. Many pupils with special educational needs will be able to attend a local mainstream school, whereas for pupils who have needs which require more specialist interventions, special class and special school placements are provided for.

The National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for establishing special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support.

SENOs engage with schools annually in order to plan for, and to open, new special classes each year, in order to ensure there are sufficient special class placements available at primary and post primary school level to meet demand in a given area.

Details of all of the special classes for children with special educational needs which are attached to mainstream schools are published each year the NCSE website [www.ncse.ie](http://www.ncse.ie). This list details the number of classes which are available on a per county basis.

I can advise that there were 40 special classes attached to primary schools and 9 special classes attached to post primary schools in Co. Kildare for the 2013/14 school year.

SENOs have been working with local schools on a national basis over the past number of months to plan and establish special classes for children with special educational needs who require such placements for 2014/2015. The details of the total classes which will be provided for the 2014/15 school year are currently being finalised by the NCSE and will shortly be published on their website.

### **School Accommodation**

184. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Maynooth, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38456/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** As the Deputy will probably be aware, a new post-primary school opened to serve the Maynooth area in September of this year. This school, which is under the patronage of the Kildare & Wicklow Education and



Training Board, will cater for 1,000 pupils when fully developed. The school also has an all-Irish Aonad to add to all-Irish post-primary provision in the area.

My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Maynooth area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

185. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Leixlip, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38457/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Leixlip area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

186. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Celbridge, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38458/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy will probably be aware, a new post-primary school is due to open in Celbridge in 2015. The school will cater for 1,000 pupils when fully developed.

My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Celbridge area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

187. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Clane, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38459/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Clane area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

188. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Kilcock, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38460/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Kilcock area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

189. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Johnstownbridge, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38461/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Johnstownbridge area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

190. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Broadford, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38462/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Broadford area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

191. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Derrinturn, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38463/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an exami-

nation of the Derrinturn area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

192. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Carbury, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38464/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Carbury area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

193. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Prosperous, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38465/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Prosperous area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

194. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Sallins, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38466/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Sallins area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

195. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Kilteel, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38467/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Kiltel area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

196. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Rathmore, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38468/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Rathmore area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

### **School Accommodation**

197. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which school place requirements at primary and second level have been identified at Naas, County Kildare; the extent of preparation in hand to meet any shortfall; the timescale for provision of same; and if she will make a statement on the matter. [38469/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy will probably be aware, a new post-primary school is due to open in Naas in 2015. The school cater for 1,000 pupils when fully developed.

My Department is currently analysing the latest demographic data on a nationwide basis to determine where additional school accommodation might be needed from 2015 onwards. This process includes an examination of the Naas area. When this exercise has been completed arrangements will be made to make additional accommodation available where it is needed.

*Question No. 198 answered with Question No. 163.*

### **Education and Training Boards Administration**

199. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which the Kildare Wicklow Educational Training Board has adequate resources to meet the educational requirements throughout its catchment area; if she envisages any particular requirements that need to be met in the first instance; the medium to long-term plan in this regard; and if she will make a statement on the matter. [38471/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Education and training provision in each Education and Training Board (ETB) area is a matter for prioritisation by that ETB in line with its resources.

The 2014 Further Education and Training Services Plan is the first Services plan to be de-

veloped for Further Education and Training services provided by the ETBs and the National Programmes supported by SOLAS. The Plan provides information which details, the full range of Further Education and Training provision and budget allocation, funded through SOLAS for each ETB, including Kildare Wicklow Education and Training Board. The Plan is available on the SOLAS website [www.solas.ie](http://www.solas.ie). It is intended that Further Education and Training Services Plans will be published on an annual basis.

### **Schools Building Projects Status**

200. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which his Department continues to have dialogue with the authorities at a school (details supplied) in County Kildare; if provision of extra facilities is contemplated threat; and if she will make a statement on the matter. [38472/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** As the Deputy will be aware, the school to which he refers has made an application to my Department for large scale capital funding.

The Five Year Construction Plan that was announced in March 2012, outlines the major school projects that are scheduled to commence construction over the duration of the Plan. These have been prioritised on the basis of meeting significant demographic needs. As the school in question has not been identified as meeting demographic demand, it is therefore not possible to indicate when a project for the school can be progressed. This position, which continues to prevail, was conveyed to the school in 2013.

My Department will continue to analyse demographic trends and to monitor enrolments in all areas, to determine the level of additional school provision which may be required into the future and to ensure that this is provided in a timely manner.

The current status of all projects on the school building programme, including the school in question, may be viewed on my Department’s website at [www.education.ie](http://www.education.ie).

### **Gaelscoileanna Issues**

201. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills her proposals to meet the post-primary requirements of the various scoileanna Gaeilge; if she has received submissions in this regard from the various school authorities; if she will be in a position to advance proposals in this regard; and if she will make a statement on the matter. [38473/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The establishment of any new school is considered in the context of the overall need for additional school places to meet future demographic demands. New schools are then advanced in line with an objective process and criteria for determining patronage and language medium of instruction.

As part of the arrangements for establishing new post-primary schools, an initial decision is made by my Department, before seeking applications for patronage, on whether the schools will operate through the medium of Irish or English. This approach will apply for all new post-primary schools being established into the future.

My Department has received a small number of submissions from advocacy groups in relation to all-Irish post-primary provision in their areas. The information submitted will be considered in the context of the current analysis of demographic data being carried out by my De-

partment on a nationwide basis to determine where additional primary and post-primary school accommodation might be needed from 2015 onwards.

### **Schools Building Projects Status**

202. **Deputy Catherine Murphy** asked the Minister for Education and Skills the reason her Department has not yet provided the board of management of a school (details supplied) in Dublin 15 a date for its stage 2A meeting concerning plans to rebuild the school. [38504/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The project referred to by the Deputy is currently at Stage 2(a) of Architectural Planning. My Department has recently written to the Board of Management authorising the project to complete Stage 2(a) and have agreed a date with the Board of Management for the Stage 2(a) Stakeholders meeting which is to be held on 22nd of October.

Due to competing demands on my Department’s capital budget imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing demographic requirements it was not possible to include this project in the 5 year construction programme announced in March 2012.

School building projects, including the project for this school, which have been initiated but not included in the current five year construction programme will continue to be progressed to final planning stages in anticipation of the possibility of further funds being available to my Department in the future.

### **Pupil-Teacher Ratio**

203. **Deputy Tom Fleming** asked the Minister for Education and Skills her views on correspondence (details supplied) regarding the value of smaller class sizes which ensure a high quality delivery of education; the steps she will take to reduce the class sizes to an acceptable level in line with international standards; and if she will make a statement on the matter. [38515/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The primary staffing schedule 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. Schools have autonomy in relation to the deployment of classroom teachers to individual classes. My Department’s guidance to schools is that the number of pupils in any class is kept as low as possible taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment etc.). School authorities are also requested, where possible, to use their autonomy under the staffing schedule to implement smaller class sizes for junior classes. The Staffing Schedule includes the provision where schools experiencing rapid increases in enrolment can apply for additional permanent mainstream posts on developing grounds. The staffing appeals process has been extended for the current school year to include a new appeals criterion for those schools that make a significant contribution to the provision of school places which assists the response to demographic growth within their area and as a result are under significant pressure on their class sizes at infants level.

The context for any discussion about class sizes is that my Department, like all other Government Departments, is operating within a budgetary programme that is designed to return the Government finances to a sustainable basis. This budgetary programme has helped Ireland to

return to a position where we are seeing some economic growth. It is a continuing improvement in our economic growth that will enable us to move to a point in future budgets where we can look again at providing for additional teacher resources in schools which could bring about an improvement in PTR and class size.

In the meantime, my Department's focus is on targeting any available resources to cater for the continued increase in student numbers across primary, post-primary and third level.

### **Student Grant Scheme Administration**

204. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the position regarding advice available to a student who wants to pursue a qualification in dance; if there is any establishment in the country providing such courses under the student grant scheme; if any assistance is available from any other agency to a student; if grant assistance is available if the student attends a course in a private college here or publicly in the UK and the reason do we not assist students wishing to pursue a career in dance; and if she will make a statement on the matter. [38517/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** My Department's student grant scheme provides maintenance grants to Post Leaving Certificate (PLC) students pursuing approved PLC courses in the State and undergraduate students pursuing approved third level courses in the State or in other E.U. Member States.

In general, an approved PLC course is defined as a prescribed full-time course in an approved PLC centre while an undergraduate course is defined as a full-time, not less than two years duration pursued in an approved institution. Where a student is pursuing an undergraduate course in another EU Member State, the university or third level institution must be maintained or assisted by recurrent grants from public funds.

Where a grant application is made in respect of a course being pursued in an institution in the State or in an EU Member State, such as a Dance/Theatre School, it is a matter for the central grant awarding authority SUSI (Student Universal Support Ireland) to satisfy itself regarding the status of the institution and as to whether the course and institution meet the terms of the scheme.

In relation to tuition fees, there is provision for tax relief, at the standard rate in respect of approved courses at approved colleges of higher education including approved undergraduate and postgraduate courses in other E.U. Member States. Further details and conditions in relation to this relief are available from the Revenue Commissioners.

*Question No. 205 answered with Question No. 163.*

### **Constitutional Convention Recommendations**

206. **Deputy Michael Lowry** asked the Minister for the Environment, Community and Local Government when the fourth and fifth reports of the Constitutional Convention will be brought before Dáil Éireann; if this will be done without delay, in view of the fact that the deadline to respond has passed and in view of the importance of the recommendations contained in these reports; and if he will make a statement on the matter. [38313/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Government has already responded to the recommendation in the Fourth Report of the

Convention on the Constitution for the establishment of an Electoral Commission. The preparatory work on this task has commenced in my Department and the Government Legislation Programme provides for the publication of an Electoral Commission Bill in 2015.

The Government expects to respond to the remaining recommendations in the Fourth Report and to the recommendations in the Fifth Report of the Convention before the end of the current Dáil session.

### **Data Protection**

207. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the legal protections that are in place to ensure that Irish Water does not sell or compromise persons' personal public service numbers. [38344/14]

208. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if personal public service numbers are transferred from a relevant person or State body to Irish Water, from where and the means by which Irish Water gained consent for that transfer; and if explicit consent was not given for this data exchange if he will outline the criteria Irish Water is using to obtain this data. [38378/14]

209. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government who is now storing personal data on behalf of Irish Water. [38379/14]

210. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if Irish Water will be requesting personal data, including personal public service numbers, from the Private Residential Tenancy Board to trace tenants to their new addresses should they vacate a property and not pay their water charges. [38380/14]

211. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government the assurances Irish Water will provide that the transfer of personal data outside the European Economic Area will only be made to the EU commission's approved list of countries that provide an adequate standard of data protection; and if he will make a statement on the matter. [38381/14]

215. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the reason Irish citizens must entrust their personal data to Irish Water (details supplied); the reason citizens of this State should commit their personal data to an organisation with no independently verified information security system. [38345/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I propose to take Questions Nos. 207 to 211, inclusive, and 215 together.

Under the Water Services Acts 2007-2013, Irish Water may request its customers and certain specified persons or bodies, including the Minister for Social Protection, to provide it with information so that it can perform its functions under these Acts. The Water Services (No. 2) Act 2013 provides that Irish Water is responsible for public water services and that it shall collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation, the CER, which has been given statutory responsibility for protecting the interests of customers of Irish Water.

In advance of the introduction of domestic water charges, the Government made certain decisions on 6 May 2014 relating to the structure of water charges including, inter alia, a free



allowance per household and an additional free allowance for children on the same qualifying conditions as the Child Benefit payment from the Department of Social Protection.

As these allowances are to be funded by Government, Irish Water needs to ensure it has the appropriate and sufficient information to reflect these entitlements. Irish Water is a specified body under the Social Welfare Consolidation Act 2005, as amended by Section 20 of the Social Welfare and Pensions Act 2014, and is therefore permitted to request Personal Public Services (PPS) numbers to authenticate the identity of the person being provided with an allowance.

Irish Water will treat applicants' personal data in accordance with the Data Protection Acts 1988 and 2003. In complying with these Acts, Irish Water must ensure that the data is only used for the purpose for which it was collected and must also ensure that any data collected is stored securely. The collection of PPS numbers allows Irish Water to confirm and validate the entitlement to allowances for each customer. This information will not be shared with any organisation other than the Department of Social Protection for the purpose of verification, to ensure that each household receives the allowances it is entitled to, be it the free allowance per household or any additional allowance for children in receipt of Child Benefit at that address. It will also allow Irish Water to provide lower charges to owners who have unoccupied dwellings. I understand that Irish Water and the Department of Social Protection are developing arrangements governing the sharing of PPS information. Any such arrangements will be subject to data protection requirements.

With charges effective from 1 October 2014 Irish Water is in the process of compiling the relevant data to ensure that customers can be billed accurately based on the tariff structure approved by the CER. Over the last number of weeks, Irish Water has been sending application packs to approximately 2 million households, which refer to the effective charging date and the fact that billing for domestic customers in receipt of public water services will start in January 2015. The application process will enable customers to confirm their details for billing and, by providing the relevant PPS numbers, claim the allowances that they are eligible for. Furthermore, Irish Water has advised my Department that it intends to initiate a further campaign after the 31 October deadline for return of application packs, to allow landlords provide proof that their property is occupied by a tenant and that they are not the occupant. Irish Water is currently working with the Data Protection Commissioner (DPC) in relation to the arrangements for how this will be done.

Last week the CER made a determination on the water charges plan submitted to it by Irish Water, which sets out the position if customers do not validate their details. In these circumstances, a default charge which does not include the free allowances will be applied to such customers. The relevant details of the determination are available on the CER website ([www.cer.ie](http://www.cer.ie)).

Irish Water has an ongoing engagement with the DPC and has advised my Department that it has been asked to provide clarity on some aspects of the legal language of its data protection notice as published on its website, [www.water.ie](http://www.water.ie). It has confirmed that this notice was, and is, fully compliant with data protection requirements. However, by providing additional clarity, it will reassure customers that data is held securely, used properly and not shared with third parties, except where necessary for the delivery of water services such as contractors repairing leaks. Any advice given to Irish Water from the DPC will be further incorporated into its data protection notice.

Irish Water has confirmed that all its systems have undergone extensive independent quality assurance testing. In addition, the DPC has worked closely with Irish Water to agree the process for the capture, storage and usage of customer data. Furthermore, Irish Water has also

confirmed that no data will be stored outside of the European Economic Area (EEA), and that it will not sell any customer data. There may be limited instances where Irish Water might need to share information with third parties with whom it has service agreements for operational reasons, e.g. ICT support for systems maintenance, and this will be done under full compliance with all Data Protection requirements.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

### **Housing Adaptation Grant Expenditure**

212. **Deputy Ruth Coppinger** asked the Minister for the Environment, Community and Local Government if he will reverse the budget reductions and changes to the rules related to the housing adaption scheme. [38480/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Under the suite of Housing Adaptation Grants for Older People and People with a Disability, every local authority received increased funding for 2014 compared to the 2013 allocations. An allocation to local authorities of €38.4m for 2014 was made for these grants on 16 January 2014.

Some changes to the terms and conditions governing these schemes were introduced following a review in 2013 by a group established by my Department, with the objective of ensuring that the benefits of the schemes were spread as widely as possible and to ensure fairness and value for money in their operation. The group included members of the Housing Practitioner Network, the County and City Managers' Association, Local Authority housing personnel and my Department and it consulted with organisations working with older persons and persons with a disability. I have no plans at present to introduce further changes to the schemes.

### **Vehicle Registration**

213. **Deputy Willie Penrose** asked the Minister for the Environment, Community and Local Government the steps he will take to restructure commercial vehicle road tax which is applicable here in line with that which applies in Northern Ireland (details supplied); if his attention has been drawn to the impact this will have upon jobs dependant on the sector if same is not addressed immediately. [38535/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Minister for Transport, Tourism and Sport has established an Inter-Departmental Working Group on issues relating to the Irish haulage industry which includes representation from my Department. The Working Group's discussions are ongoing at present.

Any structural change to the basis of taxation for commercial vehicles to gross design vehicle weight, including factoring in the number of axles, would need to take account of the lack of correlation between gross design vehicle weight and unladen weight, upon which the taxation system currently in place in the State for these vehicles is based. If it was ultimately decided to change the basis of liability for motor tax for these vehicles, it would be necessary to make amendments to primary legislation and technological modifications to the National Vehicle and Driver File.

Any restructuring would also need to take account of the impacts on other motor tax payers as well as the impact on Exchequer finances.

### **Commissions of Investigation**

214. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38333/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** My Department engaged MacCabe Durney Barnes in February 2014 to commence an independent Planning Review, in accordance with section 255 of the Planning and Development Act 2000. This review is expected to be completed this month. No further reviews have been decided upon at this time.

*Question No. 215 answered with Question No. 207.*

### **Water and Sewerage Scheme Grants**

216. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the grants that are available for persons seeking to drill for water wells on their own land. [38349/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Grants of 75% of the approved costs or €2,031.58, whichever is the lesser, are available under my Department's Rural Water Programme for the provision or necessary improvement of an individual water supply in a house.

Details of the conditions applying to the grants scheme, including the type of works that may qualify, can be obtained from local authorities, to whom responsibility for the administration of the Rural Water Programme has been devolved since 1997.

### **Water Charges Administration**

217. **Deputy Derek Keating** asked the Minister for the Environment, Community and Local Government the reason apartment residents will be charged an average for their water usage; the basis this average is on as there is no information available concerning this issue; the reason persons on fixed incomes are not being given the option of paying their water charges by monthly standing order or by weekly payment through their local post office; and if he will make a statement on the matter. [38360/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Water Services Act 2013 provides for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group and assigns the necessary powers to allow Irish Water to undertake the water metering programme. The installation programme commenced in August 2013 and will be implemented nationally as quickly as possible.

Up to 300,000 households may not be metered in the initial metering programme due to

either the high cost or the technical difficulty of doing so. Irish Water has commissioned a study on possible approaches to metering properties that are not part of the current metering programme, including apartments and properties with shared service connections. On the basis of this report, it has been agreed to incorporate 48,000 apartments, identified by the report as being easily metered, into the current metering programme. The advancement of any further phase of metering, including the individual metering of properties with a shared service connection, will be a matter for consideration by the Commission for Energy Regulation (CER), based on proposals from Irish Water.

The proposed approach to charging was outlined by Irish Water in a water charges plan submitted to the CER in line with the provisions of the Water Services (No. 2) Act 2013. In approving the plan the CER was required to take account of a Ministerial policy direction which issued to the CER in July 2014, in accordance with section 42 of the Water Services (No. 2) Act 2013. Against this background, the CER has approved the water charges plan which provides that properties not connected to a meter would be billed on the basis of a scheme of assessed charges based on occupancy. Full details of the CER decision are available on its website, [www.cer.ie](http://www.cer.ie). The policy direction of July 2014 requires the CER to review assessed charges in the light of emerging data on metered consumption to ensure that the assessed charges remain as close a proxy for actual usage as possible.

A range of flexible payment options will be available to Irish Water's customers. The company will facilitate bill payment through direct debit, cheque, credit/debit cards, over-the-counter payments (at paypoint and payzone outlets as well as post offices), and electronic funds transfer.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

### **Wastewater Treatment**

218. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if Irish Water will be responsible for addressing problems caused within the sewage system on domestic premises in view of the fact that local authorities will only do so if the problem was located on a house rented from the local authority. [38375/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Since 1 January 2014 Irish Water is responsible for the public water and wastewater systems and infrastructure. Individual householders have always been, and continue to be, responsible for the water distribution system and sewage drains within the boundary of their own property. In the case of local authority houses, works previously carried out, including repairs to sewage systems, were carried out by the local authority in their capacity as landlord.

### **Water Charges Administration**

219. **Deputy Pat Breen** asked the Minister for the Environment, Community and Local Government in view of the establishment of Irish Water, the implications for members of group water schemes who are currently paying water charges to their local authority; and if he will make a statement on the matter. [38395/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I assume the Question relates to how Irish Water proposes to bill group water schemes

which receive their water from Irish Water as distinct from schemes which have their own sources. Such schemes were previously customers of local authorities for the bulk supply of this water.

The group scheme is now a customer of Irish Water for the bulk supply of such water and the Commission for Energy Regulation is not proposing any changes at this stage to charges for non-domestic customers, including such group water schemes.

It is important to emphasise that the households on the group scheme are customers of the scheme and not of Irish Water.

### **Water Charges Exemptions**

220. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government if there will be provisions or reliefs introduced for farmers in respect of paying water charges, considering they use a large volume of water for feeding animals; and if he will make a statement on the matter. [38397/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Since 2001, national water pricing policy has required local authorities to recover the costs of providing water services from all non-domestic users of these services, including farms. This policy provided for charges based on actual metered consumption and is consistent with the requirements of the Water Framework Directive.

With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The proposed approach to charging was outlined by Irish Water in a water charges plan which it submitted to the CER in line with the provisions of the Act. The CER recently held a public consultation on this plan which covered a range of issues relating to water charges. Last week, the CER issued a determination on the water charges plan. Full details and associated documentation are available on the CER website ([www.cer.ie](http://www.cer.ie)).

Currently, any farm connected to a public water supply is liable for charges as a non-domestic customer, with an allowance provided for domestic use. Following the introduction of domestic water charges, farms connected to public water supplies will be charged by Irish Water for both non-domestic and domestic use, subject to the free allowances to be provided to households and qualified children by Irish Water.

It should be noted that the existing arrangements for all non-domestic customers are remaining in place with no changes for the time being. On this basis, the local authorities will continue to bill for non-domestic water services as agents of Irish Water. The CER will be reviewing all aspects of non-domestic water tariffs under a series of public consultations and will publish the time-line for this process before the end of 2014.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

## **Departmental Schemes**

221. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to concerns being expressed regarding a governance issue at an organisation (details supplied) which is funded by his Department; if he is satisfied that the public funds which he provides to this organisation are properly accounted for; if he is further satisfied that the community alert service which is administered by this organisation but funded separately by the Health Service Executive and the Department of Justice and Equality is secure; if he will work with the HSE and the Department of Justice and Equality to secure continuing operation of this service; and if he will make a statement on the matter. [38403/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I am not aware of any concerns expressed in relation to the organisation referred to in the Question, which was funded by my Department under the Scheme to Support National Organisations (SSNO) in the Community and Voluntary Sector until the end of June 2014.

Applications for a new round of funding under the SSNO, which commenced on 1 July 2014, were subject to an appraisal process, for which the organisation in question was unsuccessful. I announced, on 18 July 2014, the allocation of bridging funding of €1.4m to a number of previously funded health, disability and other organisations for a twelve month period, including the organisation in question. This bridging funding in 2014/2015 is a once-off transitional arrangement and will enable organisations to plan for their future, whether with or without State support, such as that provided under the SSNO

I am satisfied that appropriate financial and other checks are carried out in the context of the provision of funding by my Department.

The administration of the Community Alert Scheme is a matter for my colleague, the Minister for Justice and Equality.

## **Election Management System**

222. **Deputy Shane Ross** asked the Minister for the Environment, Community and Local Government if he will provide a schedule of fees and expenses paid to all returning officers for the 2014 local elections; and if these fees are liable to taxation. [38413/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The information requested by the Deputy is not available in my Department. The Local Elections Regulations 1995 make provision in Part 4 for the appointment, duties and expenses of returning officers for local elections. Regulation 8 provides that the expenses of the returning officer shall be met by the local authority.

## **Irish Water Administration**

223. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding an Irish Water online application form; and if he will make a statement on the matter. [38427/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The online application form concerned is a matter for Irish Water in the first instance. Irish

Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

However, clarification was sought from Irish Water and I have been informed that the online application is designed to accept the details for up to 10 occupants at the same address. The householder is required to scroll down to see the extra fields as this cannot be accommodated within the same screen view.

Any household with occupancy in excess of 10 is being asked to apply to Irish Water by phone so that the exact details can be captured for the household in question.

### **Water Charges Administration**

224. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding water charges; and if he will make a statement on the matter. [38499/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The proposed approach to charging was outlined by Irish Water in a water charges plan which it submitted to the CER in line with the provisions of the Act. The CER recently held a public consultation on this plan which covered a range of issues relating to water charges and allowances. The CER issued a determination on the water charges plan on 30 September 2014 and details are available on the CER website ([www.cer.ie](http://www.cer.ie)).

In making its determination on the water charges plan, the CER had to take account of the decisions made by the Government on the funding model for Irish Water and a direction made under Section 42 of the Water Services (No. 2) Act 2013 in July 2014. This policy direction addressed a number of matters relating to domestic water charges including the provision of a free allowance of 30,000 litres of water supplied and waste water treated per annum for a primary residence on a public supply and a free allowance to cover the normal usage of water services by every child in their primary residence based on the same qualifying conditions as for child benefit. These annual free allowances can be carried over between billing periods but not beyond the annual period. As the assessed charge is based on occupancy, Irish Water require information on the number of people residing at that address.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

### **Water Charges Exemptions**

225. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding water charge ex-

emptions; and if he will make a statement on the matter. [38500/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Since 2001, national water pricing policy has required local authorities to recover the costs of providing water services from all non-domestic users of these services, including nursing homes which operate on a commercial basis. This policy provided for charges based on actual metered consumption and is consistent with the requirements of the Water Framework Directive.

With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The proposed approach to charging was outlined by Irish Water in a water charges plan which it submitted to the CER in line with the provisions of the Act. The CER recently held a public consultation on this plan which covered a range of issues relating to water charges. Last week, the CER issued a determination on the water charges plan. Full details and associated documentation are available on the CER website ([www.cer.ie](http://www.cer.ie)).

It should be noted that the existing arrangements for all non-domestic customers are remaining in place with no changes for the time being. On this basis, the local authorities will continue to bill for non-domestic water services as agents of Irish Water. The CER will be reviewing all aspects of non-domestic water tariffs under a series of public consultations and will publish the time-line for this process before the end of 2014.

### **Water Charges Exemptions**

226. **Deputy Finian McGrath** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding entitlements; and if he will make a statement on the matter. [38501/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from its customers in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The proposed approach to charging was outlined by Irish Water in a water charges plan which it submitted to the CER in line with the provisions of the Act. The CER recently held a public consultation on this plan which covered a range of issues relating to water charges and allowances. The CER issued a determination on the water charges plan on 30 September 2014 and details are available on the CER website, ([www.cer.ie](http://www.cer.ie)).

In making its determination on the water charges plan, the CER had to take account of the decisions made by the Government on the funding model for Irish Water and a direction made under Section 42 of the Water Services (No. 2) Act 2013 in July 2014. This policy direction addressed a number of matters relating to domestic water charges including the provision of a free allowance of 30,000 litres of water supplied and waste water treated per annum for a primary



residence on a public supply.

In addition to the above, the Government agreed to put in place further affordability measures to assist pensioners, persons with disabilities, and carers who receive the Household Benefits Package administered by the Department of Social Protection. From January 2015, Household Benefits Package recipients will receive a quarterly €25 'Water Support' payment. The exceptional needs payment system will also continue to be available to people experiencing severe financial difficulties.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

### **Planning Issues**

227. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government if he will consider issuing a statutory recommendation under section 202 of the Planning Act 2000 to South Dublin County Council to extend the Liffey Valley special amenity area order, SAAO. [38506/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** A planning authority has power, under section 202(2) of the Planning and Development Act 2000, to make an order declaring an area to be an area of special amenity, where it considers that this should be done by reason of:

- (a) its outstanding natural beauty, or
- (b) its special recreational value, and having regard to any benefits for nature conservation.

As Minister, I have power under section 202(3) of the Act to direct a planning authority to make such a special amenity area order. The order must be made by resolution i.e. it is a reserved function of the Council, and must be confirmed by An Bord Pleanála. In March 1987, the then Minister directed Dublin County Council to make a Special Amenity Area Order for the Liffey Valley and the order was confirmed on 8 March 1990.

I am fully supportive of the protection and further enhancement of the Liffey Valley as an amenity. In 2009, the then Minister requested the relevant authorities (South Dublin County Council, Fingal County Council, Dublin City Council and Kildare County Council) to consider the evaluation of lands to be the subject of a further Special Amenity Area Order for the purpose of extending the existing area to possibly include the Guinness/Farmleigh Bridge. Responses were received from these authorities and considered by my Department.

In general, the responses received in 2009 indicated that there were insufficient grounds or funds for extending the Order beyond its existing area. Accordingly, I do not propose to issue any directions on this matter to the planning authorities concerned at this time.

In 2006, the Office of Public Works commissioned a strategy document "Towards a Liffey Valley Park", which set out recommendations for the creation of a process towards the establishment of a park with a management framework for the Liffey Valley area. The implementation of these recommendations, or similar steps, is a matter for the local authorities concerned.

### **Fuel Laundering**

228. **Deputy Fergus O'Dowd** asked the Minister for the Environment, Community and Local Government the cost of cleaning up the countryside as a direct result of diesel laundering and dumping of the waste in local authorities areas, particularly in the Border counties, for each of the past three years; the action taken to curb same; the numbers prosecuted; the result of increased co-operation between State agencies north and south of the Border to fight this crime; when the new marker resistant to all known fuel laundering will be introduced; and if he will make a statement on the matter. [38511/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** Enforcement in relation to illegal diesel laundering activities is primarily a matter for the Revenue Commissioners from the point of view of avoiding loss of revenue to the Exchequer. My Department assists local authorities in carrying out their role as competent authorities under waste legislation, which involves the taking of necessary measures, on behalf of the State, to ensure that any waste generated and left abandoned by diesel launderers is disposed of without endangering human health and without harming the environment.

The illegal deposition of the waste material arising from diesel laundering activities presents the local authorities with major difficulties as the task of cleaning up the material needs to be dealt with to avoid threats to the environment. The laundering process requires the use of chemicals such as sulphuric acid and bleaching agents and results in a waste by-product, a tar-like chemical compound or sludge, with the potential for environmental pollution, particularly in relation to watercourses.

Approximately 900 incidents of diesel laundering waste dumping have been dealt with by local authorities to date and my Department has up to now reimbursed the costs associated with such disposal on a case by case basis. The majority of the clean-up operations have taken place in Louth and Monaghan, with 490 and 406 sites respectively. Further diesel laundering facilities have been identified in Counties Cavan, Donegal, Offaly, Meath and Waterford.

Details of the amounts provided by my Department since 2008 on a per county basis are set out in the following table.

Year	Louth County Council	Monaghan County Council	Offaly County Council	Cavan County Council	Donegal County Council	Total
2008	€448,460	€109,615	-	-	-	€558,075
2009	€314,678	€45,632	-	-	-	€360,310
2010	€246,211	€28,414	€29,270	-	-	€303,895
2011	€939,315	€89,588	-	-	-	€1,028,903
2012	€1,452,267	€347,350	-	€23,458	-	€1,823,075
2013	€693,048	€150,946	-		€40,753	€884,747
Total	€4,093,979	€771,545	€29,270	€23,458	€40,753	€4,959,005

This is a significant expenditure borne at present by the Environment Fund. As part of on-going cooperation with the Northern Ireland authorities on repatriation of illegally deposited waste in Northern Ireland, discussions have taken place on the need to develop a mechanism for dealing with waste from cross-border diesel washings which would be factored into the overall discussions on waste repatriation. These discussions are ongoing.

I believe that a complete solution to this problem must necessarily involve effective and co-ordinated enforcement of the law from both a revenue and waste management perspective. In that context, my Department continues to liaise with representatives of the Office of the Revenue Commissioners, the local authorities concerned and the EPA's Office of Environmental Enforcement to seek to identify more effective enforcement solutions and these engagements

will continue.

The use of identifying markers as a means of tackling fuel fraud is a matter for the Revenue Commissioners.

### **Water Services Provision**

229. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if Irish Water will not charge any householders connected to the mid-Kerry water supply which is continually cut off due to breakages in the pipe network; and if he will make a statement on the matter. [38519/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water can collect charges from each customer in receipt of water services provided by it. The Act also provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and the CER has been given statutory responsibility for protecting the interests of customers.

The CER published its final decision on Irish Water's water charges plan on 30 September 2014. This decision does not include any discounts or rebates as a result of a temporary loss of water supply.

Irish Water's Capital Investment Plan 2014-2016, which the CER also approved on 30th September, includes a number of capital projects for the mid-Kerry region that will address the issues of the breakages in this pipe network.

Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 278 278.

### **Commissions of Investigation**

230. **Deputy Eoghan Murphy** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38330/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** There have been no commissions of investigation, inquiries and similar investigations established by my Department during the past 12 months and it is not proposed to establish any at this time.

### **Broadband Service Provision**

231. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the details on surveys of broadband services and performances of broadband in Newtown, Kilcock, County Kildare and the timeframe for the upgrade of broadband in the area;

the consultation that will occur with residents or businesses in the area; and if he will make a statement on the matter. [38348/14]

**232. Deputy Anthony Lawlor** asked the Minister for Communications, Energy and Natural Resources when fibre broadband will be available in Newtown, County Kildare, an area which has been identified by the strategy announced earlier this year for the delivery of quality high-speed broadband to rural areas; if he will provide an update on the mapping process being undertaken by his Department to improve the broadband fibre network in rural communities; when this and the detailed implementation strategy for public consultation will be published; and if he will make a statement on the matter. [38494/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** I propose to take Questions Nos. 231 and 232 together.

I am unaware of any surveys of broadband services and performance as outlined in the Deputy's question.

The Government's Statement of Priorities for the period 2014 to 2016 reaffirms our commitment to delivering a State-led broadband intervention in rural areas. Through the National Broadband Plan (NBP) the Government aims to ensure that high speed broadband is available to all citizens and businesses in Ireland. This is being achieved through measures designed to accelerate commercial investment and the development of a State-led intervention for non-commercial areas.

Under EU State Aid Guidelines Member States cannot intervene where commercial investors have plans to roll out services. A comprehensive mapping exercise is underway in my Department to identify those areas that require a State intervention. An initial list of areas has already identified and includes 18 areas in County Kildare, including Newtown. I am also aware of extensive rollout of high speed broadband services in County Kildare by at least one commercial operator.

As part of the mapping process, an initial stakeholder consultation on certain technical aspects of the proposed Plan was launched in June with a deadline of 15th September last. 31 submissions were received as part of this process and non-commercially sensitive versions of these responses will be published by my Department over the coming weeks.

I expect to publish the maps for public consultation later this year. These will include details of the areas requiring State intervention. The maps will be dynamic and will be subject to change if new commercial investments are announced in the future.

A further public consultation on a detailed intervention strategy will be launched in mid-2015.

EU State Aid clearance will be required for the State intervention. My Department will be working closely with the European Commission on this important aspect of the programme.

Finally, a detailed procurement process will have to be undertaken in order to select a potential preferred bidder(s) prior to commencing the roll out of high speed broadband services.

This complex and ambitious project is a key priority for Government and for my Department. It aims to conclusively address current connectivity challenges in a sustainable and meaningful way. Our goal is to ensure that quality broadband services are available to all citizens regardless of where they are located.

## Wind Energy Generation

233. **Deputy Michael Moynihan** asked the Minister for Communications, Energy and Natural Resources if he will provide in tabular form the expected installed wind capacity here over then next five years; and if he will make a statement on the matter. [38507/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** The 2009 EU Renewable Energy Directive set Ireland a legally binding target of meeting 16% of our energy requirements from renewable sources by 2020, to be achieved through 40% renewables in electricity, 12% in heat and 10% in transport. To date, wind energy has been the largest driver of growth in renewable electricity, contributing most towards the achievement of the 2020 target. Provisional figures for 2013 indicate that 16.4% of electricity demand was met by wind generation. There is now over 2,000 MW of wind generation connected to the grid in Ireland. It is estimated that a total of between 3,500 and 4,000 MW of onshore renewable generation capacity will be required to allow Ireland to meet its 40% renewable electricity target. Under the Gate 3 grid connection programme over 3,000 MW of renewable generation has taken up connection offers, much of which is onshore wind.

The Transmission System Operators in Ireland and Northern Ireland, EirGrid and SONI, publish the *All Island Generation Capacity Statement* on an annual basis. The Statement outlines the levels of electricity demand, and generation capacity, expected to be available in both jurisdictions for the coming decade. This includes the expected rate of connections for wind generation, which is set out in detail at Appendix 2 of the report. Information on the connection of new generation is also available on an ongoing basis on the EirGrid and ESB Networks websites.

## Road Projects Expenditure

234. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding funding (details supplied) in County Kerry; and if he will make a statement on the matter. [38510/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, Tourism & Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects such as the N71 is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

## Rail Network

235. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport if he will provide a detailed update on plans for the redevelopment of Ceannt Station in County Galway including the stage the planning is at; his Department's vision for the station and the timeframe in place; and if he will make a statement on the matter. [38306/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The National Transport Authority (NTA) is managing the Regional Cities Programme on behalf of my Department. Under this programme capital funding is provided for investment in public transport measures in the regional cities, including improvement works at Ceannt Rail Station in Galway.

Noting this, I have referred the Deputy's question to the Authority for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Local Improvement Scheme**

236. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport if he will provide specific funding to local authorities in 2015 to reinstate local improvement schemes which are essential for rural dwellers; and if he will make a statement on the matter. [38308/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The Local Improvement Scheme (LIS) provides funding for roads and laneways that Councils have not taken in charge. However, the maintenance and improvement of these is, in the first instance, a matter for the relevant landowner. There is no separate allocation for the LIS. Instead, local authorities may use up to 15% (increased from 7% in 2013) of their initial Discretionary Grant towards local improvement schemes should they wish to do so. The local contribution for these schemes remains at 20% of the total cost of the project.

Details of the 2014 regional and local roads grants were communicated to local authorities on 24 January this year.

Furthermore, it is open to local authorities to supplement the percentage of their Discretionary Grant that they can use for the LIS with their own resources.

The above position is likely to extend into 2015. Some local authorities want the LIS while others prefer to put the funding into public roads. I think this decision is best made at a local level.

### **Commissions of Investigation**

237. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide a list of the commissions of investigation, inquiries and similar investigations established under his Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38341/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** My Department has not commissioned any investigations or inquiries during the past 12 months and at present is not considering establishing any investigations or inquiries during the next 12 months.

### **Light Rail Projects Status**

238. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport the position regarding the stalled metro north project; his plans for this project in the build up to the next capital investment programme; and if he will make a statement on the matter. [38488/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The National Transport Authority (NTA) has statutory responsibility for developing public transport infrastructure in the Greater Dublin Area (GDA) such as metro, light and heavy rail projects.

Following the comprehensive review of capital expenditure carried out in 2011 a decision was taken to defer Metro North and a number of other major projects, including DART Underground, due to the financial situation. It was made clear at the time that these projects would be reviewed again in preparation for the next capital plan post-2016. The priorities under the current capital plan are to protect investment made to date, to maintain safety standards and to progress affordable projects such as Luas Cross City which add value to the existing network.

The NTA is currently undertaking a technical consultancy (Fingal/North Dublin Transport Study) 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 is examining existing proposals including Metro North as well as other options for a rail-based transport solution to meet the area's needs in the long term. I expect to receive a report from the NTA on the outcome of the review by early 2015.

I also expect at that time to receive the updated DART Underground business case and the preliminary business case for the Swords/Airport Bus Rapid Transit (BRT) scheme from the NTA.

I will then consider the options for addressing key public transport deficits in the GDA having regard to the costs and benefits of each project and to available Exchequer funding as well as other possible sources of funds. I expect to finalise this review by mid-2015.

Significant Exchequer resources will be required to advance any major project irrespective of the availability of private or EU funds. New projects cannot be funded within the existing level of resources available to my Department. The key priority over the coming years is to protect investment made to date and to maintain safety standards. If additional funds are available, which is not certain, there will be many competing projects from all transport modes in all regions. I will prioritise any additional funds for projects for which there is a clear need, which are affordable, have a sound business case and add value to existing infrastructure.

### **Driver Licence Renewals**

239. **Deputy Billy Timmins** asked the Minister for Transport, Tourism and Sport the position regarding persons who have had to emigrate for employment and need to have their driving licence renewed and have now been informed that they need to travel home to Ireland from Australia, Canada and so on to apply in person to the National Drivers Licence Service in order to get an international licence they need to have a valid driving licence; the steps in place to facilitate such applicants; and if he will make a statement on the matter. [38529/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** Firstly, I would point out that Regulations, signed by my predecessor this Summer, mean that people who are abroad for a fixed period for work or study do not need to appear in person to renew their driving licences. When people emigrate on a permanent or long-term basis, it should be the norm that they would acquire a driving licence in their new country of residence. Where Ireland has an agreement on mutual exchange of driving licences - as we do with Australia, one of the countries mentioned by the Deputy - then the individual can exchange their Irish driving licence for a licence in that country. The Deputy also mentioned Canada. We now have an agreement on mutual exchange of driving licences with Ontario, and are working to put in place similar

agreements with the other Canadian provinces.

Where there is no reciprocal agreement on mutual exchange of driving licences, a person may still drive, under international agreements, in another jurisdiction on a visitor basis on their Irish licence for up to a year. Ultimately, if a person is taking up residence in another country they should get a driving licence in that country, and the procedures required will be a matter for the relevant authorities in that country. As a person no longer resident in Ireland, they would not be entitled to renew their Irish licence.

### **Commissions of Investigation**

240. **Deputy Eoghan Murphy** asked the Minister for Arts, Heritage and the Gaeltacht if she will provide a list of the commissions of investigation, inquiries and similar investigations established under her Department during the past 12 months or being considered for establishment during the next 12 months, and in each case the person or persons conducting the inquiry and the timeframe, including start and end date envisaged. [38328/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** There have been no commissions of investigation, inquiries or similar investigations established under my Department in the past 12 months or being considered for establishment during the next 12 months.

### **Student Grant Scheme Administration**

241. **Deputy Éamon Ó Cuív** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding advice available to a student who wants to pursue a qualification in dance; if there is any establishment in the country providing such courses under the student grant scheme; if any assistance is available from any other agency to a student; if grant assistance is available if the student attends a course in a private college here or publicly in the UK and the reason do we not assist students wishing to pursue a career in dance; and if she will make a statement on the matter. [38518/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The Arts Council is the principal agency through which State funding is channelled to the arts. Funding decisions, including bursaries, are a matter for the Arts Council. Under the Arts Act 2003, the Arts Council is a statutorily independent body, funded by my Department and independent in its day-to-day operations, and I have no role to play in relation to its funding decisions.

My Department does not provide student grants for the pursuit of qualifications, as described by the Deputy. Matters relating to student grants and educational establishments fall into the remit of the Higher Education Authority and are ultimately a matter for my colleague, Ms Jan O'Sullivan, TD, Minister for Education and Skills.

### **National Monuments**

242. **Deputy Seamus Kirk** asked the Minister for Arts, Heritage and the Gaeltacht if St. Michael's Monastic Grange, Duleek, County Meath, is listed as a national monument; if so, the plans the National Monuments Service has to ensure it fulfils its obligation to protect and preserve the site; and if she will make a statement on the matter. [38528/14]



**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** St. Michael's Grange in Abbeyland, Duleek, Co. Meath, is privately owned. As it is not a national monument in my ownership or guardianship, as Minister, the State is not responsible for its management or maintenance.

The monument is, however, included on the Record of Monuments and Places established under Section 12 of the National Monuments Acts 1930, as amended. As a consequence, any proposal to carry works at or in relation to the monument is required to be notified to me not less than 2 months before the works commence.

### **Heritage Fund**

243. **Deputy Anne Ferris** asked the Minister for Arts, Heritage and the Gaeltacht the level of funds available to her through the Heritage Fund Act; the level of funds in the heritage fund; the amounts and benefactors of the fund in the past 24 months; her plans to develop the fund, both in terms of its level and remit; and if she will make a statement on the matter. [38530/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** The Heritage Fund was established under the Heritage Fund Act 2001. The purpose of the fund is to provide resources for use by the principal State collecting cultural institutions in acquiring, for the national collections, items of moveable heritage such as artefacts, manuscripts, books and works of art that

- are both rare and of national importance,
- are outstanding examples of their type,
- are pre-eminent in their class, and
- otherwise could not be acquired.

The Act provided for a total fund of €12.697m over a five-year period, broken down between an allocation of €3,809,214 in the financial year 2001, €2,539,476 in each of the financial years 2002, 2003, 2004, and finally a sum of €1,269,738 in the financial year 2005. Funding for the Heritage Fund is held in the Heritage Fund Public Investment Account, an interest-bearing account.

The five eligible institutions that may benefit from the Heritage Fund are:

- The National Archives,
- The National Gallery of Ireland,
- The National Library of Ireland,
- The National Museum of Ireland, and
- The Irish Museum of Modern Art.

The Heritage Fund remains in place and currently contains €217,826.11 in funding. This amount is, however, below the amount laid down in the legislation for an individual acquisition, each of which must be valued above €317,435. As the existing legislation does not allow for the replenishment of the fund, the balance of the fund is currently in an interest-bearing account and cannot be used for acquisitions. Consequently, no acquisitions have been made using the fund since 2007. The matter is being kept under review.