

Written Answers.

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

Questions Nos. 1 to 21, inclusive, answered orally.

Questions Nos. 22 to 95, inclusive, resubmitted.

Questions Nos. 96 to 100, inclusive, answered orally.

Enterprise Support Services Expenditure

101. **Deputy Ruth Coppinger** asked the Minister for Jobs, Enterprise and Innovation the proportion of his Department's budget used on financial support to businesses, including EGE grants, subsidies and any other forms of financial support, either directly or via agencies under his remit. [44355/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The overall mission of my Department is to support the creation of good jobs by promoting the development of a competitive business environment in which enterprises will operate to high standards and grow in sustainable markets. In this context, the majority of the funding of my Department directly supports this overall mission statement.

In particular, my Department provides a range of supports, primarily via Agencies under the remit of my Department, both financial and non-financial to assist companies grow, improve competitiveness, create employment and improve productivity. Important support to businesses is also provided through funding made available through third level institutions for industry led collaborative research and commercialisation of business concepts and products. Access to credit, business costs and consumer confidence are constant concerns for the business owners I meet. Both my Department and the Government is systematically trying to address as many of those issues as it can through financial support to business.

For the purpose of the specific question tabled by Deputy Coppinger, the following is the information in respect of my Department's overall expenditure for the latest completed year i.e. 2013.

The total gross Exchequer expenditure by my Department in 2013 was €791.90 million. Of this, €454.26 million, or 57%, represents the total Capital expenditure via Agencies under the remit of my Department. This Capital expenditure includes funding directly to business such as grants, equity and direct funding for research and development and funding to third level institutions for business-led collaborative research and commercialisation of business concepts and products. It also includes funding to third level institutions for fundamental research via Science Foundation Ireland.

Financial supports directly to businesses, in the form of grants or equity and support through funding via third level institutions for business-led collaborative research and funding for commercialisation of business concepts and products, amounted to €274.42 million i.e. 61% of total Capital expenditure or 35% of my Department's overall Exchequer allocation.

The breakdown of this €274.42 million allocation in 2013 is as follows:

-	Amount
IDA Ireland	€82.00 million
Enterprise Ireland - Capital Expenditure	€47.20 million
Enterprise Ireland - Research and Development	€117.00 million
County Enterprise Development (Local Enterprise Offices)	€18.18 million
InterTradeIreland	€6.02 million
Shannon Development	€1.75 million
Loan Guarantee Scheme	€0.27 million
INTERREG	€2.00 million

Questions Nos. 102 to 108, inclusive, answered orally.

Employment Rights

109. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation the steps he will take to introduce mechanisms to improve compliance by subcontractors with legal wage rates. [44143/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Ireland's robust suite of employment rights legislation applies to all workers, whether employed by a subcontractor or other class of employer. Workers who consider they are not receiving the correct wage rate can make a complaint to the National Employment Rights Authority (NERA) which is the body responsible for enforcing minimum statutory employment rights entitlements in the State, including the national minimum wage, or can go directly to a Rights Commissioner. The proposed Industrial Relations (Amendment) Bill 2014 will provide for a new statutory framework for establishing minimum rates of remuneration and other terms and conditions of employment in specific sectors, including the construction sector.

NERA also has a proactive labour inspectorate, which carried out over 5,500 inspections in 2013. NERA's policy is, in the first instance, to seek voluntary compliance where breaches of employment law are detected but will prosecute where this is deemed appropriate.

A key issue that arises in relation to the sub-contractor model is the issue of whether individuals are employees or are self-employed. It is not within NERA's remit to make determinations regarding the employment status of individuals vis-à-vis employment or self-employment. This is the responsibility of the Department of Social Protection who make decisions in relation to the insurability of employment and the appropriate class applicable where the matter is called into question and the Revenue Commissioners who also make decisions concerning the correct employment status of individuals. Where either of these bodies makes a determination on these issues NERA, in accordance with the Code of Practice for Determining Employment or Self-Employment Status of Individuals will generally accept their decisions on the issue. Finally, the matter can also be determined by the Courts.

Finally, the Deputy will be aware of the programme I am currently undertaking to reform the State's employment rights structure. The reform programme, which is at an advanced stage, will result in the establishment of a new two-tier Workplace Relations structure comprising two statutorily independent bodies replacing the current five. Provision has been made in this Bill for a range of enhanced compliance and enforcement measures, including the use of Compliance Notices and Fixed Payment Notices.

Company Takeovers

110. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation if IDA Ireland has been in discussion with the management of a company (details supplied) following the purchase of the Covidien plants in Athlone, County Westmeath, and Tullamore, County Offaly; the implications of this sale for employment on the three sites at Athlone, Tullamore and Galway; and if he will make a statement on the matter. [43995/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The proposed takeover of Covidien by Medtronic was announced earlier this year but is subject to certain conditions such as shareholder approval and regulatory clearances around the world, including by the European Commission. Assuming this process progresses as envisaged, the transaction is expected to be concluded by the end of 2014 or early 2015.

The acquisition will see the businesses of Medtronic and Covidien combine under a new entity entitled Medtronic plc, which will have its principal executive offices in Ireland, where Covidien's current headquarters are located, with its Operations Centre located in Minneapolis, USA. The combined entity will have about 3,600 employees in Ireland.

Over 2,000 people are currently employed by Medtronic in Ireland, mostly at the company's Galway facility. It also has a small sales operation in Dublin. Covidien has significant operations in Galway, Athlone Tullamore and Dublin, employing about 1,500. However, we shall remain actively engaged with the company both in Ireland and in the USA to support the development of each of the individual Irish plants and their business pipeline.

IDA Ireland has ongoing close relationships with Medtronic and Covidien, both in Ireland and the US. That Agency will continue to engage with all parties to endeavour to influence positive developments for Ireland Inc., as the structure of the merger develops and future strategic decisions are made.

Job Losses

111. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation the steps being taken to source an alternative employer for a company's staff (details supplied) in Carrick-on-Shannon, County Leitrim, who are due to lose their jobs before Christmas; and if he will make a statement on the matter. [43994/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): A series of actions are being implemented by local and national agencies to source an alternative employer and find alternative employment for those impacted by the MBNA announcement.

An inter-agency group, led by Enterprise Ireland, has been formed and its membership includes representatives of all the relevant State players. This Group is providing a coordinated approach to the needs of the affected staff and ensuring that all necessary steps are put in train

to pursue an alternative investor.

A series of additional developments have also taken place:

- Details of the staff skills and the capabilities of the facility have been collated;
- IDA, along with MBNA/Bank of America has produced a marketing pack for potential investors;
- The global IDA team continues to market the MBNA facility to a range of potential investors through its network;
- Enterprise Ireland is marketing the facility to its client base;
- There have been a number of preliminary enquiries about the facility, both from foreign owned and Irish owned businesses but it is too early in the process to be specific about their potential.

The work of the inter-agency group will continue and IDA and Enterprise Ireland will work to market the MBNA facility to a range of potential investors and to respond to requests for information from potential interested parties.

Manufacturing Development Forum

112. **Deputy Michael Fitzmaurice** asked the Minister for Jobs, Enterprise and Innovation if his Department and IDA Ireland are actively seeking to create manufacturing jobs in the west of Ireland; the efforts made by his Department and IDA Ireland to create manufacturing jobs in the region; and if he will make a statement on the matter. [43999/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Strategy for the Manufacturing Sector, which I commissioned, and which was published in April 2013, identified that an additional 20,000 jobs can be created in the sector by 2016. A complementary report on the skills needs for the sector, which I had commissioned at the same time, was published by the Expert Group on Future Skills Needs and Forfás, and it identified a series of actions to enhance skills in the sector.

Arising from the Manufacturing Strategy and the Skills Report, there are now a range of initiatives in hand by relevant Agencies to drive the 2016 target, with key actions from both reports having been incorporated into the *Action Plans for Jobs*. A wide range of training and educational initiatives are underway by the relevant providers, such as *Skillnets*.

In order to provide industry insight for the development of policy initiatives, I established a Manufacturing Development Forum, comprising industry practitioners. One of the key results from the work of the Forum, and adopted in the Strategy, is the development of a *National Step Change* initiative, aimed at strengthening Ireland's manufacturing base across all firms and sub sectors, redressing perceptions of the sector as a career choice and removing barriers to the competitiveness of the sector in Ireland.

The Strategy does not identify specific locations around the country for the expansion of the sector. However, a particularly attractive feature of manufacturing in Ireland is the fact that many of the present jobs are not in the main urban areas, but dispersed into regional locations, thereby providing a valuable employment focus in areas where alternative jobs are scarce. The further development of the sector will, of course, build on this key feature.

Both IDA Ireland and Enterprise Ireland are working with both existing and prospective new client companies to promote the sector in Ireland, including in the Western Region, with consequent job creation and retention, and several recent new job announcements have been in respect of companies engaged in manufacturing, which is very heartening.

However the ultimate decision on location of a plant rests with the individual company involved. Nevertheless, our Development Agencies make all possible efforts to ensure that the more peripheral regions are fully considered for the development of manufacturing opportunities.

Public Procurement Contracts Social Clauses

113. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the progress that has been made by the social enterprise interdepartmental group, with the Office of Government Procurement, in examining the scope for the inclusion of social impact clauses in public procurement contracts. [44358/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Department of the Environment, Community and Local Government provides Secretariat support to the Inter-Departmental Group on Social Enterprise.

Policy responsibility for public procurement, meanwhile, is a matter for the Minister for Public Expenditure and Reform, Brendan Howlin, T.D. The Office of Government Procurement falls under Minister Howlin's remit.

My understanding is that the Inter-Departmental Group on Social Enterprise has not made a formal submission to the Office of Government Procurement (OGP) regarding the inclusion of social impact clauses in public procurement contracts. However, I also understand that the OGP is examining the scope for the targeted use of social clauses in procurement contracts.

On the 9th June, Minister Howlin announced the establishment of a Social Clauses Project Group to identify suitable policy priorities to be addressed through the insertion of social clauses in public contracts. The objective is that the use of social clauses in appropriate projects would contribute to employment or training opportunities for the long term unemployed while mitigating the risk of displacing existing workers. My Department is represented on the Social Clauses Group and is supporting the Group's objectives.

Trade Agreements

114. **Deputy Mick Wallace** asked the Minister for Jobs, Enterprise and Innovation in the case of Ireland signing up to the transatlantic trade and investment partnership, if Ireland will also be subject to the investor state dispute mechanism; and if he will make a statement on the matter. [44364/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The scope of the EU Commission's mandate to negotiate with the United States on a Transatlantic Trade and Investment Partnership (TTIP) is a very broad and comprehensive one, covering sectors and regulatory and rules issues, and investment protection including investor state dispute settlement (ISDS) is included. The mandate is available on the EU Council's website at

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145014.pdf

The broad scope of the negotiating mandate increases the chances of a comprehensive deal. According to assessments made by the EU Commission and other European bodies, a comprehensive TTIP could over time boost EU GDP by 0.5% per annum bringing significant economic gains as a whole for the EU. This would provide a significant injection of economic activity and consequently bring new job opportunities.

I have indicated in replies to previous Parliamentary Questions some of the tentative and preliminary findings from the study commissioned by my Department, concerning the economic and other impacts and potential opportunities for Ireland. These suggest an additional 1.1% increase in GDP, higher than the estimated GDP gain from TTIP for the EU as a whole. This also means job opportunities for Ireland.

This trade and investment agreement will build on the deep economic and wider relationship we have with the US, and will create jobs by opening up further opportunities in the US market for Irish business.

As regards ISDS, I have indicated in replies to previous Parliamentary Questions that I believe that it is a valid mechanism. But I also believe that the experience of ISDS internationally has given rise to concerns and shows us there is room for much improvement in how the system works.

The TTIP gives us a valuable opportunity to make improvements and create a new generation ISDS model that would respect and address legitimate concerns that have been raised. Such improvements include having safeguards against claims that are clearly unwarranted and making sure that ISDS does not serve to constrain the rights of governments to take measures for legitimate public policy reasons. Important features in any system would also include greater transparency in the operation of tribunals and ensuring the independence of arbitrators.

The EU Commission is currently analysing the results of a public consultation on ISDS, carried out in response to concerns raised. As I have previously indicated, Ireland was one of a number of EU member states that wrote to the new EU Commissioner for Trade, Cecelia Malmstrom, expressing the view that the consultation was an important step in ensuring that we strike the correct balance to ensure that governments retain their full freedom to regulate. We also pointed out that it would be important that the outcome of this consultation would run its course and that the views expressed by our stakeholders would be carefully considered before reaching firm decisions on the way forward.

It is important to underline that the EU and the US follow the same principles that guide investment and seek to ensure a level playing field for investors. These principles recognise the right of Governments to regulate for legitimate public policy objectives. I will be seeking to ensure that we learn from the experience of the past and that any ISDS provisions in a future Agreement would represent a fair and reasonable option to which investors would have recourse for legitimate reasons.

Trade Agreements

115. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the status of negotiations on the transatlantic trade and investment partnership; the way Ireland's interests will be protected in the talks; and if he will make a statement on the matter. [44349/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Since the formal negotiations between the European Union and the United States on a Transatlantic Trade and Investment Partnership (TTIP) began in July 2013, seven negotiating rounds have taken

place, the most recent of which took place in the US from 29 September to 3 October 2014. Reports of Rounds, together with background documents, are available on the European Commission's TTIP website at

<http://ec.europa.eu/trade/policy/in-focus/ttip/>

While I am not aware that a date has yet been set for the eighth round, I expect that it will most likely take place early next year.

As regards representing Ireland's interests, the EU Commission, which negotiates on behalf of the EU, is required under the terms of the mandate and in accordance with Article 207 of the Treaty on the Functioning of the European Union, to conduct the negotiations in consultation with and to regularly report to the Council on all aspects of the negotiations. Officials from my Department are represented on the relevant committees. As in all trade negotiations at EU and international levels, I fully intend to work at securing the best deal for Ireland, to open up opportunities for Irish business, and to ensure that any sensitivities we may have are taken into account.

Construction Contracts

116. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation when the necessary appointments will be made to the panel of adjudicators to facilitate the operation of the Construction Contracts Act 2013; his views on the impact the legislation will have; and if he will make a statement on the matter. [44348/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Construction Contracts Act, enacted last year seeks to ensure prompt payment practices throughout the construction industry. It is intended that the legislation will in the future provide easier access to payment for contractors who have carried out work.

The commencement of the Construction Contracts Act 2013 is dependent on a number of factors contained within the legislation itself. These factors include the appointment of a Chairperson and Panel of Adjudicators by the Minister, and the drafting and publication of a code of practice for the conduct of adjudications, which will be binding on all adjudicators operating under the Act, not just those appointed to cases by the Chair of the Adjudication panel.

Work on these items, and the required consultation with industry, is ongoing. My Department is working with the Public Appointments Service to develop the parameters for an open competition for those wishing to apply for a place on the Panel of Adjudicators. In addition, a draft version of the Code of Practice has been prepared in consultation with industry, which I hope will be finalised shortly.

It is expected that the Act will be implemented in full by Spring of next year. A specific date of implementation for the Act, and details of the various stages leading up to that implementation will be announced in advance once those details have been finalised, to provide sufficient notice to those affected by the Act's provisions.

Trade Agreements

117. **Deputy Mick Wallace** asked the Minister for Jobs, Enterprise and Innovation the timeframe regarding the introduction of the transatlantic trade and investment partnership; when it is likely to be discussed in Dáil Éireann; and if he will make a statement on the matter.

[44363/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Seven formal rounds and numerous inter-sessional meetings have taken place in the sixteen months that have passed since the launch of the negotiations in June last year. While I am not aware that a date has yet been set for the eighth round, I expect that it will most likely take place early next year. It is not possible at this stage to say when the negotiations on the Transatlantic Trade and Investment Partnership (TTIP) might be concluded.

I welcome all opportunities to discuss TTIP and in this regard, I was very pleased to have been invited within the last year to brief and have exchanges with the Joint Oireachtas Committee on Jobs Enterprise and Innovation and the Joint Oireachtas Committee on European Affairs.

I was also very pleased to have invited Oireachtas members from relevant Joint Committees to a conference on TTIP that I hosted in Dublin Castle on 20 June. At that conference, attendees heard some preliminary findings from a study commissioned by my Department that indicate that a comprehensive trade and investment deal between the EU and the US could lead to a 1.1% increase in Irish GDP, a 2.7% increase in exports, a 1.4% increase in real wages, and a 1.6% increase in investment.

Trade Agreements

118. **Deputy Maureen O'Sullivan** asked the Minister for Jobs, Enterprise and Innovation the reason Ireland is considering ratifying the EU-Colombia free trade agreement, in view of the many human rights issues and concerns expressed by Colombian farmers, trade unionists and human rights organisations; and if he will make a statement on the matter. [44329/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Free Trade Agreement between the European Union and its Member States and the Republic of Colombia and the Republic of Peru, is an Agreement within the meaning of Article 29.5.2 of the Constitution. Ratification by Ireland is therefore subject to prior approval of Dáil Éireann. It is my intention to seek the necessary approval of Dáil Éireann shortly.

According to the EU Council website - <http://www.consilium.europa.eu/policies/agreements/> - 17 member states have notified the completion of national ratification procedures. Once all member states have notified the completion of national ratification procedures, the Agreement will be formally concluded. The Agreement has also received the assent of the European Parliament.

The EU Colombia Free Trade Agreement is part of a multi-party Trade Agreement between the EU and the Andean Countries. These agreements will bring economic benefits to Ireland and to Irish business.

There is considerable interest in the Oireachtas as to the value of these agreements to support and enhance human rights, labour rights, environmental protection and more broadly the sustainable development of these countries. I have already answered 14 PQs on the matter this year and I would refer in particular to my most recent reply to written PQ 41056/14 on Tuesday, 4th November, 2014.

I want to recall a few important points in the context of Colombia.

Sustainable development and concerns for social and human rights are at the heart of the sustainability chapter of the agreement with Colombia. This is emphasised by the fact that,

from the outset, Article 1 of the Agreement stipulates that respect for democratic principles and fundamental human rights and for the rule of law is an essential element of the agreement.

During its negotiation Ireland, including officials from my Department, strongly promoted the inclusion of provisions to reflect this essential element. The inclusion of a sustainable development chapter provides the EU with an important means to contribute to supporting positive social reforms and to the greater protection of human rights in Colombia.

Furthermore, the setting up of a special committee, with representatives from Colombian civil society, to monitor implementation of the sustainability provisions demonstrates how the EU can develop real leverage for promoting its values and expectations through this agreement.

The elaboration by Colombia and Peru of Roadmaps on human rights, labour rights and environmental protection in October 2012 clearly demonstrates how the agreement can incentivise an agenda for change. Against this background, I believe the agreement with Colombia will be instrumental in encouraging economic and social progress reinforced by arrangements that strengthen the voice and role of civil society in favour of the progressive development human and labour rights.

Small and Medium Enterprises Supports

119. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the engagement his Department has had with the Department of Finance to increase small and medium enterprises' engagement with the Credit Review Office. [44361/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): My Department has ongoing structured engagement with the Department of Finance across the range of access to finance issues for SMEs, including the operation of the Credit Review Office. The primary conduit for this engagement is the SME State Bodies Group, which is chaired by the Department of Finance and includes officials from my Department and Enterprise Ireland. The Credit Review Office itself is also represented on this Group.

Further, there is a subgroup of this main group which deals specifically with communicating to SMEs through a strategic plan, which again my Department takes part in. The Government is determined to improve the communication of its offering to SMEs and in this context has developed the "Supporting SMEs" online tool. I would urge Deputies to direct all SMEs to this online facility, which is available on a range of Government websites, including my own Department's website and the Local Enterprise Office website. Where appropriate this tool will direct SMEs to the Credit Review Office.

I am aware that the Credit Review Office itself has taken part in a number of awareness raising activities such as national and regional radio advertising campaigns and it uses targeted trade press and focussed online campaigns targeting the SME and farming audience.

In the last 8 months the Credit Review Office has been involved in the following events:

- Presented at 4 accountancy CPD courses – Overview of the Credit Landscape in Ireland;
- Contributed to 4 Taking Care of Business Roadshows – Access to Finance presentation and Credit Review Stand;
- Contributed to 3 Financing Your Business – courses run by Skillnets;
- Had stands at 9 official openings of Local Enterprise Offices;

- Stand at ISME National Conference;
- Stand at SFA National Conference;
- Presentation on banking for SME start-ups in Limerick; and
- Quarterly meeting with the three representative organisations for SMEs: Chambers Ireland, ISME and SFA – and IFA for farming community to gather their collective views on credit issues facing their member SMEs.

The Credit Review Office has upheld 56% of the appeals in favour of borrowers, or with a commitment to reassess the lending in the future if agreed performance hurdles are met in the short term.

I believe that this is a vital service and was pleased to note in the most recent report of the Credit Reviewer that on the basis of his continuing discussions with Bank of Ireland, it does appear that over 85% of the businesses in which the Credit Review Office overturned the banks initial decision continue to trade.

Low Pay Commission Establishment

120. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation his plans to publish the low pay commission legislation; and his plans to establish the commission on an interim administrative basis to carry out its functions as early as possible. [44359/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): There is a commitment in the Statement of Government Priorities 2014-2016 to establish a Low Pay Commission (LPC) on a statutory basis as an independent body to make annual recommendations to the Government about the appropriate level of the minimum wage and related matters.

With a view to ensuring that the LPC is in a position to carry out its functions as soon as possible, the Minister for Business and Employment intends, in the first instance, to establish the LPC on an interim administrative basis. This approach was approved by Government at the end of October. Legislation to provide for the establishment of the LPC on a statutory basis will be published as soon as possible with a view to its enactment in early 2015. It is intended that the interim membership will constitute the Commission when it is established on a statutory basis.

While the complement of the Low Pay Commission has yet to be decided it will comprise a Chair and other members appointed by the Minister. In appointing members, the Minister will have regard to the desirability of ensuring that there is an appropriate balance between:

- members who will have a deep understanding of the interests of low-paid workers;
- members who will have a deep understanding of the interests of employers, particularly small to medium-sized employers and those operating in traditionally low-pay sectors;
- independent members who will have relevant knowledge or expertise in relation to some or all of the following; economics, labour market economics, workplace relations and employment law.

It is proposed that members will be appointed to the Commission for a period not exceeding three years.

The Commission will be statutorily independent in the performance of its functions.

Expressions of interest will shortly be sought by the Public Appointments Service from suitably qualified persons for consideration for appointment as members of the Low Pay Commission.

Foreign Direct Investment

121. **Deputy Gabrielle McFadden** asked the Minister for Jobs, Enterprise and Innovation his plans to target specific investors for the advanced technology building, in view of its pending completion. [44311/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As part of the Action Plan for Jobs 2014, we are bringing a particular focus to regional job creation and are delivering a range of measures to support this goal.

I announced in April that IDA Ireland had agreed contracts for the delivery of two advanced technology buildings in Athlone and Waterford, which will be suitable for future IDA client investment across the full spectrum of manufacturing and technology activities. Both buildings are on track to be completed before year end.

The Athlone building is located in the IDA Garrycastle Business and Technology Park, on the Dublin Road. The development has been designed to a high standard and consists of an advanced technology building of approximately 2,674m², part two storey and part double height single storey, with associated infrastructure.

The building layout has taken account of the requirement of potential end users for flexibility by creating front of house open plan offices areas with the potential for subdivision. The rear open plan production area offers flexibility for large scale open plan of again the potential to subdivide or introduce cellular spaces. The building is of high quality environmental design which will achieve the globally recognised U.S.G.B.C. LEED “Leadership in Energy and Environmental Design” silver standard. Employment across the two projects is in the region of 160 to 180 over the construction cycle.

The Agency has assured me that they are actively promoting and marketing the facility to overseas clients wishing to invest in Athlone as the building will provide an enhanced platform to attract FDI to the Midlands Region.

Trade Agreements

122. **Deputy Paul Murphy** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the potential negative impact on the environment, workers and consumers rights, as highlighted by trade unions and other organisations here and across Europe, in relation to the transatlantic trade and investment partnership; and if he will make a statement on the matter. [44332/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): One of the clearly stated objectives in the EU’s negotiating mandate is sustainable development, which encompasses the respect of international environmental and labour agreements and standards while promoting high levels of protection for the environment, labour and consumers, consistent with the EU acquis and Member States’ legislation. It is, therefore, an explicit objective that the Transatlantic Trade and Investment Partnership would not negatively impact on such standards and protections.

The full text of the mandate can be found on the EU Council's website at

<http://data.consilium.europa.eu/doc/document/ST-11103-2013-DCL-1/en/pdf>

Employment Rights

123. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation his views on whether sanctions imposed on employers found guilty of breaching the law in terms of workers' wages and conditions are sufficiently robust; and if he will make a statement on the matter. [44142/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Ireland has a robust body of employment law, encompassing a comprehensive range of employment rights together with both civil and criminal remedies to ensure that individuals can vindicate their rights. The suite of employment rights legislation is underpinned by a proactive labour inspectorate.

As regards wages, the National Minimum Wage Act 2000 modifies all existing contracts of employment, collective agreements or legislative provisions, in the event that they provide for a rate of pay less than the National Minimum Wage. In addition, the proposed Industrial Relations (Amendment) Bill 2014 will provide for a new statutory framework for establishing minimum rates of remuneration and other terms and conditions of employment in specific sectors.

The National Minimum Wage Act provides for a number of criminal offences, ranging from the failure to pay the statutory rate to the obstruction of Inspectors in the exercise of their functions. Penalties range from a maximum fine of €2,500 (Class C) and/or imprisonment for a summary conviction or a maximum fine of €12,697.38 and/or imprisonment for a term not exceeding 3 years for a conviction on indictment.

Following conviction, if the offence continues the person will be guilty of a further offence on every day the offence is committed, and on summary conviction to a further fine not exceeding €500 (Class E), or on conviction on indictment to a fine not exceeding €2,500 for each offence.

An individual who considers that they are not being paid the National Minimum Wage may refer the matter to a Rights Commissioner of the Labour Relations Commission or to the National Employment Rights Authority (NERA) for investigation.

Other conditions of employment are provided for in Ireland's comprehensive suite of employment rights legislation, together with redress to the relevant adjudicatory bodies where there has been an infringement of an employee's statutory rights.

The Deputy will be aware of the programme I am currently undertaking to reform the State's employment rights structure. The reform programme, which is at an advanced stage, will result in the establishment of a new two-tier Workplace Relations structure comprising two statutorily independent bodies replacing the current five. Provision has been made in this Bill for a range of enhanced compliance and enforcement measures, including the use of Compliance Notices and Fixed Payment Notices.

Trade Agreements

124. **Deputy Maureen O'Sullivan** asked the Minister for Jobs, Enterprise and Innova-

tion as over 750,000 persons across Europe signed a European citizens initiative petition with concerns over transatlantic trade and investment partnership, highlighting the ISDS proposals as a core concern, if he will therefore ensure there will be a human rights impact assessment on TTIP; and if he will make a statement on the matter. [44330/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The scope of the EU Commission's negotiating mandate for the Transatlantic Trade and Investment Partnership (TTIP) includes Investor State Dispute Settlement (ISDS). The EU Commission earlier this year decided to conduct a formal public consultation on ISDS in TTIP, and negotiations on ISDS under TTIP have been suspended since then. The formal consultation closed in July, and the EU Commission is now examining the submissions received, with a view to making recommendations in due course. The EU Commission's preliminary report can be found at: http://trade.ec.europa.eu/doclib/docs/2014/july/tradoc_152693.pdf .

IDA Portfolio

125. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the proposed science and technology park at a location (details supplied) in County Galway; the progress in developing this facility; if IDA Ireland or other relevant agencies in his Department have further plans and proposed visits to an industrial estate; and the infrastructural requirements to ensure the facilities are able to provide capacity for new businesses and business expansion in the west. [44333/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Under the Industrial Development Acts, the management of IDA Ireland's property portfolio, including the provision of property solutions for client companies, is a day to day operational matter for the Agency and not one in which I have a function.

I am informed by IDA Ireland that they have invested in a number of Business and Technology Parks in Galway city and county -Parkmore, Oranmore, Ballinasloe, Tuam, and Loughrea and have purchased land for future strategic development in Athenry. The Agency also partners with the private sector in the promotion of appropriate property solutions for FDI.

The Agency has explained that they have a c.97 ha site at Athenry on which phase 1 road infrastructure is completed and the lands are appropriately zoned for industrial purposes as part of the current Athenry Local Area Plan and related Galway County Development Plan. The provision of related infrastructure in the form of power, gas water and waste water continues to be advanced with the respective stakeholders.

In the case of Oranmore, full planning permission is in place from Galway County Council for a significant Biopharmaceutical Manufacturing Campus on the c.27 hectares site. The facility is designed to be a flexible multi process campus suitable for a range of investors, principally multi-national Biopharmaceutical Corporations. The Oranmore site is fully serviced to support such development.

I am informed by IDA Ireland that up to the end of September 2014 there were a total of 16 IDA Ireland sponsored site visits by potential investors to County Galway. For commercially sensitive reasons IDA Ireland is not in position to release details of these visits.

Enterprise Ireland, which deals with indigenous industry, does not conduct similar type site visits but Enterprise Ireland Executives work regularly in the field in Galway meeting with clients. These meetings range from introductory meetings with potential entrepreneurs to strategic planning meetings with established companies to promote expansion in addition to visits

with community groups to advance enterprise infrastructure in the community.

It is also worth remembering that County Galway has been particularly successful in recent years in terms of attracting inward investment particularly in the areas of Medical Technologies and ICT. There are currently 60 IDA Ireland client companies employing some 13,615 people in Galway, city and county. IDA Ireland has strong relationships with these companies and works closely with them to ensure their long term sustainability and to encourage their growth, development and continuing re-investment in their sites. During 2013, there were 1,098 new jobs created in IDA Ireland Client companies in Galway.

IDA Ireland has assured me that it will continue to promote Galway as part of its marketing efforts, in response to specific client queries and also on an opportunistic basis for the purpose of winning FDI projects for the county. We must also remember that it is the investor in all cases who decides where to invest and an investment win for Ireland regardless of the location has to be seen as a plus for the country as a whole.

IDA Portfolio

126. **Deputy Gabrielle McFadden** asked the Minister for Jobs, Enterprise and Innovation if the new IDA Ireland advanced technology building in Athlone, County Westmeath is on target for completion in November 2014. [44310/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As part of the Action Plan for Jobs 2014, we are bringing a particular focus to regional job creation and are delivering a range of measures to support this goal.

I announced in April that IDA Ireland had agreed contracts for the delivery of two advanced technology buildings in Athlone and Waterford, which will be suitable for future IDA client investment across the full spectrum of manufacturing and technology activities. Both buildings are on track to be completed before year end.

The Athlone building is located in the IDA Garrycastle Business and Technology Park, on the Dublin Road. The development has been designed to a high standard and consists of an advanced technology building of approximately 2,674m², part two storey and part double height single storey, with associated infrastructure.

The building layout has taken account of the requirement of potential end users for flexibility by creating front of house open plan offices areas with the potential for subdivision. The rear open plan production area offers flexibility for large scale open plan of again the potential to subdivide or introduce cellular spaces. The building is of high quality environmental design which will achieve the globally recognised U.S.G.B.C. LEED “Leadership in Energy and Environmental Design” silver standard. Employment across the two projects is in the region of 160 to 180 over the construction cycle.

The Agency has assured me that they are actively promoting and marketing the facility to overseas clients wishing to invest in Athlone as the building will provide an enhanced platform to attract FDI to the Midlands Region.

EU Regulations

127. **Deputy Michael Fitzmaurice** asked the Minister for Jobs, Enterprise and Innovation if he will provide assistance and funding to small and medium enterprises that are struggling to

meet the high costs associated with attaining certification to standard EN1090, formerly the CE Mark and EN127; if he is aware that in some instances, the projected cost of EN1090 certification has forced SMEs out of business; and if he will make a statement on the matter. [43996/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In general, the implementation of the Construction Products Regulations (CPR), is a matter for the Minister for the Environment, Community and Local Government, and has resulted in increased compliance requirements for manufacturers of construction products across the board. The requirement for Steel Fabricators to CE mark product is a complex matter requiring the implementation of systems and procedures to demonstrate compliance with the EU regulations.

The National Standards Authority of Ireland (NSAI) are one of a number of notified bodies that can provide certification to fabricators in the area. NSAI costs are limited to the certification of the fabricators factory production control processes. The charge per day is currently €1,100 and certification normally requires 1.5 days of audit giving a total cost of €1,650 plus VAT. There is a follow up annual inspection process, normally incurring a 1 day charge plus an administration fee of €440.

It has come to the attention of NSAI's Sustainability and Built Environment Division that fabricators have been quoted consultant costs in the region of €15,000 - €20,000 to develop and implement the appropriate processes and documentation to achieve compliance with the CPR. As a certification body, NSAI does not provide such consultancy services and has no direct evidence of the costs being charged by the consultants in this sector.

NSAI has received no notification of instances where SMEs have been forced out of business directly as a result of the implementation of the CPR.

Assistance is offered by way of the Local Enterprise Offices (LEOs) who have, provided general awareness/information seminars on the topic. The Education and Training Boards (ETBs) in Cork, Dundalk, Galway, Shannon, Tralee and Waterford provide metal fabrication apprenticeship training, which incorporates elements of certification training. The ETBs come under the remit of the Minister for Education and Skills.

The Centre of Excellence in Enterprise Ireland has agreed to explore the option for the LEOs to join forces with the Construction Industry Federation to provide regional information briefings.

I understand that the Department of the Environment, Community and Local Government, remains committed to working with all stakeholders in order to continue to raise awareness and facilitate the implementation of the CPR in Ireland.

Innovation Vouchers Initiative

128. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation his views on the operation of the Enterprise Ireland innovation voucher initiative; his plans to expand the scheme; and if he will make a statement on the matter. [44351/14]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Damien English): The Enterprise Ireland Innovation Voucher Initiative was established in 2007 in order to drive an on-going innovation cultural shift within small enterprise by promoting and encouraging a transfer of knowledge between Ireland's public knowledge providers and the small business community and creating greater synergies between the two. This scheme provides small companies access to the sources of knowledge, expertise and innovation avail-

able in our Universities and Institutes of Technology and in so doing acts as an important driver of knowledge transfer from 3rd Level Institutes to industry. The Vouchers, worth €5,000, can be used by small Irish companies to explore a business opportunity or problem and purchase advice and knowledge that is new to the company.

The Innovation Voucher initiative has proven to be a very useful tool in encouraging companies to embark on initial innovation projects and to collaborate with higher education research groups. The scheme operates very efficiently while dealing with considerable numbers of projects on a yearly basis. To date, 5,847 Innovation Vouchers have been issued to Irish companies, increasing from 428 per annum in 2007 to over 1,000 per annum in 2013. These figures illustrate substantial growth in the scheme since its inception and the strong appetite/demand for these important Vouchers among small businesses.

A recent independent external evaluation of this programme indicated high levels of programme effectiveness and company satisfaction. The evaluation found that 24% of respondent companies had introduced new products to their companies and 23% had improved products within the company as a result of the Voucher project. Over the total portfolio of projects supported during the evaluation period €7.65 of company turnover was created for every euro Enterprise Ireland invested. There is frequently a lag effect between performing R and D and a company receiving the full impact from the activity. As such it is always useful to include projections of future value as well as counting impacts achieved to date. It was found that the Vouchers issued during this evaluation period are anticipated to achieve €27.76 in increased turnover for every €1 invested by EI by 2017. These figures represent a very impressive return predicted on state investment.

With regard to companies' satisfaction with the operations of the scheme, as part of the evaluation 94% of companies said that they would be willing to participate in an Innovation Voucher project in the future and 93% would be willing to recommend the programme to other businesses. A further 82% stated that participation in the project has increased their desire to work with research partners in the future. One of the key objectives of this programme was to improve links between industry and 3rd level institutes – these findings suggest that the voucher programme has been successful in doing this.

Enterprise Ireland plans to pilot a limited expansion of the Innovation Voucher Scheme to larger SMEs and it is expected that this pilot will be launched in 2015.

Enterprise Support Services Provision

129. **Deputy Michael Fitzmaurice** asked the Minister for Jobs, Enterprise and Innovation the investment his Department has directed to each of the counties of Roscommon, Leitrim, Dublin, Galway, Mayo and Sligo in each of the past five years; the number of visits that have been paid to each county by IDA Ireland in the past five years; and if he will make a statement on the matter. [43997/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The final decision as to where to visit and ultimately where to locate is taken in all cases by the investor.

My Department's agencies provide a range of grant aid and financial supports throughout the country including the counties listed by Deputy. This investment is provided primarily through direct financial grant supports to client companies and the breakdown of these figures in respect of IDA Ireland, Enterprise Ireland and the Local Enterprise Offices is set out in the following tabular statements. The figures for 2014 will not be available until 2015.

In addition to these direct financial grants, the agencies also provide a vast range of other supports from management development training to the direct provision of property solutions.

There are many complex factors influencing decisions on selecting locations. The final decision on where to locate and indeed where to visit, resides with the client company. In the period January 2014 to September 2014, there were 209 site visits to the aforementioned counties. The breakdown of these figures is set out in the following tabular statement.

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.

Grant Investment by County

Table 1: IDA Ireland

County	2009	2010	2011	2012	2013
Dublin	€29,101,843	€46,420,938	€43,043,936	€22,156,125	€24,803,491
Galway	€10,206,304	€9,448,677	€14,107,397	€12,252,609	€17,277,141
Leitrim	€28,600	€566,500	€297,622	€347,378	€0
Mayo	€66,007	€4,693,343	€1,198,963	€1,254,475	€4,180,577
Roscommon	€77,568	€283,503	€361,000	€13,098	€110,000
Sligo	€553,787	€925,555	€852,618	€0	€796,831

Table 2: Enterprise Ireland

County	2009	2010	2011	2012	2013
Dublin	€61,356,021	€48,391,621	€39,988,307	€32,853,294	€31,995,479
Galway	€7,299,810	€7,751,711	€4,773,425	€4,968,252	€4,694,128
Leitrim	€754,071	€314,242	€53,869	€314,386	€102,679
Mayo	€8,013,988	€2,202,585	€1,735,009	€1,661,413	€1,480,439
Roscommon	€480,174	€1,666,124	€1,182,743	€451,456	€560,539
Sligo	€2,373,561	€2,105,365	€1,257,628	€1,198,697	€850,974

Table 3: Local Enterprise Offices

LEO	2009	2010	2011	2012	2013
Dublin City	€664,492	€754,730	€848,351	€720,913	€609,588
Dun Laoghaire Rathdown	€595,164	€539,188	€627,790	€632,964	€565,426

LEO	2009	2010	2011	2012	2013
Dublin Fin-gal	€394,924	€401,093	€508,115	€459,416	€296,367
Dublin South	€487,500	€478,770	€357,683	€604,482	€366,279
Galway	€455,927	€479,772	€622,707	€431,789	€582,027
Leitrim	€160,793	€203,735	€265,308	€186,389	€128,918
Mayo	€243,396	€429,409	€280,710	€208,472	€195,518
Roscommon	€340,218	€343,335	€302,224	€253,329	€167,371
Sligo	€323,834	€280,464	€269,145	€168,138	€288,393

IDA Ireland sponsored site visits from 2009 to the end September 2014

County	2009	2010	2011	2012	2013	Jan-Sept 2014
Dublin	90	197	150	196	180	184
Galway	22	41	35	18	15	16
Leitrim	0	0	0	0	1	2
Mayo	1	1	0	1	3	1
Roscommon	0	0	0	0	4	0
Sligo	5	12	3	6	10	6

Trade Agreements

130. **Deputy Paul Murphy** asked the Minister for Jobs, Enterprise and Innovation if he has received a reply to the letter which he co-signed to the Commissioner-designate for Trade, Ms Cecilia Malmström, on the transatlantic trade and investment partnership, specifically in relation to investment protection; and if he will make a statement on the matter. [44331/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The scope of the EU Commission's mandate to negotiate with the United States on a Transatlantic Trade and Investment Partnership (TTIP) includes investment protection and investor state dispute settlement (ISDS). The mandate is available on the EU Council's website at

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145014.pdf

I believe that ISDS is a valid mechanism. But I also believe that the experience of ISDS internationally shows us there is room for much improvement in how the system works. And that, I believe, is the reason why ISDS has raised some concerns.

The TTIP gives us a valuable opportunity to make improvements and create a new generation ISDS model that would respect and address legitimate concerns that have been raised. Such improvements include having safeguards against claims that are clearly unwarranted and making sure that ISDS does not serve to constrain the rights of governments to take measures for legitimate public policy reasons. Important features in any system would also include greater transparency in the operation of tribunals and ensuring the independence of arbitrators.

The EU Commission is currently analysing the results of a public consultation on ISDS, carried out in response to concerns raised. Ireland was one of 14 EU member states that wrote to the new EU Commissioner for Trade, Cecelia Malmstrom, expressing the view that the con-

sultation was an important step in ensuring that we strike the correct balance to ensure that governments retain their full freedom to regulate. We also pointed out that it would be important that the outcome of this consultation would run its course and that the views expressed by our stakeholders would be carefully considered before reaching firm decisions on the way forward.

It is important to underline that the EU and the US follow the same principles that guide investment and seek to ensure a level playing field for investors. These principles recognise the right of Governments to regulate for legitimate public policy objectives. I will be seeking to ensure that we learn from the experience of the past and that any ISDS provisions in a future Agreement would represent a fair and reasonable option to which investors would have recourse for legitimate reasons.

No reply to the letter has been received.

Employment Rights

131. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the status of the commitment in the Statement of Government Priorities 2014-2016 to conduct a study on the prevalence of zero hour contracts among Irish employers; and if he will make a statement on the matter. [44350/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I can confirm that in accordance with the Statement of Government priorities, my colleague the Minister for Business and Employment, Ged Nash TD, issued on Monday 17 November a call for tenders to carry out a study into the prevalence of zero hour and low hour contracts and the impact of such contracts on employees.

The tender can be accessed on the Government's website www.etenders.gov.ie.

The deadline for applications is 15 December 2014. It is expected that the study will commence early in the New Year and will report back its findings to Minister Nash by quarter two.

A key objective of the study is to fill the gap that currently exists in terms of hard data on zero hour and low hour contracts. It is expected to collect information on the extent of these contracts, the manner in which they are used and also to look at recent developments in other jurisdictions, particularly in the UK.

All sectors of the economy, both public and private, will come within the scope of the study; however, a particular focus will be on the retail, hospitality, education and health sectors. The study will also focus on how these contracts operate in practice and particularly on how they impact on employees. It will assess the advantages and disadvantages from the perspective of employer and employee and assess the current employment rights legislation as it applies to employees on such contracts.

It is also expected that stakeholders including employers, employees, employer representative bodies, trade unions and Government Departments will be canvassed to contribute to the study.

Small and Medium Enterprises Supports

132. **Deputy Michael Fitzmaurice** asked the Minister for Jobs, Enterprise and Innovation the reason indigenous Irish companies and entrepreneurs are being less favourably treated when

it comes to start-up and expansion assistance and, in particular, the reason indigenous small to medium projects appear to flounder at local level; and if he will make a statement on the matter. [43998/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): State agency spending on Irish owned companies is approximately €770 million versus €470 million for foreign owned companies. We have a range of supports to help indigenous companies start to expand and create jobs including: start up grants, innovation, technology support, management development, graduate placements and export supports.

Since coming into office, this Government has had an unrelenting focus on enhancing supports to SMEs across the country. Recognising the importance of the contribution that small businesses make to the economy, employing as they do, 70% of the workforce in the private sector, we have taken very specific steps to enhance both the State supports available to them and the wider business environment in which they operate.

Specifically, we have rolled out the new LEO network which replaced the City and County Enterprise Boards (CEBs) in every County. The LEOs are now the “first-stop-shop” front line service assisting in delivering business growth and jobs.

In this enhanced support structure under the LEOs Network, entrepreneurs, micro or small businesses, whether they are exporting or domestically trading, will be offered advice or pointed in the right direction on what they need to do, in order to progress their business idea, or take the next step in expansion. The aim is to give the best possible service to people who have a business idea or who are already in business, but wish to expand.

Enterprise Ireland also provides a range of supports for start-up and expansion companies including, financial supports, business and marketing advice, mentoring and product development.

In October, the Government published the National Policy Statement on Entrepreneurship in Ireland which represents the first time a Government has published a comprehensive national plan for entrepreneurship. This Policy Statement sets out the Government’s strategic objectives in key areas that impact on entrepreneurs and start-ups and signposts the direction which policy will take in the coming years.

Since 2011, we have introduced a suite of state sponsored financing instruments that provide a broader range of capital, equity and debt funding options for SMEs across all stages of the business life cycle. Most recently, the Strategic Banking Corporation of Ireland (SBCI) was launched by the Government, and will provide over €800m of additional credit for SMEs, with lending likely to begin before the end of the year.

Budget 2015 also announced a number of reforms to the Employment Investment Incentive and the Seed Capital Scheme to support increased investment into entrepreneurial ventures.

I have undertaken a review of Microfinance Ireland’s operations to identify actions that can be taken to improve take up and the impact of the Scheme. This review will be finalised shortly. I have also undertaken a review of the Credit Guarantee Scheme and will ensure that appropriate changes are made to it.

Starting a new business is inherently risky and many new start-ups fail. However, as Minister for Jobs, Enterprise and Innovation, I am determined to improve the communication of the Government’s offering to SMEs, as part of its goal to make Ireland the best small country in the world in which to do business.

In this regard, businesses can now also access the new online search tool for SME business supports which was launched last May. The *Supporting SMEs Online Tool* is a cross-governmental initiative to help Irish start-ups and small businesses navigate the range of Government business supports for which they could be eligible. I would urge the Deputy to direct all SMEs to this online facility, which is available at:

www.localenterprise.ie/smeonlinetool.

Industrial Relations

133. **Deputy Catherine Murphy** asked the Minister for Jobs, Enterprise and Innovation his views on bringing forward legislation to provide for the right of former employees and pension beneficiaries to be represented and negotiate on their own behalf within the industrial relations architecture of the State; the reason such a measure has not been considered up to now; if he will confirm that there is a precedence for such a measure going back to the 1970s; and if he will make a statement on the matter. [44334/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I fully appreciate the concerns of retired and deferred members of pension schemes whose schemes are being restructured, particularly where such restructuring may impact on existing or potential pension benefits.

The question of whether it is appropriate that pensioner groups have access to the State's industrial relations machinery in pursuing pension scheme grievances has been raised for consideration.

It should be pointed out that the Trustees of a particular pension scheme are already required by law to act in the best interests of all the members. On that basis the trustees have to take account of the interests of the deferred and pensioner members in any proposals they make.

This is an issue to which I have given careful consideration, particularly in light of representations made to me in this regard.

In addition, my Department also consulted with the industrial relations bodies under the auspices of my Department on the issues that arise in the context of collective representation of retired and deferred members of pension schemes in such circumstances.

In this context, it is important to stress that the industrial relations system in Ireland is voluntary in nature both as regards access to the Labour Relations Commission and the Labour Court. Any change to that principle which would put in place a mandated right to be part of the process would alter fundamentally the conduct of industrial relations.

As it stands, active members of pension schemes (through their Trade Unions) regularly engage with the employer to attempt to reach a common position as regards changes to pension schemes whether as a result of a crisis in the scheme or otherwise. In all such cases the outcome of that engagement can only be a collective agreement which cannot, of itself, change the pension scheme. Any proposed changes to the scheme are effected via the mechanisms set out in the trust deeds and rules of the scheme and are at the discretion of the parties so designated in the rules/deeds of the scheme. It may be that it is within this framework that a collective approach could be most effective.

Legal advice received by the Labour Court on a number of occasions since the 1970s suggests that a person who is retired cannot be regarded as a worker and cannot be party to a trade

dispute capable of investigation by the Court. Where a person is retired they cannot have a dispute concerning their employment or non-employment.

I can say, however, that I am currently considering the introduction of access rights for individual retired workers to the industrial relations machinery of the State under the Industrial Relations Acts, where they have not referred their claim prior to their retirement.

EU Regulations

134. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation if financial supports are available to allow small steel fabrication businesses to carry out retraining to up-skill staff in order to comply with the new European standard IS EN 1090-1, which came into operation on 1 July 2014 regarding structural steelwork; if the local enterprise offices are permitted to fund such training; and if similar protocols may be in place for all local employment offices. [44299/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): In general, the implementation of the Construction Products Regulation is a matter for the Minister for the Environment, Community and Local Government, Mr Alan Kelly, T.D. I understand that officials in that Department have worked with a broad range of stakeholders to ensure the industry was aware of, and prepared for, the implementation of the Construction Products Regulation in Ireland. I also understand that a significant number of steel fabricators operating in the State have already established the systems necessary to comply with their obligations under the Construction Products Regulation and, more specifically, the requirements of I.S. EN 1090-1. I am informed that Minister Kelly's Department remains committed to working with all stakeholders in order to continue to raise awareness and facilitate the implementation of the Construction Products Regulation in Ireland.

With regard to your specific question concerning the role of the Local Enterprise Offices (LEOs), the LEOs were established as a first-stop-shop for the provision of supports to the micro and small enterprise sector. These supports are aimed at enabling the LEO clients to develop and grow their business. For example, the non-financial supports are designed to build business competency within the sector and include a range of business and management development courses, such as Start Your Own Business, Online Marketing, Small Business Accounting, etc, as well as mentoring and networking services.

The provision of the specialist technical training required to achieve certification to an International or European Standard, such as that required by steel fabricators in this instance, is outside of the remit of the LEO services. However, I understand that to date the LEOs can, and have, provided general awareness/information seminars on the topic. I also understand that the Education and Training Boards (ETBs) in Cork, Dundalk, Galway, Shannon, Tralee and Waterford provide metal fabrication apprenticeship training, which incorporates elements of certification training. The ETBs come under the remit of the Minister for Education and Skills.

The Centre of Excellence in Enterprise Ireland has agreed to explore the option for the LEOs to join forces with the Construction Industry Federation to provide regional information briefings.

Alcohol Advertising

135. **Deputy Róisín Shortall** asked the Taoiseach the dates on which the interdepartmental working group on alcohol sponsorship has met since its establishment; the issues which it has addressed; and when he expects it to complete its work. [44768/14]

The Taoiseach: The Interdepartmental Working Group on Regulating Sponsorship by Alcohol Companies of Major Sporting Events met on 10 December 2013, 28 February, 3 September, and 2 October 2014.

The Group has been asked to consider the value, evidence, feasibility and implications (including the public health consequences for children and young people) of regulating sponsorship by alcohol companies of major sporting events, and to consider alternative sources of funding for sporting organisations to replace potential lost revenue arising from any such regulation.

The Group will report its findings to the Cabinet Committee on Social Policy by the end of the year.

Employment Data

136. **Deputy Patrick O'Donovan** asked the Taoiseach if he will provide details from the Central Statistics Office in tabular form by county of the numbers of persons in full time employment on 30 June 2008 and 30 June 2014; and if he will make a statement on the matter. [44769/14]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The exact information requested by the Deputy is not available.

The Quarterly National Household Survey (QNHS) is the official source of estimates of employment in the State.

Tables 1a and 1b below show the number of persons aged 15 years and over in employment classified by full-time/part-time employment and NUTS2 and NUTS3 regions in Quarter 2 2008 and Quarter 2 2014.

Due to methodology and sample size it is not possible to produce reliable county level estimates from the QNHS.

Table 1a Persons aged 15 years and over in employment (ILO) classified by full-time and part-time employment and NUTS2 and NUTS3 regions, Q2 2008

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Q2 2008	Full-time employment	Part-time employment	Total employment
Border, Midland and Western	443.4	103.1	546.5
Border	175.4	42.3	217.8
Midland	99.5	21.8	121.3
West	168.4	39.0	207.4
Southern and Eastern	1,306.5	294.3	1,600.9
Dublin	520.5	117.2	637.7

Q2 2008	Full-time employment	Part-time employment	Total employment
Mid-East	209.2	43.7	252.9
Mid-West	142.1	32.1	174.2
South-East	185.3	41.7	227.0
South-West	249.4	59.7	309.1
State	1,749.9	397.5	2,147.3

Table 1b Persons aged 15 years and over in employment (ILO) classified by full-time and part-time employment and NUTS2 and NUTS3 regions, Q2 2014
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Q2 2014	Full-time employment	Part-time employment	Total employment
Border, Midland and Western	351.0	125.8	476.8
Border	131.8	53.2	185.0
Midland	83.6	29.9	113.5
West	135.6	42.7	178.3
Southern and Eastern	1,100.3	324.5	1,424.8
Dublin	456.4	120.0	576.4
Mid-East	177.8	50.8	228.5
Mid-West	113.1	35.0	148.0
South-East	148.0	50.5	198.5
South-West	205.0	68.3	273.3
State	1,451.3	450.3	1,901.6

Source: Quarterly National Household Survey (QNHS), Central Statistics Office, Ireland.

Data may be subject to future revision.

Data may be subject to sampling or other survey errors, which are greater in respect of smaller values or estimates of change.

Reference period: Q2=Apr-Jun.

Departmental Staff Data

137. **Deputy Barry Cowen** asked the Taoiseach if he will provide in tabular form the number of staff in his data protection office; if he has a specified data protection officer; and if he will make a statement on the matter. [44771/14]

The Taoiseach: My Department does not have a specific office for data protection but has a nominated official who deals with the application of the Data Protection Acts within the Department.

Departmental Expenditure

138. **Deputy Willie O’Dea** asked the Taoiseach the Ministerial transport costs for the years 2010 to 2013, inclusive, for each Minister of State in his Department; and if he will make a statement on the matter. [44898/14]

The Taoiseach: The total expenditure on Ministerial transport by my Department for the period March 2011 to end December 2013 was €42,633. This relates to Government Chief Whip and Minister of State Paul Kehoe.

Prior to March 2011, the Government Chief Whip was supplied with a State car and two Garda drivers.

This facility was removed in 2011.

Departmental Agencies Expenditure

139. **Deputy Michael McGrath** asked the Taoiseach the reason the Central Statistics Office has included a minimum turnover requirement of €1 million in respect of a request for tenders for the provision of the collection and archival storage of census 2011 forms in archival boxes published on 17 October 2014; if his attention has been drawn to the fact that such a stipulation excludes a number of indigenous businesses from competing for the contract; if the CSO will accept and consider submissions from indigenous companies whose turnover is less than €1 million; and if he will make a statement on the matter. [44760/14]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The Central Statistics Office (CSO) published an open tender on 17 October 2014 on the eTenders website. The tender relates to the archival storage of completed 2011 Census forms with a possible extension to cover the archival storage of 2016 Census forms up to the end of 2034. Under the National Archives Act, 1986, all census forms must be stored for a period of 100 years. Under the Statistics Act, 1993, Census of Population records are open to public inspection after 100 years. In order to be usable in 100 years, census records require storage to archival standards which must be maintained over the period.

The assessment of a tenderer’s financial and economic standing is a key part of any procurement process. Establishing the appropriate suitability criteria that are relevant and appropriate to a particular contract is, of course, a matter for the contracting authority concerned. This is because the contracting authority is in the best position to gauge the appropriate levels of financial capacity that are appropriate to the needs of that specific contract. Therefore, there are no centrally imposed requirements for a minimum turnover. Such requirements would logically be developed on a case by case basis with reference to the specific needs of the contract.

The Government recognises that the small and medium enterprise (SME) sector is very important to the economy and that public procurement can be a source of business for SMEs. In this regard, the Office of Government Procurement has issued public procurement guidelines to public bodies which are aimed at facilitating greater participation of SMEs in public procurement opportunities. In relation to suitability criteria, the guidelines stress that public bodies must ensure that any criteria/turnover levels set by them must be both justifiable and proportionate to the needs of the contract.

In the case of the CSO tender, the qualification criteria in terms of a tenderer’s financial and economic standing was set at an annual average turnover of €1 million over the past 3 years. €1 million is in line with guidelines issued by the Chief Procurement Officer in April 2014 given the expected contract value and given that the tender is for the secure storage of confidential census forms (a valuable source for genealogical researchers) for a period of up to 20 years.

Because this is a live tender it would not be in line with EU procurement law to comment further on the tender qualification criteria at this stage.

Departmental Contracts

140. **Deputy Billy Kelleher** asked the Taoiseach if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45353/14]

The Taoiseach: No contract has been awarded to Northgate Public Services by my Department, or any agency of my Department, since 9th March 2011.

Question No. 141 withdrawn.

Job Initiatives

142. **Deputy Anthony Lawlor** asked the Tánaiste and Minister for Social Protection her views on a cessation of job activation schemes such as JobBridge, if so, when she expects these schemes to wind up; and if she will make a statement on the matter. [44788/14]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): In response to the major increases in unemployment in the fallout of the crisis, an unprecedented programme of policy reform in the social welfare system and of organisational change was undertaken by the Department of Social Protection. Through consecutive iterations of the Pathways to Work Strategy and the Youth Guarantee, labour market activation policies have been radically overhauled and the Department of Social Protection has been transformed from the passive benefits provider of old to a public employment service that is actively assisting people back to work, training or education.

Given the number of unemployed people, it is not surprising that the numbers making use of the suite of job activation schemes have increased dramatically since this Government entered office in 2011. To meet the needs of the unemployed, the scale and funding of these schemes has been increased substantially.

However, in the interest of ensuring cost effectiveness and value for money for the taxpayer, all job activation schemes, including JobBridge, are kept under annual review in the context of the budgetary cycle.

In the longer term, as unemployment levels are reduced, the continuation of the current suite of job activation schemes will be evaluated and any changes that are appropriate to the changing circumstances will be considered.

Carer's Allowance Applications

143. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the position regarding a carer's allowance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [44793/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance from the person in question on the

15th September 2014. The application is with a deciding officer for a decision. Once processed, the person concerned will be notified directly of the outcome.

Rent Supplement Scheme Administration

144. **Deputy Michael Lowry** asked the Tánaiste and Minister for Social Protection if she will review the rent supplement levels in place given the rise in market rents across the country, and the reality that persons cannot secure accommodation within the current limits, thereby driving many families and individuals into homelessness. [44795/14]

174. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Social Protection if she will consider extending the services of the tenancy protection unit to the areas surrounding Dublin which are suffering a severe housing and homelessness crisis but who have far less resources to deal with the problem; and if she will make a statement on the matter. [45138/14]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):
I propose to take Questions Nos. 144 and 174 together.

The purpose of the rent supplement scheme is to provide short-term income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 72,500 rent supplement recipients for which the Government has provided over €344 million for 2014.

The Department is undertaking a review of the maximum rent limits. I am fully aware of the difficulties people are experiencing in maintaining affordable rented accommodation, including those in receipt of rent supplement, in the current market particularly in areas of high demand. However, I am concerned that the impact of increasing limits at a time of constrained supply will yield only a very marginal increase in available supply for rent supplement recipients, with the only certainty that raising limits will increase costs disproportionately for the Exchequer with little or no new housing available to new recipients. Raising rent limits may not be the solution to the problem as it is likely to add to further rental inflation and impact, not alone on rent supplement recipients, but also on many lower income workers, their families and students. I plan to keep this matter under close review.

I want to assure the Deputy that officers administering rent supplement throughout the country have considerable experience in dealing with customers and will continue to make every effort to ensure that their accommodation needs are met. Discretionary powers are available to staff to award a supplement for rental purposes or to increase a payment in exceptional cases where it appears that the circumstances of the case so warrant. A notice reminding staff of their statutory discretionary power to award a supplement for rental purposes in exceptional cases, for example, when dealing with applicants who are at risk of losing their tenancy was circulated earlier this year.

In light of a particular concentration of the homelessness problem in the Dublin area, the Department has agreed a tenancy sustainment protocol with the Dublin local authorities and voluntary organisations so that families on rent supplement who are at risk of losing their accommodation can have more timely and appropriate interventions made on their behalf. Since the launch of this initiative in mid-June 2014, over 220 families have had their rent supplement payments increased by the Department.

Staff outside Dublin, including those in the Kildare and Tipperary regions, continue to use

their discretionary powers and are actively engaging with the various organisations involved in homelessness, including the local authorities and non-Government organisations. For example, in Kildare there are approximately 25 rent supplement recipients, where there was a risk of homelessness, being paid discretionary payments for rent and a total of 85 cases in county Tipperary. The further use of the tenancy sustainment protocol will continue to be kept under review as the needs of customers and as the current rental market continues to evolve.

Increasing housing supply and the reactivation of the construction activity is a critical issue for Government and key to restoring stability to the rental market. In this context, it should be noted that the Government has recently launched its Construction Strategy 2020.

As part of Budget 2015, Government also announced significant capital investment of over €2.2 billion for social housing for the next three years. In 2015, over €800 million will be invested in a range of housing programmes representing the first major investment in housing since 2009. An additional €10.5 million will be provided for accommodation and related services for homeless persons, increasing the annual expenditure for tackling homelessness to €55.5 million next year.

My colleague, Alan Kelly T.D., Minister for the Environment, Community and Local Government, is also due to publish a Social Housing Strategy shortly. This will propose a range of approaches and reforms that are innovative and challenging and will provide a basis for an improved and sustainable approach to the provision of social housing supports in Ireland.

Questions Nos. 145 and 146 withdrawn.

Housing Assistance Payments Eligibility

147. **Deputy Sandra McLellan** asked the Tánaiste and Minister for Social Protection the options available to persons for financial support towards housing while they are waiting for a housing needs assessment in view of the fact that they are now not entitled to rent allowance since the introduction of the new housing assistance payment system; and if she will make a statement on the matter. [44816/14]

156. **Deputy Sandra McLellan** asked the Tánaiste and Minister for Social Protection her plans to address the gaps in the new housing assistance payment system where a person is not entitled to receive a payment until a housing need assessment has been completed (details supplied); the options available to them; and if she will make a statement on the matter. [44909/14]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): I propose to take Questions Nos. 147 and 156 together.

The purpose of the rent supplement scheme is to provide short-term income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources. The overall aim is to provide short term assistance, and not to act as an alternative to the other social housing schemes operated by the Exchequer. There are currently approximately 72,500 rent supplement recipients for which the Government has provided over €344 million for 2014.

It is a condition of rent supplement that a person must have been residing in private rented accommodation, or accommodation for homeless persons or an institution (or any combination of these) for a period of 183 days within the preceding 12 months of the date of claim for rent supplement. A person may also qualify for rent supplement where an assessment of housing need has been carried out and the person is deemed by a housing authority to be eligible for and

in need of social housing support.

In all other cases, a person who wishes to apply for rent supplement is referred, in the first instance, for an assessment of eligibility for social housing support by the housing authority. Only when the person has been assessed as being eligible for and in need of social housing support does the person become eligible for consideration for rent supplement. There is no entitlement to rent supplement pending the completion of this assessment.

The conditions for rent supplement have changed following the introduction of the Housing Assistance Payment (HAP) which has been introduced in Cork County, Limerick City & County and Waterford City & County from 15th September and was further extended to South Dublin, Kilkenny, Monaghan and Louth from 1st October 2014. In these areas, new applicants assessed as requiring social housing support will be considered for HAP rather than rent supplement. The applicant's eligibility for social housing support, including HAP, will be assessed by the relevant local authority. Policy in relation to HAP is a matter for my colleague, the Minister for the Department of Environment, Community and Local Government.

Domiciliary Care Allowance Appeals

148. **Deputy Robert Troy** asked the Tánaiste and Minister for Social Protection if she will expedite an application for domiciliary care allowance in respect of a person (details supplied). [44829/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence has allowed the appeal of the person concerned. The person concerned has been notified of the decision.

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

Carer's Allowance Appeals

149. **Deputy Noel Coonan** asked the Tánaiste and Minister for Social Protection when a carer's allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [44831/14]

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 21st October 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 case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

State Pension (Contributory) Eligibility

150. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Social Protection if her Department has encountered any unforeseen difficulties arising from the phasing out of the State pension transition payment; if in particular her Department has had difficulties reported to it of persons being forced to retire at 65 and move to a jobseeker's payment; if a particular cohort of persons have been adversely affected by the change; and if she is considering either re-introducing the payment or devising a compensatory payment for same; and if she will make a statement on the matter. [44858/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The existence of the State pension (transition) is historical and relates to the qualifying age for State pension (contributory) which, up until the early 1970s, was 70 years of age. State pension transition (known then as the Retirement Pension) was introduced at that time to bridge the gap for employees who had to retire at 65. The qualifying age for State pension (contributory) was subsequently reduced over time to 66 years, which left State pension (transition) effective for just one year. The Social Welfare and Pensions Act 2011 provided that State pension age will be increased gradually to 68 years. This began in January 2014 with the abolition of the State pension (transition) available at 65, thereby standardising State pension age for all at 66 years. State pension age will increase further to 67 in 2021 and 68 in 2028. The purpose of these changes is to make the pension system sustainable in the context of increasing life expectancy.

With increases in life expectancy, more people are living to pension age and living longer in retirement. The period for which an average pension will be paid will be greater than the period for which a pension is paid at present. The number of pensions is increasing by approximately 17,000 annually as a result of demographic change. This has obvious and significant implications in relation to the future costs of State pension provision. In 2013, despite reforms introduced in 2012, the Department had to make provision for an additional €190 million, and further increases are required year-on-year to just keep pace with this demographic change. Maintaining the rate of the State pension and other core payments is critical in relation to protecting older people from poverty.

Following on from its analysis of its award figures for State pension (transition) in 2011 and 2012 in order to establish the impact of the abolition of State pension (transition), the Department noted that only approximately 12.5 % came from employment, with over 50% coming from another social welfare payment, and the remainder coming from a combination of people already retired, paying credits or self-employed. This would indicate that a significant number of people have already left employment well in advance of pension age. It also reflects the fact that there is no statutory retirement age in Ireland. Responsibility for setting retirement age is a matter for the employer/employee relationship and the contract of employment. As a result, people can retire before or after State pension age.

While it is hoped that, where appropriate, workers will choose and be able to work to pension age and beyond if that is their choice, it is recognised that for some this is not viable and there are measures to support them in such circumstances. All short term social welfare schemes are payable to age 66. The main social welfare payment available to those who leave employment before pension age is jobseeker's benefit. Persons aged between 65 and 66 years who qualify for a jobseeker's benefit are generally entitled to receive payment up to the date on which they reach pensionable age (66 years). In the case of a jobseeker's benefit recipient aged under 65 whose claim spans from one benefit year into another, a new relevant tax year requirement is not applied in the case of the jobseeker's entitlement relating to the second benefit year. A further provision states that 3 waiting days do not have to be served for jobseeker's assistance in the case of certain people aged between 65 and 66 years who have been in receipt

of jobseeker's benefit within the past year. I was happy to be able to introduce new arrangements in Budget 2014 for older jobseekers, i.e., those aged 62 and over who have left work before reaching the State pension age of 66 and who wish to claim a jobseeker's payment. With effect from 1 January 2014, fully unemployed jobseekers aged 62 or over have been placed on yearly signing and are given the option of transferring to EFT payments. Furthermore, they are not subject to mandatory activation measures or activation-related sanctions but may avail of employment support.

Social welfare supports will continue to be available to those who need it most and where a person fails to meet the qualifying conditions of an insurance based scheme, a means tested assistance payment may be available provided they satisfy the qualifying conditions.

Beyond the above measures, there are no plans to introduce a new payment, the effect of which would be to negate the decision to abolish State pension (transition) as the demographic reasons for the change remain. Doing so would contribute to the increase in the duration of the average pension, making the system unsustainable in the longer term.

Social Welfare Benefits

151. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if a travel allowance is payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [44862/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned is currently employed on a Community Employment (CE) scheme. According to the records of this Department the person concerned has not made a recent application for a travel allowance. It is open to the person concerned to make such an application by contacting her local Community Welfare Service.

Rent Supplement Scheme Eligibility

152. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 55 of 23 October 2014 if partial rent support may be considered in view of the fact that their spouse works part time and their rent is affected by the upward market trend; and if she will make a statement on the matter. [44863/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): On receipt of up to date payslips that have been requested by the Department, the client's means from employment can be assessed to establish eligibility.

Departmental Investigations

153. **Deputy Arthur Spring** asked the Tánaiste and Minister for Social Protection if her Department has made a finding regarding a case (details supplied); and if she will make a statement on the matter. [44873/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): My Department is committed to tackling all forms of shadow economy activity and, in this regard, Departmental inspectors carry out visits to a wide range of businesses, including building sites, as part of their on-going compliance operations. In many instances, such visits are undertaken jointly with

other State agencies such as the Revenue Commissioners and the National Employment Rights Authority (NERA).

Such visits are 'open ended' fact-finding visits wherein evidence of compliance or non-compliance may be detected. Where evidence of non-compliance or misclassification of employment status is detected, appropriate action against those found to be non-compliant is taken.

A person's or company's compliance or employment status is confidential to that individual or entity. In that regard, the Department cannot give specific details of either on-going areas of concern or the outcome of their operations as that would contravene confidentiality and data protection.

Should any worker require a formal decision on the insurability of their employment, the Department will immediately facilitate this and also provide a single point of contact for them so that an early determination can be provided.

Questions Nos. 154 and 155 withdrawn.

Question No. 156 answered with Question No. 147.

Social Welfare Payments Administration

157. **Deputy Patrick O'Donovan** asked the Tánaiste and Minister for Social Protection if she will provide a statement of social welfare payments from January 2013 to date in 2014 in respect of a person (detail supplied) in County Limerick; and if she will make a statement on the matter. [44919/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned was recently awarded disability allowance (DA) with effect from 31st July 2013. His first payment issued on 1st October 2014 at the rate of €155.30 per week. Fuel allowance was awarded with effect from 8 October 2014, bringing the current weekly amount payable to €175.30.

Any arrears due for the period 31st July 2013 to 30th September 2014 (less any overlapping payment or outstanding overpayment) will be calculated and will issue shortly.

Question No. 158 withdrawn.

Jobseeker's Allowance Eligibility

159. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Social Protection if a person who is 64 and has already received nine months of jobseeker's benefit having been made redundant can still claim jobseeker's benefit when they turn 65 until they turn 66 and are eligible for the State contributory pension; and if she will make a statement on the matter. [44935/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): If a person exhausts their entitlement to jobseeker's benefit prior to their 65th birthday, on reaching 65 years the customer qualifies for unlimited jobseeker's benefit up to the date on which they reach pensionable age (66 years) provided they have not less than 156 paid contributions since entering employment, satisfy the relevant contribution conditions and the period of unemployment is continuous.

In order to qualify for unlimited jobseeker's benefit the scheme conditions of genuinely seeking work and being available for full-time work continue to apply to all jobseekers.

If a person exhausts their entitlement to jobseeker's benefit or makes a new claim for jobseeker's benefit during their 65th year, they may receive payment beyond 6 or 9 months, whichever is applicable, up to the date on which they reach pensionable age (66 years), provided they have not less than 156 paid contributions since entering employment and they satisfy the relevant contribution conditions.

Respite Care Grant Eligibility

160. **Deputy Mary Mitchell O'Connor** asked the Tánaiste and Minister for Social Protection the reason persons (details supplied) who are mothers of adult children aged 16 years and over, who have Down's syndrome, have been refused the annual respite grant on grounds that they are working outside the home for more than 15 hours per week; and if she will make a statement on the matter. [44946/14]

161. **Deputy Mary Mitchell O'Connor** asked the Tánaiste and Minister for Social Protection the reason a parent of a child with Down's syndrome aged over 16 and working outside the home for 16 hours per week at minimum wage, thus earning €17,888 per annum does not qualify for the annual respite grant; and if she will make a statement on the matter. [44990/14]

171. **Deputy Mary Mitchell O'Connor** asked the Tánaiste and Minister for Social Protection the reason a carer of a child aged over 16 who has Downs syndrome and who is in receipt of carer's allowance automatically qualifies for the annual respite grant despite the fact that the child is attending secondary school/adult day services for at least 30 hours a week and therefore is in the care of the school during this period, and not in the care of the parent; the reason persons (details supplied) are being refused the annual respite grant; when she will put an end to this discriminatory practice and treat all mothers whether working full time inside or outside the home equally; and if she will make a statement on the matter. [45070/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 160, 161 and 171 together.

The Respite Care Grant (RCG) forms part of a range of illness, disability and carer supports provided by my Department to people with disabilities and those who care for them. The RCG is paid automatically to people in receipt of Carer's Allowance, Carer's Benefit, Domiciliary Care Allowance or Prescribed Relative's Allowance. Carers who are not in receipt of one of the above payments but who are providing full time care and attention are also eligible and can apply for the grant to a stand alone RCG section.

This full-time care provision is moderated by permitting the carer to work or engage in education or training for a maximum of 15 hours per week. There is no income limit. The limitation applies to hours of employment/training/education, regardless of income generated by this.

This moderation of the full time care provision represents a reasonable balance between meeting the requirement for providing full-time care for the care recipient and the needs of the carer to engage in employment or education. It also serves the additional purpose of reducing the social alienation experienced by many carers. During this period of employment or education or training, adequate provision must be made for the care of the relevant person. This 15-hour limitation is contained in the respective legislative provisions of the Carers Allowance, Carers Benefit and Respite Care Grant schemes, however, it does not apply in the case of the Domiciliary Care Allowance scheme. There are no plans to change the conditionality around

the maximum hours at this time. Respite Care is not a means tested payment.

Supplementary Welfare Allowance Appeals

162. **Deputy Michael McCarthy** asked the Tánaiste and Minister for Social Protection if she will provide an update on an appeal for supplementary welfare allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [45002/14]

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 23rd October 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 case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

Free Travel Scheme Eligibility

163. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 130 of 18 November 2014, if she will provide details of the estimated cost of extending the free travel scheme to epilepsy sufferers, who do not currently qualify for free travel and whose drivers' licences have been surrendered until they have gone a year without a seizure; and if she will make a statement on the matter. [45016/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): There are currently approximately 800,000 people in receipt of free travel at an annual cost of €77 million per annum.

The free travel scheme is available to all people aged over 66 living permanently in the State. Applicants who are under age 66, including those with epilepsy and other long-term medical conditions, must be in receipt of a qualifying payment in order to qualify for the scheme. The qualifying payments for those aged under 66 are invalidity pension, blind pension, disability allowance, carer's allowance or an equivalent social security payment from a country covered by EC Regulations or one with which Ireland has a Bilateral Social Security Agreement.

Any decision to extend the scheme to persons who are not in receipt of a primary qualifying payment would have budgetary consequences and would have to be considered in the context of budget negotiations.

The following information was provided under Standing Order 40A

My Department does not hold the information requested by the Deputy [on the estimated cost of extending the free travel scheme to epilepsy sufferers, who do not currently qualify for free travel and whose drivers' licences have been surrendered until they have gone a year without a seizure].

While some people with epilepsy who are unable to work may be able to apply for a dis-

ability type payment, such as disability allowance, illness benefit or invalidity pension, the Department does not maintain records of the specific medical conditions which qualify a person for receipt of a payment in a manner which would allow for the aggregation of medical data. The situation is the same for people who may apply for a payment and are refused, either on the basis of their medical condition or on a means test. Additionally, the Department would have no data whatsoever regarding people with epilepsy who have not applied for any social protection payment.

As the Department has no data on the number of epilepsy sufferers who do not currently qualify for free travel and whose drivers' licences have been surrendered until they have gone a year without a seizure, I am not in a position to estimate the cost of extending the free travel scheme to those people.

Jobseeker's Allowance Payments

164. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 142 of 4 November 2014, if she will review a jobseeker's allowance payment with a view to reinstating the original amount in the case of a person (details supplied) whose new claim arose from the Department withdrawing their previous payment; and if she will make a statement on the matter. [45020/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): As stated in the previous answer to the Deputy, the person concerned had previously been in receipt of jobseeker's allowance from 20th May 2011 until 15th July 2014. This claim was closed as the Department became aware that she was no longer at her stated address and her whereabouts at the time were unknown. Consequently, when the person concerned made a new claim for supplementary welfare allowance on 16th October 2014, it fell to be treated as a new claim and was awarded at the correct payment rate appropriate to her age in line with current social welfare legislation. There is no provision in current legislation for the person concerned to be paid supplementary welfare allowance at the rate at which she was previously receiving jobseeker's allowance.

Insolvency Payments Scheme Payments

165. **Deputy Willie Penrose** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 358 of 15 July 2014, the progress that has been made in amending the Protection of Employees (Employees Insolvency) Acts 1984 to 2006 to encompass the definition of deemed insolvency in line with paragraph 4 of EU Directive 2008/94/EC, which would ensure employees have access to the insolvency payment scheme fund administered by her Department and which recognises the unfair position that currently prevails for such employees; and if she will make a statement on the matter. [45035/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): My Department is continuing to review the position to establish what, if anything, can be done to progress payments to individuals in situations where employers cease trading without engaging in a formal winding-up process, and who owe moneys to their employees.

My officials are consulting with a range of interested parties including the Office of the Director of Corporate Enforcement, the Department of Jobs, Enterprise and Innovation and the Revenue Commissioners to establish what, if anything can be done to progress payments to individuals in these situations. To date my officials have had one formal meeting with the various parties mentioned above in connection with this issue and continue to engage with all relevant

parties to try to progress the matter.

I am not in a position to indicate when this review will be completed.

Questions Nos. 166 and 167 withdrawn.

Maternity Benefit

168. **Deputy Dara Calleary** asked the Tánaiste and Minister for Social Protection to outline the supports available to parents of children born via surrogacy; and her plans to review these supports in view of the recent Supreme Court decision. [45054/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The legislative provisions relating to maternity benefit and child benefit are contained in the Social Welfare Consolidation Act, 2005 and Statutory Instrument No. 142/2007 (as amended).

Entitlement to maternity benefit is subject to the following provisions:

- It being certified by a registered medical practitioner that it is expected that the woman will be confined in a week specified in the certificate;

- In the case of an employed person, it is certified by the woman's employer that she is entitled to maternity leave under the provisions contained in the Maternity Protection Acts 1994 and 2004; and

- That she meets certain PRSI and employment conditions.

This means that entitlement to maternity benefit derives from entitlement to maternity leave under the Maternity Protection Acts. As surrogacy is not recognised under these acts, claims to maternity benefit involving surrogacy births can only be considered if there is a legislative change under maternity leave legislation. Issues relating to maternity leave are a matter for my colleague, Francis Fitzgerald T.D., Minister for Justice and Equality.

In respect of child benefit, payments are made to a single adult with whom a child normally resides. In situations other than where the qualified child is normally residing with his/her parents or step-parents, child benefit can be paid to the woman who has care and charge of the qualified child in the household in which the child normally resides. If there is no such woman in that household, child benefit can be paid to the head of that household.

This means that in the case of surrogacy that child benefit could be paid to an adult who normally resides with the child if the conditions above are satisfied.

Jobseeker's Allowance Payments

169. **Deputy Pat Deering** asked the Tánaiste and Minister for Social Protection if her attention has been drawn to the anomaly for casual workers who complete the UP16 form which allows 60% of their earnings to be deducted from jobseeker's allowance payments in the week worked, even though salary may not be paid until the following month, in some cases reducing the jobseeker's allowance payment to nil. [45063/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Jobseeker's Allowance is payable where all the conditions for the scheme are satisfied. If a person finds employment their earnings are taken into account in determining their means. A disregard of €20 a

day (up to a maximum of €60) applies up to a maximum of 3 days and the balance is assessed at 60%.

In determining the assessable income from insurable employment the following deductions are allowed: superannuation, additional voluntary contributions, PRSI, the pension levy and trade union subscriptions.

Jobseeker's allowance is not payable where the average means are equal to or in excess of the relevant family rate of jobseeker's allowance.

A person who has insufficient funds to meet their needs can apply for a payment under the Supplementary Welfare Allowance Scheme by contacting the Department's nearest Intreo centre/Local/Branch Office.

Community Employment Schemes Eligibility

170. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection if there was a change made to the rules governing the duration a person can be on a community employment scheme and whether a person's placement on a Tús scheme results in that person only being allowed to do a CE scheme for a shorter period than would otherwise be the case. [45068/14]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): With effect from 3rd April 2000, lifetime cumulative participation on CE by an individual is limited to:

- 3 years (156 weeks) for persons under 55 years of age;
- 6 years (312 weeks) for persons of 55 years of age up to State Pension age; and

- Eligible persons in receipt of a qualifying disability-linked Social Welfare payment will be eligible for one additional year on CE over the standard maximum participation caps, i.e. 4 years cumulative maximum time on CE for those under 55 years of age (Part-Time Job Option only), and 7 years cumulative maximum time for those between 55 and State Pension age (Part-Time Job Option only).

Participation on CE prior to 3rd April 2000 is not counted. Offshore island residents are exempt from this participation cap, subject to the availability of places on island-based CE schemes.

Tús participants, aged 25 or over, who arrange a direct transfer onto CE at the end of their 52-week Tús placement via their local DSP Intreo Office, are limited to one year's CE participation before having to leave the scheme and re-qualify in the standard manner (i.e. 12 months in receipt of a qualifying social welfare payment to gain a further year on CE). All CE participants are subject to the above duration limits, so a jobseeker under 55 can avail of a maximum of 3 years on CE (but not in one block of time).

Where a former Tús participant has signed back on the Live Register, and wishes to apply for CE, their time spent on the Live Register prior to the Tús placement (1 year plus, by definition) is combined with the Live Register signing period after the Tús placement (1 week minimum) to allow them to become eligible for CE as a Jobseeker client. Time spent on Tús is ignored for CE eligibility purposes. This will allow them to participate for 1 year on CE before having to leave and requalify, as detailed above. If their cumulative Live Register signing time

exceeds three years and they are 35 years of age or over, they may qualify for the Part-Time Job Option of CE, which allows up to three years continuous CE participation, subject to annually renewable contracts.

Question No. 171 answered with Question No. 160.

Question No. 172 withdrawn.

Employment Support Services

173. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection if she will change the rules of the Tús scheme so that persons apply to participate; and if she will provide for accredited education and training of appropriate duration while on the scheme. [45131/14]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): Tús, the community work placement initiative introduced during 2011, provides short-term, quality work opportunities for those who are unemployed for more than a year. Some 7,865 are currently engaged on Tús as of 20th November 2014.

A key feature of Tús is that all selection is undertaken by random processes conducted at local level by the Department. The selection is focused on those on the Live Register for a year or more and in receipt of a jobseekers' payment who have more limited job or work placement opportunities. Tús is part of a suite of interventions the Department funds that are designed to meet the priorities established by the Government in Pathways to Work. I do not consider that there is a need to change the selection process for Tús. A range of other schemes operate on a self-selecting basis whereby a person who is unemployed can apply to participate.

The objective of Tús is to maintain the work readiness of jobseekers and it is not proposed to provide accredited education and training given that such opportunities are provided under Community Employment. The Department provides a range of income support to support jobseekers and others who wish to engage in training and education. In the main, such supports are provided under the Back to Education programme.

Advice on the opportunities across a range of work placement, internships, self-employment, training and educational supports and options can be accessed via the Department's offices and Intreo service and further information is available on the Department's website – www.welfare.ie.

Question No. 174 answered with Question No. 144.

Disability Allowance Appeals

175. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection to outline the position regarding a disability allowance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [45146/14]

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 19th November 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 case in question will

be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

Carer's Allowance Applications

176. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection to set out the progress to date in determination of an application for carer's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [45168/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the person in question is currently in receipt of carer's allowance (CA) in respect of one care recipient. I can further confirm that the department received an application on 8th July 2014 from the person in question for an increase in CA in respect of an additional care recipient.

The application is currently with a social welfare investigative officer for assessment of the level of care being provided and confirmation that all the conditions for receipt of carer's allowance are satisfied. Once the investigative officer has completed and submitted the report a deciding officer will make a decision on her entitlement. The application will be processed as quickly as possible and when a decision is made the person concerned will be notified directly of the outcome.

Exceptional Needs Payment Applications

177. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection to explain the reason a person (details supplied) in Dublin 8 was refused an exceptional needs payment to assist in paying a deposit and the first month's rent for a new dwelling; and whether the person will now be granted the payment. [45222/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): On 10th November 2014 the person concerned inquired about applying for an exceptional needs payment to cover the cost of the first month's rent for his new accommodation. The landlord for this accommodation does not accept rent supplement; the person concerned was therefore advised that an exceptional needs payment cannot be paid in lieu of rent supplement in circumstances where rent supplement is not accepted by a landlord.

The only financial assistance that the Department can provide is in respect of costs associated with a move, and any needs a person might have regarding the furnishing of new accommodation. The person concerned was provided with the necessary application form in the event that he wishes to apply for financial assistance in this regard.

There are no further options open to the person concerned in relation to assistance from this Department with his rent unless the landlord of his proposed new accommodation is willing to accept rent supplement.

Pensions Legislation

178. **Deputy Stephen S. Donnelly** asked the Tánaiste and Minister for Social Protection further to Parliamentary Question No. 58 of 17 September 2014, which confirmed that an important provision of the Pensions Bill was the establishment of a Pensions Board, now the Pensions Authority, which would, where necessary, take legal proceedings against the defaulting trustees or any other culpable person who failed to fulfil the duties imposed upon them by law, including trust law and the Pensions Act; whether she will further confirm that, as stated in the Pensions Authority publication (details supplied), the duties of pension scheme trustees under trust law include administering the trust in accordance with trust law, all other law and the terms of the trust deed and rules; and if she will make a statement on the matter. [45224/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Pensions Authority has published a range of information booklets on various aspects of pension provision. The booklet you refer to provides guidance on the duties and responsibilities of the trustees of a pension scheme. In the introduction, it states that the trustees “have duties and responsibilities under trust law, under other relevant legislation and under the Pensions Act, 1990, as amended. In section 3 of the booklet, it is stated that the duties of pension scheme trustees under trust law include administering the trust in accordance with trust law, all other law and the terms of the trust deed and rules.

The application of the relevant law will depend on the context and activity of relevant scheme trustees.

Jobseeker’s Allowance Applications

179. **Deputy Clare Daly** asked the Tánaiste and Minister for Social Protection if her attention has been drawn to the case of a person (details supplied) in County Sligo who was informed on 29 September 2014 that she qualified for jobseeker’s transition allowance and that her first payment would be paid on 2 October 2014 at Sligo post office; if her attention has been further drawn to the fact that to date no payment has been provided at Sligo post office; the reason payments are not being made to this person; when payments will commence; and if she will make a statement on the matter. [45245/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person in question applied for Jobseeker’s allowance transition (JST) and was provisionally advised she would qualify. When the application was more closely examined the officer dealing with the claim realised the person in question did not have an entitlement and telephoned the person in question advising her that a payment would not be made.

The person in question was advised of this decision in writing and has also been advised of her right to appeal this decision.

Questions Nos. 180 to 183, inclusive, withdrawn.

Carer’s Allowance Appeals

184. **Deputy Michelle Mulherin** asked the Tánaiste and Minister for Social Protection the position regarding an appeal for carer’s allowance in respect of a person (details supplied) in County Mayo; if it will be expedited due to the hardship the delay is causing the family; and if she will make a statement on the matter. [45323/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to disallow the appeal of the person concerned by way of an Oral Hearing. The person concerned was notified of the Appeals Officer's decision in writing on 17 November 2014.

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

Questions Nos. 185 and 186 withdrawn.

Departmental Contracts

187. **Deputy Billy Kelleher** asked the Tánaiste and Minister for Social Protection if her Department, or any agency of her Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45352/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Neither the Department nor any agency of the Department has awarded any contracts to the company concerned since 9 March 2011.

Water Conservation Grant

188. **Deputy Barry Cowen** asked the Tánaiste and Minister for Social Protection the estimated administrative costs of implementing the new water conservation payment; and if she will make a statement on the matter. [45392/14]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Department of Social Protection will administer, on behalf of the Department of the Environment, Community and Local Government, a €100 water conservation grant for households that complete a valid response to Irish Water's customer registration process. The grant will be paid to the registered householders annually, in respect of their primary dwellings, with the first payment to be paid in September 2015 and each subsequent year up to and including 2018.

The water conservation grant replaces the tax rebate and social protection measures previously announced.

The Department of Social Protection is in consultation with the Department of the Environment, Community and Local Government and the Department of Public Expenditure and Reform in regard to the staffing and funding required to administer the scheme.

Property Tax Collection

189. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding the property tax in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [45084/14]

Minister for Finance (Deputy Michael Noonan): I note that in the details supplied by the Deputy the individual concerned has asked why there are no concessions for the elderly when

paying the Local Property Tax (LPT).

The Government decided that a liability to the LPT should apply to all owners of residential properties with a limited number of exemptions. As a matter of Government policy, and in order to keep the rate of the tax low, the Government agreed that reliefs should be targeted at owner occupiers where there is inability to pay the tax. Limiting the exemptions available allows the rate to be kept low for those liable persons who do not qualify for an exemption. While there are no specific concessions for the elderly such as an exemption from, or a reduction in, the charge to LPT, the Finance (Local Property Tax) Act 2012 (as amended) contains certain provisions that may be relevant, depending on the particular circumstances involved.

Section 5 of the LPT legislation provides for an exemption where a property that was previously occupied by a person as their sole or main residence has been vacated by the person for 12 months or more due to long term mental or physical infirmity. An exemption may also apply where the period is less than 12 months, if a doctor is satisfied that the person is unlikely at any stage to return to the property. In both cases, the exemption only applies where the property is not occupied by any other person.

For individuals on low incomes the LPT legislation provides for the possibility of deferring the LPT charge in certain cases. A full deferral of the charge can be claimed where an individual's gross annual income does not exceed €15,000 or €25,000 in the case of a couple. To qualify for a partial deferral of the tax (50%), the property owner's gross annual income must not exceed €25,000 or €35,000 in the case of a couple. A property owner whose only income source is a Department of Social Protection (DSP) payment and who is occupying their property as their sole or main residence would qualify for deferral. In all cases, interest will be charged on LPT amounts deferred at a rate of 4% per annum. I am assured that the application process for deferral and partial deferral is a simple matter and can be done through the online system at www.revenue.ie or by contacting the LPT Helpline at 1890 200 255.

I am advised by the Revenue Commissioners that where deferral or partial deferral is not applicable, there is a wide range of payment options available to assist property owners in paying their LPT charge in a manner and at a time that best suits their individual circumstances. This includes paying in full in a single payment or making phased payments over the course of 2015. Phased payments include deduction at source from DSP payments, monthly direct debits from a current account and regular weekly or monthly payments to a payment service provider (An Post, Payzone, PayPoint and Omnivend).

I am also advised by the Revenue Commissioners that full details of the various payment options, including deferral of the tax, are available on the Revenue website at www.revenue.ie.

Tax Code

190. **Deputy Timmy Dooley** asked the Minister for Finance his views on changing the tax saver rebate scheme to be a pay and claim process in order to broaden the number of users of the scheme; if he will provide details on the number of users of the scheme in each transport system in which it currently operates in tabular form; and if he will make a statement on the matter. [45319/14]

Minister for Finance (Deputy Michael Noonan): I understand the Deputy to be referring to the Travel Pass/Taxsaver commuter ticket scheme. The scheme operates on the basis that an employer pays for the ticket on behalf of an employee, typically at the start of the year, and the payment is then deducted from the employee's emoluments over the course of the year.

The incentive operates on the basis that, although such a payment out of an employee's income should be made out of after-tax income, section 118B of the Taxes Consolidation Act 1997 provides that the remuneration foregone shall be exempt from tax. This has the effect of reducing the cost of the ticket to the employee by the amount of tax that would have been paid on the equivalent amount of income at the employee's marginal rate (the highest rate of tax at which the employee is paying tax). In this way the employee, over the course of a year, only suffers the net cost of the Travel Pass, deducted on a weekly, fortnightly or monthly basis, with the total initial cost met by his or her employer.

Where an employer provides a ticket without charge to an employee, section 118(5A) of the Taxes Consolidation Act 1997 provides that there is no benefit-in-kind charge on the employee in relation to cost of the Pass.

I take it that the Deputy's proposal relates to employees whose employers may not be in a position to, or willing to, operate the existing scheme. Under this proposal, therefore, the employee would meet the cost of the ticket at the outset and submit a claim to Revenue in respect of it by which he or she would be refunded the tax by way of repayment or adjustment to his or her tax credits. Prices can range from over €1,300 for annual travel on Dublin Bus only, (tax refund at 41% - €533), to over €6,000 to include Irish Rail, Dublin Bus and Bus Éireann, (tax refund at 41% - €2,460). Apart from the additional cost to the Exchequer, this would lead to an additional overhead in verifying claims. Provision of passes by employers who are subject to a general PAYE audit system is administratively more efficient.

On that basis I would have no plans to modify the scheme as it presently exists; I am satisfied that it works well for the vast majority of employees who wish to avail of it.

The bus, train or ferry pass must be issued by an approved transport provider as defined in section 118 (5A) of the Taxes Consolidation Act 1997, however neither my Department nor Revenue maintains specific statistics in relation to the numbers of employees availing of the scheme.

National Pensions Reserve Fund Investments

191. **Deputy Barry Cowen** asked the Minister for Finance the interest payments due per annum on the National Pensions Reserve Fund loan to finance water meters per annum in 2014 and each year from 2015 to 2019; when the loan will be fully repaid and the total costs of the loan. [45397/14]

Minister for Finance (Deputy Michael Noonan): In July 2013, in order to meet expected costs arising, Irish Water entered into a €250m bridging loan facility with the National Pensions Reserve Fund Commission (NPRF), which is repayable in September 2015. This facility was part drawn at the end of 2013 and was fully drawn down during 2014. Earlier this month, the NPRF agreed to increase the amount available under this facility to €300m, which has also been drawn down. As the loan facility was entered into prior to the introduction of full water legislation and the water regulatory regime, the facility was guaranteed by the Minister for Finance in accordance with Section 13 of the Water Services Act 2013. Under the terms of the facility, interest and commitment fees on the loan are rolled-up and added to the amount repayable by Irish Water at the end of the loan's term. These rolled up amounts are expected by Irish Water to be approximately €14 million by September 2015. A fee is also payable by Irish Water to the Minister for Finance under the terms of the guarantee provided by the Minister. To date Irish Water has paid €4.8 million with a further c.€5.6 million expected to be paid over the remainder of the loan's term.

The Minister for Finance does not have an estimate of the precise elements of this loan which could be set against the capital cost of the installation of the water meters.

Tax Code

192. **Deputy Robert Dowds** asked the Minister for Finance his plans to introduce a vacant sites tax on land that is zoned but has yet to be built on; if so, the rate he will apply to such land; and if he will make a statement on the matter. [44797/14]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that I announced on Budget Day that it was my intention to launch a public consultation in the coming months on this issue. There is a view that owners of zoned and serviced land are waiting for higher prices and that is why they are not taking steps to develop their land or sell it to others who will. If this turns out to be a valid point of view, I will examine what taxation measures might be taken to penalise land owners who do not develop land that is already zoned and serviced. Any decisions regarding taxation or other appropriate measures will follow the consultation process.

Banking Sector Regulation

193. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank of Ireland has concerns that Irish investors' moneys could be at risk, or know of any other criminal activities by a certain bank and their agent, as a result of unlicensed and unauthorised banking activities in an investigation (details supplied). [44826/14]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that all alleged instances of unauthorised activity that come to the attention of the Central Bank are investigated in full and appropriate action is taken where necessary.

The Central Bank does not comment on any individual investigations.

Mortgage Interest Rates

194. **Deputy Arthur Spring** asked the Minister for Finance if his attention has been drawn to the net income margin being generated from variable rate mortgages within all banks in which the State is a stakeholder; and if he will make a statement on the matter. [44932/14]

Minister for Finance (Deputy Michael Noonan): I can confirm for the Deputy that I am aware of the net interest margin being generated from variable rate mortgages at the banks including the discussions that were had in this regard at the recent meetings of the Joint Committee on Finance, Public Expenditure and Reform with the banks' CEOs.

At the Committee the banks pointed out that in comparing the SVR mortgage margin of Irish banks to other jurisdictions, it is important to understand that the difference reflects many factors and in particular loss experience which determines the capital that must be held against these loans. In recent years this has obviously been very different for Irish banks compared to their counterparts in other European countries. Funding models also differ between Ireland and other countries. Finally, they pointed out the shortcomings of comparing mortgage rates against short term ECB funding rates given the significant liquidity risk which is a feature of mortgages that typically have a term of 20+ years.

The Deputy will be aware however that I, in my role as Minister for Finance, have no direct function in the relationship between the banks and their customers. I have no statutory function in relation to the banking decisions made by individual lending institutions at any particular time and these are taken by the board and management of the relevant institution. This includes decisions in relation to product interest rates as determined by the banks from time to time.

Notwithstanding the State's shareholdings in the banks, I must ensure that the banks are run on a commercial, cost effective and independent basis to ensure their value as an asset to the State. 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>.

Tax Exemptions

195. **Deputy Regina Doherty** asked the Minister for Finance if he will advise on the last known date of a review on the charitable status of the Dublin Cemeteries Committee by the Revenue Commissioners; and if he will make a statement on the matter. [45005/14]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that for reasons of taxpayer confidentiality it cannot comment on the tax affairs of individual bodies.

However, Revenue has informed me that in order to avail of a charitable tax exemption, a body or trust must be established for charitable purposes only and must apply all of its income in that regard.

Revenue has also confirmed to me that it has procedures in place to ensure that charitable exemption is only granted to bodies/trusts that meet the necessary criteria. Furthermore, bodies/trusts that are granted such exemptions are subject to periodic reviews to ensure that they continue to comply with the required criteria.

Tax Rebates

196. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the process of applying for a refund of excise duty on fuel; if this payment still exists for disabled drivers; and if there has been any change to this rebate scheme in budget 2015. [45039/14]

Minister for Finance (Deputy Michael Noonan): In April 2013 the Court of Justice of the European Union ruled that the excise relief element of the Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme is incompatible with the EU Energy Tax Directive. My Department has informed the European Commission of my intention to remove the excise relief element of the Scheme at the end of 2014 and replace it with a fuel grant in 2015. The European Commission has raised no objections.

To give effect to this I signed a statutory instrument in March of this year (S.I. 139 of 2014) with the effect that Regulation 16 of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations (S.I. 353 of 1994) would be revoked as of 1 January 2015. As such, members of the Scheme may claim excise relief on any fuel used up to 31 December 2014.

From 1 January 2015, current and prospective members of the Scheme will be eligible for a fuel grant in respect of fuel used during the year. At this time, I intend to maintain the current practice of paying the sum a year in arrears, so that the first payment of the fuel grant would

take place on 1 January 2016.

I have instructed my officials to design the new grant in such a way to provide as seamless a transition as possible between the excise relief on fuel element and the new fuel grant so that members of the Scheme will not be at a loss in the transition.

Officials from my Department are continuing to engage with other Departments and the Revenue Commissioners in order to put in place the legislative, administrative and financing changes necessary for the operation of the fuel grant. I intend to notify members of the Scheme of the details of the new fuel grant as soon as all the details are finalised.

Revenue Commissioners Expenditure

197. **Deputy Eoghan Murphy** asked the Minister for Finance if the reduction in public service hours by the Revenue Commissioners is a temporary measure or more permanent (details supplied). [45041/14]

Minister for Finance (Deputy Michael Noonan): From the week commencing Monday 17th November 2014, Revenue's 1890 Stamp Duty phone service has been reduced to a Tuesday to Thursday, 10am to 1pm, service. The revised service hours form part of an overall review of customer service to Stamp Duty customers and follows on from Revenue's engagement with the primary users of the phone service, namely, the legal profession. The changes to the service were signalled to the Law Society of Ireland following a number of meetings with the Society on customer service matters in general. In addition, and as normal practice, a bulletin setting out the changes issued to both the Society and legal practices.

I am assured by the Revenue Commissioners that the provision of a quality customer service to Stamp Duty customers is a key corporate priority for Revenue. Revenue is committed to ensuring that their service to customers is suitably tailored to meet demand levels and that a range of speedy and efficient information and contact channels for customers is available. Revenue is also committed to ensuring that the delivery of their customer service is as cost effective as possible for the Exchequer, having regard to the resources available and the need to balance the deployment of resources between service provision and the further key corporate priority of tackling non-compliance with tax and duty obligations. In recent years, despite budgetary and resource constraints, Revenue has improved the delivery of customer services through the availability of on-line services and, in so far as Stamp Duty is concerned, Revenue's e-Stamping system is now used by thousands of customers to conduct their business with Revenue.

As with any modern service provider, the Deputy will appreciate that good business practice requires Revenue to constantly review its customer service delivery to ensure that there is the correct balance across all contact channels to suit demand levels and changing customer preferences. Accordingly, the opening hours of Revenue's public offices and telephone services are subject to ongoing review in order to most effectively meet the peaks and troughs of customer demand levels.

I would add that as part of the review just mentioned Revenue is planning a suite of enhancements to improve service delivery, for example, improving navigation and search facilities on Revenue's website in relation to the main stamp duty queries currently being made by solicitors and others. In addition, Stamp Duty customers will have the option of sending e-mail queries to two new Stamp duty e-mail addresses based on the query type. This will facilitate a faster response time by Revenue to such queries. The review of customer service is an overall initiative to reduce the yearly number of 1890 calls (currently over 25,000 per year) and, in par-

ticular, to eliminate unnecessary calls, in order to allow for better targeting of scarce resources to facilitate an increased focus on compliance matters.

The opening hours of Revenue's 1890 Stamp Duty phone service will continue to be kept under review, having regard to demand for the service and the need to balance the deployment of resources across the range of Stamp Duty customer service and compliance functions.

Tax Credits

198. **Deputy Dominic Hannigan** asked the Minister for Finance if he will amend the regulations for the single person child carer credit such that if the tax credit is not taken up or used by the primary claimant before the end of the tax year, the tax credit may be transferred to the secondary claimant without the need for the primary claimant to provide written permission to the Revenue Commissioners for the transfer of the tax credit to the secondary claimant; and if he will make a statement on the matter. [45067/14]

Minister for Finance (Deputy Michael Noonan): As the Deputy will be aware, the Single Person Child Carer Credit is, in the first instance, only available to the primary carer of the child. Agreement as to who will be the primary carer of a child is a matter for the parents or guardians.

In circumstances where the primary carer cannot utilise the credit for example, because of insufficient taxable income - the primary carer may relinquish the credit and a secondary claimant may claim it. The requirement for a primary claimant to relinquish the credit before a claim from a secondary claimant can be considered is necessary, as in the first instance, only one credit is available in respect of a qualifying child or children.

There are many reasons why a primary carer may not wish to relinquish the credit. Only they can gauge whether their income would be of a sufficient amount over the course of a tax year to be able to utilise the credit. An individual may wish to retain the credit in the expectation that they may find employment during the year, for example. In addition, taxpayers are entitled to review their tax affairs over a four year look back period, and depending on circumstances, an individual might wish to retain the credit in order to offset any tax liability that might arise as a result of a review of their income tax liabilities in any of the years concerned.

I have considered the possible automatic transfer of the credit in cases where a primary carer refuses to relinquish it. However, there are many reasons why this would not be feasible, including logistical, data protection and constitutional concerns.

Tax Rebates

199. **Deputy John McGuinness** asked the Minister for Finance further to Parliamentary Question No. 244 of 21 October 2014, if the details provided to the local tax office in respect of a person (details supplied) in County Kilkenny are sufficient to enable the payment of the tax refund; and if he will expedite the matter. [45115/14]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the details supplied by the named individual are sufficient to enable a tax refund to be made to that person. I am further informed that a refund was recently made to the named individual.

Mortgage Interest Rates

200. **Deputy Martin Heydon** asked the Minister for Finance his views on a proposal (details supplied) to help to encourage the banks to pass on variable interest rate reductions to mortgage holders; the other options open to them in this area; and if he will make a statement on the matter. [45126/14]

Minister for Finance (Deputy Michael Noonan): On the issue more generally, the lending institutions in Ireland - including those in which the State has a shareholding - are independent commercial entities. I have no statutory role in relation to regulated financial institutions passing on the European Central Bank interest rate change or in relation to the mortgage interest rates charged. It is a commercial matter for each institution concerned. It is not appropriate for me, as Minister for Finance, to comment on or become involved in the details of the accounts of mortgage holders.

The Central Bank has responsibility for the regulation and supervision of financial institutions in terms of consumer protection and prudential requirements and for ensuring ongoing compliance with applicable statutory obligations. The Central Bank has no statutory role in the setting of interest rates by financial institutions, apart from the interest rate cap imposed on the credit union sector in accordance with the provisions of the Credit Union Act, 1997 and the requirement to be notified of penalty or surcharge interest imposed in respect of arrears.

The mortgage interest rates that financial institutions operating in Ireland charge to customers are determined as a result of a commercial decision by the institutions concerned. This interest rate is determined taking into account a broad range of factors, including European Central Bank base rates, deposit rates, market funding costs, the competitive environment and an institution's overall funding.

As I said in a reply to a Parliamentary Question (45225/14) today, a previous Deputy Governor indicated that, within its existing powers and through the use of persuasion, the Central Bank would continue to engage with specific lenders which appear to have standard variable rates set disproportionate to their cost of funds and this is a course of action I expect the Central Bank to continually appraise.

As part of the Central Bank's work on mortgage arrears, lenders were asked to consider all avenues to help customers in arrears, including interest rate reductions.

With regard to the specific taxation proposal, careful consideration would need to be given to the possibility that charging a higher corporation tax rate in respect of interest income above a certain rate could significantly distort the competitive balance against domestic lenders in favour of lenders operating cross border and not liable to tax in the State. In addition, practical difficulties around implementation of any such scheme would also have to be carefully considered.

Home Renovation Incentive Scheme Eligibility

201. **Deputy Thomas Pringle** asked the Minister for Finance if a person who is currently unemployed and may have savings can avail of the home renovation incentive scheme; and if he will make a statement on the matter. [45152/14]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, I introduced the Home Renovation Incentive in Finance (No. 2) Act 2013. The aim of the incentive is to sup-

port tax compliant building contractors by moving activity out of the shadow economy into the legitimate economy. I have also extended the scheme in the recent Budget to include owners of rental properties who are subject to income tax.

The incentive provides tax relief for homeowners/landlords by way of a tax credit at 13.5% of qualifying expenditure incurred on repair, renovation or improvement work carried out on a qualifying residence. In order to qualify for the tax credit, the works must be carried out by legitimate contractors and the homeowner/landlord must also be property tax compliant. A minimum of €4,405 excluding VAT must be spent on qualifying works. This threshold can be reached over a number of jobs. Relief is available on qualifying expenditure up to a maximum of €30,000, excluding VAT.

The scheme is administered through Revenue's online systems. Contractors are required to inform Revenue in advance of details of works to be carried out and are also required to notify Revenue in relation to any payments received in respect of the works. Homeowners/landlords are able to view the information provided to Revenue by the contractor through the Revenue electronic systems and to claim the relief through those systems.

The HRI is designed to be set against income tax and I have no plans to extend this initiative to individuals who have no tax liability. However, the tax credit is being provided over a period of two years in order to assist those with low incomes. In addition, unused credits may be carried forward to future years.

It is worth noting that the SEAI operates the Better Energy Homes Scheme where cash grants are provided for qualifying works. The SEAI also install energy efficiency measures at no cost to qualifying individuals under the Warmer Homes Scheme. Further information on these schemes is available on the SEAI website, www.seai.ie

Tax Data

202. Deputy Peadar Tóibín asked the Minister for Finance the number of persons considered for tax purposes to be sub-contractors in the State for each of the past five years; and if he will provide a breakdown of these figures into sectors. [45172/14]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the practice of sub-contracting operates in a number of sectors. Data on the overall numbers, however, is not available as a sub-contractor will not generally describe him/herself as such when registering with Revenue.

However, three specific sectors are covered by the Relevant Contracts Tax (RCT) regime, namely, construction, forestry and meat processing. I am informed by the Revenue Commissioners that the number of sub-contractors in the State in these sectors for the past five years is set out in the table below. For years 2010 and 2011 the figures represent the number of active registrations. The electronic Relevant Contracts Tax system went live in 2012 and the information provided from 2012 onwards relates to the number of active sub-contractors who received a payment that falls within the RCT regime. The reason for the large variation in the numbers before 2012 is that a significant amount of work was done to update the RCT register upon the introduction of the electronic Relevant Contracts Tax system.

A small number of sub-contractors in construction, forestry and meat processing operate in more than one of these sectors so an element of estimation has been applied to the percentages shown. The data is not available to provide a breakdown prior to 2012. In addition, for the construction sector, it is not possible to provide a breakdown of the numbers engaged in the

various building trades.

Year	No. of Sub-contractors	Construction	Forestry	Meat Processing
2010	96,240	N/A	N/A	N/A
2011	98,309	N/A	N/A	N/A
2012	44,178	97.42%	1.49%	1.09%
2013	46,431	97.54%	1.45%	1.01%
2014 to 16/11/2014	48,355	97.49%	1.49%	1.02%

Mortgage Interest Rates

203. **Deputy Clare Daly** asked the Minister for Finance if he will introduce legislation capping mortgage interest at 2% above the European Central Bank rate in order to alleviate the extreme pressures on homeowners. [45225/14]

Minister for Finance (Deputy Michael Noonan): Firstly, I must confirm to the Deputy that the lending institutions in Ireland - including those in which the State has a shareholding - are independent commercial entities. I have no statutory role in relation to mortgage interest rates charged. It is a commercial matter for each institution concerned. It is not appropriate for me, as Minister for Finance, to comment on or become involved in the details of the accounts of mortgage holders.

The Central Bank has responsibility for the regulation and supervision of financial institutions in terms of consumer protection and prudential requirements and for ensuring ongoing compliance with applicable statutory obligations. The Central Bank has no statutory role in the setting of interest rates by financial institutions, apart from the interest rate cap imposed on the credit union sector in accordance with the provisions of the Credit Union Act, 1997 and the requirement to be notified of penalty or surcharge interest imposed in respect of arrears.

The mortgage interest rates that financial institutions operating in Ireland charge to customers are determined as a result of a commercial decision by the institutions concerned. This interest rate is determined taking into account a broad range of factors, including European Central Bank base rates, deposit rates, market funding costs, the competitive environment and an institution's overall funding.

As I stated in a previous Parliamentary Question, a previous Deputy Governor indicated that, within its existing powers and through the use of persuasion, the Central Bank would continue to engage with specific lenders which appear to have standard variable rates set disproportionate to their cost of funds and this is a course of action I expect the Central Bank to continually appraise.

As part of the Central Bank's work on mortgage arrears, lenders were asked to consider all avenues to help customers in arrears, including interest rate reductions.

Property Tax Application

204. **Deputy John McGuinness** asked the Minister for Finance if the local property tax account in respect of a person (details supplied) in County Kilkenny will be adjusted to reflect the fact that he is the owner of one property; the reason the amount is being deducted from them

and the purpose of same; and if he will make a statement on the matter. [45307/14]

Minister for Finance (Deputy Michael Noonan): I am advised by Revenue that there have been ongoing discussions with the person in question in respect of arrears of Household Charge (HHC) and more recently in respect of Local Property Tax (LPT).

In regard to HHC, the Deputy will be aware that Section 156 of the Finance (Local Property Tax) Act (as amended) increased any outstanding liabilities on 1 July 2013 to €200 and transferred responsibility for collection of the arrears from the Local Government Management Agency (LGMA) to Revenue. As part of the handover process, the LGMA provided Revenue with a list of property owners who had not paid the charge up to that point.

In April 2014 Revenue wrote to the property owners included on the LGMA list requesting payment of the outstanding liabilities and warning of debt collection/enforcement action, including mandatory deduction from salaries and pensions, in circumstances of continued non-compliance.

On foot of receiving such a letter, the person in question contacted Revenue and contended that he had already paid his HHC liability to the LGMA. It was agreed that the person would supply copies of receipts to Revenue confirming payment and that the LPT team would adjust the record once the information was received. However, no such confirmation was received and Revenue was left with no alternative but to start mandatory deduction at source from the person's salary to secure the outstanding debt.

In regard to LPT, the person in question has recently claimed that one of his two properties is uninhabitable and that he should not have paid LPT on that particular property for either 2013 or 2014. During the recent discussions on the issues, the LPT team explained that Revenue has no discretion to amend a 'self-assessed' valuation of any property without supporting documentation outlining the reasons why the property is uninhabitable and confirming the date that the property fell into its current state of disrepair.

To bring matters to a conclusion the person has committed to providing the necessary documentation to Revenue as quickly as possible. To expedite this process the LPT team has provided a direct contact to the person.

Departmental Contracts

205. **Deputy Billy Kelleher** asked the Minister for Finance if his Department, or any agency of his Department, have awarded any contracts to a company (details supplied) since 9 March 2011. [45346/14]

Minister for Finance (Deputy Michael Noonan): In response to the Deputy, I am advised that neither my Department, nor any agency under my Department's remit have awarded any contracts to the company mentioned by the Deputy since 9th March 2011.

Public Sector Staff Remuneration

206. **Deputy Gabrielle McFadden** asked the Minister for Public Expenditure and Reform if a further review of the Financial Emergency Measures in the Public Interest (No.2) Act 2009 will take place in the near future in order that technical pay increases may be awarded to cooks and supervisory cooks in the Defence Forces. [45171/14]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer to my reply of 6 November 2014 to Parliamentary Question Number 42277. The position remains unchanged.

Severe Weather Events Expenditure

207. **Deputy Arthur Spring** asked the Minister for Public Expenditure and Reform the amount of money drawn down by Kerry County Council for damages to coastal areas due to storm damage in the early part of 2014; and if he will make a statement on the matter. [44830/14]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The Government Decision of 11th February 2014 allocated total funding of up to €69.5 million for clean-up, repair and restoration works in relation to public infrastructure that was damaged in the period 13th December 2013 to 6th January 2014. Of this sum of €69.5 million, up to €19.6 million was allocated for repair of existing coastal protection and flood defences based on submissions and cost estimates made by the local authorities concerned to the Department of the Environment, Community and Local Government (D/ECLG). This funding for repair of damaged coastal protection and flood defence infrastructure is being made available to the local authorities via the Office of Public Works (OPW) based on programmes of works submitted by the local authorities. The Departments of the Environment, Community and Local Government, Transport, Tourism and Sport (D/TTS) and Agriculture, Food and the Marine (D/AFM) are responsible for the approval of programmes of work and the disbursement of funding for repair of other damaged public infrastructure such as roads, piers, harbours and other community facilities and amenities.

The D/ECLG wrote to Kerry County Council on 27 February, 2014 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 to undertake the necessary repair works to damaged coastal protection and flood defence infrastructure identified by the Council in its submission to the D/ECLG. To date, the Council has submitted claims for and drawn down €861,561 of the allocation of €1,226,920 from the OPW. The Council has indicated that it expects to submit further claims for the balance of funding shortly. Information on the allocation of funding to Local Authorities for storm damage repairs is available on the OPW website www.opw.ie and information on the amount drawn down from this allocation by each Local Authority is also available and is updated on a monthly basis.

The OPW is not aware of any sums that may have been drawn down by the Council from the D/ECLG, D/TTS or D/AFM in respect of the other categories of damaged infrastructure.

Public Sector Staff Recruitment

208. **Deputy Seán Kenny** asked the Minister for Public Expenditure and Reform the number of requests his Department received in 2013 from the Information Commissioner seeking permission to employ additional staff; the date each request was received in his Department; the date in which his Department made a decision on each request; and the number of those requests that were approved, pending or refused. [45143/14]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): There was one request made for additional staff in the Office of the Information Commissioner during 2013. This involved a request for 5 additional staff to assist in meeting the demands arising from the changes to the Freedom of information legislation, including the extension of the provisions

of the Act to a significant number of additional bodies. The request for additional staffing was made on 31 January 2013 and was approved on 15 March 2013. These posts have all been filled.

Legislative Programme

209. **Deputy Jerry Buttimer** asked the Minister for Public Expenditure and Reform when the Valuation (Amendment) (No. 2) Bill 2012 will be laid before Dáil Éireann for its consideration; and if he will make a statement on the matter. [45147/14]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The Valuation (Amendment)(No.2) Bill 2012 was initiated in the Seanad. The Bill completed Report and Final stages in the Seanad on 20th November 2014. The Bill will be introduced at Second Stage in the Dail in the near future, subject to availability of Dail time.

Departmental Contracts

210. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform if his Department, or any agency of his Department, have awarded any contracts to a company (details supplied) since 9 March 2011. [45351/14]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): In response to the Deputy's question I can confirm that neither my Department nor any Agency under my remit awarded contracts to the company you mentioned since March 2011.

Trade Agreements

211. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he has sought the inclusion of inter-state dispute settlements in the transatlantic trade and investment partnership agreement; and if he will make a statement on the matter. [44404/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The scope of the EU Commission's mandate to negotiate with the United States on a Transatlantic Trade and Investment Partnership (TTIP) includes investment protection and investor state dispute settlement (ISDS). The mandate was adopted by the EU Council of Ministers on 14 June, 2013. The text of the mandate is available on the EU Council's website.

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145014.pdf

Paragraphs 22 and 23 of the mandate set out the parameters of the negotiating mandate insofar as investment protection including investor state dispute settlement are concerned.

The stated aim of negotiations on investment is to negotiate investment liberalisation and protection provisions on the basis of the highest levels of liberalisation and highest standards of protection that both sides have negotiated to date.

The mandate makes it clear that the inclusion of investment protection and investor-to-state dispute settlement will depend on EU interests being met and on the final balance of the Agreement. Importantly, the mandate states that the objectives of any investment protection provisions would be without prejudice to the right of the EU and the Member States to adopt and enforce measures necessary to pursue legitimate public policy objectives such as social,

environmental, security, stability of the financial system, public health and safety in a non-discriminatory manner.

The mandate for provisions on enforcement of the investment protection provisions states that the Agreement should aim to provide for an effective and state-of-the-art investor-to-state dispute settlement mechanism, providing for transparency, independence of arbitrators and predictability of the Agreement, including through the possibility of binding interpretation of the Agreement by the Parties.

The mandate clearly states that an investor-to-state dispute settlement mechanism should contain safeguards against manifestly unjustified or frivolous claims. It also states that consideration should be given to the possibility of creating an appellate mechanism applicable to investor-to-state dispute settlement under the Agreement, and to the appropriate relationship between ISDS and domestic remedies.

It also states that state-to-state dispute settlement should also be included in the Agreement, but without prejudice to the right of investors to have recourse to the investor-to-state dispute settlement mechanisms.

I have indicated in replies to previous Parliamentary Questions that I believe that ISDS is a valid mechanism. But I also believe that the experience of ISDS internationally has given rise to concerns and shows us there is room for much improvement in how the system works.

The EU Commission is currently analysing the results of a public consultation on ISDS, carried out in response to concerns raised. Ireland was one of a number of EU member states that wrote to the new EU Commissioner for Trade, Cecilia Malmström, expressing the view that the consultation was an important step in ensuring that we strike the correct balance to ensure that governments retain their full freedom to regulate. We also pointed out that it would be important that the outcome of this consultation would run its course and that the views expressed by our stakeholders would be carefully considered before reaching firm decisions on the way forward.

It is important to underline that the EU and the US follow the same principles that guide investment and seek to ensure a level playing field for investors. These principles recognise the right of Governments to regulate for legitimate public policy objectives.

Legislative Process

212. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation when the Companies Bill 2012 will be enacted. [45023/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Companies Bill 2012 completed Report and Final Stages in the Seanad on 30 September 2014. “Report Back” to the Dáil on the Seanad amendments is expected in early December. The Bill is expected to be enacted by the end of 2014 with commencement from the 1st June 2015.

Company Takeovers

213. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation his views on a recent company takeover (details supplied); if he or IDA Ireland has been in contact with company management in relation to its employment plans; and if he will make a statement on the matter. [45080/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Allergan have a major plant in Westport Co. Mayo, providing very significant employment there. The Government is very committed to supporting this facility.

There have been some very significant mergers and acquisition in the Pharmaceutical sector over recent years, which are an ongoing feature of that industry at present. It was recently publicly announced that Allergan is being acquired by Actavis Plc. Actavis is already a key client of IDA Ireland and once this acquisition is completed, and following the already completed acquisitions of *Forest Labs* and *Warner Chilcott*, the company will now employ over 1,600 people in Ireland.

Senior executives from IDA Ireland will be meeting with Senior Management of Actavis very shortly and they will emphasise the importance of regional investments in manufacturing, such as Allergan provides in Westport and will also reinforce IDA's intention to continue to work closely with the company in the future, in order to ensure that all the Irish operations remain competitive.

IDA Ireland is aware of the ongoing requirements to secure and embed employment in Allergan's Westport facility and in this respect the \$350M expansion (announced in 2012) of its Botox manufacturing facility there is now very near to completion. This strategic investment by the company will expand its capacity into the highly specialised area of "aseptic" manufacturing. Allergan has made investments, with support from my Department, through the IDA, to build upon its excellent track record in this area and it is likely that Actavis will be keen to maximise the utilisation of this highly specialised capacity into the future. It will be particularly important for Actavis to have the capacity to supply the ongoing growth in sales of Botox and produce other biologic products which are in the pipeline, which require aseptic manufacturing.

EU Regulations

214. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will amend the European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003 to provide that workers who do not want to transfer and instead remain employed with the transferor, and where the transferor has no alternative position to offer the employee and as a result the employee would be redundant and the transferor will be liable for that redundancy, or in the case of insolvency the employee would be entitled to access their statutory entitlements; and if he will make a statement on the matter. [45145/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I have no plans at this time to amend the European Communities (Protection of Employees on Transfer of Undertakings) Regulations 2003, Statutory Instrument (S.I.) No. 131 of 2003 which give effect in Irish law to the European Directive on Transfer of Undertakings (EU Council Directive 2001/23/EC of 12 March 2001). The objective of the Directive is to safeguard the rights of employees in the event of a transfer of an undertaking, business, or part of a business, to another employer as a result of a legal transfer or merger by making it possible for them to continue to work for the transferee under the same conditions as those agreed with the transferor.

Case law has clarified the legal position in Ireland in relation to an employee who does not want to transfer to the transferee.

Regulation number 6 of S.I. No. 131 of 2003 provides that the contractual rights of employees do not transfer where the original employer is subject to proceedings whereby he may be adjudicated bankrupt, or wound up for reasons of insolvency, by order of the High Court.

However, it further provides that if the sole or main reason for the institution of bankruptcy or insolvency proceedings is the evasion of an employer's legal obligations under the Regulations, then the Regulations apply to a transfer effected by that employer.

It is a matter for a Rights Commissioner or (on appeal) the Employment Appeals Tribunal to interpret the provisions of the Regulations as they apply to any particular employment situation.

As the Deputy is aware, my colleague, An Tánaiste and Minister for Social Protection, Joan Burton, has responsibility for the Redundancy Payments Acts 1967-2014 and the Protection of Employees (Employers' Insolvency) Acts.

Enterprise Support Schemes

215. **Deputy Billy Kelleher** asked the Minister for Jobs, Enterprise and Innovation regarding the accelerate programme offered by the local enterprise offices and previously the county enterprise boards the number of times and the locations that the accelerate programme was run in 2013; the number of participants who took part in each programme and in total; the average cost of delivering each programme; the evaluation of the programme and its impact in 2013 that has been undertaken and published; the number of times the programme has been run to date in 2014; and if he will make a statement on the matter. [45249/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The aim of the Accelerate Management Development programme administered by the Local Enterprise Offices (LEOs) is to provide owner/managers with the management, leadership, business skills and knowledge to achieve sustainability and growth in their business. The programme helps participants to address their business challenges effectively and to develop and grow their business.

Through the Programme, LEO clients gain a greater understanding of:

- Customer value proposition and future growth challenges
- Marketing their business
- Continuous improvement
- Developing the business owner/manager and their entrepreneurial capabilities
- Sales and selling techniques
- Managing finances
- Developing their business needs.

The programme is delivered over a six to nine month timeframe by the LEOs (comprising of seven workshops and six mentor consultations).

The Accelerate programme was delivered by 19 LEOs (then City and County enterprise Boards) during 2013: Carlow, Cavan, Clare, Cork City, Cork North, Cork South, Cork West, Donegal, Dublin City, Dublin South, Dun Laoghaire Rathdown, Fingal, Kilkenny, Limerick County, Louth, Meath, Monaghan, Tipperary North and Tipperary South. Some of these programmes were delivered on a regional basis, e.g., Carlow/Kilkenny and some ran more than one programme, e.g., Dublin region undertook three programmes. In 2014 to date, the Accelerate was run in by the following LEOs: Cork City, South Cork, Dublin region, Longford and Leitrim, Louth, Waterford City & County and Westmeath.

On average there are 12 participants on each Accelerate programme. Over 200 participants completed the Accelerate programme during 2013 with some additional stand-alone modules also undertaken.

The total cost of providing a complete Accelerate programme is €17,000, which covers all training and mentoring costs for up to 12 participants. At just over €1,400 per participant this fee covers all workshops, six one-to-one mentor sessions and Accelerate materials, including a manual and all PowerPoint hand-outs, etc. Participants generally pay a fee to participate (on average €300-€400). Costs may be shared across a number of LEOs depending on the numbers participating in the programme.

An internal evaluation of Accelerate is conducted routinely, with feedback on each programme module and an overall evaluation conducted at the close of the programme with each participant. The LEO Centre of Excellence at Enterprise Ireland is scheduling a comprehensive value for money and impact analysis on the Accelerate programme in 2015.

Job Creation

216. **Deputy Billy Kelleher** asked the Minister for Jobs, Enterprise and Innovation the number of the 150 jobs announced by a company (details supplied) for County Mayo in November 2013 now in place; and if he will make a statement on the matter. [45271/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): This company is not a client company of IDA Ireland as its business activities involve servicing the Irish market. I understand that the company is in the process of securing new premises in Castlebar and hopes to move in there shortly. The company has confirmed that they are commencing a recruitment process before Christmas, with a view to having the first of these additional new staff in place early in the New Year. They envisage a gradual build-up of employee numbers over the next two years.

Departmental Contracts

217. **Deputy Billy Kelleher** asked the Minister for Jobs, Enterprise and Innovation if his Department, or any agency of his Department, have awarded any contracts to a company (details supplied) since 9 March 2011. [45349/14]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): No contracts have been awarded by my Department to the named company since 9 March 2011.

I have received responses from all of the Agencies under the aegis of my Department, with the exception of the Local Enterprise Offices, and these Agencies have confirmed that no contracts were awarded by my Department or any Agency of my Department to the named company since 9 March 2011.

The 31 Local Enterprise Offices are currently pursuing the Question raised by the Deputy, but in the time available since this Question was tabled, the Local Enterprise Offices have not yet finalised their search.

Once a response has been received from the Local Enterprise Offices, this information will be forwarded to the Deputy.

Rural Development Policy

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

the position regarding a report (details supplied) by the Commission for the Economic Development of Rural Areas; and if he will make a statement on the matter. [44996/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Quite significant efforts are being made to progress the implementation of the report of the Commission for the Economic Development of Rural Areas (CEDRA) which was launched in April 2014.

Following its launch, the Government appointed Ann Phelan, T.D. as Minister of State with specific responsibility for implementation of the CEDRA report in July of this year. As the deputy is aware, CEDRA is a broad multi-sectoral report containing 34 recommendations on actions to be taken on areas as diverse as investment and finance, local enterprise support, community capability building, social enterprise, broadband, roads, water, rural transport, artisan foods, creative industries, tourism & recreation, marine and renewable energy.

Its effective implementation requires an integrated response from a wide variety of agencies, so to assist her in her work, Minister Phelan established a high level Inter-Departmental Group (IDG) involving all the main departmental actors dealing with CEDRA recommendations. There have been two meetings of this group with the third scheduled for December. To date, an initial evaluation of each recommendation has been completed, lead responsibility for all actions has been assigned in line with statutory responsibility and a multi-sectoral CEDRA work programme with specific actions and timelines, up to end 2015 is being finalised.

Finally, besides coordinating the implementation of the multi-sectoral CEDRA programme, Minister Phelan is in the process of identifying a few priority proposals to support the economic development of rural communities. To help stimulate these proposals, an allocation of €1 million has been provided in the 2015 budget for a Rural Innovation and Development Fund to support innovative and small scale pilot initiatives under the CEDRA report. Work on these proposals is progressing well and will be brought to forthcoming CEDRA meetings.

Inshore Fisheries

219. **Deputy Maureen O'Sullivan** asked the Minister for Agriculture, Food and the Marine the action he will take to address the calls from groups such as Irish Wildlife Trust, BirdWatch Ireland, Coastwatch and numerous other agencies to ban tangle nets from inshore fishing here as they are causing indiscriminate capture of marine life including critically endangered species such as angel sharks and protected species such as whales; and if he will make a statement on the matter. [44794/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In Irish waters, tangle nets have primarily been used to target crawfish stocks. The use of tangle nets to fish for crawfish is prohibited in two specified areas off the coasts of Kerry and Galway by the Crawfish (Fisheries Management and Conservation) Regulations 2006 (S.I. 233 of 2006). An incentive based approach, to encourage more environmentally sustainable fishing, is also in place. Funding supports through an Bord Iascaigh Mhara encourage the use of selective fishing methods and gears and the adoption of responsible fishing practices to reduce discarding and bycatch.

In relation to species protected under the Habitats Directive, the Marine Institute has undertaken a programme of risk assessment of sea-fishing activities right around the Irish coast to assess the degree of risk, if any, to species and habitats designated or listed in the Annexes of the Directives. The risk assessment has been undertaken in accordance with guidance from the European Commission. Ireland has committed in the Programme of Measures, submitted to

the Commission, to respond to identified risks on a prioritised basis. Further consideration of potential measures and outcomes is necessary.

In May of this year, I announced the establishment of the National Inshore Fisheries Forum and its network of Regional Inshore Forums. The Forums provide inshore fishermen with their own space to convene and discuss issues, develop coherent, widely supported proposals, and bring forward common initiatives. The purpose of the Forums is to facilitate the development of policies and initiatives relating to the sustainable management of inshore fisheries within six nautical miles. Regional Inshore Forums have been set up in each of the six FLAG (Fisheries Local Action Group) regions. The membership of the Forums includes fishermen as well as other marine stakeholders, such as environmental interests, to ensure that there is balanced consideration of proposals.

Rural Environment Protection Scheme Payments

Organic Farming Scheme Repayments

220. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding repayment of back money in the rural environment protection scheme in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [44796/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The repayment in question refers to a debt incurred under the Organic Farming Scheme. In this case, the eligible area was less than that claimed for by the person named which resulted in an over payment which needs to be recovered. Due to the extenuating circumstances outlined however, the person named may contact the Organic Unit of my Department and arrange repayment of the amount owed by instalments. In accordance with the governing regulation, interest will continue to be charged until the amount owed is received in full.

Disadvantaged Areas Scheme Payments

221. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding a census application in respect of a person (details supplied) in County Kerry; if the person will receive payment; and if he will make a statement on the matter. [44801/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2014 Single Payment/Disadvantaged Areas scheme was received from the person named on 12 May 2014. Processing of this application has recently been finalised and payment under the Disadvantaged Area Scheme will issue directly to the nominated bank account of the person shortly.

Animal Feedstuffs

222. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine if hotel waste can in any circumstances be fed to pigs; and if he will make a statement on the matter. [44833/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Animal by-products (ABP) are defined as entire bodies or parts of animals, products of animal origin or other products obtained from animals which are not intended for human consumption, and are a potential source of risk to public and animal health. Because of the associated risk and to protect both human and animal health, the use of ABP is covered by comprehensive EU Regulations (Nos. 1069 of 2009 and 142 of 2011). These Regulations ensure that ABP is disposed of safely and that controls are implemented to ensure this material is not illegally diverted back into the human food chain or animal feed chain.

Under the EU Regulations, ABP includes catering waste i.e. all waste food, including used cooking oil, originating in restaurants, catering facilities and kitchens, including central kitchens. This includes hotel food waste. Article 11(1)(b) of Regulation 1069/2009 specifically prohibits the feeding of farmed animals with catering waste or with feed material containing or derived from catering waste.

The original ban on feeding catering waste (also known as 'swill') to farmed animals was introduced in 2001 to mitigate risk following the UK Foot and Mouth disease outbreak. The feeding of food waste to animals is a risk factor in diseases such as Foot and Mouth Disease or Classical Swine Fever. The adverse economic consequences of such an outbreak on the island of Ireland would of course be hugely significant.

For these reasons, under the relevant EU Regulations, hotel waste can not in any circumstances be fed to pigs.

Single Payment Scheme Payments

223. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine when headage and single farm payments will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [44840/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 29 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be 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.

Single Payment Scheme Payments

224. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the position regarding a single farm payment and area aid payment in respect of a person (de-

tails supplied) in County Mayo; if he will expedite same; and if he will make a statement on the matter. [44866/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 7 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be 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.

Agricultural Colleges Courses

225. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to the fact that the Department of Agriculture and Rural Development in Northern Ireland has put in place a 19-week course for two hours per week that will enable young Northern Irish farmers to qualify for the young trained farmer top up under the Common Agricultural Policy and that this course structure would be more preferable for many farmers here than the equivalent Teagasc part-time course which will take two years to complete at a greater cost; if it is possible for farmers here to qualify for the young trained farmer top up by completing the Department of Agriculture and Rural Development in Northern Ireland course; and if he will make a statement on the matter. [44911/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Advanced Certificate in Agriculture otherwise known as the Teagasc Green Cert is the standard agricultural education qualification for farm support schemes and for tax incentives such as stamp duty exemption in the Republic of Ireland. On successful completion, students are awarded a Level 6 award on the National Framework of Qualifications as accredited by Quality and Qualifications Ireland. This meets the training requirement for the Young Farmers Scheme. Farmers, who hold a foreign award equivalent to the Teagasc Green Cert, can also qualify for the young farmer's top-up.

It is important to note that in addition to income support and structural adjustment, a fundamental policy objective of the young farmers top-up is to incentivise young farmers to participate in formal agricultural education to the extent that would benefit their farming enterprise into the future. Over several years, public policy has endeavoured to enhance the level of education and training of those working in the industry. The Food Harvest 2020 Report specifically recommended that eligibility for state support should include the attainment of 'higher' minimum levels of education or training.

This objective is underpinned by the fact that better educated farmers generate higher levels of sustainable incomes. A recent major Teagasc research study 'The Economic Returns to Formal Agricultural Education' (2014) found that formal agricultural education provides positive

and significant returns in family farm income and farm productivity. The study shows that farmers having a formal agricultural education consistently have higher farm incomes than those who do not participate in further education after school. For example, family farm income per hectare was about 50% higher where the farmer had a formal agricultural education.

In terms of being an investment, agricultural education was found to yield a significant rate of return to the individual farmer. It improves a farmer's technical efficiency leading to better use of resources and also supports the absorption of knowledge on farms and the uptake of new technologies.

Disadvantaged Areas Scheme Payments

226. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 94 of 5 November 2014, when a disadvantaged areas scheme payment 2014 will issue in respect of a person (details supplied); and if he will make a statement on the matter. [44918/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2014 Single Payment/Disadvantaged Areas scheme was received from the person named on 14 May 2014. Processing of this application has recently been finalised and payment under the Disadvantaged Area Scheme will issue directly to the nominated bank account of the person shortly.

Beef Imports

227. **Deputy Anthony Lawlor** asked the Minister for Agriculture, Food and the Marine the end location of 13,473 tonnes of carcass beef which is imported here from the UK, deboned and subsequently exported; if the beef is then being exported from that location; the locations it is being exported to; and if he will make a statement on the matter. [44920/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department records all details of companies that request licences for the import of beef from outside the European Union. Meat products imported from outside the EU must come from plants approved under the European Union veterinary inspection regime and have equivalent standards as that within the EU. Meat products entering the EU from a third country are subject to documentary, identity and, if considered necessary, physical checks to ensure compliance with the requirements.

In addition, the Revenue Commissioners record details of companies that import beef into the country where the imports from that company exceed a threshold value of €191,000 per calendar year. This information is collected on behalf of the CSO for statistical purposes only.

In response to a Parliamentary Question from the Deputy on 13 November, I noted that 13,473 tonnes of beef had been imported into Ireland from the UK in the year to date. This figure relates to total beef imports from the UK and does not refer specifically to product which is imported and then re-exported. Of course, in line with the free movement of goods, companies can choose to import beef from another Member State, add further value to that product, and subsequently export the finished products to other destinations, and this is common practice in Ireland. In all cases, exported food products which require veterinary certification by my Department under EU rules are recorded and certified in line with the relevant regulations.

Harmonised EU rules require mandatory traceability and origin labelling for beef from slaughterhouse to point of sale to consumers with the objective of providing maximum transparency for the marketing of beef. Compulsory beef labelling requires food business operators to label fresh, frozen or minced beef with specific information to enable the product to be traced back to the animals from which it was derived and must include details of the slaughterhouse and de-boning hall in which the animal was processed as well as the country in which it was born and reared. Beef imported into Ireland for deboning, and subsequently re-exported, must meet the same compulsory labelling requirements.

Single Payment Scheme Payments

228. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when payment will issue under the 2014 single farm payment scheme and the 2014 disadvantaged area based payment scheme in respect of a person (details supplied) in County Galway; the reason for the delay in issuing this payment; and if he will make a statement on the matter. [44921/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2014 Single Payment/Disadvantaged Areas scheme was received from the person named on 18 March 2014. Processing of this application has recently been finalised and payment under the Disadvantaged Area Scheme will issue directly to the nominated bank account of the person shortly. The 50% advance payment under the Single Payment Scheme was issued to the applicant on 16 October 2014. The balancing payment will commence issuing to applicants on 1 December 2014.

Animal Diseases Issues

229. **Deputy Seamus Kirk** asked the Minister for Agriculture, Food and the Marine in view of the recent Supreme Court decision on the appeal by a number of farmers in the Cooley Peninsula, County Louth, regarding the level of compensation paid for de-stocking during the foot and mouth outbreak, if compensation paid to other farmers will now be reviewed; and if he will make a statement on the matter. [44936/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The position is that the Supreme Court has referred the matter back to the High Court and I am awaiting the outcome of the hearing in that forum.

Rural Development Policy

230. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine following the recent announcements for the farming sector, included in budget 2014, and with the highly aspirational targets for farming going forward, his views on the reintroduction of early retirement for the older farmers in order to free up land for production, and installation aid for younger farmers to incentivise the younger persons to take up farming; and if he will make a statement on the matter. [44950/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are no plans currently to reintroduce early retirement for older farmers or installation aid for younger farmers. However, the 2014-2020 Rural Development Programme, which was submitted to the

EU Commission for approval in July 2014, includes a commitment to the introduction of an enhanced capital investment scheme for young farmers. The new scheme will offer a specific grant rate of 60% compared to the standard grant rate of 40% which will be generally available under other on-farm investment schemes. The specific areas of investment will include animal housing, slurry storage, dairy equipment, specialised slurry spreading equipment, animal welfare and farm safety, and specialised pig and poultry investments, as well as capital investments for organic farmers. In addition, young farmers will be able to avail of grant-aid for construction of new dairy buildings.

I am very hopeful that these items will receive EU Commission approval and their inclusion in the new scheme can then be confirmed. While there are some limitations set out in the governing EU regulations as to the categories of farmers which may be regarded as eligible for the scheme, the intention is to ensure that as many young farmers as possible can avail of the enhanced grants.

I am confident that the new scheme, when introduced, will provide a genuine platform for a significant level of investment on holdings recently taken over by young farmers in Ireland, as well as encouraging the transfer of more holdings.

Agriculture Schemes

231. **Deputy Dinny McGinley** asked the Minister for Agriculture, Food and the Marine when payment of a disadvantaged areas scheme grant and agri-environment options scheme grant for 2013 and 2014 will issue in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [45011/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas scheme application on 30 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be finalised with the intention of issuing any 2014 payments due as soon as possible. In the event that any queries arise officials in my Department will be in contact with the person named.

Payment under Disadvantaged Areas Scheme 2013 issued directly to the nominated bank account of the person named on 24 September 2013. Payment under Disadvantaged Areas Scheme 2014 is due to issue as indicated above, following the completion of the Remote Sensing Inspection.

The person named was approved for participation in the 2012 Agri-Environment Options Scheme (AEOS 3) with effect from 1 May 2013 and full entitlements have issued in respect of the 2013 Scheme year. I expect payments in respect of the 2014 Scheme year to commence shortly.

Disadvantaged Areas Scheme Payments

232. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the reason for the delay in processing a payment under the disadvantaged areas scheme in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [45022/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2014 Single Payment/Disadvantaged Areas scheme was received from the person named on 7 April 2014. Processing of this application has recently been finalised and payment under the Disadvantaged Area Scheme will issue directly to the nominated bank account of the person shortly.

Aquaculture Development

233. **Deputy Brian Walsh** asked the Minister for Agriculture, Food and the Marine the amount of fresh water that will be required for the treatment of amoebic gill disease and other parasites in proposed salmon farms in Galway Bay; the source of this fresh water; his views that this proposed activity should be the subject of an environmental impact assessment. [45074/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application by Bord Iascaigh Mhara (BIM) for an aquaculture licence for the cultivation of finfish near Inis Oírr in Galway Bay was received by my Department in 2012. The application and its accompanying Environmental Impact Statement are being considered under the provisions of the 1997 Fisheries (Amendment) Act and the 1933 Foreshore Act.

The assessment process will consider all aspects of the application and take full account of national and EU legislative requirements. It will reflect the full engineering, scientific, environmental, legal and public policy aspects of the application.

There is always a strict separation between my Ministerial role as decision maker in respect of aquaculture licence applications and my Ministerial duty to promote the sustainable development of the industry. This separation of duties is strictly observed.

As the application is under active consideration as part of the statutory process it would not be appropriate for me to comment further at this time.

Aquaculture Development

234. **Deputy Brian Walsh** asked the Minister for Agriculture, Food and the Marine if he will consider directing Bord Iascaigh Mhara to evaluate the potential for establishing onshore recirculating systems for salmon rearing facilities as an alternative to marine-based open cages; and if he will make a statement on the matter. [45075/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): This is an operational matter for Bord Iascaigh Mhara in line with the Sea Fisheries Act 1952. However, I understand that BIM has been investigating and encouraging the development of recirculating aquaculture systems (RAS) for some time and has run workshops on this topic.

Ireland currently has two operational RAS farms based onshore. Both of these produce Abalone. The technology to commercially produce sea reared salmon in large volumes onshore

has not yet been perfected.

Two private projects part funded by BIM under the Aquaculture Innovation and Technology Scheme are presently evaluating aspects of RAS, including appropriate site selection, site layout, RAS technology and financial modelling.

Sea Lice Controls

235. **Deputy Brian Walsh** asked the Minister for Agriculture, Food and the Marine if his attention has been drawn to a recent scientific review of 300 peer-reviewed papers on the impact of marine-based salmon lice on sea trout and wild salmon stocks, which conflicts with advice provided by the Marine Institute; and if this warrants a reevaluation of knowledge in this regard. [45076/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The report referred to by the Deputy is published by the Norwegian Institute for Nature Research as a digital open access document.

The report has been examined by the Marine Institute which has determined that it is not a “new study” and does not contain any new material. In addition, it is not a peer reviewed article nor does it meet the criteria for new research or novel interpretations of existing data.

In Ireland the control protocols in respect of sea lice are operated by the Marine Institute on behalf of the State and are more advanced than those operated in other jurisdictions for the following reasons:

- the inspection regime is totally independent of the industry
- data obtained as a result of inspections is published
- treatment trigger levels are set at a low level.

These controls, which are evidence based, are widely accepted as representing best practice internationally.

Single Payment Scheme Payments

236. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine if he will arrange to issue a single farm payment and disadvantaged areas scheme payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [45106/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas’ scheme application on 23 March 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.

Single Payment Scheme Payments

237. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason for the delay in issuing disadvantaged areas scheme payment and single farm payment in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [45111/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 8 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The application of the person named was selected for a Remote Sensing eligibility inspection.

The inspection identified discrepancies between the areas declared and the area found resulting in an over-declaration in area of between 3% and 20%. Under the Terms and Conditions of the Single Farm Payment scheme this results in the 2014 payment being based on the found area having been reduced by double the difference between the area found and the area declared.

The person named was notified of this decision by letter dated 19 November 2014. The person named was also informed of the right to seek a review of this decision.

Payment due, on the basis set out above, of the advance payment under the 2014 Single Payment Scheme issued to the nominated bank account of the person named on 18 November 2014.

The over-declaration in area referred to above did not impact on the payment due under the Disadvantaged Areas' scheme and this payment issued to the nominated bank account of the person named on 19 November 2014.

Single Payment Scheme Payments

238. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine if the investigations in relation to the disadvantaged area payment and single farm payment in respect of a person (details supplied) in County Galway have been concluded; when it is envisaged they will receive these payments; and if he will make a statement on the matter. [45161/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2014 Single Payment/Disadvantaged Areas scheme was received from the person named on 12 May 2014. Processing of this application has recently been finalised and any outstanding payments under the Single Payment Scheme/Disadvantaged Areas Scheme are expected to issue shortly directly to the nominated bank account of the person named.

Single Payment Scheme Payments

239. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Cork has not yet received their single farm payment

and disadvantaged area payment; and if he will make a statement on the matter. [45164/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named applied for the 2014 Single Payment and Disadvantaged Areas Schemes on 25 April 2014. Payment was initially delayed as the person named incorrectly claimed permanent pasture on a number of land parcels that were partly forestry. This issue has been corrected and payments will shortly issue under both schemes on the eligible area excluding the forestry parcels as they are not cleared for payment. A supplementary payment will issue when the forestry parcels are cleared for payment.

Single Payment Scheme Administration

240. **Deputy Kieran O'Donnell** asked the Minister for Agriculture, Food and the Marine when an inspection will be carried out in connection with the single farm payment at a farm (details supplied) in County Limerick. [45189/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): A review of the land parcels declared by the person named under the 2013 Single Payment Scheme /Disadvantaged Areas Scheme revealed that a number of the land parcels declared by the person named contained ineligible features. This resulted in reductions of 0.85 hectares being applied to the area based payments due to the person named. The reductions were for ineligible features including buildings, areas of scrub, farm roads and a river, which were included in the claimed area of the person named, and which resulted in a reduction between 3% and 20% to the area payable under 2013 Single Farm Payment scheme.

The person named was notified of this over-declaration by letter of 14 June 2014 and sought a review of the decision. Following the review of my Department's decision a visit by a Department official to verify the position on the ground is necessary. The person named will be informed, in writing, of the outcome of this verification inspection when it has been processed. If at that point the person named is not satisfied with the decision she has the right to appeal same to the Independent LPIS Appeals Committee.

Single Payment Scheme Appeals

241. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 297 of 19 December 2013, the outcome of the appeal for the single payment scheme in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [45190/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2013 Single Payment Scheme was received in my Department from the person named on 25 April 2013. Following processing, an overclaim was discovered in respect of one land parcel. My Department issued a letter to the person named regarding this matter on 15 November 2013 offering the opportunity to appeal this overclaim. To date, no appeal has been received by my Department. Officials from my Department will contact the person named.

Single Payment Scheme Appeals

242. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 346 of 6 May 2014 regarding the 2013 single payment and

disadvantaged areas schemes in respect of a person (details supplied) in County Limerick, the outcome of the appeal with the Agriculture Appeals Office. [45191/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named lodged an appeal with the Agriculture Appeals Office on 28 January 2014 in relation to the 2013 Single Payment Disadvantaged Areas Scheme. A decision, to disallow the appeal, was notified to the person named, in writing, on 7 May 2014. The person named was also advised of the option to raise the matter with the Office of the Ombudsman if they felt they were treated unfairly.

Single Payment Scheme Appeals

243. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 138 of 18 June 2014 regarding an appeal in respect of persons (details supplied) in County Limerick which was lodged on 8 January 2014, the outcome of the appeal following the oral hearing; and if he will make a statement on the matter. [45194/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named lodged an appeal with the Agriculture Appeals Office on 8 January 2014. The person named requested an oral hearing, which was held on 16 July 2014. It is understood that the appeal was disallowed and the person named was notified of this decision in writing on 7 October 2014. The person named was also advised of the option to raise the matter with the Office of the Ombudsman if they felt they were treated unfairly.

Single Payment Scheme Appeals

244. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 156 of 10 April 2014 regarding a single farm payment in respect of persons (details supplied) in County Limerick the outcome of the appeal; and if he will make a statement on the matter. [45214/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As detailed in my reply to the previous Parliamentary Question on this case, the persons named failed to cooperate with a Bovine IDR inspection under the 2013 Single Farm Payment Scheme/Disadvantaged Areas schemes, which resulted in a penalty of 100% being recorded against the relevant 2013 payments.

The persons named requested a review of this decision. The outcome of this review was to uphold the original decision and the persons named were informed of this decision on 29 May 2014.

I understand that the persons named have appealed this decision to the independent Agriculture Appeals Office and that an oral hearing was recently held on the appeal. The persons named will be notified of the outcome of the appeal as soon as possible.

In the event that the persons named consider that the appeal has not been dealt with fairly, they can bring the matter to the attention of the Office of the Ombudsman.

Dairy Equipment Scheme Applications

245. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 374 of 9 July 2014, the position regarding the review of an application under the dairy equipment scheme in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [45215/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person concerned is an applicant under the TAMS Dairy Equipment Scheme.

As outlined in the response to the PQ in July I arranged for the grant application to be reviewed in this case. The original application was for an auto washer retrofitted to a bulk tank and a replacement compressor. The auto washer is ineligible for aid and the applicant was advised of this. Approval issued on the 13th August 2014 for the replacement compressor.

Disadvantaged Areas Scheme Applications

246. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 358 of 1 July 2014 regarding outstanding moneys due under the disadvantaged areas scheme for 2013 in respect of a person (details supplied) in County Limerick, the update of the review; and if he will make a statement on the matter. [45216/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I can confirm that officials from my Department are in contact with the person named regarding eligibility under the 2013 and 2014 Disadvantaged Areas Schemes. My Department is currently awaiting the submission of outstanding documentation in relation to equines on the holding of the person named. As soon as this documentation is received by my Department, the case will be further reviewed and the person named advised directly of the outcome in writing.

Single Payment Scheme Applications

247. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Donegal has yet to receive their payments under the single farm payment scheme and the disadvantaged areas payments scheme; and if he will make a statement on the matter. [45273/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas scheme application on 10 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be 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.

Single Payment Scheme Applications

248. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Donegal has not yet received their payments under the single farm payment scheme and the disadvantaged areas payments scheme; and if he will make a statement on the matter. [45274/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas scheme application on 24 March 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be 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.

Single Payment Scheme Applications

249. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine his views on whether the delays which are being encountered by farmers in County Donegal who have been chosen for satellite inspections as part of having their applications for single farm payments processed are acceptable; if he will provide the total number of satellite inspections which have been carried out in county Donegal since the start of the year; if he will provide, in respect of this same period, the number of inspections which have been processed and the number of inspections currently awaiting to be processed; and if he will make a statement on the matter. [45275/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): EU Regulations governing the administration of the Single Farm Payment/Disadvantaged Areas Schemes, and other area based schemes, require that full and comprehensive administrative eligibility checks, including in some cases either Ground or Remote Sensing (satellite) inspections, be completed before any payments issue. Eligibility checks are required to ensure that the actual area claimed in the application form corresponds to the area farmed by the applicant, that there are no dual claims of land and that ineligible land or features are not included for aid purposes.

Both the administrative and inspection checks ensure that the Land Parcel Identification System, underpinning the direct aid payments worth in excess of €1.5bn annually, is accurately maintained. In addition, these checks are required to protect the annual drawdown of the EU funds and to avoid disallowances.

My Department is required to carry out an annual round of inspections, both in the field and by means of Remote Sensing, to ensure the eligibility of land declared to drawdown payments. The basis of these inspections is governed by EU legislation and there are minimum numbers

that must be conducted each year.

Land eligibility checks must be carried out on at least 5% of applicants. In response to concerns about the impact of on-the-ground inspections on farmers, 6,715 cases or some 85% of the required 2014 inspections are initially being carried out without the need for a farm visit as the information needed is acquired using the technique of remote sensing via satellite.

The EU Regulations governing Remote Sensing inspections also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

Of the 6,715 cases selected for a Remote Sensing inspection, 484 cases are in Co Donegal, which equate s to 7.2% of the overall number selected. To date, the inspection results have been received and processed for 210 of these cases.

The remaining 274 cases require a field inspection to verify the eligibility of land declared. On completion of the required inspection s the results will be finalised with the intention of issuing any payments due as soon as possible. In the event that any issue arises on an individual case officials in my Department will be in contact with the applicant concerned.

Single Payment Scheme Applications

250. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive payment of their single payment scheme and disadvantaged areas scheme grants; and if he will make a statement on the matter. [45291/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas scheme application on 28 March 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Remote Sensing (i.e. satellite) inspections, be completed before any payments issue.

The EU Regulations also require that where it is not possible to make an accurate determination on the eligibility of a parcel or parcels of land by means of an assessment of the available satellite imagery, a field inspection must be undertaken to verify the eligibility of the land.

The application of the person named was selected for a Remote Sensing inspection. Initial processing of this inspection identified a requirement to verify the eligibility of land declared by means of a field inspection.

On completion of this inspection the results will be 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.

Departmental Contracts

251. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45339/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has not awarded any contracts to the named company during the lifetime of this Government.

The awarding of contracts to the named company by the State Bodies under my Department's aegis is an operational matter for the State Bodies themselves.

Single Payment Scheme Applications

252. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the reason for the delay in the single farm payment for 2013 in respect of a person (details supplied) in county Mayo; if it will be expedited; and if he will make a statement on the matter. [45358/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2013 Single Farm Payment Scheme was received from the person named on 8 April 2013. The advance payment issued on 16 October 2013 with the balancing payment issuing on 02 December 2013 directly to the nominated bank account of the person named.

Bord na gCon Inspections

253. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine if he will confirm the recent announcement by the Irish Greyhound Board that all greyhounds which ran in the Irish Derby on 13 September 2014 have tested negative for prohibitive substances; if he will provide a copy of the laboratory reports; and if he will make a statement on the matter. [45359/14]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon is a commercial State body, established under the Greyhound Industry Act 1958, charged with the regulation and development of the greyhound racing industry, which has been estimated to support 10,000 jobs and €0.5bn in economic output.

Bord na gCon has augmented its management team with the appointment of a Director of Racing Governance and Compliance.

The issue to which the Deputy refers is an operational matter for Bord na gCon. Accordingly the Deputy should direct his question to Bord na gCon who, as regulator, is the appropriate authority to respond.

Defence Forces Personnel

254. **Deputy Tom Barry** asked the Minister for Defence if he will acknowledge that a person (details supplied) was not medically assessed by an Army medical doctor and therefore their discharge is invalid; if this matter will be investigated; if the person's medical discharge papers will be located and forwarded to this Deputy. [44930/14]

Minister for Defence (Deputy Simon Coveney): I refer to my reply to Question Number 526 on the 17th of September 2014. I am advised by the military authorities that the individual in question was discharged from the Defence Forces on the 22nd of June 1989 at his own request after 12 years of service. The discharge documents (LA89) were issued to him at that

time. The LA89 is an original document and cannot be replaced.

Subsequent to that reply, and following representations made by the Deputy on behalf of the individual in question, the military authorities have provided my officials with a copy of the relevant extract from his Medical Book, LA30, which shows that he was medically examined for discharge purposes on 20th March 1989. It also shows the medical classification code awarded to him on foot of that medical examination. This will be forwarded to the individual.

I am advised by the military authorities that due to the unavailability of a serving Medical Officer at the time of his discharge, the individual's medical examination was carried out by a civilian medical practitioner. I am further advised that this doctor had been a Defence Forces Medical Officer until his retirement in 1985. On this basis, the military authorities advise that they are satisfied that the doctor had the requisite knowledge and experience to carry our medical examinations to Defence Forces' standards.

Defence Forces Regulation A10 requires that, when an individual is being discharged from the Defence Forces, a medical examination should be carried out by a Medical Officer of the Medical Corps. However, situations arise where military Medical Officers are not available. Paragraph 1306 of "A" Administrative Instruction Part 12, in catering for such situations, provides that "medical examination of personnel of the Permanent Defence Force should as far as possible be carried out by a Medical Officer of the Medical Corps and not by a civilian Medical Practitioner..."

Notwithstanding the fact that the individual in question was examined by a civilian medical practitioner who was a former Medical Officer, I am advised by the military authorities that his discharge at his own request remains valid and is in accordance with Regulations. The individual has not been subject to military law since his discharge in 1989.

Army Training Programme

255. **Deputy Clare Daly** asked the Minister for Defence the reason the Defence Forces spent 8,000 dollars on a terrorism course with the US army in Germany for a member of the Defence Forces; if other similar courses have been funded by the taxpayer; and if he will make a statement on the matter. [44988/14]

Minister for Defence (Deputy Simon Coveney): The Defence Organisation provides for the military defence of the State, contributes to national and international peace and security and fulfils all other roles assigned by Government. In pursuit of this, the Defence Forces necessarily avails of a range of professional and academic training activities at institutions at home and abroad. This commitment also ensures that the Defence Forces continues to maintain essential capabilities and knowledge so as to contribute to operations at home and overseas.

The Defence Forces, as part of its role, is required to retain currency on international security issues which may impact the State, deployed Defence Forces personnel and other Irish citizens across a range of contexts. The Deputy will be aware that terrorism is a trans-national problem and it is important to keep up to date with best international standards in the areas of terrorism and security studies. Terrorism, asymmetric warfare and threats from non-State actors are also a feature and an issue of concern in many overseas missions where Defence Forces personnel are deployed on operations.

I am informed by the military authorities that one member of the Defence Forces attended the Programme on Terrorism and Security Studies at the George C. Marshall European Centre for Security Studies in Germany during 2014. This four-week programme addresses numerous

aspects of the threats confronting nations around the world.

The total cost of attendance for one individual at this course in 2014 was €3,800. I am informed by the military authorities that Defence Forces personnel also attended this course in February 2012 and June 2013.

I am satisfied that attendance at this programme is appropriate having regard to the role of the Defence Forces and contributes to the maintenance and development of essential Defence Forces capabilities.

UN Missions

256. **Deputy Clare Daly** asked the Minister for Defence if he will confirm that the seven Irish members of the Defence Forces currently participating in the IASF mission in Afghanistan, will be withdrawn on or before 31 December 2014; if no replacement will take place; and in the event that he cannot provide this confirmation, whether he will provide a commitment that Dáil Éireann will be allowed to discuss this matter. [44989/14]

Minister for Defence (Deputy Simon Coveney): Ireland has participated in the NATO-led UN mandated International Security Assistance Force (ISAF) mission in Afghanistan since 5 July 2002. Seven members of the Permanent Defence Force are currently serving in the mission headquarters.

The ISAF mission is due to conclude and withdraw from Afghanistan on 31 December 2014, whereupon the Afghan National Security Forces will take over full responsibility for security within Afghanistan. NATO will lead a follow on training support operation in Afghanistan called Resolute Support Mission with effect from 01 January 2015. The NATO-led follow-on mission post December 2014 is a training support mission designed to support and develop the capacity of the Afghan National Defence Forces so as they can ensure the security of the Afghan population and its national governmental institutions following the withdrawal of ISAF.

The question of Ireland contributing to the Resolute Support mission in Afghanistan is currently under consideration and I propose to bring proposals to the Government in this regard in the coming weeks.

Departmental Contracts

257. **Deputy Billy Kelleher** asked the Minister for Defence if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45343/14]

Minister for Defence (Deputy Simon Coveney): I am advised by my officials that neither the Department of Defence nor the Defence Forces have awarded any contract to this company since 9 March 2011.

Defence Forces Records

258. **Deputy Timmy Dooley** asked the Minister for Defence if he will direct his Department to publish openly the specific gradings of eyesight acuity permitted as part of the Defence Forces recruitment procedures. [45375/14]

Minister for Defence (Deputy Simon Coveney): There are a number of physical and medical standards laid down by the Military Authorities, including specified vision requirements, for entry to all branches of the Defence Forces. These requirements are based on the professional advice of the Medical Branch and having regard to the nature of the job, the duties of military service and the training exercises undertaken by members of the Defence Forces.

Details of the minimum vision requirements for the Cadetship, Apprentice and other Direct Entry Competitions held in order to fill specialist positions in the Permanent Defence Force, are outlined in the governing Terms and Conditions for each competition. These Terms and Conditions are published on the Defence Forces website *www.military.ie* when advertised.

The vision requirements for General Service enlistment to the Defence Forces are normal colour vision as measured by Ishihara Method and visual acuity, which gives a military visual acuity Grade of 3, for applications for the Naval Service and Grades 1, 2, or 3 for applications for the Army and Air Corps. However, only Naval Service Recruits with visual acuity of Grade 1 are posted to the Seaman's Branch and the Communications Branch of the Naval Service.

The eyesight gradings are explained as follows:

- Grade 1 is Unaided vision of not less than 6/6 in one eye and 6/9 in the other.
- Grade 2 is Unaided vision less than in Grade 1 which is not less than either 6/12 in each eye or 6/6 in the right eye and 6/36 in the left eye.
- Grade 3 is Unaided vision less than in Grade 1, but which is not less than 6/36 in each eye and can be corrected to Grade 1.

As the minimum vision requirements for General Service Recruitment are currently not published, I have asked my Officials to arrange to have these requirements published as part of the next General Service Recruitment campaign.

Child Abuse

259. **Deputy Sandra McLellan** asked the Minister for Justice and Equality if she will provide details of the practice of interviewing a child who alleges physical abuse against a parent; and if she will make a statement on the matter. [44871/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Deputy will appreciate that I have no direct role in the procedures concerned which are an operational matter for the Garda authorities.

I can inform the Deputy that An Garda Síochána places a particular emphasis on tackling crimes against children as well as proactive cooperation with all relevant Departments, organisations and agencies to improve the safety of children. Children First National Guidance 2011 is adopted as Garda policy and interaction with Tusla (Child and Family Agency) is an integral part of that policy in relation to all investigations of child abuse. I am further informed that members of An Garda Síochána and TUSLA personnel have undergone joint and intensive training in investigative training in specialised skills necessary for interviewing children. I can inform the Deputy that these arrangements are kept under ongoing review.

Crime Levels

260. **Deputy Timmy Dooley** asked the Minister for Justice and Equality her views on the high number of bicycle thefts within Dublin city; her Department's research on potential strategies to tackle the issue; and if she will make a statement on the matter. [45310/14]

292. **Deputy Timmy Dooley** asked the Minister for Justice and Equality further to Parliamentary Question No. 155 of 17 October 2013, if she will provide a detailed update on bicycle theft prevention initiatives and their efficacy; and if she will make a statement on the matter. [45311/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 260 and 292 together.

An Garda Síochána is proactive in encouraging the public to protect their property, including bicycles, and a range of measures are in place to prevent and tackle the theft of bicycles.

In this regard I am informed by the Garda authorities that a range of operational measures are pursued to combat bicycle theft and to target those who engage in it, and there is ongoing provision by An Garda Síochána of crime prevention information, and awareness raising among the general public and bicycle retailers in relation to bicycle theft.

I am further advised by the Garda authorities that analysis is conducted to determine areas of high volume theft and to identify the main offenders for these crimes so that a targeted operational approach is taken to prevention and detection.

The range of measures being pursued by An Garda Síochána include working with bicycle retailers and communities to encourage and promote bicycle registration. In addition, information leaflets on bicycle theft have been circulated and a bicycle sticker campaign has also been operated in areas where bicycles are locked by their owners. Gardaí also provide presentations to Neighbourhood Watch schemes, policing forums, schools, local office complexes and consult with apartment management companies on bicycle security and safety generally.

Community Policing

261. **Deputy Joan Collins** asked the Minister for Justice and Equality her plans to meet the canal community local policing forum (details supplied). [44789/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I can inform the Deputy that I have recently agreed to meet with members of the Canal Communities Local Policing Forum to discuss their concerns.

Firearms Licences

262. **Deputy Fergus O'Dowd** asked the Minister for Justice and Equality her views on an issue raised in correspondence (details supplied) regarding firearms; and if she will make a statement on the matter. [44800/14]

266. **Deputy Michael Lowry** asked the Minister for Justice and Equality if she will engage with interest groups in relation to the publication last week of the report on firearms licensing; if she will meet the interest groups in question without delay; if her attention has been drawn to the fact that if the recommendations are enacted as per the report they will penalise legitimate and law-abiding individuals who currently hold guns legally for hunting and sporting reasons; if she will provide a guarantee that legitimate firearm holders for the purposes of sport and

hunting will be provided for by any legislation in this regard; and if she will make a statement on the matter. [44913/14]

267. **Deputy Willie O’Dea** asked the Minister for Justice and Equality if she will implement the recommendations of her Department’s An Garda Síochána working group review of firearms and licensing; and if she will make a statement on the matter. [44915/14]

274. **Deputy Willie Penrose** asked the Minister for Justice and Equality if she will confirm having received the correspondence from an organisation (details supplied); whether she will ensure real and meaningful consultations take place in order to enable these organisations to have an input into the review of the firearms legislation pertaining to this area; and if she will make a statement on the matter. [45029/14]

279. **Deputy Sean Fleming** asked the Minister for Justice and Equality if she will facilitate a meeting between her Department and interested parties as part of the consultation process arising from the publication of the working group report in the area of firearms licensing, rather than interested parties only being allowed written submissions as part of this process; and if she will make a statement on the matter. [45109/14]

296. **Deputy Willie Penrose** asked the Minister for Justice and Equality if she will ensure that meaningful consultation will take place in the context of the review of the firearm licensing legislation and that such consultation will be meaningful in the context where it already appears that the removal of Annexe F of the Garda Commissioners Guidelines has been approved as an outcome of a review notwithstanding that it would only involve a very small group of target pistol shooters in the country and in the context that the changes to firearms legislation are so wide-ranging that every clay pigeon shooter, rifle shooter and ordinary farmer would be impacted upon; if she will take steps to ensure that a meaningful opportunity will be provided to organisations that represent these licence holders to have their views listened to in a proper consultative way; and if she will make a statement on the matter. [45384/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 262, 266, 267, 274, 279 and 296 together.

In light of public safety concerns highlighted by An Garda Síochána and difficulties in the interpretation of the legislation expressed by members of the Judiciary, a joint Department of Justice and Equality/An Garda Síochána Working Group was established by my Department to review firearms licensing. The Report of this Working Group was published on 13 November and submissions on the Report have been sought from stakeholders and the public by 31 January 2015. The consultation process gives individuals and groups an opportunity to contribute to the development of firearms policy and legislation and will enable consideration to be given to the future direction of such legislation.

I have already given a commitment that I will not make any final decisions until I have had the opportunity to consider all the submissions which are made and I subsequently meet the key stakeholders, including the organisations who represent those who use firearms for sporting purposes. I would now urge all concerned to engage with this process so that the views of all concerned can be considered before final decisions are made in relation to this matter.

The Garda Commissioner has made a decision, with Ministerial consent, to issue new Garda Guidelines on the Firearms Acts which exclude the former Annexe F of the guidelines. The interpretation of the previous Annexe F had caused serious difficulties and confusion in regard to applications for firearm certificates for .22 calibre handguns and has resulted in over 30 Judicial Review applications to date. The Commissioner made this decision to issue new Guidelines, without Annexe F, on foot of consultations with the Attorney General’s Office (AGO)

and Counsel for the State regarding Judicial Review applications on the licensing of .22 calibre handguns. There have been no changes to either primary or secondary legislation as a result of amending these guidelines. A more general revision of the Garda Guidelines will be carried out in light of the outcomes of the public consultation on the review of firearms licensing.

Garda Data

263. **Deputy Lucinda Creighton** asked the Minister for Justice and Equality the reform proposals that have been acted upon arising from a consultation seminar held on justice reform in Farmleigh House on 20 June 2014; and if she will make a statement on the matter. [44803/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The underlying focus of the Government's comprehensive programme of justice reform is to put in place effective arrangements for the oversight, governance and accountability of the Garda Síochána. The Cabinet Committee on Justice Reform, which is chaired by the Taoiseach, is overseeing the implementation of the Government programme and it sought the views of the public by way of a public consultation process in May 2014. In addition I hosted the Farmleigh seminar in June 2014 to provide a platform for key stakeholders and persons with an interest in Garda reform to discuss elements of the programme.

Since the Farmleigh seminar significant progress has been achieved with regard to the Government reform programme and, in particular, I would draw the attention of the Deputy to the following items:

- The Independent Review Mechanism, consisting of a panel of counsel established to examine approximately 300 complaints alleging Garda misconduct or problems with investigating misconduct, is continuing its work and has made significant progress;

- The Public Appointments Service has managed the first open competition to appoint a new Garda Commissioner and the appointment of Commissioner O'Sullivan has been made today by the Government;

- Following a process undertaken by the Public Appointments Service seeking expressions of interest, the Government has recently nominated Ms Josephine Feehily as the Chairperson-designate for the forthcoming Independent Policing Authority. As Chairperson-designate Ms Feehily has assisted in the final round of the recruitment process for the appointment of the Garda Commissioner and she will be involved in the preparations for the establishment of the Authority;

- I have published the General Scheme of a Bill to provide for the establishment of the new Independent Policing Authority. The General Scheme has been referred to the Oireachtas Joint Committee on Justice, Defence and Equality for scrutiny in parallel with the priority drafting of the Bill which will be introduced in the Oireachtas as soon as practicable;

- I have also recently published the Garda Síochána Inspectorate's crime investigation report. The report deals with crime recording and investigation, and also deals with some of the concerns raised by Mr. Seán Guerin SC in his report to the Government earlier this year in respect of certain Garda actions. The report contains more than 200 recommendations for implementation which are being actively pursued;

- Work is being finalised on the establishment of a Commission of Investigation into matters identified in the Guerin report;

- The Fennelly Commission of Investigation set up to examine the operation of telephone recording systems in certain Garda Stations over many years, as well as other matters, recently sought an extension to its end of 2014 deadline for the submission of its report. However, the Commission has indicated that it will submit an interim report in respect of specific issues;

- The report of Judge Cooke's inquiry into reports of unlawful surveillance of GSOC has been published and GSOC has published a redacted version of the report it commissioned into the possible disclosure of confidential information;

- The Garda Síochána (Amendment) (No. 3) Bill 2014 has been introduced to expand the remit and powers of the Garda Síochána Ombudsman Commission (GSOC). In addition the Bill contains measures to clarify certain matters raised in Judge Cooke's report and amendments are also being made to legislation in respect of the exercise of certain police powers by GSOC;

- The review of the Garda Síochána under the Haddington Road Agreement is expected to be completed shortly and encompasses all aspects of the operation and administration of the Garda Síochána;

- I published the Report of the Independent Review Group on the Department of Justice and Equality in July and I am working closely with the Department's senior management team to implement the report's recommendations;

- The Protected Disclosures Act 2014 has amended Garda legislation to allow Garda members to make "protected disclosures" to GSOC in confidence in respect of alleged Garda misconduct. The relevant provisions of the Act have been brought into operation; and

- The recently enacted Freedom of Information Act 2014 extends to the Garda Síochána.

Crime Data

264. **Deputy Joan Collins** asked the Minister for Justice and Equality if she will provide in tabular form the number of arrests made, proceedings commenced and convictions for prostitution offences between the years 2008 and 2014, by offence type, county, gender and age group; and if she will make a statement on the matter. [44808/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Garda Síochána Act 2005 makes provision for the compilation and publication of crime statistics by the Central Statistics Office (CSO), as the national statistical agency, and the CSO has established a dedicated unit for this purpose.

I have requested the CSO to provide statistics directly to the Deputy.

Immigration Status

265. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if she will make telephone contact with the relevant immigration officer in respect of persons (details supplied) in Dublin 15; and if she will make a statement on the matter. [44864/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the position in the cases of the persons concerned is as set out in my Reply to his earlier Parliamentary Question, No. 511 of Tuesday, 4th November, 2014 (copied beneath).

As I have advised the Deputy previously, in my Replies to his Parliamentary Questions dated 10th July, 2014 (PQ No. 158) and 18th September, 2014 (PQ No. 164), I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the persons concerned were granted permission to remain in the State in August, 2007 for an initial three year period, valid to 14th August, 2010. This permission to remain was renewed for a further three year period in August, 2010, valid to 14th August, 2013 in all cases. These renewal decision letters were dated 4th August, 2010.

The renewal decision letters referred to advised the persons concerned of the requirement that they apply for further renewal of their permission to remain one month before their existing permission expired. Given that there is still no record of any such renewal applications having been lodged to date, it is recommended that the persons concerned would proceed to do so without further delay.

The onus is on the persons concerned to apply for the renewal of their respective permissions to remain. Such renewal applications must be made in the first instance in order for them to be considered by the immigration authorities. Any alternative process suggested by the Deputy is inappropriate.

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

Questions Nos. 266 and 267 answered with Question No. 262.

Garda Powers

268. **Deputy Denis Naughten** asked the Minister for Justice and Equality the information which the Garda must provide to a Peace Commissioner when seeking a search warrant; the plans she has to review the current legislation; and if she will make a statement on the matter. [44951/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The normal practice is for search warrants to be issued by a judge of the District Court. There are a very small number of Acts under which, in addition to a judge of the District Court, a Peace Commissioner may also issue a search warrant in respect of specific items or material.

The Acts in question set out the information that a member of the Garda Síochána must provide for the granting of a search warrant. The information required varies depending on the offences at issue. The relevant provisions include:

- Road Traffic Act 1961 - section 106, as amended.
- Misuse of Drugs Act 1977 - section 26, as amended.
- Control of Dogs Act 1986 - section 26.
- Prohibition of Incitement to Hatred Act 1989 - section 9.
- Video Recordings Act 1989 - section 25, as amended.

- Firearms and Offensive Weapons Act 1990 - section 15.

It is proposed that a review of the position generally in relation to search warrants will be carried out within my Department. A Law Reform Commission report on search warrants is awaited and is expected to be published in 2015. I will consider, on foot of that report, what changes are required to the law on search warrants.

Garda Complaints Procedures

269. **Deputy Clare Daly** asked the Minister for Justice and Equality if she will investigate the incident on 16 November 2014 outside the Mansion House, Dublin where a woman was very forcibly pushed to the ground by members of An Garda Síochána; the actions she will take; and if she will make a statement on the matter. [44980/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): There are well established procedures where anyone can complain against the behaviour of an individual member of An Garda Síochána through the Garda Síochána Ombudsman Commission (GSOC). Any evidence to support these claims should also be brought to the attention of GSOC.

The Garda Síochána Ombudsman Commission (GSOC) is an independent body which was set up to receive complaints made by members of the public concerning allegations of misconduct by members of the Garda Síochána.

As the Ombudsman Commission is statutorily independent in its examination of complaints I have no role in its conduct of investigations.

Garda Strength

270. **Deputy Willie O’Dea** asked the Minister for Justice and Equality further to Parliamentary Question No. 293 of 7 October 2014 when this Deputy will receive a reply; and if she will make a statement on the matter. [44984/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will be aware, one of the primary functions of the Garda Commissioner under the Garda Síochána Acts, is to direct and control An Garda Síochána. In this regard, the Garda Commissioner is responsible for the distribution of all resources, including fully sworn members and Reserve Gardaí, among the Garda Regions, Divisions and Districts. Garda management keep this distribution under continuing review in the context of security assessments, 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 numbers of Garda personnel in the Limerick Garda Division on 31 December 2011, 2012, 2013 and on 30 September 2014, the latest date for which figures are readily available, was as set out in the following table:

Year	Garda	Reserve	Civilian
2011	637	41	52
2012	605	47	50
2013	589	52	48
2014	576	50	49

Immigration Status

271. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 127 of 6 November 2014, if the person is legally resident here; if they are required to make further application to upgrade-update their residency; if the person is eligible to upgrade their present status; and if she will make a statement on the matter. [45012/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Any person who makes an application for asylum or subsidiary protection is issued with a temporary residence certificate which entitles the person to remain in the State until such time as their application is finally determined.

Departmental Correspondence

272. **Deputy Finian McGrath** asked the Minister for Justice and Equality her views on correspondence (details supplied) regarding crimes; and if she will make a statement on the matter. [45018/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The person to whom the Deputy refers is amongst those whose complaints are being considered under the mechanism established for the independent review of certain allegations of Garda misconduct, or inadequacies in the investigation of certain allegations, which have been made to me as Minister for Justice and Equality, or the Taoiseach, with a view to determining to what extent and in what manner further action may be required in each case.

A panel consisting of two Senior and five Junior Counsel was established for the purpose. The counsel appointed to the panel were all selected on the basis of their experience of the criminal justice system. The review of each complaint will consist of an examination of the papers in the complaint by a counsel from the panel. Following the review of each complaint a recommendation will be made as to whether any further action is desirable and could practicably be taken.

Criminal Justice (Public Order) Act 1994

273. **Deputy Terence Flanagan** asked the Minister for Justice and Equality her plans to review the provisions of the Criminal Justice (Public Order) Act 1994 (details supplied); and if she will make a statement on the matter. [45024/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The law on the illegal occupation of land is set out in Part IIA of the Criminal Justice (Public Order) Act 1994, as inserted by the Housing (Miscellaneous Provisions) Act 2002.

The provisions of section 19C(1) of Part IIA of the Act prohibit any person, without the consent of the owner of the land, from entering or occupying the land or bringing any object onto such land where this is likely to damage the land substantially or prejudicially affect any amenity in respect of the land, to prevent anyone entitled to use the land or any amenity associated with it from making reasonable use of the land or the amenity, to otherwise render the land or the lawful use of the land or amenity unsanitary or unsafe, or to substantially interfere with the land or amenity or the lawful use of the land or amenity.

A Garda may arrest, without warrant, a person committing an offence under section 19C(1). The law also provides for a member of the Garda Síochána who has reason to believe that a person is committing an offence under this section to demand of the person his or her name and

address and to direct that person to leave the land and to remove any object from the land which is owned or under the control of that person. It is an offence for a person to fail to cooperate with the Gardaí.

A person who is found guilty of an offence under Part IIA shall be liable, on summary conviction, to a maximum fine of €4,000, or a sentence of up to one month in prison, or both. The Gardaí may also remove any objects from the land where the owner has refused a Garda direction to do so.

The implementation and enforcement of Part IIA of the Criminal Justice (Public Order) Act 1994, as amended, is a matter for the Garda Síochána and the courts.

I have no plans at present to change these provisions. However all legislation is kept under review.

Question No. 274 answered with Question No. 262.

Citizenship Applications

275. **Deputy Derek Nolan** asked the Minister for Justice and Equality the reason there has been a delay of over four months in processing the citizenship application in respect of persons (details supplied) in County Galway considering that their application for certification of naturalisation was approved in July 2014; and if she will make a statement on the matter. [45044/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process. I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that further evaluation of the citizenship applications, in respect of the persons referred to by the Deputy, is required before the applications can be granted at a citizenship ceremony. The evaluation of the cases is ongoing and will be completed as expeditiously as possible.

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

Garda Síochána Ombudsman Commission Staff

276. **Deputy Niall Collins** asked the Minister for Justice and Equality the number of GSOC staff who are former or seconded members of An Garda Síochána, the PSNI or other police service; her plans to reform this; and if she will make a statement on the matter. [45046/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): While the funding for Garda Síochána Ombudsman Commission is provided through my Department, it is an independent statutory body was set up under the Garda Síochána Act 2005.

The Ombudsman Commission is responsible for the recruitment of its staff. I am informed that there are currently six former members of the Garda Síochána employed in GSOC. There are no former members from the PSNI, however, there are nine individuals who have served in police services outside of Ireland currently employed in GSOC. All of the above staff were appointed following open competitions conducted by the Public Appointments Service. I am further informed that there are also two staff members who have been seconded from the Garda Síochána.

I am advised that the Garda Síochána Ombudsman Commission requires the members of the Commission and all staff, on an annual basis, to submit a declaration in relation to any conflict of interest which may arise in the course of the performance of their functions or duties for inclusion in a Register of Interests. This declaration is separate from any declaration required under the provisions of Ethics in Public Office Act 1995. Where, during the course of the year covered by the declaration, a conflict of interest not previously declared arises, members and staff must submit a revised declaration which should include details of the interest.

Protocols agreed between the Garda Commissioner and the Ombudsman Commissioners in September last year, which are available on the websites of both organisations, contain General Principals governing the appointment of Investigating Officers which are aimed at avoiding any conflict of interest which may prejudice the outcome of a case.

Application of International Sanctions

277. **Deputy Olivia Mitchell** asked the Minister for Justice and Equality if she will respond positively to the request of those representing a person (details supplied) in Switzerland to end the long term freeze of their assets in view of the current sanctions against the Russian Government who requested that freeze; and if she will make a statement on the matter. [45051/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I understand the Deputy's question relates to a matter which is the subject of an ongoing investigation and court order.

The Deputy will therefore appreciate that in the circumstances it would not be appropriate for me to comment further.

Law Society Complaints Mechanisms

278. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding the potential transfer of staff from the complaints section of the Law Society to the new complaints section of the legal services; and if she will make a statement on the matter. [45069/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Legal Services Regulation Bill, which has completed both Second and Committee Stages in the Dáil, commenced Dáil Report Stage on 11th July 2014 which is due to resume in the coming weeks. It is intended that the Bill be enacted so that the new Legal Services Regulatory Authority come into operation during the first half of 2015. In this context, I am very much aware of the ongoing concerns being expressed about the implications of the enactment of the new Legal Services Regulation Bill and its new independent complaints regime for the existing staff of the legal professional bodies who deal at the moment with complaints about legal practitioners. I am also aware of the ongoing representations on the matter which continue to be received from the Law Society and the Bar Council, from concerned members of their staff and from trade union

representatives. A key challenge in finding a workable resolution to these matters will be that of ensuring that the new regulatory regime will have appropriately skilled staff to effectively, and independently, deliver a new complaints and disciplinary regime for legal practitioners upon the Authority's establishment.

For example, it is fundamental that the new Legal Services Regulatory Authority, to be established under the Legal Services Regulation Bill 2011, be independent of the legal professions and of the Government in the performance of its functions. This will include its implementation of new and independent procedures relating to allegations of professional misconduct by either solicitors or barristers. Members of the public will no longer go to the Law Society or to the Bar Council with their complaints in the first instance, as happens at the moment, but will instead make them through the Legal Services Regulatory Authority. Such complaints will be dealt with under the auspices of the new Regulatory Authority's Complaints Committee and supported, where appropriate, by the work of the new and independent Legal Practitioners' Disciplinary Tribunal. The independence of the new Regulatory Authority and of its attendant complaints regime is, therefore, fundamental to their success and to the avoidance of any public perception that complaints about lawyers are being dealt with by lawyers or by their representative bodies.

It is also desirable that the independence of the new regulatory regime be reflected in the relevant recruitment and appointment processes for staff of the new Authority and it is considered that such appointments should be better made by the Authority itself under open and public competition. Under this scenario, it should be open to existing staff of the legal professional bodies - who would obviously possess the relevant skills and experience - to apply for those positions advertised by the new Legal Services Regulatory Authority, which would then fill them independently.

At the same time, it is to be acknowledged that the proposed reforms to the legal professional conduct regime will have negative implications for a number of existing and appropriately skilled staff who currently deal with public complaints made through the legal professional bodies. I am also conscious of the support given by Deputies, from across the Parties, to finding a workable solution which can reconcile the competing human resource and policy considerations involved, during their detailed discussion of these specific concerns during Dáil Committee Stage of the Bill. I am, therefore, taking account of all of the concerns that are now in play as part of the ongoing consideration of the human and other resource aspects of the establishment of the new Legal Services Regulatory Authority and of the Legal Practitioners' Disciplinary Tribunal. The Deputy will also wish to note that these are matters which are not solely within my own purview but continue to be negotiated between my Department and the Department of Public Expenditure and Reform which has overall responsibility for policy in these areas.

Question No. 279 answered with Question No. 262.

Garda Operations

280. **Deputy Derek Nolan** asked the Minister for Justice and Equality her views on putting the text alerts system run by community watch throughout rural Ireland on a statutory footing in order to combat rural crime; and if she will make a statement on the matter. [45114/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Garda Text Alert Scheme, which was launched in September 2013, was piloted initially in a number of locations and developed in cooperation with Muintir na Tíre, Neighbourhood Watch, the Irish Farmers' Association and related stakeholders. It provides a further mechanism for Gardaí to provide crime prevention information to community contacts who in turn forward the information to all

members of a community groups. During the first year of the Text Alert system over 600,000 texts have been sent, alerting individuals and communities across Ireland to potential criminal activity in their local area. There are over 450 Text Alert Groups in towns and villages throughout Ireland with more than 80,000 people signing-up to the scheme. I am informed that every Garda Division, rural and urban, now offers the text alert service and An Garda Síochána have published guidelines to assist in the establishment and operation of local groups.

Any Neighbourhood Watch or Community Alert group can approach their local Gardaí to establish a local Text Alert initiative. In this regard, I am informed by the Garda authorities that the initiative as it already exists is considered to be a particularly useful crime prevention tool and helps to harness community involvement in Neighbourhood Watch and Community Alert schemes.

I have received no indication from the Garda authorities that there is a need to consider putting the Text Alert initiative on a statutory footing and, in light of the continued success of the current arrangements, have no plans to do so.

Residency Permits

281. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the means whereby regularisation of residency status may be achieved in the case of persons (details supplied) in County Galway who are permanently employed here for the past eight years; and if she will make a statement on the matter. [45134/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department to refer the Deputy to my PQ replies on 03/04/2014 and 30/04/ 2014 to PQs No. 187 & 542 regarding the options open to this family. I am informed that to date no application has yet been received by INIS as outlined in those replies.

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

Actions against An Garda Síochána

282. **Deputy Clare Daly** asked the Minister for Justice and Equality in view of the fact that in the period 1999 to 2013, inclusive, over €59 million was paid out by the State as a result of civil actions against the Garda, the amount of this money that was paid out by the members of the Garda concerned in these cases; the number of these members who have been disciplined; the number of these members who are still serving in the force; if any one of these gardaí lost entitlement to their Garda pension; and if so, the number of same. [45150/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have asked the Garda Commissioner the extent to which information in the detail sought, relating to civil damages paid by the State, may be available and I will write to the Deputy as soon as possible.

Residency Permits

283. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [45166/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned arrived in the State on 20 August 2008 and applied for asylum on the following day. This application was refused and the person concerned was notified of this decision on 28 July 2009.

Subsequently the person concerned made an application for Subsidiary Protection under the European Communities (Eligibility for Protection) Regulations, 2006 (Statutory Instrument No. 518 of 2006) on 19 August 2009. His application was refused by my Department and the person concerned was notified of this decision on 1 March 2010.

Representations were submitted by and on behalf of the person concerned on 19 August 2009 against the making of a Deportation Order pursuant to Section 3 of the Immigration Act 1999 (as amended). These and subsequent representations were examined and assessed and a Deportation Order was signed in respect of the person concerned on 8 March 2011.

Further representations were submitted by and on behalf of the person concerned on 11 July 2011 seeking to have the aforementioned Deportation Order revoked pursuant to Section 3(11) of the Immigration Act 1999 (as amended). These and subsequent representations were examined and assessed and it was decided that the Deportation Order be affirmed and the person concerned was notified of this decision on 11 October 2011.

Representations were submitted by and on behalf of the person concerned on 21 November 2012 seeking his re-entry into the asylum process pursuant to Section 17(7) of the Refugee Act 1996 (as amended). These and subsequent representations were examined and the person concerned was informed on 19 March 2013 that he be refused re-entry into the asylum process.

The person concerned instituted Judicial Review proceedings on 8 April 2013 challenging the refusal to allow him re-entry into the asylum process.

Again, further representations were submitted by and on behalf of the person concerned on 21 November 2012 seeking to have the aforementioned Deportation Order revoked pursuant to Section 3(11) of the Immigration Act 1999 (as amended). These and subsequent representations were examined and assessed and it was decided that the Deportation Order be affirmed and the person concerned was notified of this decision on 14 November 2013.

The person concerned instituted Judicial Review proceedings on 16 January 2014 challenging the aforementioned affirmation of the Deportation Order made in respect of him. As the foregoing matters are sub judice I do not propose to comment further.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Operations

284. **Deputy Finian McGrath** asked the Minister for Justice and Equality if she will provide details of the incidents that occurred during the recent water charges protests (details supplied); and if she will make a statement on the matter. [45175/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The statutory functions of An Garda Síochána include the preservation of peace and public order, protecting life and property and vindicating the human rights of individuals. Accordingly, Gardaí have attended routinely at water meter installations and protests where it has been necessary to perform these functions.

Members of An Garda Síochána are trained to defuse confrontation using a range of proportionate methods. It is important, nevertheless, that where required and appropriate, members should have access to equipment to ensure their own safety and that of the public who may come to harm arising out of the actions of others. The deployment of such equipment in specific circumstances is an operational decision for the members of An Garda Síochána.

However, there are well established procedures where anyone can complain against the behaviour of an individual member of An Garda Síochána through the Garda Síochána Ombudsman Commission (GSOC). The Garda Síochána Ombudsman Commission (GSOC) is an independent body which was set up to receive complaints made by members of the public concerning allegations of misconduct by members of the Garda Síochána. Any evidence to support these claims should also be brought to the attention of GSOC.

An Garda Síochána endeavour as best they can to facilitate peaceful protests. Witness for example, the type of protest we had some weeks ago, facilitated by members of An Garda Síochána, when tens of thousands of people across the country protested with dignity against water charges. Contrast that event with other forms of protest carried out by a small few where people have been intimidated and prevented from going about their lawful business. It is always unfortunate when a small number of individuals resort to such means. However, I have no doubt that in upholding the rule of law, An Garda Síochána have the support of the vast majority of people in the country.

With regard to charges or prosecutions against persons engaged in unlawful acts, that is a matter primarily for An Garda Síochána in the first instance and for the DPP in relation to whether there should be prosecutions.

Family Reunification Applications

285. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in the determination of an application for family reunification in the case of a person (details supplied) in County Cork; and if she will make a statement on the matter. [45176/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, following the consideration of their case under Section 3 (6) of the Immigration Act 1999 (as amended), the person concerned was granted discretionary permission to remain in the State on 15th May, 2013, for an initial, and renewable, one year period, valid to 15th May, 2014. This permission to remain was renewed for a further two years on 15th May, 2014, valid to 14th May, 2016. The initial permission to remain decision letter, and the permission to remain renewal decision letter, issued to the person concerned explicitly stated that this permission did not confer any entitlement or legitimate expectation on any other person, whether related to them or not, to enter or remain in the State.

The Deputy might wish to note that access to family reunification is confined to persons recognised as refugees or with subsidiary protection status. The person concerned holds neither status.

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

Garda Deployment

286. **Deputy Clare Daly** asked the Minister for Justice and Equality her views on whether it is appropriate to send large representative of Garda units, including dog units, mounted unit, aerial support unit and others along with the Dublin Fire Brigade and the Road Safety Authority into schools at a time when Garda resources are stretched on the ground and at a time when there were no other Garda resources working in the geographic area; and if there is a code of practice in that regard. [45220/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will be aware, one of the primary functions of the Garda Commissioner under the Garda Síochána Acts, is to direct and control An Garda Síochána. In this regard, the Garda Commissioner is responsible for the distribution of all resources, including fully sworn members and Reserve Gardaí, among the Garda Regions, Divisions and Districts. Garda management keep this distribution under continuing review in the context of security assessments, crime trends and policing priorities so as to ensure that the best possible use is made of these resources.

The Garda Schools Programme is managed and directed by the Community Relations Bureau. The Garda Primary Schools Programme was first introduced in 1991. It is a comprehensive education programme for 5th class pupils in Primary Schools throughout the country. The programme aims to teach children sensible and responsible patterns of behaviour in order that they may:

- Lessen the risks they may face through crime
- Be safer on the roads and at home
- Positively contribute towards Crime Prevention
- Know what the Role of An Garda Síochána is
- Develop positive attitudes towards the role and work of An Garda Síochána

The programme consists of a series of presentations given to the school children by their local Gardaí. These Gardaí have been trained in the delivery of the programme, which includes the following topics:

- The Role of the Garda
- Road/Cycle Safety
- Bullying

- Vandalism
- Personal Safety
- Drugs
- Crime Prevention

The Garda Secondary Schools Programme has been developed and is at present being introduced to Second Level schools throughout the country. The programme was designed in conjunction with the Social, Personal & Health Education (SPHE) syllabus of the Department of Education & Science.

Trained Gardaí are available to co-facilitate classes as part of the SPHE course at Junior Cycle level in the following two modules - (i) Substance Use and (ii) Personal Safety Social, Personal and Health Education (SPHE), as part of the schools curriculum, supports the personal development, health and well being of young people and helps them create and maintain supportive relationships.

In relation to visits to Schools from members of An Garda Síochána Traffic Corps, Road Safety is traditionally accepted as being comprised of 3 main components, namely Enforcement, Education and Engineering. The main role of An Garda Síochána is one of enforcement, and education by Garda members is also seen as vital in educating young people of the dangers on the road network, ultimately helping to prevent road traffic collisions.

Members of the Traffic Corps visit secondary schools, colleges, businesses and community groups to educate of the dangers from the main road safety issues, namely excessive or inappropriate speed, intoxicated driving, fatigue, distractions and the non use of safety belts.

If considered against the financial cost, each road traffic fatality is estimated to cost over €2.5 million when every aspect of the collision is taken into account. In this regard, the use of Garda resources as an educational and preventive measure is considered a worthwhile use of Garda resources.

In relation to the Garda Operational Support Unit Resources which consists of four specialist units namely, the Garda Air Support Unit, Garda Dog Unit, Garda Mounted Unit and Garda Water Unit, these Units receive a considerable number of requests to visit schools and other community events.

Each request is adjudicated on an individual basis and is accommodated where possible, subject to sufficient resources being available and no greater operational requirement for An Garda Síochána at that time.

Visits to schools are considered hugely important to the development of young people at a formative age and their interaction with An Garda Síochána is enormously popular with teachers, parents and children. Such visits are considered a core function in the engagement of An Garda Síochána with the community in line with our mission statement.

Matters relating to the Dublin Fire Brigade should be directed to the Department of Environment, Community and Local Government and matters relating to the Road Safety Authority to the Department of Transport, Tourism and Sport.

European Arrest Warrant

287. **Deputy Sandra McLellan** asked the Minister for Justice and Equality if the Garda have the facility to trace a person's whereabouts through their mobile account (details supplied) account specifically relating to a person with an outstanding European arrest warrant; and if she will make a statement on the matter. [45221/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Under the provisions of the European Arrest Warrant Act, as amended, the High Court is the executing judicial authority in the State. The Minister's function, in relation to a warrant received from another Member State, is to apply or cause an application to be made to the High Court for endorsement of the warrant. Once the warrant is endorsed, it falls to the Garda authorities to arrest the subject of the warrant and bring him/her before the High Court.

The Garda authorities use all means available to them under the law, and cooperate with their counterparts in other jurisdictions, in tracing those who are the subjects of such warrants and I do not consider it appropriate to disclose operational arrangements in this regard.

Stardust Fire

288. **Deputy Clare Daly** asked the Minister for Justice and Equality regarding the Foy report of 2004, whereby consent was only given for the report to be used for further Garda and forensic investigations, if she will have this report removed from her Department's website. [45226/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Report the Deputy refers to was furnished to my Department to advance the case being made by the Stardust Victims Committee for the holding of a fresh Inquiry into the Stardust Fire.

Subsequently, an Independent Examination of the Stardust Victims Committee Case for a Re-opened Inquiry was established. As part of the preparatory work for the Examination, the Solicitor for that Examination requested from my Department various background documents including the Report referred to by the Deputy. My Department complied with this request.

On completion of the Examination, the Report of the Independent Examination of the Stardust Victims Committee Case for a Re-opened Inquiry into the Stardust Disaster was laid before the Houses of the Oireachtas; it was also published on the website of my Department. The Report to which the Deputy refers is one of a number of reports of various natures that are contained in Appendix 9 (Expert Reports considered) of the Report of the Independent Examination.

The Report of the Independent Examination of the Stardust Victims Committee Case for a Reopened Inquiry into the Stardust Disaster is now part of the public record and it would not be appropriate for me to seek to remove part of an independent report of this nature from the public domain.

Crime Data

289. **Deputy Niall Collins** asked the Minister for Justice and Equality if she will provide in tabular form the number of incidents where a crime has been committed utilising a licensed gun as a weapon from 2010 to date in 2014; and if she will make a statement on the matter. [45287/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have asked the Garda

Commissioner for a report on this matter and will write to the Deputy when it becomes available, although the Deputy will appreciate that guns utilised in the commission of offences are often not recovered and, accordingly, it is not possible to determine the provenance of the weapons.

Firearms Licences

290. **Deputy Niall Collins** asked the Minister for Justice and Equality if she will provide in tabular form from 2010 to date in 2014 the number of gun licence applications refused by An Garda Síochána; the number of those refusals which were appealed to the courts; the number of those applications which were successful in the courts; and if she will make a statement on the matter. [45288/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have asked the Garda Commissioner for a report on the matter insofar as An Garda Síochána are concerned and will write to the Deputy when it becomes available.

The Courts Service has advised that the information related to District Court cases is not readily available and could only be retrieved by way of a manual examination of each individual court record. As I am sure the Deputy will appreciate, this would require the expenditure of a disproportionate amount of staff time and resources which cannot be justified.

Visa Applications

291. **Deputy Mary Lou McDonald** asked the Minister for Justice and Equality if she will provide an update on the visa application in respect of a person (details supplied) in Dublin 3. [45299/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, as the person concerned had no valid basis to remain in the State, they were, by letter dated 4th December, 2012, notified that the then Minister proposed to make a Deportation Order in respect of them, in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended). They were given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making written representations to the then Minister setting out the reasons why they should not have a Deportation Order made against them. Written representations have been submitted by and on behalf of the person concerned.

The position in the State of the person concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be fully considered in advance of a final decision being made.

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

Question No. 292 answered with Question No. 260.

Departmental Funding

293. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if she will provide details of any moneys that her Department has provided to Associated Charities Trust (details supplied) since 1990. [45325/14]

294. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if her Department has conducted investigations or due diligence work in relation to Associated Charities Trust (details supplied). [45326/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 293 and 294 together.

The only moneys which have been provided to Associated Charities Trust by my Department has been under the Charitable Lotteries Scheme.

The Charitable Lotteries Scheme was established in 1997 to provide assistance to the promoters of certain private charitable lotteries that have products similar to those sold by the National Lottery. The Charitable Lotteries fund was administered by the Department of Finance until mid 2011, at which time responsibility for its administration was transferred to my Department.

Details of payments made to Associated Charities Trust under the Charitable Lotteries Scheme in 2011, 2012 and 2013 are as follows:

2011: €25,905.21

2012: €27,067.26

2013: €18,523.79

Applications for assistance under the Scheme for 2014 are currently being assessed by my Department, and this process should be completed shortly. The Scheme will be discontinued once the final payments have issued under it in 2015.

In relation to investigation and due diligence, all payments under the Charitable Lotteries Scheme are subject to compliance by beneficiaries with the terms and conditions of the Scheme. This includes the provision of audited accounts for the three most recent accounting years.

Departmental Contracts

295. **Deputy Billy Kelleher** asked the Minister for Justice and Equality if her Department, or any agency of her Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45350/14]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I wish to advise the Deputy that neither my Department nor any agency of my Department have awarded any contracts to the company referred to by the Deputy.

Question No. 296 answered with Question No. 262.

Children in Care

297. **Deputy Seamus Kirk** asked the Minister for Children and Youth Affairs the steps regarding special care units for children; if an application is refused if there is a right to appeal; the criteria for this right to appeal; and if he will make a statement on the matter. [45251/14]

298. **Deputy Seamus Kirk** asked the Minister for Children and Youth Affairs the number of children who are in special care units here; the cost per annum for these children; if he will provide a breakdown by county on the number of children in care; and if he will make a statement on the matter. [45252/14]

Minister for Children and Youth Affairs (Deputy James Reilly): I propose to take Questions Nos. 297 and 298 together.

Special care involves the detention of a child for his or her own welfare and protection in a special care unit (SCU) on order of the High Court. SCU's differ from ordinary residential care in that the Units offer higher staff ratios, on-site education as well as specialised input such as psychology and child psychiatric services. The child is detained as a result of a High Court Order, and not on the basis of any criminal activity.

Special care has operated under the High Court's inherent jurisdiction since the 1990s. The Child Care (Amendment) Act 2011 creates a statutory framework for the High Court to deal with special care cases instead of employing its inherent jurisdiction. Work is currently underway to commence the Act. Section 23 (c) and (b) defines special care as the provision of care to a child which addresses "his or her behaviour and the risk of harm it poses to his or her life, health, safety, development or welfare and his or her care requirements and includes medical and psychiatric assessment, examination and treatment, and educational supervision."

Admission criteria are set out in an information booklet (Revised 4th Edition July 2014) which is available on request from Tusla Special Care Services (01 6352537 / specialcare.referrals@tusla.ie). The steps in relation to application for special care begin with the child's social worker submitting a referral to the Special Care Referrals Committee. Membership of the Committee comprises an independent chairperson, two area managers from the Child and Family Agency and a unit manager from one of the special care units. Where necessary, other professionals, psychiatrists for example, may be consulted in the review. The referring social worker attends the Committee meeting and is notified of the Committee's final decision within 24 hours of the meeting.

When applications are declined, the social work team is informed in writing of the specific criteria not met and the chairperson is available for consultation. If the referring Social Work Department is not satisfied with the outcome, the secretary of the Committee directs them in the first instance to the chairperson for resolution and then to the national manager for special care services.

I have requested information in relation to the cost from the Agency and I will revert to the Deputy when this information is to hand. As of September 2014 there were 17 children in special care places - 10 in Ballydowd, Co. Dublin, 4 in Gleann Alainn, Co. Cork, and 3 in Coovagh House, Co. Limerick. At the end of September the Agency reported that there was a total of 6,470 children in care, indicating that 0.26% if those in care were in a special care placement. County level data is not available as the Child and Family Agency collates its statistics on the basis of 17 administrative areas. The most recent information disaggregated by administrative area is for July 2014 and is set out in the table.

Children in Care 2014	July Children in Care	Special Care
Dublin South Central	393	2

Children in Care 2014	July Children in Care	Special Care
Dublin South East/Wicklow	311	1
Dublin South West/Kildare/West Wicklow	489	4
Midlands	356	0
Dublin City North	632	2
Dublin North	312	1
Louth/Meath	400	0
Cavan/Monaghan	185	0
Cork	927	0
Kerry	141	0
Carlow/Kilkenny and South Tipperary	385	1
Waterford/Wexford	488	2
Mid West	595	3
Galway/Roscommon	462	1
Mayo	136	0
Donegal	186	0
Sligo/Leitrim/West Cavan	88	0
National Total	6,486	17

Ministerial Meetings

299. **Deputy Joan Collins** asked the Minister for Children and Youth Affairs his plans to meet with the canal community local policing forum (details supplied). [44790/14]

Minister for Children and Youth Affairs (Deputy James Reilly): I can inform the Deputy that I have no plans at this time to meet with the Canal Community Policing Forum.

Legislative Measures

300. **Deputy Dominic Hannigan** asked the Minister for Children and Youth Affairs the contact he has had with the Samaritans on their concerns regarding the Children First Bill; and if he will make a statement on the matter. [44799/14]

Minister for Children and Youth Affairs (Deputy James Reilly): My officials have met with a wide variety of stakeholders in relation to the development of the Children First Bill 2014. I understand that the Samaritans were among a group of providers of telephone counselling and help lines services who were briefed by my officials.

I assume that the Deputy is referring to the submission that the Samaritans made to the Joint Oireachtas Committee on Health and Children in July 2012 in which some concerns were expressed in relation to the Heads of the Children First Bill. These concerns specifically related to the proposal to create Designated Officers and the impact of mandatory reporting on the Samaritans telephone helpline.

If the Deputy is referring to this submission, I would like to clarify that the proposal to create Designated Officers was not included in the Children First Bill which was published in April of this year, and so this issue is in effect, resolved.

As regards the effect of mandatory reporting on the telephone helpline, the Samaritans ex-

pressed concerns that distressed persons may terminate their call to the helpline if they believe that the information that they are discussing may be reported to the Child and Family Agency.

The reporting requirements under the Bill apply to information that a mandated person receives in the course of their professional duties. Under the provisions of the Children First Bill, 2014, as initiated, volunteers who are staffing a helpline will not have statutory obligations to report placed upon them; however it is expected that all reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected should be reported to the Agency in accordance with Children First: National Guidance for the Protection and Welfare of Children (2011).

Mother and Baby Homes Inquiries

301. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs his views on concerns raised by Westbank orphanage survivors in County Wicklow regarding the proposed mother and baby homes inquiry; and if he will make a statement on the matter. [44811/14]

304. **Deputy Robert Dowds** asked the Minister for Children and Youth Affairs if he will include Westbank orphanage and other relevant protestant institutions in the proposed mother and baby homes inquiry; and if he will make a statement on the matter. [44943/14]

307. **Deputy Thomas Pringle** asked the Minister for Children and Youth Affairs if Westbank orphanage and the Bethany Homes will be included in the proposed mother and baby inquiry, recognising the importance of establishing a full account of what happened in all mother and baby homes; and if he will make a statement on the matter. [45184/14]

Minister for Children and Youth Affairs (Deputy James Reilly): I propose to take Questions Nos. 301, 304 and 307 together.

The Government has undertaken to establish a statutory Commission of Investigation into matters relating to Mother and Baby Homes in accordance with the Motion passed by the Dáil on the 11th June. Considerable progress has been achieved since this date, including the publication of the Inter-Departmental Group's Report, the announcement that Judge Yvonne Murphy will chair the Commission and an inclusive consultation process with stakeholders. The Government has also publicly confirmed that the intended scope of this investigation will go beyond the home operated by the Sisters of Bon Secours in Tuam, Co. Galway and these announcements have been widely welcomed.

As the Deputy will be aware, I am consulting with a number of key stakeholders, including the Bethany Survivor's Campaign and Survivors of Protestant Children's Institutions whom I have met in recent days, in order to update the parties on the emerging issues and to seek their further views.

Requests to include a range of institutions, and concerns related to particular practices are being examined in our current deliberations.

A key challenge in deciding on the scope of the investigation is to ensure that a realistic approach is taken so that the Commission is in a position to investigate these matters in a workable and effective manner. As recommended by the Inter-Departmental Report, our approach should have regard to the facts established through recent inquiries into related institutions, and the general experience gained in conducting similar investigations into matters of public importance.

Following the finalisation of the terms of reference it is my intention to bring these matters to Government as soon as possible thereafter.

Child and Family Agency Research

302. **Deputy Arthur Spring** asked the Minister for Children and Youth Affairs the research undertaken by Tusla to examine best practice models for service delivery to survivors and victims of sexual abuse; and if he will make a statement on the matter. [44870/14]

Minister for Children and Youth Affairs (Deputy James Reilly): I have requested the information from the Child and Family Agency and I will revert to the Deputy when this information is to hand.

Domestic Violence Services Funding

303. **Deputy Arthur Spring** asked the Minister for Children and Youth Affairs his plans to change the current system of funding and services provision of rape crisis centres; and if he will make a statement on the matter. [44872/14]

Minister for Children and Youth Affairs (Deputy James Reilly): Responsibility for the funding of the Domestic, Sexual and Gender based Violence services transferred from the HSE to Tusla, the Child and Family Agency, upon its establishment on 1 January, 2014.

In 2014, the Agency is providing over €17 million in funding to support the provision of Domestic, Sexual and Gender based Violence Services.

This includes the funding of some 60 services throughout the country:

- €10 million for 20 Crisis Refuges and support services
- Over €4 million for 16 Rape Crisis Centres
- Almost €3.5 million for 24 Domestic Violence Support Services.

Tusla has concluded a review of Domestic, Sexual and Gender based Violence services and a consolidated national budget is in place for these services. A roadmap for the future delivery of services has been approved by the Board of the Agency. The Agency has continued to engage with funded organisations during the review period and representatives of all those involved in the delivery of services were invited to consultations throughout the review process.

A structure for the national oversight of Domestic, Sexual and Gender based Violence Services is currently being put in place, with dedicated roles to support the delivery of these services. This approach will facilitate the provision of effective, high quality services with more equitable availability of services across different geographical areas and different population groups.

Sexual Violence services will be developed as a national specialist service in order to achieve greater co-ordination of responses to both adult and child victims of sexual violence across all relevant services. The ultimate goal is to enable better experiences and outcomes for those who have experienced sexual violence and the important role of Rape Crisis/Sexual Violence services in this respect is recognised.

As part of the Child and Family Agency performance framework, the Agency is committed

to implementing a commissioning approach to funding all external service providers, including Sexual Violence services.

Tusla's budgetary arrangements are currently being finalised. The Agency will liaise with funded Sexual Violence services regarding services required and funding arrangements for 2015 once its budget has been signed off. Frontline Sexual Violence services will be prioritised within available resources.

Question No. 304 answered with Question No. 301.

Child and Family Agency Funding

305. **Deputy Jonathan O'Brien** asked the Minister for Children and Youth Affairs his plans to ensure funding is secured to enable Childline to continue providing a 24 hour service. [45081/14]

Minister for Children and Youth Affairs (Deputy James Reilly): My Department does not provide direct funding in respect of Childline. However, I have asked the Child and Family Agency, as the body with statutory responsibility for promoting the welfare and protection of children, to look into the matter and I will revert to the Deputy when I have received their advice.

Early Childhood Care Education

306. **Deputy Billy Timmins** asked the Minister for Children and Youth Affairs the position regarding the budget and poor pay and conditions of child care workers (details supplied); and if he will make a statement on the matter. [45085/14]

Minister for Children and Youth Affairs (Deputy James Reilly): Approximately €260m is invested annually by the Government to support the provision of early childhood care and education through three childcare support programmes, the Early Childhood Care and Education (ECCE) programme, the Community Childcare Subvention (CCS) programme and the Training and Employment Childcare (TEC) programmes. Despite the difficult budgetary position that has prevailed in recent years, the Government has maintained the investment in these programmes, in particular the free pre-school programme which alone costs €175m annually. While considerable progress has been made in correcting the overall budgetary situation, the funding available to my Department does not allow for the consideration of an increase in the capitation paid to childcare providers participating in the ECCE programme at this time.

These programmes, and in particular the Early Childhood Care and Education programme, provide a guaranteed source of income to participating services and given that many parents would otherwise not be able to avail of pre-school care and education for their children, the funding has ensured that many childcare services, both commercial and community, have the resources to continue to operate.

All international research and experience shows that the supports provided to children in their early years results in improved outcomes for children and an economic and social return to the State, but only where the services provided are of a high quality. Following the broadcast of the Primetime programme in May 2013, Minister Fitzgerald announced the Early Years Quality Agenda which comprises a range of actions designed to improve quality in early years services. These actions include the strengthening of the Early Years Inspection system, the introduction

of a registration system for all pre-school services and supporting the implementation within early years services of the Síolta Framework and the Aistear Curriculum.

Within the broader context of quality improvement, the Department of Education and Skills Inspectorate has been asked to lead and organise focused inspections on the quality of educational provision in early childhood education settings participating in the ECCE programme. These education-focused inspections will concentrate on the improvement of educational provision for pre-school children, and will complement the inspections undertaken by the Child and Family Agency Early Years Inspectorate.

A National Early Years Quality Support Service, known as *Better Start*, has been introduced. This service has 30 graduates in early childhood care and education who will work directly with services to improve quality, including assisting services in the implementation of the Síolta Framework and the Aistear Curriculum. The National Manager of the Service has been recruited and the Early Years Specialists took up their posts in October. The new service will work closely with the City and County Childcare Committees and the Voluntary Childcare Organisations to support service providers in improving the quality of their services. The work of the service will be based on a new Practice Guide based on Síolta and Aistear, which is currently being developed by the National Council for Curriculum and Assessment (NCCA).

Question No. 307 answered with Question No. 301.

Departmental Correspondence

308. **Deputy Terence Flanagan** asked the Minister for Children and Youth Affairs the reason for the delay in responding to correspondence (details supplied) regarding mother and baby homes; and if he will make a statement on the matter. [45295/14]

Minister for Children and Youth Affairs (Deputy James Reilly): I am advised that a reply issued on the 19th August to the Deputy's initial correspondence of 6th August regarding Mother and Baby Homes. A further reply outlining the current position issued on 21st November from my office in response to the Deputies letter of 28th October. As an independent body, it will ultimately be a matter for the Commission itself to determine the approach to matters which fall within its specific terms of reference. My Department will arrange to pass the details supplied by the Deputy to the Chair of the Commission.

Departmental Contracts

309. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45341/14]

Minister for Children and Youth Affairs (Deputy James Reilly): My Department and the Agencies under its remit has not formally entered into any contract for the provision of services by the company concerned.

Defibrillators in Schools

310. **Deputy Jonathan O'Brien** asked the Minister for Health his Department's policy on defibrillators in schools; the number of schools with no defibrillator; the number of schools

with a defibrillator and no one trained to use it; and if he will make a statement on the matter. [45159/14]

Minister for Health (Deputy Leo Varadkar): The Department of Health has no information on defibrillators in schools nor the operational issues relating to their use within schools.

It was agreed that there are a number of questions that need to be considered when designing a public defibrillation programme for Ireland and Government approval was therefore granted for the Health Information and Quality Authority (HIQA) to undertake a Health Technology Assessment (HTA) of a Public Access Defibrillator Programme for Ireland. HIQA is currently preparing its Final Draft Report. Public Consultation on this issue ended late October. The health technology assessment of public access defibrillation currently being conducted by HIQA will examine the clinical and cost-effectiveness of different configurations of any potential public access defibrillation programme, which includes matters of training. The HIQA health technology assessment is due to be completed by end November 2014, when its results will be conveyed to the Department of Health for its consideration.

Ambulance Service Provision

311. **Deputy Dara Calleary** asked the Minister for Health the reason for an hour delay in an emergency ambulance call-out (details supplied); his views that this delay is unsatisfactory; and if he will make a statement on the matter. [44772/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days will he please contact my Private Office and my officials will follow the matter up.

Health Services

312. **Deputy Bernard J. Durkan** asked the Minister for Health if a much needed motorised wheelchair will be provided in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [44778/14]

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 (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Health Services

313. **Deputy Anthony Lawlor** asked the Minister for Health the reason Our Lady's Children's Hospital Crumlin withdrew physiotherapy services for children with referrals from rheumatoid paediatricians without any alternative service being available to them in the Kildare west area; in view of the extensive delays experienced by children in the area, if he will confirm when physiotherapists in the Kildare west Wicklow area will be in a position to provide the services required by children with referrals from rheumatoid paediatricians; and if he will make a statement on the matter. [44787/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days will he please contact my Private Office and my officials will follow the matter up.

Departmental Correspondence

314. **Deputy Joan Collins** asked the Minister for Health his plans to meet with the canal community local policing forum (details supplied). [44791/14]

Minister for Health (Deputy Leo Varadkar): The Deputy will appreciate that in the absence of further information concerning the nature of the issues it is difficult to respond in full to her. I would suggest the Deputy might consider corresponding with my office outlining the issues involved.

HSE Reimbursement Schemes

315. **Deputy Michael Lowry** asked the Minister for Health if he will intervene with the Health Service Executive to prevent a case of discrimination against a seriously ill person (details supplied) in County Laois; and if he will make a statement on the matter. [44798/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Decisions on which medicines are reimbursed by the taxpayer, are not political or ministerial decisions. These are made on objective, scientific and economic grounds by the Health Service Executive (HSE) and often on the advice of the National Centre for Pharmacoeconomics.

The HSE has been engaging with the manufacturer, Alexion Pharma, for some time in relation to the drug Eculizumab. I understand that in 2010 following prolonged discussions and in the absence of sufficient information to make a long term permanent decision around this agent, the HSE entered into an access with evidence development agreement with Alexion Pharma and St James's Hospital, Dublin whereby the HSE provided a fund (almost €10m, inclusive of VAT) for three years (2010-2012) sufficient to treat 10 patients (the expected number of patients to be identified for treatment over that time period). At the end of this period, Alexion was expected to have developed additional evidence to allow the HSE to make a long term decision in relation to the funding of this incredibly costly agent. The HSE honoured the terms of that agreement.

The agreement lapsed and a formal re-assessment process was triggered as was agreed with Alexion / St James's in 2010. Pending consideration of the outcome of the assessment, the HSE continued the funding commitments entered into with Alexion on behalf of the original 10 patients. The HSE has released funding of €1.9m in the first 8 months of 2014 to fund treatment for these 10 existing patients.

Many countries have struggled to accept the pricing point put forward by Alexion. The medicine in question requires €355,000 per annum plus 23% VAT (multi-year commitment) to be found for each additional patient treated.

The HSE continues to try to engage with the pharmaceutical company to arrive at a pricing point that would assist it in its efforts to fund this medicine for as many patients as possible. The HSE met the company again this month and is waiting on the company's response following that engagement. It is worth noting that the current Irish list price of €4,557.50 per vial

substantially exceeds the list price in the UK (£3,150 sterling).

I would like to assure the Deputy that the Department, and the HSE, fully understand the concerns of patients regarding the availability of this drug. While I appreciate that some may take the view that the taxpayer should re-imburse every licensed medicine for whatever price the drug company demands, I hope the Deputy will appreciate that the better interests of the health service require that we re-imburse only the most effective medicines and only at a fair price.

Health Services

316. **Deputy Stephen S. Donnelly** asked the Minister for Health further to Parliamentary Question No. 153 of 13 November 2014, if he will undertake a full risk assessment to ensure that there are no negative healthcare results for the people of counties Wicklow and east Carlow as a result of the redesign of the primary percutaneous coronary intervention programme; and if he will make a statement on the matter. [44834/14]

321. **Deputy Stephen S. Donnelly** asked the Minister for Health further to Parliamentary Question No. 153 of 13 November 2014, if he will undertake a full review of the way the Health Service Executive made and announced a premature decision, which resulted in a temporary suspension of ambulance transfers to St. Vincents University Hospital for patients suspected of having ST elevation Myocardial Infarction, and caused widespread concern; if he will confirm that no such premature announcements are made in future; and if he will make a statement on the matter. [44880/14]

322. **Deputy Stephen S. Donnelly** asked the Minister for Health further to Parliamentary Question No. 153 of 13 November 2014, if he will ensure that some form of stakeholder outreach is included in the redesign of the Primary Percutaneous Coronary Intervention programme, which is currently underway before any decisions are made and announced, including dialogue with frontline workers, paramedics and first responders; and if he will make a statement on the matter. [44881/14]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 316, 321 and 322 together.

St. Vincent's University Hospital (SVUH), St. James's Hospital and Mater Misericordiae University Hospital operate as designated 24/7 Primary Percutaneous Coronary Intervention (PPCI) centres for the Greater Dublin Area.

In relation to the withdrawal of SVUH as a 24/7 PPCI centre, the HSE has advised my Department that a premature decision was taken in this regard without the normal notifications to relevant stakeholders. This resulted in a temporary suspension over the weekend of 7 November of ambulance transfers to SVUH for patients suspected of having ST elevation Myocardial Infarction (STEMI).

SVUH resumed as a 24/7 PPCI centre at 8am on Tuesday 11 November 2014.

It should be noted that at all times, patients presenting directly to SVUH with suspected STEMI had PPCI in SVUH 24/7 available, if deemed clinically necessary. The Mater and St. James's Hospital continued to provide 24/7 PPCI and accept ambulance transfer for patients with STEMI who would ordinarily have been transferred to SVUH for the period of the temporary suspension.

The HSE has advised that a redesign of the PPCI programme - especially in relation to out of hours - is currently underway. The Acute Coronary Syndrome Programme in collaboration with the Acute Hospitals Division and National Ambulance Service of the HSE will enter discussions with all Dublin hospitals currently delivering PPCI, and with other stakeholders, with a view to devising the most effective and sustainable model of care for PPCI in the region.

The following information was provided under Standing Order 40A

I refer to Deputy Donnelly's request for further information in response to Questions Nos. 316 and 321.

As indicated in my response to these PQs a redesign of the Primary Percutaneous Coronary Intervention (PPCI) programme - especially for out of hours - is currently underway.

The HSE Acute Hospitals Division (AHD) has requested that the Acute Coronary Syndrome Programme provide an update on their 2012 recommendations to provide clarification on the following questions:

- (a) The number of centres required to deliver 24/7 Primary PCI in the Greater Dublin area
- (b) The feasibility of maintaining 9-5 services on any site
- (c) How resources will be consolidated on 24/7 sites, especially in reference to out-of-hours work.

I expect that the ACS Programme, in consultation with the AHD and the National Ambulance Service will take account of the healthcare requirements of the catchment population, including Wicklow and Carlow, in making their recommendations. Once these recommendations are received early in 2015, the AHD will be responsible for leading on their communication and implementation.

In relation to the announcement and temporary suspension of ambulance transfers to St Vincent's University Hospital in November, it has been acknowledged by the HSE that a premature decision was taken in this regard without the normal notifications to relevant stakeholders. I have no plans to review the way in which that decision was made, however I can assure the Deputy that it won't happen again and there will be appropriate communication with all stakeholders in advance of decisions on future arrangements for delivery of 24/7 Primary PCI in the Dublin area.

I trust that this information addresses the requests for information to the Deputy's satisfaction.

Long-Term Illness Scheme Coverage

317. **Deputy Brendan Griffin** asked the Minister for Health if medication for the treatment of chronic obstructive pulmonary disease will be made available under the long-term illness scheme; and if he will make a statement on the matter. [44860/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Long-Term Illness dependent Scheme was established under Section 59(3) of the Health Act, 1970 (as amended). Regulations were made in 1971, 1973 and 1975 specifying the conditions covered by the LTI Scheme, which are as follows: Acute Leukaemia; Mental handicap; Cerebral Palsy; Mental Illness (in a person under 16); Cystic Fibrosis; Multiple Sclerosis; Diabetes Insipidus; Muscular Dystrophies; Diabetes Mellitus; Parkinsonism; Epilepsy; Phenylketonuria; Haemo-

philia; Spina Bifida; Hydrocephalus; and conditions arising from the use of Thalidomide. There are no plans to extend the list of conditions covered by the LTI Scheme.

Under the Drug Payment Scheme, no individual or family pays more than €144 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

Under the provisions of the Health Acts, medical cards are provided to persons who are, in the opinion of the Health Service Executive (HSE), unable without undue hardship to arrange GP services for themselves and their dependants. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family.

Mobility Allowance Review

318. **Deputy Michelle Mulherin** asked the Minister for Health the reason for the considerable delay in implementing a replacement scheme for the discontinued mobility allowance and motorised transport grant schemes; and if he will make a statement on the matter. [44867/14]

367. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding the travel payment scheme which was a development of a travel scheme to assist persons (details supplied) who have to travel a long way to a hospital; and if he will make a statement on the matter. [45232/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 318 and 367 together.

The Department is seeking a solution which would best meet the aim of supporting people with severe disabilities who require additional income to contribute towards the costs of their mobility needs, while remaining within the available budget and satisfying all legal and equality concerns.

Conscious of the reports of the Ombudsman regarding the legal status of the Motorised Transport Grant and Mobility Allowance Scheme, in the context of the Equal Status Acts, the Government decided to close both schemes on 26th February, 2013. In November 2013, the Government decided that the preparatory work required for a new travel subsidy scheme and associated statutory provisions should be progressed by the Minister for Health.

Work is ongoing on the policy proposals to be brought to Government for the drafting of primary legislation for a new scheme. The challenge is to provide these benefits to a wider cohort of people, while continuing to cater for the 4,700 people already in receipt of a monthly payment, within a limited budget.

Once policy proposals have been finalised and approved by Government, the timeframe for the introduction of a new scheme will become clearer.

Cancer Incidence

319. **Deputy Billy Kelleher** asked the Minister for Health if he will enquire and investigate the high level of cancers diagnosed over the years in areas (details supplied) in County Cork; and if he will make a statement on the matter. [44869/14]

Minister for Health (Deputy Leo Varadkar): The National Cancer Registry is the statu-

tory body with responsibility for the collection and analysis of information relating to the incidence of cancer in Ireland. All Registry cancer registrations are geographically coded by Electoral Division (ED). The location specified by the Deputy lies within the Mallow South Urban ED.

In response to a previous query, the Registry analysed the incidence rates of cancer in this location in 2010, using data covering the 1994-2007 period, and the results showed that there was no statistically significant difference between cancer incidence in Mallow South Urban and national incidence rates.

I have asked the Registry to update these results incorporating the additional four years (2008-2011) for which data is complete and to forward them to the Deputy.

Medical Card Applications

320. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [44878/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Questions Nos. 321 and 322 answered with Question No. 316.

Vaccination Programme

323. **Deputy Billy Kelleher** asked the Minister for Health when or if National Immunisation Advisory Committee will make a recommendation with regard to the Meningitis B vaccine in the primary childhood immunisation programme here [44901/14]

Minister for Health (Deputy Leo Varadkar): The immunisation programme in Ireland is based on the advice of the National Immunisation Advisory Committee (NIAC). The NIAC is a committee of the Royal College of Physicians of Ireland comprising of experts in a number of specialties including infectious diseases, paediatrics and public health. To date, NIAC has not made any recommendation in relation to the use of Meningitis B vaccine in the primary childhood immunisation programme in Ireland. However, NIAC has issued guidance in relation to the use of the Meningitis B vaccine in the control of clusters or outbreaks of Meningococcal B disease.

Should NIAC recommend the inclusion of MenB vaccine into the primary childhood immunisation programme, my Department, in association with the HSE National Immunisation Office will examine the issue.

Meningococcal disease is caused by the Meningococcal bacteria. It is a notifiable disease under the Infectious Diseases (Amendment) Regulations 2011 (S.I. No. 452 of 2011).

The Weekly Infectious Disease Report for week 45, published by the Health Protection Surveillance Centre on 12 November 2014, indicates that there have been 37 cases of Meningococcal disease notified up to 8 November 2014. This is a decrease of 12 on the same period in 2013.

Transport Costs

324. **Deputy Michael Healy-Rae** asked the Minister for Health if moneys are available to assist a person (details supplied) in County Kerry with their cost of travelling to the Mater Hospital in Dublin for treatment [44910/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospital Facilities

325. **Deputy Olivia Mitchell** asked the Minister for Health his plans to bring the 65 beds in the older wards of Leopardstown Park hospital up to Health Information and Quality Authority standard; and if he will make a statement on the matter. [44916/14]

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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Primary Care Services Provision

326. **Deputy Thomas P. Broughan** asked the Minister for Health the frequency with which the list of medications covered by the Health Service Executive Primary Care Reimbursement Service is reviewed; and the reasons medications required to prepare patients to undergo the procedure of a colonoscopy are not covered by the HSE Primary Care Reimbursement Service [44924/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Reimbursement List is updated on a monthly basis with products which have applied for addition to the Reimbursement List where they satisfy the Health (Pricing and Supply of Medical Goods) Act 2013.

Separately, the Health (Pricing and Supply of Medical Goods) Act 2013 provides that the HSE must review all items currently reimbursable under the GMS and community drug schemes within three to five years to determine if they should remain on the reimbursement list and, if so, what price should apply.

Colonoscopies are not carried out in the community setting therefore it is expected that hospital authorities would make comprehensive arrangements to provide all of a patient's requirements in connection with a diagnostic and/or surgical service that the hospital provides.

Medical Card Applications

327. **Deputy Billy Timmins** asked the Minister for Health the position regarding medical card applications in respect of persons (details supplied) [44939/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Nursing and Midwifery Board of Ireland

328. **Deputy Billy Kelleher** asked the Minister for Health if the Nursing and Midwifery Board of Ireland published annual reports for 2012 and 2013; and if same are available on-line [44940/14]

Minister for Health (Deputy Leo Varadkar): I wish to advise the Deputy that as the Nursing and Midwifery Board is a statutory agency, I have referred your question to it for direct reply.

If you have not received a reply from the NMBI within 15 working days please contact my Private Office and they will follow up the matter with them.

HSE National Service Plan

329. **Deputy Tom Fleming** asked the Minister for Health if he will intervene and restore the cut of €44,437.50 to the budget of an association (details supplied) in County Kerry as this deficit will have a dramatic and detrimental effect on front line services and puts a serious doubt on the future viability of this association who are providing essential and vital services to a vulnerable sector of society; and if he will make a statement on the matter. [44945/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is fully committed to ensuring the on-going delivery of vital services and supports to people with disabilities within available resources.

The Health Service Executive (HSE) is currently in the process of preparing its 2015 National Service Plan including its disability services programme for children and adults with disabilities.

In relation to the specific query raised by the Deputy on Kerry Parents & Friends Association, as this is a service issue, it has been referred to the HSE for direct reply. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow up the matter with the HSE.

Medicinal Products Availability

330. **Deputy Sandra McLellan** asked the Minister for Health if the Health Service Execu-

tive has received an application for the inclusion of Flexiseq for treatment of arthritis in the general medical services and community drugs schemes; and if he will make a statement on the matter. [44948/14]

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.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Medical Card Applications

331. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [44979/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Hospital Appointment Status

332. **Deputy John O'Mahony** asked the Minister for Health when a person (details supplied) in County Mayo will receive an appointment for an audiology test; and if he will make a statement on the matter. [44985/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive Community Audiology service administers and monitors hearing tests for adults who are at risk for hearing loss. The HSE has therefore been asked to examine this matter and to reply to the Deputy as soon as possible. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services

333. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding an application for hours for school assistance in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [44987/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service

Executive. I have asked the HSE to look into the particular matter raised and to reply directly to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Universal Health Insurance Expenditure

334. **Deputy Billy Kelleher** asked the Minister for Health the costs incurred to date by his Department with regard to the programme for Government commitment to introduce universal health insurance [44997/14]

Minister for Health (Deputy Leo Varadkar): My Department has incurred costs of €211,971.99 to date in respect of the Government's commitment to the introduction of Universal Health Insurance (UHI) in Ireland. The main elements of expenditure were legal research and advisory services on technical aspects of UHI (€141,450) and costs associated with the public consultation on the White Paper on UHI (€56,637.68). The remaining costs totalling €13,884.31 include items such as Irish translation services for UHI publications, costs associated with the UHI Implementation Group and travel costs for international experts. It should be noted that the figure of €211,971.99 is exclusive of normal staffing and other incidental costs which were expended from my Department's annual budgets in the years 2011 to 2014 inclusive.

Medical Card Eligibility

335. **Deputy Bernard J. Durkan** asked the Minister for Health if a review will take place in respect of eligibility to a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [45001/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Medical Card Eligibility

336. **Deputy Derek Nolan** asked the Minister for Health his views on introducing a policy whereby medical cards for sick children are not means tested; and if he will make a statement on the matter. [45004/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Eligibility for health services in Ireland, as set out in the Health Act 1970 as amended, is based primarily on ordinary residence and means. All people ordinarily resident in the State are eligible for publicly-funded hospital services. In addition, about two-fifths of the population are eligible for publicly-funded primary care services. The Health (General Practitioner Service) Act 2014, which provides an entitlement for all children aged under 6 to a GP service without fees, was

enacted on 25th July 2014. Under a Framework Agreement, the Department of Health, the HSE and the IMO are engaged intensively on the introduction of GP services without fees for children aged under 6. The Government's aim is to have universal GP care without fees for children under 6 years implemented early next year subject to the conclusion of the present discussions and the completion of a fee-setting process.

The Deputy will be aware that the Director-General of the HSE established an Expert Panel to examine and recommend the range of medical conditions that would be considered as a basis of eligibility for health services. The Expert Panel report was presented to the Minister last month.

The Expert Panel concluded that it was not feasible, desirable, nor ethically justifiable to list medical conditions in priority order for medical card eligibility. It also concluded that a person's means should remain the main qualifier for a medical card and recommended that the existing eligibility assessment should be extended beyond financial hardship to include an assessment of the burden of a medical condition, but it noted that there are significant challenges to including such an assessment. It is however recognised by Government that there is a need for discretion and sensitivity in assessing eligibility, which will take into account an individual's medical condition and needs, rather than a list of specific medical conditions. In that context, the Government has approved a number of immediate improvements that the HSE is making to the medical card system.

Health Services

337. **Deputy Eoghan Murphy** asked the Minister for Health if he will provide details of those resources being invested to assist in research into Huntington's disease and care for Huntington's disease patients [45006/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The supports provided by the Health Service Executive (HSE) to people with Huntington's Disease involve a multi-disciplinary team approach. This approach incorporates the provision of health and personal supports and incorporates Acute Hospital Services, Primary Care, Community Services and specialist disability supports and services. The HSE recognises the valuable contribution made by the Huntington's Disease Association of Ireland to those who suffer from the disease, and to their families and carers and it provided a grant of €68,887 to support the Association with their work in 2013.

I have arranged for the aspect of the Deputy's question which relates to research to be referred to the HSE for investigation and a direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Prescription Charges

338. **Deputy Derek Nolan** asked the Minister for Health if the prescription charge is a short term measure; and if he will make a statement on the matter. [45007/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Prescription charges are part of a set of measures introduced by Government in recent years to reduce pharmaceutical drugs expenditure. It was necessary to increase the prescription charge in 2014 due to the very difficult and challenging economic environment which requires the Government to

achieve additional savings in health expenditure with €619 million of savings targeted in 2014. The increase in prescription charges will account for €43 million of this target.

There are no plans to amend the prescription charge. However I am pleased that the prescription charge is frozen at the level set in 2014 as was announced as part of the packet of health measures in Budget 2015.

Medical card holders are required to pay a €2.50 charge per item for medicines and other prescription items supplied to them by community pharmacists, subject to a cap of €25 per month for each person or family.

Prescription charges do not apply to children in the care of the Health Service Executive or to methadone supplied to patients participating in the Methadone Treatment Scheme.

Orthodontic Service Waiting Lists

339. **Deputy John O'Mahony** asked the Minister for Health the measures he is taking to address the large waiting lists for orthodontic treatment in County Mayo; and if he will make a statement on the matter. [45008/14]

351. **Deputy John O'Mahony** asked the Minister for Health the number of persons awaiting orthodontic treatment in County Mayo; and if he will make a statement on the matter. [45078/14]

352. **Deputy John O'Mahony** asked the Minister for Health the waiting time for orthodontic treatment in County Mayo; and if he will make a statement on the matter. [45079/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 339, 351 and 352 together.

The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable. It is estimated that in up to 5% of cases it is necessary to wait for further growth to take place before treatment commences. Patients are assessed by the HSE Orthodontic Service under the modified Index of Treatment Need. Patients with the greatest level of need, i.e. Grade 5 or Grade 4 are provided with treatment by the HSE.

Information on waiting times is collated by the HSE by region and for the intervals as shown below. The waiting times for orthodontic treatment in the Western region at the end of Quarter 3 2014 are set out in the table.

Waiting time from assessment to commencement of treatment	1-6 months	7-12 months	13- 4 months	25-36 months	37-48 months	Over 48 months	TOTAL
HSE West	1,206	1,218	1,443	1,153	124	48	5,192

Over the next three years orthodontic treatment for certain categories of misalignment will be provided by a panel of independent practitioners under contract to the HSE. A national procurement process is currently underway and is due to be ready for commencement in January 2015. This initiative will especially focus on those waiting for four years or longer. It is expected that this initiative will have a positive impact on waiting times.

I have asked the HSE to reply directly to the Deputy on the specific issues he has raised on

orthodontic treatment in County Mayo. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Medical Card Applications

340. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding a medical card application in the case of a person (details supplied) in Dublin 22; and if he will make a statement on the matter. [45013/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Medical Card Applications

341. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [45019/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Medicinal Products Licensing

342. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the position regarding the practice of using chlorine dioxide as a treatment for autism spectrum conditions here; if he has knowledge of this practice taking place; the actions that have been taken to address this; and if he will make a statement on the matter. [45047/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Under the Medicinal Products (Control of Placing on the Market) Regulations 2007, as amended, a medicinal product cannot be placed on the market in Ireland unless it has a marketing authorisation from the Health Products Regulatory Authority (HPRA) or a community marketing authorisation from the European Medicines Agency (EMA). Any product which makes a medicinal claim to treat medical conditions such as autism is considered to be a medicine and requires an authorisation under this legislation.

Chlorine Dioxide Solution (CDS) is not authorised as a medicine for sale or supply in Ireland and it is therefore an offence to place this product on the market in Ireland without a marketing authorisation.

The HPRA, assisted by the Gardai, is investigating the manufacture and supply of the product Miracle Mineral Solution (MMS) and CDS. Products were seized and investigations are continuing.

The HPRA advises consumers not to take MMS or CDS. The Food Safety Authority and the National Poisons Information Centre of Ireland have also issued a public safety warning regarding the use of the solution.

Cross-Border Health Initiatives

343. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide an update on the cross-border agreement that had been in place for ten years to cater for maxillo-facial surgery to be carried out in Altagelvin hospital for patients from Counties Sligo, Leitrim and Donegal; if the status of this has changed following a meeting from management of the relevant hospitals; the current status of the service; and if he will make a statement on the matter. [45048/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow the matter up with them.

Proposed Legislation

344. **Deputy Dara Calleary** asked the Minister for Health further to his recent comments subsequent to the Supreme Court decision on surrogacy, his proposed legislative timeframe to address the findings of the court; and if he will make a statement on the matter. [45053/14]

Minister for Health (Deputy Leo Varadkar): Following the Supreme Court's judgment in the *MR and Anor v. An tArd Chlárathaoir & Ors* on Friday 7th November, I stated my intention to bring a memorandum for Government before the end of this year, seeking approval to draft an Assisted Human Reproduction Bill. It is envisaged that a comprehensive Bill would deal with a wide range of issues from the beginning to the end of the assisted reproduction process. The proposed legislation will have a number of objectives, most importantly, protecting and promoting the health and safety of children born through assisted human reproduction and their parents as well as fostering the application of ethical principles.

Hospital Waiting Lists

345. **Deputy Pat Deering** asked the Minister for Health when funding will be made available in respect of a person (details supplied) in County Carlow who is on a waiting list in Waterford University Hospital and St. Vincent's hospital for hip replacement surgery [45062/14]

Minister for Health (Deputy Leo Varadkar): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management

and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular case you raise, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospital Staff Recruitment

346. **Deputy Pat Deering** asked the Minister for Health when a radiographer will be appointed to the X-ray department in St Dymphna's Hospital, County Carlow, in view of the fact that it is almost eleven months since the incumbent retired [45064/14]

Minister for Health (Deputy Leo Varadkar): I have asked the HSE to respond to the Deputy directly on this matter. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services Provision

347. **Deputy Pat Deering** asked the Minister for Health if he will provide an update on paediatric physiotherapy services available in County Carlow [45065/14]

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 (HSE) for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Tobacco Control Measures

348. **Deputy Seamus Kirk** asked the Minister for Health if the proposal on cigarette packaging has been assessed to determine its impact on black market sales; if he will make the conclusions of the assessment available; and if he will make a statement on the matter. [45066/14]

Minister for Health (Deputy Leo Varadkar): I would like to assure the Deputy that I am confident that the Public Health (Standardised Packaging of Tobacco) Bill 2014 will have a positive impact on health and is a proportionate measure. As the Deputy may be aware, the tobacco industry has argued that standardised or plain packs would be easier to forge and would lead to growth in illicit trade of tobacco products. However, the Revenue Commissioners have advised me that they are satisfied that the standardised packaging legislation will not have a significant impact on their work in relation to illicit trade in tobacco products. Revenue relies on the tax stamp as a key means for them to distinguish between legal and illegal products, irrespective of the way in which the cigarettes are packaged. Tax stamps will remain a fixture on tobacco products following the introduction of standardised packaging, and contain all features possible to minimise the risk of counterfeiting.

Combating the illegal tobacco trade is, and will continue to be, a high priority for the Revenue Commissioners. They have extensive cooperation with An Garda Síochána in combating the illicit trade, and in addition, cooperation takes place with other revenue administrations and with the European Anti-Fraud office, OLAF, in the ongoing programmes at international level

to tackle the illicit trade.

The 2014 EU Tobacco Products Directive sets out further measures to be adopted by Member States in order to tackle illicit trade; in particular, it includes provisions relating to traceability and security features of tobacco products. Tobacco products will be marked with a unique identifier and security features. This will allow for their movements to be recorded and for such products to be tracked and traced throughout the EU. This will also facilitate the verification of whether or not tobacco products are authentic.

Following Government approval, Ireland's Permanent Representative to the United Nations signed the Protocol to Eliminate Illicit Trade in Tobacco Products, adopted by the Parties to the WHO Framework Convention on Tobacco Control (WHO FCTC), in New York on 20 December 2013. The new international treaty is aimed at combating illegal trade in tobacco products through control of the supply chain and international cooperation. As a key measure, Parties commit to establishing a global tracking and tracing system to reduce and eventually eradicate illicit trade.

In view of the above, it is anticipated that there will not be a significant impact on illicit trade of tobacco as a result of the introduction of standardised packaging.

Health Services Funding

349. **Deputy Brian Walsh** asked the Minister for Health if his attention has been drawn to the fact that in October 2014 the Health Service Executive notified a service provider (details supplied) in County Galway of a €156,600 cut in funding for 2014; his views that it is reasonable that such a reduction should be imposed so late in the year; and his further views that this will impact directly on frontline services and vulnerable service users [45071/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is fully committed to ensuring the on-going delivery of vital services and supports to people with disabilities within available resources.

The Health Service Executive (HSE) is currently in the process of preparing its 2015 National Service Plan including its disability services programme for children and adults with disabilities.

In relation to the specific query raised by the Deputy on Ability West, Galway, as this is a service issue, it has been referred to the HSE for direct reply. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow up the matter with the HSE.

Hospital Waiting Lists

350. **Deputy Michael Lowry** asked the Minister for Health if he will provide information on the average waiting time for those awaiting physiotherapy appointments in the Community Hospital of the Assumption in Thurles, County Tipperary; if his attention has been drawn to the staff in the physiotherapy Department who are under severe pressure in the hospital and cannot cope with the volume of work in place; if he will personally intervene to ensure that steps are taken to assist the hardworking staff and to ensure that the current waiting lists are reduced [45077/14]

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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Questions Nos. 351 and 352 answered with Question No. 339.

Medical Card Eligibility

353. **Deputy Brendan Smith** asked the Minister for Health if all persons over the age of 70 are entitled to a general practitioner visit card; if there has been changes made recently in relation to the entitlement/criteria for medical cards and G.P. visit cards for persons aged over 70; and if he will make a statement on the matter. [45082/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Currently, entitlement to a General Practitioner Visit Card is subject to a means test. No recent changes to the relevant legislation have been made. However, the Government is committed to the introduction of a universal GP service for the entire population in line with the Programme for Government. As announced, the Government has decided to prioritise the over 70s in the next phase of the roll-out of universal GP care. The Government has approved the drafting of a Bill to provide a GP service without fees for all persons aged 70 years and over. Drafting of the Bill is the subject on ongoing interaction between the Department and the Attorney-General's Office. The expectation is that the Health (General Practitioner Service) (No. 2) Bill 2014 will be published shortly. The aim is to have the over 70s phase implemented early next year, subject to the conclusion of discussions between the Department of Health, the HSE and the IMO.

Orthodontic Service Provision

354. **Deputy John McGuinness** asked the Minister for Health if orthodontic treatment will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny in view of the fact that they were examined in the counts clinic on 1 October 2013 and deemed an urgent case and if he will expedite the matter; and if he will make a statement on the matter. [45105/14]

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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Medical Card Applications

355. **Deputy Bernard J. Durkan** asked the Minister for Health the progress to date in the determination of an application for a medical card in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [45125/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Medical Card Applications

356. **Deputy James Bannon** asked the Minister for Health if he will provide an update on the medical card application in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [45128/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Hospital Equipment

357. **Deputy Billy Kelleher** asked the Minister for Health when a contract (details supplied) to install critical quality and safety patient software in State hospitals in the west and northwest was awarded [45192/14]

358. **Deputy Billy Kelleher** asked the Minister for Health the value of a contract (details supplied) to install critical quality and safety patient software in State hospitals in hospitals in the west and northwest [45136/14]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 357 and 358 together.

As these are service matters, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Departmental Contracts

359. **Deputy Billy Kelleher** asked the Minister for Health the number of contracts currently in place between the Health Service Executive or agency thereof and Northgate Public Services; the date any such contracts were contract and the value of each [45137/14]

379. **Deputy Billy Kelleher** asked the Minister for Health if his Department, or any agency of his Department, have awarded any contracts to a company (details supplied) since 9 March 2011. [45348/14]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 359 and 379 together.

The Department has not made any payments to the company named by the Deputy since 9 March 2011. Officials are checking if there are any contracts in place with the company under which there are no payments to be made and I will revert to the Deputy as soon as possible on that.

The Deputy should contact the relevant Director, CEO or Registrar of bodies under the aegis of my Department for the information requested because they hold such details.

I have asked the HSE to respond to the Deputy directly in respect of any contracts it might have with the company.

Hospital Waiting Lists

360. **Deputy Seán Kenny** asked the Minister for Health what additional resources are being allocated to tackle the lengthy waiting list in the accident and emergency department of Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [45142/14]

Minister for Health (Deputy Leo Varadkar): The Department and the HSE both believe that trolley waits are an unacceptable feature of the Irish health care system. This feature must be addressed. Figures for 14 November 2014 show that compared to the baseline year of 2011, there are 28.7% fewer patients on trolleys at Beaumont, equivalent to 1,883 patients. Compared to 2013, there are 16.3% fewer patients on trolleys. This is equivalent to 911 fewer patients. Performance in this area occurs against a background of a population which is experiencing significant ageing, with those over 80 years increasing by some 4% annually.

I am advised by the HSE that it is introducing a range of measures to minimise the numbers of patients waiting on trolleys. The Special Delivery Unit is working with hospitals to improve access times to appropriate care and to reduce the length of stay for key conditions. New pathways of care continue to be introduced to improve patient flow through hospitals including minor injury, medical assessment and surgical assessment units and specific pathways for frail older patients. This work is supported and facilitated through the clinical programmes and the involvement of senior clinical decision makers at all stages of the patient journey. The Special Delivery Unit is also working with the hospital groups to maximise capacity to accept ED patients by ensuring that appropriate activity is performed at each individual site. An in-depth review of individual sites is due to commence within the next month, which should lead to sustainable improvement.

The Government has also provided additional funding of €25 million in 2015 to address delayed discharges. This funding will be targeted at hospital and community services which can demonstrate initiatives to address specific needs of delayed discharge patients most positively. This will therefore improve timeliness for admissions from Emergency Departments and waiting lists.

Pharmacy Regulations

361. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide details of the legal requirements for receipts issued in pharmacies on the purchase of medicines; if there is any legal requirement for itemised prices of medicines purchased; if there is any

intention to introduce itemised prices in view of the fact that this may lead to greater consumer knowledge of and control over prices; and if he will make a statement on the matter. [45144/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There is no legal requirement for retail pharmacies to provide for itemised prices of medicines purchased. However, it is acknowledged that the transparency of prices of medicines for patients is desirable and measures have been taken to increase price transparency among retail pharmacies. The Department engaged with the Pharmaceutical Society of Ireland to consider how to provide greater price transparency in 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, setting out the price per item dispensed.

Health Services Provision

362. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding special shoes in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [45149/14]

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 (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Medical Records

363. **Deputy Richard Boyd Barrett** asked the Minister for Health how a person can access their own personal medical records in full; and if he will make a statement on the matter. [45173/14]

Minister for Health (Deputy Leo Varadkar): Generally, access to one's health records should be provided routinely and administratively, having regard to privacy, confidentiality and the public interest. An application may be made in writing to the appropriate service or agency providing sufficient information (date of birth, current and previous addresses, dates of contact with the specific services etc.) to help in locating records.

People may also access their medical records under the Freedom of Information Act. They may apply in writing to the public body that holds them and for medical card holders that public body is the Health Service Executive (HSE). Patients of the public system may also be entitled to their medical records under the Data Protection Acts (2003 and 2008) or by 'discovery' in the course of court proceedings.

People who visit their G.P. privately or attend a non-HSE funded or private hospital may access their records under the Data Protection Acts (2003 and 2008) or by court order.

Health Services Provision

364. **Deputy Robert Troy** asked the Minister for Health further to Parliamentary Question No. 438 of 11 November 2014, if he will expedite a hospital appointment in respect of a person (details supplied) in County Westmeath [45180/14]

Minister for Health (Deputy Leo Varadkar): In relation to the further query raised in this matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Maternity Services

365. **Deputy Clare Daly** asked the Minister for Health if he will provide an update regarding improvements in the access for women who were clients of a person (details supplied) to alternative home birthing arrangements, in view of the delay in having these matters processed; and in that context, if he will intervene in order to request that the person's indemnity would be temporarily reinstated until after the Health Service Executive investigations, as had previously been the case in other instances especially in view of the detrimental impact that the removal of this indemnity has had on the over 20 women directly involved [45186/14]

Minister for Health (Deputy Leo Varadkar): I have been advised by the HSE that there were 13 mothers-to-be contracted for home births with the community midwife at the time of her suspension.

The current position is that seven of these mothers have delivered their babies. A further five mothers-to-be have expected delivery dates between now and March 2015. The 13th mother's application for a home birth could not be approved as she did not meet the criteria.

My role as Minister for Health primarily relates to policy decisions, legislation, implementing the programme for Government, securing an overall budget for the health service and accounting for it to the Oireachtas. The particular case referred to by the Deputy is an operational matter and it is appropriate that it should be dealt with by the HSE. I have referred the Deputy's question to the HSE for attention and direct reply.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Hospital Admissions

366. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if a date for surgery at the Regional Hospital Limerick will be expedited in respect of a person (details supplied) in County Limerick [45227/14]

Minister for Health (Deputy Leo Varadkar): The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my

officials will follow the matter up.

Question No. 367 answered with Question No. 318.

Suicide Bereavement Support

368. **Deputy Eric Byrne** asked the Minister for Health if and when all the key recommendations in *A Vision For Change* will be implemented; if and when counselling will be provided for bereaved adults and children following a suicide; when a 24 hour suicide help line will be provided; the allocation that was made in budget 2015 towards providing these services; and if he will make a statement on the matter. [45237/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Since coming into office, this Government has prioritised the reform of our mental health services in line with the recommendations in *A Vision for Change*. Additional funding totalling €125 million and some 1,100 new posts have been provided primarily to strengthen Community Mental Health Teams for both adults and children and to enhance specialist community mental health services for older people with a mental illness, those with an intellectual disability and mental illness, and forensic mental health services.

Implementation of *Vision* is ongoing. Work will be undertaken during 2015 to prioritise outstanding actions informing the identification of any gaps in service. The additional €35 million provided for mental health in Budget 2015 will be directed towards the continued prioritised development and reconfiguration of General Adult teams, including Psychiatry of Later Life, and Child and Adolescent Community Mental Health teams. This will be delivered through further recruitment and investment in agencies and services in order to achieve a consistent service provision across all areas. In addition, the funding will also permit urgent specialist needs to be addressed, including psychiatric intensive care, forensic mental health, mental health intellectual disability care, and psychiatric liaison services. The details will be outlined in the HSE National Service Plan 2015.

Bereavement support for families and communities is critically important in the aftermath of a death by suicide. A range of local and national services provide suicide bereavement support to families and communities (details of these can be found at www.yourmentalhealth.ie). The HSE's National Office for Suicide Prevention (NOSP) provides funding to Console to deliver suicide bereavement support services across the country. The organisation has six regional offices and has a dedicated helpline for individuals bereaved by suicide. The National Office also provides funding to Counselling, Responding, Information and Bereavement Services in HSE South and to Mayo Suicide Liaison Project.

The NOSP, in collaboration with Console and the Resource Officers for Suicide Prevention, has funded the development of the Family Suicide Bereavement Liaison Service across HSE West. Family Liaison Bereavement Officers, employed by Console, provide a range of services such as home visits and linking families to appropriate services such as GP, counselling, listening, or mental health services. The service is currently available in Donegal, Sligo, Leitrim, Mayo, Galway, Limerick, Clare and North Tipperary with Roscommon, the Midlands and the South East available shortly.

There is help available for people who are struggling to cope or feel suicidal, and for families or friends who are concerned about someone. People who are in emotional distress can call the new Samaritans 24/7 free-phone number 116123, Console at 1800 201 890, Aware at 1890 303 302 and Pieta House at 01 601 0000.

The HSE National Service Plan for 2015, to be published shortly, will outline the total amount of funding for mental health services in 2015. Decisions on the allocation of budgets in respect of specific initiatives are an operational matter for the HSE.

Dental Services Provision

369. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding the delivery of oral and dental care (details supplied); and if he will make a statement on the matter. [45242/14]

375. **Deputy Michael Healy-Rae** asked the Minister for Health his views on a matter (details supplied) regarding oral hygiene; and if he will make a statement on the matter. [45303/14]

378. **Deputy Michael Healy-Rae** asked the Minister for Health his views on securing and maintaining oral health (details supplied) in the early years of a person's life; the way this will be achieved; and if he will make a statement on the matter. [45329/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 369, 375 and 378 together.

The role of the Department of Health is in the development of policy and the role of the HSE is the implementation of the policy. The National Service Plan of the HSE outlines the priorities of the HSE on agreement with the Minister and the Department of Health annually. The oral health key priorities are indicated in the National Service Plan and in the Divisional Operational Plans for the HSE. The National Service Plan for 2015 is currently being finalised.

The Dental Treatment Service Scheme (DTSS) provides access to dental treatment for medical card holders over the age of 16. All medical card holders are entitled to specific dental treatments e.g., an annual dental examination, two fillings in each calendar year, extractions as necessary. Additional treatments are available to persons with specific medical conditions including persons in receipt of care or services for a disability and persons on a register of disability. The HSE prioritises for treatment patients with special needs, high risk patients and those who have greater clinical needs and will continue to monitor the operation of the DTSS to ensure the most beneficial, effective and efficient use of available resources. Funding for the DTSS, which was capped at the 2008 level of €63 million, has increased to €75 million this year to take account of the increase in the uptake of services.

The HSE introduced Standard Operating Procedures (SOPs) for patients eligible for the DTSS in November 2011. This is linked with prior approval of claims for treatment such as endodontics. This has enabled increased uptake of such treatments.

Dental services for children up to 16 years of age and persons of all ages with special needs are provided by the Public Dental Service of the HSE through its dental clinics. All HSE dental clinics prioritise emergency care for children up to 16 years of age, treatment for special needs patients and screening of children aged from 11 to 13 years, including referral for orthodontic services where necessary. Other services, including screening of children 6 to 8 years, are provided but may be deferred in clinics where there is pressure on resources.

The Department of Health is in the process of developing a new oral health policy. This is a three year project which commenced in 2014 and is led by the Chief Dental Officer.

The project will have three key parts. The first is a needs assessment, which will inform how new services should be provided. The second part will be a review of resources. Thirdly, there

will be consultation with stakeholders, including professional groups and the public, on new ways of delivering oral health services.

The emphasis on prevention rather than intervention is a cornerstone of this policy development. The project is prioritising older adults in the first instance. The ethos and principles for adults will provide a framework for the policy on children which will follow. In line with the 'Healthy Ireland' policy framework there will be a focus on a life course approach and the 0-5 age group will be considered in this context.

Health Services Provision

370. **Deputy John McGuinness** asked the Minister for Health when a continuous positive airway pressure, CPAP, machine will be provided in respect of a person (details supplied) in County Kilkenny in view of the fact that the funding has been awarded under the sundry section of the long-term illness card; the reason for the delay; and if he will make a statement on the matter. [45246/14]

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.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Services Provision

371. **Deputy Charlie McConalogue** asked the Minister for Health the reason the rheumatology outreach clinic has not been reinstated at Letterkenny General Hospital in view of the fact that suitable accommodation is available and the consultant has returned from maternity leave; and if he will make a statement on the matter. [45247/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Air Ambulance Service Provision

372. **Deputy Charlie McConalogue** asked the Minister for Health if different criteria are applied when an Air Corps or coastguard helicopter is used in instances where an air ambulance is required for a patient for inter hospital transfer or call out to an incident; and if he will make a statement on the matter. [45272/14]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Pension Provisions

373. **Deputy Catherine Murphy** asked the Minister for Health if he will confirm that a person (details supplied) was inadvertently and incorrectly not provided with an adequate pension following 30 years working as a home help provider with the Health Service Executive and its predecessors; the reason they were informed that they were too old to avail of the pensions scheme at the time of their retirement in January 2014; if he will review this decision; and if he will make a statement on the matter. [45292/14]

Minister for Health (Deputy Leo Varadkar): The question raised by the Deputy is a matter for the HSE and I have requested that they respond directly to you. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Medical Card Applications

374. **Deputy Paul J. Connaughton** asked the Minister for Health when a doctor visit card allocated on 21 October 2014 will issue in respect of a person (details supplied) in County Galway; the current delay in terms of issuing cards; if his attention has been drawn to the fact that this family have been pursuing this matter for months before the DVC was granted and now they face further delays in terms of having to pay for doctor's treatment when a DVC has been granted because of administrative delays; and if he will make a statement on the matter. [45298/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Question No. 375 answered with Question No. 369.

Special Educational Needs Service Provision

376. **Deputy Seán Ó Feargháil** asked the Minister for Health if he will intervene in the case of a child (details supplied) in County Kildare who engages in self-injurious behaviour and for whom an assessment of needs has been completed some considerable time ago; if he will ensure that the Health Service Executive provides the required speech, language and other therapies recommended; and if he will make a statement on the matter. [45305/14]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the particular issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Disability Support Services

377. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the situation that exists regarding disability services for children and young persons in County Kildare since network disability teams were established in May 2014, if he will indicate the increase or otherwise in the number of children receiving active attention; if he will further indicate the staffing levels in place in each team; the vacancies that exist within teams; the measurements being sought to fill these vacancies; the timeframe with which a full compliment of staff and services will be available for each team; and if he will make a statement on the matter. [45306/14]

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. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Question No. 378 answered with Question No. 369.

Question No. 379 answered with Question No. 359.

Medical Card Applications

380. **Deputy Charlie McConalogue** asked the Minister for Health when a decision will be made on a medical card application in respect of persons (details supplied) in County Donegal; and if he will make a statement on the matter. [45357/14]

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. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Hospital Appointment Status

381. **Deputy Finian McGrath** asked the Minister for Health the position regarding a hospital appointment and operation in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [45369/14]

Minister for Health (Deputy Leo Varadkar): The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up with them.

Hospital Appointment Status

382. **Deputy Finian McGrath** asked the Minister for Health the position regarding a hospital appointment and operation in respect of a person (details supplied) in Dublin 5; and if he will make a statement on the matter. [45370/14]

Minister for Health (Deputy Leo Varadkar): The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up with them.

Hospital Appointment Delays

383. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason for the delay in a person (details supplied) in County Offaly having prolapsed disc surgery performed in the Mater hospital, Dublin; and if they will be provided with a date for the surgery as soon as possible due to the high level of pain they are in. [45377/14]

Minister for Health (Deputy Leo Varadkar): The National Waiting List Management Policy, A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Prescription Charges

384. **Deputy Billy Kelleher** asked the Minister for Health with regard to the rebate of prescription charges to persons with medical cards under the long-term illness scheme, the maximum rebate available per person; the total number of applications for rebates that have been made; the number of rebates that have been paid; the number of approved rebates that have yet to be repaid; the number of applications that have not yet been decided on; and if he will make a statement on the matter. [45398/14]

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.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Middle East Issues

385. **Deputy Joe Costello** asked the Minister for Foreign Affairs and Trade the value of products imported into Ireland from Israel benefitting from the preferential tariff under the EU-Israel Association Agreement in 2011, 2012 and 2013; the sectors that have qualified for the preferential tariff under the EU-Israel Association Agreement in 2011, 2012 and 2013; the value of products imported into Ireland that were produced in the Israeli settlements located within the territories brought under Israeli administration since June 1967 that are not entitled to benefit from the preferential tariff treatment under the EU-Israel Association Agreement in 2011, 2012 and 2013; if there is a system in place for checking that products imported either directly or indirectly into Ireland from Israel under the EU-Israel Association Agreement are products from within Israel's pre-1967 borders as opposed to its post-1967 borders; if Ireland checks, and if so with what regularity; if goods imported directly or indirectly into Ireland from Israel under the EU-Israel Association Agreement are actually produced within Israel's pre-1967 borders as opposed to its post-1967 borders; the value of goods imported into Ireland from those parts of Palestine not under the control of Israel in the years 2011, 2012 and 2013; the measures taken to ensure that the exact origin of products are accurately described; the value of products imported from the West Bank and Gaza to Ireland in 2011, 2012 and 2013; the considerations that have been given to excluding settlement products from the Irish market including from public procurement; and if he will make a statement on the matter. [44914/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The question of excluding settlement products from the market has been discussed many times in the Oireachtas. Ireland is a member of a trading union, and external trade policy is a competence of the European Union. It is not therefore possible to exclude settlement products from the Irish market alone. Ireland has stated previously that it could support the exclusion of settlement products from the EU market, but there is no possibility at present of such a policy receiving sufficient support within the Council.

The principal current sanction against settlement products is that they are not eligible for the lower tariffs on import to the EU which are applied to goods from Israel and from many other states. The European Commission has established certain administrative measures to distinguish settlement goods from those originating in Israel, based on post codes. The onus is on the importer to demonstrate that the goods being imported are entitled to the lower rate.

As with imports from any area where differing tariffs are applied, the possibility exists of exporters or importers deliberately seeking to confuse eligibility so as to benefit from lower tariffs. This is a standard problem for police and revenue authorities to combat in the usual way.

Existing place of origin rules in the EU do not require place of origin marking on all goods. Where such origin is marked, however, on either a statutory or voluntary basis, it requires that such marking be accurate, in other words that goods produced in settlements should not be labelled as coming from somewhere else, including Israel. Moves are being considered to issue guidelines to make this distinction more clear to importers and retailers, but it is already a principle in EU law.

Trade statistics are compiled by the Central Statistics Office and those in respect of imports from Israel and/or the Occupied Palestinian Territory are on public access on that Office's website.

Undocumented Irish in the USA

386. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade if he will provide an up to date figure on the number of undocumented Irish in the USA; and if he will make a statement on the matter. [44809/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): While it is difficult to estimate the exact number of undocumented Irish citizens in the US, Irish immigration centres, community groups and the relevant US authorities, estimate the number at around 50,000. They are individuals who are in breach of US immigration law but have no means of regularising their status. Most have deep ties in the US, where they have been otherwise compliant with the law, including paying their taxes. They wish the US government to develop a mechanism which would allow them to acquire a documented right to continue their lives in the US, to participate fully in the life of their adopted communities and to travel in and out of the country.

Middle East Peace Process

387. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if he is satisfied with the progress being made to find a lasting solution to the conflict in the Middle East; the actions he has taken to contribute to that lasting peace; and if he will make a statement on the matter. [44821/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Considerable efforts have been made in recent years, most notably the work of US Secretary of State Kerry, to work towards a lasting solution to the conflict in the Middle East. But in current circumstances, with no negotiations taking place between the parties and a deteriorating situation on the ground, and in the aftermath of the disastrous conflict in Gaza earlier this year, no-one could consider that satisfactory progress is being made.

It is only reasonable to acknowledge that a number of serious crises in the wider Middle East and elsewhere have also made great demands on the attention and resources of the international community in recent years.

But it remains our view that the EU and the wider international community need to work and press harder for the achievement of a solution to the long running Israeli-Arab dispute.

Ireland has worked and will continue to work, at EU and UN level and in our bilateral relations, to encourage that necessary focus. Above all, however, a solution to the conflict needs leadership of vision and courage from the leaders of the parties directly concerned, leadership which has in some quarters been sadly lacking.

Human Rights Issues

388. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if his attention has been drawn to the current Israeli policy of detaining Palestinian children in prisons; if he condemns this policy; if he will raise this matter at the EU Foreign Affairs Council; and if he will make a statement on the matter. [44822/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Reports of the systemic mistreatment of Palestinian children in the Occupied West Bank and East Jerusalem are of deep concern and an issue on which Ireland has been active for some time.

In October 2013, during the universal periodic review of Israel's human rights record, Ireland expressed this concern and urged Israel to fully implement the recommendations of the February 2013 UNICEF report, entitled "Children in Israeli Military Detention". We recommended that Israel end urgently night arrests of Palestinian children, the admissibility in evidence in military courts of written confessions in Hebrew signed by Palestinian children, the use of solitary confinement and the denial of access to family members or to legal representation.

Similar concerns have been expressed by the UN Secretary General, e.g. in his report on human rights in the Occupied Palestinian Territory including East Jerusalem dated 22 August 2013. This issue was also addressed in recent observations issued by the expert-level UN Human Rights Committee which expressed concern at reports of 'widespread, systematic and institutionalised ill-treatment of Palestinian children' in detention facilities.

Bilaterally, our concerns regarding the detention of Palestinian minors have been raised as part of our ongoing dialogue with the Israeli authorities on the overall situation in the Occupied Palestinian Territory and Israel's treatment of the Palestinian population, both with the Israeli Embassy here and through our own Embassy in Tel Aviv.

The overall human rights situation in Israel and the Occupied Palestinian Territory, including the treatment of children in detention, remains a matter of concern for my Department and will continue to be raised in the relevant multilateral fora, and to feature in the EU's broader concerns about human rights in the area.

Similar concerns would exist in relation to the detention of children in many other states in the region.

Middle East Issues

389. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade his views that Israel and Palestine are fulfilling the ceasefire agreement currently in place; and if he will make a statement on the matter. [44823/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The ceasefire in Gaza which came into effect on 26 August achieved the overriding objective of bringing an end to the massive violence and loss of life caused by the fighting. Since Ireland is not privy to the terms of the ceasefire, we are not in a position to comment on the extent to which the ceasefire agreement is being fulfilled, although the general judgement is that it has been observed by both sides.

However, I have always made clear that a cessation of fire, while urgent and essential, is not of itself sufficient to address the problems of Gaza. Ireland's view is that political discussions need to continue, to tackle the two recurring aspects of the problem – the unacceptable continuation of attacks into Israel from Gaza, and the arbitrary closure policy and restrictions imposed on Gaza by Israel, most of which have no security justification.

While we welcome that talks aimed at achieving a more sustainable ceasefire are planned, under Egyptian stewardship, real progress in putting such a sustainable ceasefire in place is still awaited. The disastrous cycle of violence which we witnessed this summer is destined to recur sooner rather than later if there is no political will or serious efforts undertaken to resolve the problems that lie behind it.

Election Monitoring Missions

390. **Deputy Pat Breen** asked the Minister for Foreign Affairs and Trade if he will send election observers to monitor the presidential elections to be held in Sri Lanka in January 2015; and if he will make a statement on the matter. [44876/14]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Sean Sherlock): The Department of Foreign Affairs and Trade maintains a roster of observers for election monitoring missions, which play an important role in the promotion of democracy and human rights. We aim to ensure that Ireland is represented at an appropriate level in international observation missions for both elections and constitutional referendums. Irish observers participate primarily in missions following requests issued by the European Union and the Organisation for Security and Cooperation in Europe (OSCE).

Consultations are continuing within the European Union on the priorities for election observation missions in 2015. If agreement is reached on a mission for Sri Lanka, we will give careful consideration to the nomination of Irish observers.

Foreign Conflicts

391. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade if his attention has been drawn to the fact that a doctor (details supplied) who has worked in Gaza medical facilities for over 15 years, and in Gaza's Shifa Hospital during Israel's recent 51-day assault, has been refused entry to Gaza by the Israeli authorities; and if he will raise this issue with the Israeli authorities and ask them to reverse their decision. [44982/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The case in question has not previously been raised with my Department.

The devastating humanitarian impact of the recent conflict in Gaza continues to be felt on the ground. It compounded an already serious humanitarian situation. In this bleak context, access for humanitarian workers, including doctors and health workers, is all the more important.

Initial media reports had suggested that the individual mentioned had been indefinitely banned from entering Gaza. Following official representations from the Norwegian Government, it now appears that the individual concerned has been indefinitely banned from entering Israel, rather than the Gaza Strip. There are suggestions that the reason for this ban may be attributable to the individual concerned having signed a letter during the recent conflict which strongly criticised Israeli actions. If this is the reason, exclusion of a doctor on this basis would not appear in any way justified, and I would call on Israel to reconsider its refusal to allow entry to the medical professional in question for the purpose of their travelling on to Gaza.

The option of attempting to enter Gaza from Egypt also remains open, of course.

North-South Ministerial Council

392. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade the position regarding the North South Ministerial Council; and if he will make a statement on the matter. [43796/14]

396. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views

on the North South Ministerial Council held on 3 October 2014; and if he will make a statement on the matter. [39832/14]

397. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussion at the North South Ministerial Council on Foras na Gaeilge funding arrangements; and if he will make a statement on the matter. [39831/14]

398. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussion at the North South Ministerial Council on the Ulster-Scots Agency; and if he will make a statement on the matter. [39830/14]

399. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussions on Childlink and the North South Child Protection Hub at the North South Ministerial Council; and if he will make a statement on the matter. [39829/14]

400. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussions on INTERREG and PEACE IV programmes 2014-2020 at the North South Ministerial Council meeting on 3 October 2014; and if he will make a statement on the matter. [39828/14]

401. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussion on sectoral priorities at the North South Ministerial Council; and if he will make a statement on the matter. [39827/14]

402. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussions on the North West Gateway Initiative at the North South Ministerial Council; and if he will make a statement on the matter. [39826/14]

403. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussions on re-balancing the Northern Ireland economy at the North South Ministerial Council; and if he will make a statement on the matter. [39825/14]

404. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the discussions on job creation in Northern Ireland at the 3 October 2014 North South Ministerial Council; and if he will make a statement on the matter. [39824/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I propose to take Questions Nos. 392 and 396 to 404, inclusive, together.

The North South Ministerial Council, NSMC, was established as part of the Good Friday Agreement to foster mutually beneficial co-operation in agreed areas on an all-island basis. My colleagues in Government and I meet regularly with our counterparts in the Northern Ireland Executive in the various NSMC formats to review progress in all areas of North South co-operation.

In addition to the North South Ministerial Council being a vehicle for reconciliation and better understanding on the island, it is also a mechanism for ensuring a more efficient delivery of services and a more coordinated approach to job creation and recovery, North and South. While there has been valuable progress in cooperation through the NSMC, the Government is also firmly committed to developing cross border cooperation across a broad range of areas including those which are not part of the currently mandated NSMC work programme.

To date in 2014, there have been nineteen NSMC Ministerial meetings. It is expected that further meetings will take place in the coming weeks. Indeed, I am looking forward to meeting with our Northern Ireland Executive colleagues at the upcoming Plenary meeting in December.

The 18th Plenary meeting of the NSMC took place in Dublin Castle on 3 October 2014. At this 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. Ministers referenced the positive job announcements which had been made recently both North and South. Progress on the disposal of NAMA's Northern Ireland portfolio was welcomed by the Council. 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 SMEs, economic and budgetary challenges facing both administrations and measures aimed at rebalancing the Northern Ireland economy. As regards the latter, the Government is involved in supporting the UK's investment package for Northern Ireland, which is aimed at rebalancing the economy and tackling division.

We also noted the opportunities for tourism and trade through the hosting of all-island events and agreed to continue to cooperate on a possible joint bid for the 2023 Rugby World Cup. A particular measure of note is the introduction of the joint British-Irish Visa Scheme which has come into operation in China and is due to be rolled out to cover India in the coming months. This will have very significant positive benefits to the tourism sector on the island.

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. It is expected that the PEACE programme will amount to some €269 million while the INTERREG programme is expected to total c. €282 million. The new PEACE programme will focus on Social Inclusion and Combatting Poverty while the new INTERREG program's focus will be spread across four themes: Research and Innovation; Environment; Sustainable Transport; and Health.

It was agreed that several other European funding programmes may present opportunities for cross-border cooperation to maximise the drawdown of EU funding to the island and that we should examine this issue further at the December Plenary.

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.

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. The Council also reconfirmed its commitment to a future meeting of Ministers and officials in the North West to consider future strategic approaches to the development of the region.

At the Plenary Ministers noted that the child protection work programme, agreed in the NSMC Health sector, continues to be progressed. An 'app' to allow access to the North South Child Protection Hub was launched by Childlink in February 2014. There was a discussion on child protection and e-Safety issues and the Council agreed to discuss this item further at the NSMC Plenary in December.

The Plenary meeting also noted developments relating to the operation of the North South Implementation Bodies. As regards the Language Body, comprising an Foras na Gaeilge and Ulster Scots Agency, the relevant Ministers are scheduled to meet soon. It is expected that amongst other agenda items for discussion, funding arrangements for Foras na Gaeilge will also

be discussed at the meeting.

The Council also noted the current position on the North South Consultative Forum.

Emigrant Support Services

393. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade if he will provide details of the emigrant support programme; and if he will make a statement on the matter. [41668/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The Emigrant Support Programme, ESP, provides funding to not-for-profit organisations and projects to support Irish communities overseas and to encourage closer links between these communities and Ireland.

The focus of the Emigrant Support Programme is on initiatives that address the needs of the most disadvantaged and vulnerable Irish emigrants; enhance access for Irish emigrants and Irish community organisations to local statutory and voluntary services; foster a more vibrant sense of community and Irish identity amongst the Irish abroad; and encourage closer links between Irish communities abroad and Ireland, to the benefit of both.

In addition, since 2009, the Programme also supports projects aimed at creating practical results orientated links between Ireland and the global Irish, and projects that emerged as a consequence of the Global Irish Economic Forum and its follow up.

Funding of €10,546,458 was awarded under the Emigrant Support Programme in 2013, with €11,455,364 awarded in 2012 and €11,297,365 in 2011. Details of all grants awarded in these years are available on my Department's website.

To date in 2014 expenditure of over €10,320,000 has been approved. A number of grant applications are currently being processed and I would be happy to provide the Deputy with a complete list of 2014 grants following the end of the financial year.

The Emigrant Support Programme will maintain funding of €11,595,000 in 2015.

National Strategy on the Diaspora

394. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade if he will provide details of the new national strategy on the diaspora; and if he will make a statement on the matter. [41667/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): At the Third Global Irish Economic Forum, which took place in October 2013, it was announced that the Department of Foreign Affairs and Trade would undertake a comprehensive review of our Diaspora policy to examine all elements of our engagement with the Irish abroad.

That review is now underway. As part of the review a public consultation was launched and a number of individuals and groups submitted contributions including the Joint Committee on Foreign Affairs and Trade, and Senator Mark Daly who submitted a policy paper from Fianna Fáil. My Department is currently examining these submissions with a view to finalising a new Diaspora policy which takes into account the public's views, knowledge and experience in this area.

The consultation paper is available on the Department's website and it provides an outline of the areas being considered as part of the review.

It is intended that this review will complement the wider Review of Foreign Policy and External Relations being conducted by the Department of Foreign Affairs and Trade. It will allow Diaspora issues to be considered in greater depth and in more operational terms.

The new Diaspora policy will be launched early in 2015.

Emigrant Support Services

395. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade if he will provide details of the budget allocation to his Department for the diaspora; and if he will make a statement on the matter. [41666/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Primary responsibility for engaging with emigrant communities and the wider Diaspora falls within the remit of the Department of Foreign Affairs and Trade.

The Irish Abroad Unit of the Department takes the lead role on this engagement and administers a number of schemes and programmes targeted at and supporting Irish communities abroad, including the Emigrant Support Programme. Since 2004, the Department, through the Emigrant Support Programme, has disbursed in excess of €114 million towards a wide range of organisations and projects supporting Irish citizens and community and Diaspora groups around the world.

The Emigrant Support Programme provides funding to not-for-profit organisations and projects to support Irish communities overseas and to facilitate the development of more strategic links between Ireland and the global Irish. The focus of the Emigrant Support Programme is on initiatives that address the needs of the most disadvantaged and vulnerable Irish emigrants; enhance access for Irish emigrants and Irish community organisations to local statutory and voluntary services; foster a more vibrant sense of community and Irish identity amongst the Irish abroad; and encourage closer links between Irish communities abroad and Ireland, to the benefit of both.

In addition, since 2009, the Programme also supports projects aimed at creating practical results orientated links between Ireland and the global Irish, and projects that emerged as a consequence of the Global Irish Economic Forum and its follow up.

The budget allocation for the Emigrant Support Programme in 2014 is €11,595,000. To date in 2014 expenditure of over €10,320,000 has been approved. A number of grant applications are currently being processed and I would be happy to provide the Deputy with a complete list of 2014 grants following the end of the financial year.

The Emigrant Support Programme will maintain funding of €11,595,000 in 2015. In addition a further €1 million will be available next year to support new diaspora projects and initiatives under the auspices of the Department of the Taoiseach.

Questions Nos. 396 to 404, inclusive, answered with Question No. 392.

Northern Ireland Issues

405. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade the position regarding full implementation of the Good Friday Agreement; and if he will make a statement on the matter. [37630/14]

406. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade his views on the Northern Executive. [37629/14]

407. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade where the new round of talks on Northern Ireland will be held; and if he will make a statement on the matter. [37624/14]

408. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade the position regarding the fresh talks on Northern Ireland announced by the British Government and welcomed by the Irish Government; and if he will make a statement on the matter. [37621/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I propose to take Questions Nos. 405 to 408, inclusive, together.

Since 16 October, discussions have been ongoing in the political talks in Northern Ireland convened by the Irish and British Governments. These talks bring together the Northern Ireland Executive Parties and the two Governments, in order to address a number of key issues that have badly impacted on the reconciliation agenda and on economic renewal. These include budgetary and financial matters, legacy issues (parades, flags and identity, dealing with the past), institutional issues including the effective functioning of the Northern Ireland Assembly and Executive, and outstanding commitments from the Good Friday and St. Andrew's Agreements. The Irish Government's interest in the talks is to ensure that the Agreements, and effective partnership government which is at the heart of the Agreements, work for the benefit of the people of Northern Ireland.

Discussions have taken place on each of the streams, including on outstanding elements of the Agreements. The principles and values of the Good Friday Agreement and St. Andrews Agreement are essential to peace and reconciliation in Ireland and across these islands. As such, the position of the Irish Government always has been, and continues to be, that all outstanding elements of the Agreements must be implemented, and I have expressed this view during the current talks.

I have been encouraged by the constructive approach demonstrated by all parties to date in the talks. Productive discussions are taking place between the two Governments and the Northern Ireland Executive parties, in a range of formats.

It is clear that the talks have now entered an important phase in which renewed and intensified efforts are required to achieve a comprehensive agreement. I will be reporting to the Taoiseach on the state of play in the talks by the end of November, and I would hope that I will be in a position to report significant progress.

Shannon Airport Facilities

409. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the countries that currently use Shannon Airport for Government or military flight use; and if he will make a statement on the matter. [45087/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The Air Navigation (Foreign Military Aircraft) Order 1952 gives the Minister for Foreign Affairs primary responsibility for the regulation of activity by foreign military aircraft in Ireland.

The procedure for seeking permission for the landing of foreign military aircraft at Irish airports is that the Embassy of the country concerned submits a request for permission for each and every landing to my Department. As part of the decision-making process the Department circulates these requests to relevant government Departments and agencies; input received is reflected in the responses issued by my Department.

To date in 2014 permission for the landing of foreign military aircraft at Shannon airport was granted to the following countries:

Argentina

Bahrain

Belgium

Canada

Egypt

France

Italy

Libya

Panama

USA

Arrangements under which permission is granted for foreign military aircraft to land at Irish airports are governed by strict conditions. These include stipulations that the aircraft must be unarmed, carry no arms, ammunition or explosives and must not engage in intelligence gathering, and that the flights in question must not form any part of military exercises or operations.

Foreign Policy

410. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if he will provide an update on the EU's efforts to improve the condition of workers in Bangladesh's leather industry; his views on a ban on leather imports from the country in the absence of urgent improvements; and if he will make a statement on the matter. [45088/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I am aware of recent press reports on the conditions of workers in the leather industry in Bangladesh.

We have requested our officials in Brussels to obtain further information on the EU's support programme to workers in the leather industry in Bangladesh and we will forward the information to the Deputy once it has been received.

The Government is concerned regarding the current state of labour conditions in Bangladesh. The promotion and protection of human rights is a cornerstone of Ireland's foreign policy. During Bangladesh's 'Universal Periodic Review' at the UN Human Rights Council in 2013,

Ireland recommended that Bangladesh ensure widespread, unannounced and rigorous factory inspections. These recommendations were accepted by Bangladesh.

In response to the collapse of the Rana Plaza Garment Factory Collapse in April 2013, the Government of Bangladesh has worked to reform labour laws. The former European Commissioner for Trade Karel De Gucht and the former Commissioner for Employment, Social Affairs and Inclusion László Andor speaking in July 2014, called on the Government of Bangladesh to complete this labour law reform, training and recruitment of inspectors and to create the conditions for meaningful freedom of association for workers in Bangladesh. They added that better labour conditions would support sustainable trade links with many markets, especially the European Union. I hope that these reforms are implemented without delay and benefit workers in all sectors in Bangladesh, including in the leather industry.

Diplomatic Representation

411. **Deputy Seán Kenny** asked the Minister for Foreign Affairs and Trade if any Irish Ambassador abroad requested permission to employ additional staff within their embassy in 2013; the location of the embassy; the number of requests for permission to appoint additional were approved, pending or refused; and if he will make a statement on the matter. [45141/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): In any given year, Heads of Mission may seek sanction for engaging additional members of local staff at their missions for a variety of reasons. They may be seeking to fill a post on a permanent basis or on short term temporary contracts, including temporary cover for a staff who may be ill or to manage specific projects or to meet unforeseen demands.

Our HR unit deal with these requests on a case by case basis and, within the budgetary constraints and the Employment Control Framework numbers imposed on the Department, work to ensure our Missions have the appropriate staff resources to meet their objectives.

In the time available, it is not possible to indicate how many such requests were sought and acceded to or refused for the period in question.

Foreign Conflicts

412. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade if he will urge all parties in Colombia to get back to the peace talks in view of the fact that substantial progress has been made over the past two years; and if he will make a statement on the matter. [45148/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I am following developments in Colombia's peace process closely and with some concern. Together with my EU colleagues, I welcome progress made to date in the peace talks in Havana. I earnestly hope that the parties to the talks will be in a position to agree a resumption to the talks at an early stage and will proceed thereafter to a comprehensive peace agreement.

Recent developments have caused concern for everybody who supports the peace process. The negotiating round due to begin in Havana on 18 November was delayed following the abduction by the FARC of a Colombian army general and accompanying staff two days earlier. At the time of writing, it is reported that the Norwegian and Cuban guarantors of the talks have announced that the Colombian government and the FARC have reached agreement on terms

for the release of the group. President Santos has indicated that the talks will resume as soon as they are freed. I fully support calls urging the FARC to release the hostages without delay so that talks may resume as soon as possible.

Thus far, provisional agreement has been achieved by the parties to the negotiations on a number of areas. These are the agenda items relating to land reform and rural development, political participation and illicit drugs. Issues relating to victims of the conflict are due to be discussed in future rounds of negotiations.

Other recent developments include encouraging signs that the ELN, the other major guerrilla grouping, is willing to enter into a parallel peace process with the government side.

President Santos visited Europe earlier this month to canvass for international support for the peace process. At their meeting in Brussels, European Council President von Rompuy assured President Santos of the continued support of the European Union for a negotiated settlement and offered concrete assistance once a deal has been negotiated.

Ireland will continue to follow closely developments in the peace process and to work with the international community to support a negotiated solution to the conflict. As indicated previously, Ireland is ready to assist based on the experiences and lessons of our own peace process.

International Agreements

413. **Deputy Stephen S. Donnelly** asked the Minister for Foreign Affairs and Trade further to the announcement that Ireland and Kenya have been appointed by the United Nations to lead international negotiations on new international development targets from now to 2030, the role it entails; the resources that will be committed to fulfilling it; and if he will make a statement on the matter. [45178/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): On 17 October, the President of the UN General Assembly appointed Ireland's Permanent Representative to the United Nations to co-facilitate the major international negotiations to agree a new set of global development goals to replace the Millennium Development Goals. The Permanent Representative of Kenya was also appointed. The new goals, which will take effect after 2015, will be known as the Sustainable Development Goals (SDGs), and should be adopted at a Summit of world leaders in New York next September.

The appointment is a great honour for Ireland, and a great responsibility. The challenge the role presents for the two co-facilitators will be to build consensus among the 193 Member States on a very broad and comprehensive agenda. The new development goals will entail responsibilities and actions for all countries, and will aim to eradicate extreme poverty and hunger by 2030 and achieve sustainable development at a global level by addressing challenges in areas such as energy, food, water, climate, urbanisation, peaceful societies and effective governance.

Ireland and Kenya are currently co-facilitating consultations at the United Nations on how the inter-governmental negotiations will be carried out. We are also working with our colleagues in the EU to ensure that the process will culminate in a successful outcome at next years' high-level summit, and that the new SDGs, which will have a profound impact on the lives of the world's poor, will reflect our priorities.

The Department of Foreign Affairs and Trade will ensure that the necessary resources are available to support Ireland's role, in cooperation with the considerable expertise of the UN Secretariat.

Religious Persecution

414. **Deputy Mattie McGrath** asked the Minister for Foreign Affairs and Trade if he will ensure that religious persecution is on the agenda for the next United Nations Human Rights Council meeting; if Ireland will co-sponsor the regular resolution on freedom of religion or belief tabled by the EU for the next UN session in March 2015; and if he will make a statement on the matter. [45234/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Ireland condemns all forms of persecution on the basis of religion or belief, irrespective of where they occur or who are the victims. Ireland, with its EU partners, has previously expressed concern over the climate of intolerance towards religious groups and minorities in a number of countries around the world.

The elimination of religious intolerance and persecution has been at the forefront of Ireland's human rights agenda for almost 20 years. Ireland has consistently taken a strong position in various international fora with regard to eliminating such intolerance.

Ireland consistently presses for effective action to counter the persecution of religious minorities in all relevant international fora, including the EU and UN. In September this year, I highlighted the issue when I addressed the UN General Assembly in New York. I also raised it during my meeting with UN Secretary General, Ban Ki-moon.

In this context Ireland has participated actively, at both the UN General Assembly and the UN Human Rights Council, in the negotiation of resolutions on this fundamental human right.

At the UN Human Rights Council in March 2014, Ireland co-sponsored the resolution tabled by the EU on the freedom of religion or belief. This resolution stressed the importance of a continued and strengthened dialogue in all its forms, including among individuals of, and within, different religions and beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding.

Ireland expects that the EU will again run a resolution on the freedom of religion or belief at the March 2015 session of the UN Human Rights Council. Ireland will co-sponsor and participate in the negotiations of the draft resolution.

At the ongoing session of the UN General Assembly in New York, Ireland has also been actively involved in the negotiations of an EU-led draft resolution on freedom of religion or belief at the Third Committee.

My Department will continue to advocate for the promotion and protection of the freedom of religion or belief bilaterally, within the EU, and in multilateral fora such as the UN and the Council of Europe.

Emigrant Support Services

415. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if he will report further on the global forum on diaspora and development; and if he will make a statement on the matter. [45238/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The Global Diaspora and Development Forum was hosted in Dublin earlier this month by the UCD Clinton Institute. Its aim was to bring together key thinkers, policy makers and members of Global

Diasporas to further the growing international dialogue on the importance of linkages between Diaspora and development.

The Forum was opened by my colleague Jimmy Deenihan TD, the Minister of State with special responsibility for the Diaspora, and my Department was also represented at official level. Distinguished guests included Ambassador William Lacy Swing, Director General of the International Organisation for Migration.

The Forum was partly funded by the Department of Foreign Affairs and Trade, through Irish Aid, in follow up to the valuable discussions on Diaspora, Development and the Knowledge Economy organised by the Clinton Institute during the 2013 Africa Ireland Economic Forum.

Ireland's record of harnessing our Diaspora for economic, political and social development is widely acknowledged, and our expertise in this area is of significant interest to Diaspora representatives based in Ireland. In particular, there are many lessons that can be shared with our African partners on the positive impacts of engagement with Diaspora, including those highlighted at the Forum in the areas of investment, tourism, philanthropy, innovation, knowledge transfer and conflict transformation.

I know that the Forum was a well attended and successful event and I look forward to receiving a full report from the Clinton Institute on the outcomes of the discussions that took place.

Dublin-Monaghan Bombings

416. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the recent discussions he has had with the Northern Ireland Secretary of State or British Foreign Secretary in relation to the motions passed unanimously by Dáil Éireann requesting the British Government to release the papers and/or files pertaining to the Dublin/Monaghan bombings of 1974; and if he will make a statement on the matter. [45240/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I raised the issue of the British Government granting access to these documents when I met with Secretary of State for Northern Ireland Theresa Villiers in Belfast on 30 July. She assured me that she would reflect afresh on what the British Government can do to respond. She confirmed that there was ongoing work within their system on what it may be possible to do but she was not in a position to provide a definitive response at that stage. In the course of a telephone conversation on 17 September, I again raised the issue with the Secretary of State for Northern Ireland. Officials from my Department will continue to pursue this issue and I will continue to raise it at ministerial level.

The need to establish a fair, balanced and comprehensive framework for dealing with the past is currently under discussion at the political talks in Belfast convened by the British and Irish Governments. The Government continues to believe that a framework for dealing with the past that better meets the needs of victims and survivors, while also contributing to the peace and reconciliation agenda, is an urgent requirement.

Northern Ireland Issues

417. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if he has had recent discussions with the Secretary of State for Northern Ireland regarding the need to establish an independent review into the murder of 11 persons in Ballymurphy in August 1971;

and if he will make a statement on the matter. [45241/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The Government has consistently raised the issue of the need to establish an independent review into the Ballymurphy cases, both at the level of the Taoiseach and the Minister for Foreign Affairs and Trade. On 29 April 2014, the Government issued statements expressing disappointment at the decision of the Secretary of State for Northern Ireland not to appoint a Hillsborough-style panel to review the Ballymurphy cases.

The Government is committed to playing an active and constructive role in dealing with the past, including through raising relevant matters with counterparts in the British Government.

The need to establish a fair, balanced and comprehensive framework for dealing with the past is currently under discussion at the political talks in Belfast convened by the British and Irish Governments. The Government continues to believe that a framework for dealing with the past that better meets the needs of victims and survivors, while also contributing to the peace and reconciliation agenda, is an urgent requirement.

Departmental Contracts

418. **Deputy Billy Kelleher** asked the Minister for Foreign Affairs and Trade if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45347/14]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): No contracts have been awarded by the Department of Foreign Affairs and Trade to the company referred to since 9 March 2011.

Residential Institutions

419. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding a survivor of institutional abuse (details supplied); and if she will make a statement on the matter. [45399/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): Caranua, the Residential Institutions Statutory Fund Board, is an independent statutory body established pursuant to the Residential Institutions Statutory Fund Act 2012 to oversee the use of the cash contributions of up to €110 million, pledged by the religious congregations, to support the needs of survivors of institutional child abuse. The processing of individual applications is a matter for Caranua itself and I have no role in the process. Decisions of Caranua may be appealed to an independent Appeals Officer. My officials have requested Caranua to examine this matter and to reply to the Deputy as soon as possible.

School Enrolments

420. **Deputy Ciarán Lynch** asked the Minister for Education and Skills her views on whether it is acceptable that a child living adjacent to a State-funded primary school is refused admission to that school on grounds of religion; and if she will make a statement on the matter. [44775/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a Board of Management may find it necessary to restrict enrolment to children from a particular area or a particular age group or on the basis of some other criterion. The criteria to be applied by schools in such circumstances are a matter for the schools themselves. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. Under section 15 (2) (d) of the Education Act 1998, each school is legally obliged to publish its enrolment policy.

Equality legislation, which also outlaws discrimination in relation to the admission of a student, makes provision for exemptions to apply in the case of single sex schools and in the case of schools where the objective is to provide education in an environment that promotes certain religious values. The legislation provides that any school that has this objective may admit a student of a particular religious denomination in preference to other students.

Section 29 of the Education Act 1998, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to either the relevant Educational Training Board or to the Secretary General of my Department.

The Child and Family Agency, is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The Agency can be contacted at 01 6352854 or by E-mail at info@tusla.ie.

The Deputy may be aware that the Government gave approval in March of this year for drafting the Education (Admission to Schools) Bill 2014 and drafting is currently underway.

The objective of the Admission to Schools Bill is to provide an over-arching framework to ensure that how schools decide on who is enrolled and who is refused a place in schools is more structured, fair and transparent.

A key objective in designing the framework is to create greater confidence for parents that the admission criteria laid down by schools are legitimate, reasonable and fair.

Emergency Works Scheme Applications

421. **Deputy Finian McGrath** asked the Minister for Education and Skills her views on matters regarding repairs in respect of a school (details supplied) in Dublin 3; and if she will make a statement on the matter. [44810/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department’s Planning and Building Unit has no record of receiving an application for funding from the school referred to by the Deputy for repair works.

If the school in question considers that there are works of an emergency nature requiring attention it is open to the school authority to submit an application for funding under the Emergency Works Scheme. The main purpose of the scheme is to ensure the availability of funding for urgent works to those schools that are most in need of resources as a result of an emergency situation.

Details of the scheme, together with an application form for grant assistance, can be accessed on my Department’s website.

Schools Refurbishment

422. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the position regarding a school (details supplied) in Dublin 3 that is waiting over 15 years for a new extension; the length of time the school is on the waiting list; the exact work that is planned; the position on the list for refurbishment this school is placed; the expected commencement day for works; and if she will make a statement on the matter. [44825/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The Extension Refurbishment Project for the school referred to by the Deputy is currently at an advanced stage of architectural planning - Stage 2b - Detailed Design. All statutory approvals have been obtained and the Stage 2b Detailed Design Submission is currently under review by my Department.

Due to competing demands on the 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 referred to by the Deputy, which were 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 the Department in the future.

Industrial Disputes

423. **Deputy Arthur Spring** asked the Minister for Education and Skills if her attention has been drawn to a dispute between workers and contractors involved in the construction project at Kishoge community college; and if she will make a statement on the matter. [44857/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): I am aware of an issue at the school site referred to by the Deputy and I would encourage all parties involved to use the appropriate industrial relations channels to resolve this current matter.

As the Deputy is aware school building projects which are funded from public monies, including the school project in question, are required to use the forms of contract provided under the Capital Works Management Framework which includes a suite of public works contracts, standard conditions of engagement, model forms, suitability assessment questionnaires and guidance notes published by the Office of Government Procurement (OGP).

Dublin and Dún Laoghaire Education and Training Board is the Client/Employer under the Contract for the particular project to which the Deputy refers. While my Department is the funding authority for the project, it is not a party to the Contract and, as such, my Department has had no direct dealings with the Contractor regarding this particular project.

National Educational Psychological Service Administration

424. **Deputy Seán Kyne** asked the Minister for Education and Skills the procedure for a child to be assessed under the National Educational Psychological Service; the number of children on the waiting list for assessment; the number assessed per school year on average; the waiting list in Galway; her plans to improve the service; and if she will make a statement on the matter. [44861/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I can inform the Deputy that my Department’s National Educational Psychological Service (NEPS) provides educational psychology service to all primary and post primary schools through an assigned NEPS psychologist and in some cases through the Scheme for Commissioning Psychological Assessments (SCPA). Under this scheme schools can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly.

NEPS does not keep waiting lists for assessments of children but in common with many other psychological services and best international practice, NEPS has adopted a consultative model of service. The focus is on empowering teachers to intervene effectively with pupils whose needs range from mild to severe and transient to enduring. Psychologists use a problem solving and solution focused consultative approach to maximize positive outcomes for these pupils. NEPS encourages schools to use a continuum based assessment and intervention process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention for pupils with learning, emotional or behavioural difficulties.

Teachers may consult their NEPS psychologist should they need to at this stage in the process. Only in the event of a failure to make reasonable progress, in spite of the school’s best efforts in consultation with NEPS, will the psychologist become involved with an individual child for intensive intervention. This system allows psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention. This process has been embedded by NEPS psychologists in the Primary sector with the production by the Department of Special Educational Needs – A Continuum of Support guidance and resource materials which has been distributed to all schools since 2007/8. In late 2010 similar support documentation was produced in relation to Emotional and Behavioural difficulties in the Primary sector and in relation to a formal Post-Primary Continuum process.

The continua described above all involve a graduated problem solving model of assessment and intervention in schools processes which moves from basic classroom based interventions to more specialised and individual interventions and comprise three distinct school based phases characterised as follows:

Classroom Support – is an intervention which is co-ordinated by the Class Teacher and is carried out in the regular classroom.

School Support - is an assessment and intervention process which is usually co-ordinated by the learning support/resource teacher working alongside the class teacher. Interventions at this stage will be additional to those provided through classroom support.

School Support Plus – is generally characterised by the school requesting the involvement by the relevant external service (predominantly NEPS) in more detailed assessment and development of intervention programmes. This level of intervention is for children with complex and/or enduring needs and whose progress is considered inadequate, despite carefully planned interventions at previous levels.

The staged model recognises that pupils present with a wide range of issues and difficulties and allows for their amelioration and intervention at the level most appropriate to the particular need. The continuum approach ensures that pupils presenting within this range are dealt with quickly and at the appropriate level without the establishment of a waiting list for formal assessment.

If parents have specific concerns about the educational progress of their child I would ad-

vise, in the first instance, that they speak to the Principal of the school with a view to raising these concerns with the assigned NEPS psychologist.

For the Deputy's information, during 2013/14 NEPS psychologists engaged directly with over 8,000 named individual pupils, SCPA psychologists with an additional 1,500 (approx.). At a broader level NEPs psychologists consulted with schools in respect of an estimated 25,000 unnamed pupils in the period.

I can also inform the Deputy that this Government has maintained, and indeed increased, the number of psychologists directly employed in NEPS. This number currently stands at 177 (168 w.t.e. when work-sharing arrangements are factored in), with a further 5 staff in the course of recruitment.

State Examinations

425. **Deputy Dara Calleary** asked the Minister for Education and Skills her views that it is appropriate that students requiring special examination aids such as CD-DVDs and USB devices must pay for those aids; her further views that it is appropriate that such students must incur such expenses that other students do not; and if she will make a statement on the matter. [44879/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

International Education

426. **Deputy Micheál Martin** asked the Minister for Education and Skills if it is the case that from January 2015 international students on courses in private colleges accredited by organisations such as City and Guilds, Edexcel, ICM and CT will not be granted visas; if it is the case that only students in colleges providing FETAC courses accredited by Quality and Qualifications Ireland will be allowed visas; if it is the case that it can take FETAC course providers up to a year to gain accreditation from QQI; her views that this will put many private colleges under severe pressure in the interim; and if she will make a statement on the matter. [44931/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): A number of reforms which I announced together with the Minister for Justice and Equality on 2nd September are currently being implemented to strengthen the regulation of international education in Ireland. The policy document Regulatory Reform of the International Education Sector and the Student Immigration Regime, which explains the rationale for these reforms, was published in September 2014. It contains a number of changes, adopted by Government, to immigration policy that governs the recruitment of international students by providers.

The current Internationalisation Register will be replaced by an 'Interim List of Eligible Programmes for Student Immigration Permission' from 1st January 2015. The Interim List will act as a reference point for the Irish Naturalisation and Immigration Service (INIS) of the Department of Justice and Equality in considering visa and residency applications from non-EEA applicants wishing to study on a full-time basis in Ireland and to avail of a concession to

take up casual employment in the State with certain restrictions. The granting of student visas remains at the sole discretion of the Minister for Justice and Equality.

One of the criteria for inclusion on the Interim List from 1st January 2015 relates to programme accreditation: only programmes which are accredited or recognised by Irish awarding bodies, such as the universities or QQI, in the English language and higher education sectors will be permitted to be listed. Therefore providers will not be permitted to recruit non-EEA students to programmes leading to the awards referred to by the Deputy. Detailed information on the criteria for inclusion of programmes on the Interim List can be found on www.intregister.ie.

It is important to be clear that these reforms pertain solely to the immigration status of non-EEA nationals. No change has been made which will restrict the ability of private colleges to educate Irish citizens or to attract international students from within the European market of over half a billion people. These reforms are necessary to protect the educational and consumer interests of genuine international students, to tackle abuse of the labour market and the immigration regime and to safeguard the strong international reputation of high-quality Irish education providers.

Regarding the length of time to gain FETAC course accreditation from QQI, QQI has advised that the length of time taken is very much dependent on the level of preparedness and responsiveness of the applying provider.

Schools Amalgamation

427. **Deputy Pat Rabbitte** asked the Minister for Education and Skills the position regarding the proposed amalgamation of schools (details supplied) in Dublin 12; and if she will make a statement on the matter. [44934/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I can confirm that my Department is aware of the Patron’s proposal to amalgamate the schools referred to by the Deputy.

As the Deputy will be aware, the decision making authority for any amalgamation belongs to the Patron of a school, subject to the approval of the Minister for Education and Skills.

Amalgamation proposals must first involve consultation with all of the relevant stakeholders, including students, parents, teachers, and local communities. My Department understands that this process is in train. Any amalgamation must be well planned and managed in a manner that accommodates the interests of all stakeholders and contributes to an inclusive education system. The Patron and relevant stakeholders are advised in advance of arriving at a final decision in the matter to consider the implications that any amalgamation proposal may have on school funding, school staffing and school transport so that an informed decision can be made. All agreed amalgamation proposals must be submitted to my Department for approval. Proposals that may have major capital implications can only be considered within the context of my Department’s capital budget and the challenges facing my Department in meeting national demographic demands.

Student Grant Scheme Applications

428. **Deputy James Bannon** asked the Minister for Education and Skills if she will expedite Student Universal Support Ireland grant application in respect of a person (details supplied) in County Longford; and if she will make a statement on the matter. [44941/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): As part of a comprehensive customer service and communications strategy provided by Student Universal Support Ireland (SUSI), to ensure that all necessary avenues are open to applicants to receive the information they need, a dedicated email and phone line service is provided by SUSI for Oireachtas members. This was established to meet an identified need for applicants who choose to engage the assistance of their public representatives in making enquiries about their grant applications.

This service compliments the established channels provided by SUSI which include online application tracking, a dedicated website, a telephone helpdesk, email and social media, including Facebook and Twitter.

Enquiries may be emailed direct to SUSI at oireachtas@susi.ie. SUSI are responding to email queries within a matter of days.

If an individual applicant considers that she/he has been unjustly refused a student grant, or that the rate of grant awarded is not the correct one, she/he may appeal, in the first instance, to SUSI.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board.

School Closures

429. **Deputy Eric Byrne** asked the Minister for Education and Skills if her attention has been drawn to a school (details supplied) in Dublin 12 that is planning to close in the near future; if an approach has been made by the owners of this private school for its acquisition by her Department; and if she will make a statement on the matter. [44983/14]

430. **Deputy Eric Byrne** asked the Minister for Education and Skills if her Department will be in a position to secure the site of a school (details supplied) in Dublin 12, acquire it as a matter of urgency and maintain it as a going concern as it serves an important role in the provision of education in the catchment area; and if she will make a statement on the matter. [44986/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I propose to take Questions Nos. 429 and 430 together.

I can confirm to the Deputy that my Department is aware, that owing to the death of the school’s owner, that the school in question will close. The school management indicated that they have advised the school community of the impending closure so that parents can make alternative arrangements for their children. The school did not enrol a first year intake in September 2014. The area is serviced by 9 post-primary schools and there is spare capacity in a number of these schools.

My Department has not been approached to acquire the school and has no plans to acquire the property as a going concern.

School Transport Eligibility

431. **Deputy Michael McCarthy** asked the Minister for Education and Skills if she will review an issue (details supplied) in County Cork regarding student transport; and if she will

make a statement on the matter. [45021/14]

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

The Deputy will be aware that under the terms of my Department's Post Primary School Transport Scheme, children are eligible for transport where they reside not less than 4.8 kilometres from and are attending their nearest education centre as determined by my Department/Bus Éireann, having regard to ethos and language.

The pupils referred to by the Deputy are not attending their nearest Post Primary Centre and are therefore not eligible for school transport.

In general children who are not eligible for school transport may apply for transport on a concessionary basis subject to a number of terms and conditions that are detailed in the scheme.

Bus Éireann which operates the School Transport Scheme has advised that there are spare seats available on the service in question. However, the times of the service may not be suitable for pupils attending the schools referred to by the Deputy due to the distance that must be travelled after alighting the bus.

In this regard the families should liaise with their local Bus Éireann office at 021 - 4557137.

Departmental Funding

432. **Deputy Tony McLoughlin** asked the Minister for Education and Skills the financial contribution her Department makes to running the National Association for Principals and Deputy Principals; and if she will make a statement on the matter. [45025/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The National Association for Principals and Deputy Principals (NAPD) is a recognised representative body for Principals and Deputy Principals at post-primary level.

Funding provided by my Department to the NAPD relates to a non-recoupable secondment in respect of the position of Director and funding in respect of the provision by NAPD of supports, training & seminars for principals and deputy principals, including newly appointed principals and deputy principals. The NAPD works in collaboration with the Professional Development Service for Teachers to provide leadership programmes and continuous professional development opportunities. The funding given to the NAPD supports my Departments national priorities in the areas of Literacy & Numeracy and Leadership for schools. My Department also co-funds with the Department of Arts, Heritage & Gaeltacht an annual grant to fund a specific Creative Arts project run by the NAPD.

The total funding by my Department in this regard in 2014 will be approximately €350,000.

Teacher Data

433. **Deputy Tony McLoughlin** asked the Minister for Education and Skills the number of teachers working in the 16 education and training boards who are on indefinite duration contracts; and if she will make a statement on the matter. [45026/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The position is that Education and Training Boards are statutory bodies with their own corporate status established under the Education and Training Boards Act 2013.

The recruitment and appointment of teachers to fill teaching posts is a matter for the individual ETB subject to provisions set out in Section 24 of the Education Act 1998, as amended.

The information requested by the Deputy is not readily available in my Department and would involve an inordinate amount of administrative time to compile.

Education and Training Boards Funding

434. **Deputy Tony McLoughlin** asked the Minister for Education and Skills the reduction in expenditure since July 2013, provided to the 16 education and training boards; if she will provide the estimated savings from this reduction; and if she will make a statement on the matter. [45027/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The financial allocation to the Education and Training Boards (ETBs) to pay teachers, special needs assistants, administrative and maintenance staff, for the day to day running of schools and head offices and for certain other programmes is known as the general and post primary programme grant. The grant is divided between pay and non-pay. Funding in respect of 2013 was allocated on a 12 month basis and based on the pre-existing VEC configuration.

The total pay grant in 2013 amounted to some €710m. Of this, €361m was allocated to the VECs between January and June and €349m to the ETBs from July to December. In 2014 the ETBs were given an initial pay grant of €668m. This figure included adjustments for additional teachers and anticipated savings from the Haddington Road Agreement. The amount of the final pay grant for 2014 has not yet been determined.

The general and post primary non-pay grant to each ETB is to meet costs associated with schools, the ETB’s administrative offices and certain other items, for example the schools services support fund, DEIS schools and the book grant.

In 2013 the general and post primary non-pay grant to VECs/ETBs was reduced by €13.2 million. This decision took account of the capacity of VECs/ETBs to utilise cash balances on a once off basis. The total non-pay grant in 2013 amounted to some €58m. Of this, approximately €30m was allocated to the VECs between January and June and €28m to the ETBs from July to December.

In 2014, this reduction in exchequer funding was mostly reinstated. However due to other factors, the Department was not in a position to fully restore the non-pay grant, which in 2014 amounts to €69m approximately.

Student Grant Scheme Eligibility

435. **Deputy Sean Fleming** asked the Minister for Education and Skills the reason a person (details supplied) in County Laois who submitted an application for a third level grant to Student Universal Support Ireland on 20 May 2014 and has recently been informed by a third party that they are not eligible for the grant due to the level of the course they are attending; the reason SUSI have corresponded on various occasions over a six month period dealing with this application when it should have been clear to them from the beginning that it was not eligible; the reason the person has not yet been informed by SUSI regarding eligibility; the reason SUSI has wasted so much time of the applicant and of their own organisation dealing with ineligible

cases and should they not be required to check eligibility regarding the persons participation on a course at an early stage and avoid six months of waste of time and resources; and if she will make a statement on the matter. [45110/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department has confirmed with SUSI (Student Universal Support Ireland) that the application of the student referred to by the Deputy was assessed based on the information provided by the student in her online application.

As SUSI did not have access to the applicant’s course details or previous education at the initial assessment stage, the application was processed according to the information declared by the applicant. At that point, the information provided indicated the student may have been eligible for student grant funding as it appeared the student was entering year 3 of an approved course.

Following a process of sharing information with the CAO, SUSI became aware of a conflict in information in relation to the student’s educational history. To clarify the information provided by the student, SUSI requested documentation from the student.

Having considered all the information in respect of the student’s previous academic attendance SUSI issued a decision to the student on 20 November, 2014.

Home Tuition Scheme Administration

436. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills further to Parliamentary Question No. 152 of 12 November 2014, her views that correspondence (details supplied) between officials in her Department clearly demonstrates that the Department did in fact engage in correspondence with a third party regarding the approval of home tuition for individual children which is directly at variance with her reply of 12 November 2014; and if she will make a statement on the matter. [45112/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The documents to which the Deputy refers relate to correspondence between a pre-school provider and my Department relating to payment arrangements for children for whom home tuition had already been approved.

Applications for home tuition for individual children are considered and approved on a case by case basis and with reference to criteria specific to the circumstances of the children in question. Applications for home tuition can only be made by parents or legal guardians of children.

However as outlined in the response to the parliamentary question to which the Deputy refers this does not mean that the Department would not facilitate parents of children who are eligible for Home Tuition who, having secured the approval of the Department, wished to enter an arrangement with a private provider and to have payments, normally due to eligible parents, made directly to that provider by agreement and at a group payment rate.

Student Grant Scheme Eligibility

437. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the reason persons in receipt of pensions after having worked in State bodies such as the Health Service Executive are excluded from receiving a special rates award under the student grant scheme administered by Student Universal Support Ireland despite some of these persons fulfilling all other criteria to be eligible to receive grants under the scheme, including having reckonable in-

come below the required threshold, and despite grants also being available to persons in receipt of comparable pensions paid by the Department of Social Protection. [45113/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The Deputy will appreciate that in the absence of all of the relevant details in respect of the scenario referred to by the Deputy, it is not possible for me to give a definitive response in this case.

By way of background, I wish to advise that the Report of the Action Group on Access to Third Level Education (2001) made detailed recommendations concerning the introduction of special rates of maintenance grants for disadvantaged students.

The target group of “those most in need” was defined in terms of the dependants of people receiving long-term welfare payments, where the necessary conditions are fulfilled. To qualify for the special rate of maintenance grant for the 2014/15 academic year, an applicant must qualify for the standard rate of maintenance grant. In addition, total reckonable income must not exceed €22,703 in the 2013 tax year. Finally, as at 31st December, 2013, the reckonable income must include one of the eligible long-term social welfare payments prescribed in the Student Grant Scheme. It is important to note that the list of eligible payments for the special rate of grant includes the State Pensions, both the Contributory and Non-Contributory pensions.

Teachers’ Remuneration

438. **Deputy Catherine Murphy** asked the Minister for Education and Skills when she plans to action the directive contained in circular 0053/2014 where it was announced that teachers who began their service after January 2011 were to have their pay restored to the pre-cut scales so as to alleviate some of the disparity between teachers’ pay; and if she will make a statement on the matter. [45139/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): It is my Department’s intention to introduce the revised salary scales for staff whose first appointments were in 2011 at the end of January 2015.

Site Acquisitions

439. **Deputy Jonathan O’Brien** asked the Minister for Education and Skills further to Parliamentary Question No. 168 of 8 October 2014, if her attention has been drawn to the fact that the patron has not made this information available to the parents’ representatives; the manner in which she asked the patron to make the information available; if they refused the request; if she will intervene to ensure that this information is made available; and if she will make a statement on the matter. [45151/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The Patron’s office has advised my Department that the information in question was sent to the Boards of Management of the four schools on 6th October.

It is important to note that on each of these four Boards of Management there are two elected parent nominees, one mother and one father. These parents are elected by the whole parent body of the individual schools.

The Patron’s Office has also advised that the information was recently furnished to the Secretary of the Parent Group.

Departmental Expenditure

440. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if a supplementary budget Estimate is planned regarding her Department before the end of 2014; the reasons for such an Estimate; and if she will make a statement on the matter. [45154/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): Based on latest available expenditure returns, my Department is likely to require a supplementary estimate in 2014. This will be required both for technical adjustment reasons and to meet the cost of upward expenditure pressures on the Vote, mainly in relation to superannuation awards. The amount of the supplementary estimate required is currently the subject of discussions with the Department of Public Expenditure and Reform, after which the estimate will be considered by the Oireachtas Select Committee on Education and Skills.

Schools Refurbishment

441. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will pay a minor works grant to primary schools for 2014; and if she will make a statement on the matter. [45155/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I am pleased to inform the Deputy that I announced today the payment of the Minor Works Grant 2014/2015. The grant will issue to all primary schools with permanent recognition next week.

School Funding

442. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the position regarding her capital expenditure budget; the way this position compares with the same period last year; the details of specific capital projects which 2014 funding was earmarked for which have not availed of any unspent funding; if an underspend will facilitate the payment of a minor works grant to all primary schools; and if she will make a statement on the matter. [45156/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department’s 2013 capital expenditure at the end of November 2013 amounted to €381m. The 2014 capital position to date reveals an expenditure in excess of €450m. The exact level of funding incurred on the various capital programmes in 2014 will only become available following the conclusion of payments for this year at the end of December. I am pleased to inform the Deputy that I announced today the payment of the Minor Works Grant 2014/2015. The grant will issue to all primary schools with permanent recognition next week.

Student Grant Scheme Appeals

443. **Deputy Robert Troy** asked the Minister for Education and Skills if she will expedite a Student Universal Support Ireland application for someone as a dependent in view of the fact that their original application was put in on time. [45157/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): As part of a comprehensive customer service and communications strategy provided by Student Universal Support Ireland

(SUSI), to ensure that all necessary avenues are open to applicants to receive the information they need, a dedicated email and phone line service is provided by SUSI for Oireachtas members. This was established to meet an identified need for applicants who choose to engage the assistance of their public representatives in making enquiries about their grant applications.

This service complements the established channels provided by SUSI which include online application tracking, a dedicated website, a telephone helpdesk, email and social media, including Facebook and Twitter.

Enquiries may be emailed direct to SUSI at oireachtas@susi.ie. SUSI are responding to email queries within a matter of days.

If an individual applicant considers that she/he has been unjustly refused a student grant, or that the rate of grant awarded is not the correct one, she/he may appeal, in the first instance, to SUSI.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board.

Schools Health and Safety

444. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills her Department's policies for students with allergies in schools and provisions of epipens in schools. [45158/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): Under the provisions of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school.

It is important that the school management authority requests parents to ensure that the school is made aware of any medical condition suffered by any pupil attending. Where the school is aware of potential difficulties that may arise as a consequence of a medical condition suffered by one or more pupils, it may be possible for the management authorities, working in conjunction with parents, teachers and children to put preventative measures in place to lessen the possibility of any difficulties arising or to ensure that, if a pupil suffers from an illness requiring medication, that appropriate treatment is available.

The administration of medicines in primary schools is the subject of an agreement between the Irish National Teachers Organisation and the organisation representing school management at primary level. While this agreement specifies that no teacher can be required to administer medicine or drugs to pupils, it also sets out procedures that must be followed where a teacher or teachers agree to do so. The position is that either the parents of the child should make themselves available to administer medication as required or where they wish the staff in the school to administer it they should indemnify the school.

The Department cannot direct any member of the Board of Management or the teaching staff of the school to administer medical treatment to pupils, action and procedures which are normally carried out by medical professionals such as doctors and nurses.

Emergency Works Scheme Funding

445. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills the funding available to fee paying and to non-fee paying schools to introduce measures to make their schools accessible for students with disabilities; and if she will make a statement on the matter. [45160/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): School Management Authorities may apply for funding to facilitate inclusion and access for special needs pupils or staff members under my Department's Emergency Works Scheme. Any application must be accompanied with confirmation of the nature and extent of the special need, suggestions as to how existing accommodation could be modified to accommodate the pupil or staff member and in the case of a pupil or staff member not yet attending the school, evidence of intent to commence at the school and proposed date of commencement.

Details of the Emergency Works Scheme, together with an application form for grant assistance, can be accessed on my Department's website.

State Examinations

446. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if a reader and scribe will be made available to a student (details supplied) who is sitting their Leaving Certificate in June 2015; and if she will make a statement on the matter. [45162/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

Teaching Council of Ireland

447. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the reason the Teaching Council is requesting that a person (details supplied) complete a module of history and structure of Irish education system as a condition of their obtaining a permanent registration number; and if she will make a statement on the matter. [45167/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): As this is an operational matter for the Teaching Council I am referring your question to the Council for early direct reply.

Schools Data

448. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the number of one teacher primary schools in each county for the school year 2014-2015; and if she will make a statement on the matter. [45170/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): The National School Annual Census for 2014/15 is currently underway. Data available to my Department on one teacher schools is provisional at this stage and is included in the table.

The 2014/15 National School Census data will be published later in the current school year.

County	No. 1 teacher schools
Cavan	1
Clare	3
Cork	4
Donegal	3
Dublin	3
Galway	7
Kerry	4
Kildare	1
Leitrim	2
Limerick	1
Meath	1
Mayo	9
Roscommon	2
Sligo	1
Tipperary	1
Waterford	1

School Patronage

449. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will respond to concerns outlined by a person (details supplied) in Dublin 13 regarding the non-availability of non-denominational education in the person's area. [45179/14]

Minister for Education and Skills (Deputy Jan O'Sullivan): I wish to inform the Deputy that a response will issue to the person concerned very shortly.

School Transport Eligibility

450. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the position regarding school transport eligibility in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [45185/14]

Minister of State at the Department of Education and Skills (Deputy Damien English): The Deputy will be aware that under the terms of my Department's Post Primary School Transport Scheme, children are eligible for transport where they reside not less than 4.8 kilometres from and are attending their nearest education centre as determined by my Department/Bus Éireann, having regard to ethos and language. The pupil referred to by the Deputy is eligible for transport, however the family only submitted payment details on 16th September 2014 at which stage the service was operating to capacity. Bus Éireann which operates the School Transport Scheme is currently in the process of re-organising existing and recently sanctioned services and it is envisaged that there will be additional capacity to accommodate a number of pupils who are not currently availing of school transport. In this regard the family in question should liaise with their local Bus Éireann office at 0906 - 473277.

Special Educational Needs Service Provision

451. **Deputy Michael Creed** asked the Minister for Education and Skills the position regarding the establishment of a special class at a school (details supplied) in County Cork; and if she will make a statement on the matter. [45187/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that my Department’s policies focus on ensuring that all children can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. 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 processing applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department’s criteria in allocating such support. As this question refers to the proposed establishment of a special class at a particular school, I have therefore arranged for the matter raised by the Deputy to be forwarded to the NCSE for their attention and direct reply.

Telecommunications Services Provision

452. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the primary schools that were connected by UPC with 100 Mbs connectors; when these schools were connected; the way these schools were selected; and if she will make a statement on the matter. [45195/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): There are currently 67 primary schools (see attached table) connected by UPC under the Schools’ Broadband Access programme. 5 schools are receiving 30Mbit/s connections and 62 are receiving 100Mbit/s connections. The schools were awarded under a framework set up in 2012 following a public procurement competition. Schools are awarded based on the most economically advantageous tender using a scoring system that takes into consideration the price as well as the quality of the proposed solution.

School Roll Number	School Name	County
00752A	CENTRAL SENIOR MXD N S	Dublin
01197D	STRAWBERRY HILL B N S	Cork
07546J	GOLDENBRIDGE CONVENT	Dublin
09932B	STANHOPE ST CONVENT	Dublin
11578V	CITY QUAY BOYS N S	Dublin
13747F	RIVERSTOWN N S	Cork
14198D	NAOMH EOIN EASPAL	Cork
14939T	RATHFARNHAM PARISH N S	Dublin
15132B	HAROLD BOYS N S	Dublin
15895H	DRUMCONDRA N S	Dublin

School Roll Number	School Name	County
16754R	ST VINCENTS CONVENT INF N S	Dublin
16759E	S N MHUIRE NA MBRATHAR	Dublin
16910F	SCOIL IOSAGAIN	Limerick
16910F	SCOIL IOSAGAIN	Limerick
17445J	SCOIL LILE NAOFA	Limerick
17737W	OUR LADY QUEEN OF PEACE SCHOOL	Limerick
17899C	SCOIL CARMEL	Dublin
17941V	ST MUNCHINS G N S	Limerick
17976R	SCOIL ASSAIM B	Dublin
17977T	SCOIL AINE C	Dublin
17978V	NAISCOIL IDE	Dublin
18462O	SCOIL LORCAIN BNS	Waterford
18587L	SCOIL MHUIRE BANRION	Cork
18634R	SCOIL IDE	Galway
18734V	REALT NA MAIDINE	Cork
18740Q	SHANNON AIRPORT NO 2 NS	Clare
18904U	ST PETERS SPECIAL SCH	Dublin
18929N	SCOIL NAOMH EINDE	Galway
18991S	J F K MEMORIAL SCHOOL	Limerick
19039I	ST VINCENTS HOME NS	Dublin
19066L	LORETO NATIONAL SCHOOL	Dublin
19158Q	ST PETERS B N S	Dublin
19177U	ST PIUS X N S BOYS	Dublin
19178W	ST PIUS X G N S	Dublin
19281P	MATER SCHOOL	Dublin
19401W	S N CAITRIONA SOIS	Galway
19410A	ST KILLIANS SPEC SCH	Cork
19427R	S N BHREANNDAIN C	Cork
19462T	NAOMH MAOLRUAIN	Dublin
19494J	BISHOP GALVIN NS	Dublin
19565G	SCOIL TREASA FIRHOUSE	Dublin
19658N	BISHOP SHANAHAN NS	Dublin
19662E	ST MICHAELS NS	Dublin
19663G	ST RAPHAELS NS	Dublin
19667O	OUR LADY OF LOURDES N S	Limerick
19668Q	ST FRANCIS SENIOR N S	Dublin
19719H	MID WEST SCHOOL H IMP	Limerick
19730S	SCOIL OILIBHEIR	Cork
19755L	SACRED HEART N S	Dublin
19762I	ST HELENS SENIOR N S	Dublin
19769W	SCOIL THOMAS	Dublin
19849U	GAELSCOIL DONNCHA RUA	Clare

School Roll Number	School Name	County
19858V	GAELSCOIL DARA	Galway
19878E	Holy Rosary Primary School	Dublin
19907I	GAELSCOIL MOLOGA	Dublin
19920A	ST JOHN OF GOD N S	Dublin
19924I	HAROLDS CROSS N S	Dublin
19954R	NORTH BAY EDUCATE TOGETHER NS	Dublin
19993E	GAELSCOIL AN GHOIRT ALAINN	Cork
20011Q	ST JOHNS SENIOR NS	Kilkenny
20018H	MARIA KING PRESENTATION PRIMARY	Limerick
20053J	CHEEVERSTOWN SP SCH	Dublin
20074R	ST GABRIELS SPECIAL SCHOOL	Cork
20103V	JOHN SCOTTUS NS	Dublin
20130B	ST PATRICKS NS	Dublin
20186F	CASTAHEANY EDUCATE TOGETHER NS	Dublin
20389T	MARIA ASSUMPTA G N S	Cork

Telecommunications Services Provision

453. **Deputy Charlie McConalogue** asked the Minister for Education and Skills her plans to develop broadband services to primary schools in view of the stated position of her Department that these are insufficient to deal with proposed changes to curriculum delivery. [45196/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department, in conjunction with the National Council for Curriculum and Assessment (NCCA), is currently engaged in a significant programme of curriculum reform at primary level. The first element of this reform programme is a new integrated language curriculum for junior infants to second class which is currently being finalised by the NCCA. This integrated language curriculum is scheduled to be implemented in schools from September 2016.

The current provision of connectivity to primary schools will not in any way impede the proposed changes to the primary curriculum. The NCCA have been asked by my Department to ensure that all primary school teachers are able to access the new curriculum. Appropriate measures will therefore be adopted by the NCCA to ensure that all teachers are able to engage with this and other new curricula as they are rolled out to primary schools. Under the Schools Broadband Access Programme the Department provides for the supply of internet connectivity for all recognised primary schools. A new framework was put in place in 2012 for the provision of this service, as a result of this the number of service providers has been expanded from 6 to 14 with the aim of ensuring that satisfactory solutions would be awarded to all schools. For those primary schools with speeds of less than 2Mbit/s per second, a number will receive higher speed services in the near future and others are currently included in a tender under the framework for improved solutions. Over 80% of all primary schools will be put out to tender under the framework in the first half of 2015 and this should lead to improved services being made available to schools. Under the forthcoming Digital Strategy for schools, improved con-

nectivity for primary schools will be a priority.

Capitation Grants

454. **Deputy Charlie McConalogue** asked the Minister for Education and Skills when the next instalment of the capitation grant for primary schools will be paid to schools by her Department; the percentage of the grant that will be paid on that date; and the total capitation grant that will be paid in respect of each pupil enrolled in a primary school in 2015. [45197/14]

455. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the rate of capitation grant that will be paid in 2015 to primary schools maintained by the Office of Public Works. [45198/14]

456. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the rate of capitation grant that will be paid in 2015 to scoileanna lán-Ghaeilge. [45199/14]

457. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the capitation grant for pupils aged under 12 years attending special classes in mainstream schools or pupils attending special schools for each of the following categories of special need: visual impairment, hearing impairment, profoundly deaf, mild general learning disability mainstream, mild general learning disability special school, moderate general learning disability, severe/profound general learning disability, specific learning disability mainstream, specific learning disability special school, emotional disturbance, severe emotional disturbance, physical disability, autism-autistic spectrum disorders, specific speech and language disorder, multiple disabilities and Traveller children out of control. [45200/14]

458. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the capitation grant for pupils aged 12 years and over attending special classes in mainstream schools or pupils attending special schools for each of the following categories of special need: visual impairment, hearing impairment, profoundly deaf, mild general learning disability mainstream, mild general learning disability special school, moderate general learning disability, severe/profound general learning disability, specific learning disability mainstream, specific learning disability special school, emotional disturbance, severe emotional disturbance, physical disability, autism-autistic spectrum disorders, specific speech and language disorder, multiple disabilities and traveller children out of control. [45201/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I propose to take Questions Nos. 454 to 458, inclusive, together. Capitation grants are paid to primary schools in two instalments. The first moiety is usually paid in January and comprises 70% of the total capitation due to a school in the year. The Deputy should note that as school enrolment data for the previous 30th September is not fully validated at that time, the grant calculations are based on a school’s enrolment in the previous school year. The second moiety is paid in June and comprises the balance due, some 30%, and takes into account any variation in a school’s enrolment on the previous 30th September. A table sets out the capitation rates requested by the Deputy.

CAPITATION GRANTS - 2014/2015

Category	01/09/2014 Revised	01/09/2014 Revised
Mainstream Schools must have an approved Special Class in order to receive the enhanced rates.		
	Under 12 years	12 years & over
Mainstream Rate	170	170

Category	01/09/2014 Revised	01/09/2014 Revised
Mainstream Schools must have an approved Special Class in order to receive the enhanced rates.		
Visual Impairment	819	819
Hearing Impairment	819	819
Profoundly Deaf	840	840
Mild General Learning Disability(Mainstream School)	436	650
Mild General Learning Disability (Special school)	544	819
Moderate General Learning Disability	819	819
Severe/ Profound General Learning Disability	840	840
Specific Learning Disability (Mainstream School)	436	650
Specific Learning Disability (Special school)	544	819
Emotional Disturbance	819	819
Severe Emotional Disturbance	840	840
Physical Disability	819	819
Autism/Autistic Spectrum Disorders (ASD)	840	840
Specific Speech and Language Disorder	819	819
Multiple Disabilities	840	840
Traveller Children	240	240
Out of Control	840	840

National Schools in which a BOM has been established = €170 per pupil

National Schools maintained by OPW = €68 per pupil

Scoileanna Lan Ghaeilge (Type 7) = €193 per pupil (mainstream + €23)

Minimum Grant to small schools based on 60 pupils

Model Schools pd Special pupils enhanced rate only - above rates less €170

Teachers' Remuneration

459. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who are currently being paid a principal teacher allowance. [45202/14]

460. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who are currently being paid a deputy principal teacher allowance. [45203/14]

461. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who are currently being paid an assistant principal allowance. [45204/14]

462. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who are currently being paid a special duties teacher allowance. [45205/14]

463. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who were paid an assistant principal allowance when the moratorium on promotion was commenced. [45206/14]

464. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of primary teachers who were being paid a special duties teacher allowance when the moratorium on promotion was commenced. [45207/14]

465. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who are currently being paid a principal teacher allowance. [45208/14]

466. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who are currently being paid a deputy principal teacher allowance. [45209/14]

467. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who were paid an assistant principal allowance when the moratorium on promotion was commenced. [45210/14]

468. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who were being paid a special duties teacher allowance when the moratorium on promotion was commenced. [45211/14]

469. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who were paid an assistant principal allowance when the moratorium on promotion was commenced. [45212/14]

470. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of post-primary teachers who were being paid a special duties teacher allowance when the moratorium on promotion was commenced. [45213/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I propose to take Questions Nos. 459 to 470, inclusive, together.

All of the information as requested by the Deputy is not immediately available. The details will be forwarded directly to the Deputy when compiled.

School Evaluations

471. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills the number of whole school evaluations carried out to date of voluntary second level schools, community schools, fee paying second level schools, other, for example faith based; and if she will indicate the proportionality of those evaluations regarding the total number of schools in each category. [45243/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The Inspectorate of my Department has conducted 428 whole-school evaluations (WSEs) in post-primary schools in the period 01 January 2009 to 21 November 2014. This represents 58% of all post-primary schools. The number of WSEs and the proportion conducted in each category of schools are as follows:

- Community Schools: 43 WSEs (53%)
- Comprehensive Schools: 9 WSEs (64%)
- Community Colleges: 32 WSEs (45%)
- Secondary Schools: 202 WSEs (63%)
- Fee paying Secondary schools: 40 WSEs (77%)
- ETB Schools: 102 WSEs (53%);

When planning the programme of evaluations in schools and centres for education, the Inspectorate seeks to ensure that there is balanced inspection coverage across school types. In addition to WSEs inspectors also conducted a wide range of other inspection and evaluation activities in post-primary schools in the same period.

Special Educational Needs Staffing

472. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills her views on the concerns of school principals on the questionnaire sent out by her Department on social profile of schools; and her further views that a more efficient system should be in place to identify schools in need of further essential assistance. [45244/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that my Department is currently considering potential revisions to the system of allocating Resource Teaching and Learning Support to schools. This is on foot of recommendations set out in the National Council for Special Education (NCSE) Policy Advice on “Supporting Students with Special Educational Needs in Schools (May 2013) and the recommendations of the NCSE Working Group Report “A Proposed New Model for Allocating Teaching Resources for Students with Special Educational Needs”.

Following the publication of these reports, my Department advised that it would commence the process of gathering information which would be required to develop the proposed new model, to allow its impact to be assessed, and to assess if, and from when, the model could be implemented. Part of this process involves the collection of information in relation to the social context of schools.

The working group report recommended that a school’s social context should be used because it can contribute strongly to the level of learning needs that students have. The report considered that, on the basis of available research evidence, the use of a school’s social context is valid in developing an educational profile, as socioeconomic disadvantage is associated with the incidence of certain types of special educational needs, including low achievement in academic learning and emotional or behavioural disorders.

The report also noted that a school within a disadvantaged social context may have a higher share of students presenting with emotional or behavioural disorders. While some of these needs are likely to be reflected in low test scores, others may not, as students with relatively high levels of educational achievement can have emotional and behavioural disorders.

Accordingly, it was recommended that consideration of a schools social context should form part of any proposed new resource allocation model.

Pending the availability of a more objective source of information, the working group stated

that it was confident that survey reporting by school principals could produce robust up to date data on school context in a similar manner to DEIS and earlier initiatives.

The Department therefore, in conjunction with the NCSE, asked the Educational Research Centre (ERC) to conduct a survey of schools to assist the development of an educational profile.

Though recognising that all schools would not be able to have specific detail regarding all of the questions asked in relation to their pupil populations, schools were asked to provide their best possible estimates in relation to the questions being asked in the survey, in order to ensure that as accurate as possible a social context allocation component of any revised allocation model could be developed for each school.

At all stages of the development of the advice and in particular in the work of the working group there was comprehensive consultation with education partners and stakeholders and through this consultation there was awareness and broad support for the proposed approach including the deployment of a survey.

The data which schools were requested to return as part of the survey were non-personal, anonymised data. Schools were not asked to return data in relation to the social circumstances of individual pupils. Schools were also advised that the ERC had put in place a dedicated phone help line in order to provide assistance and support to schools in completing the questionnaire. I understand that many schools used this help line to gain assistance in completing the questionnaire.

Whereas I understand that the return of this survey has caused extra work and some difficulties for some schools, I am confident that having up to date social context data will be highly beneficial to the Department and the NCSE in developing proposals for a new profiled allocation model for schools.

Schools Building Projects Status

473. **Deputy Sandra McLellan** asked the Minister for Education and Skills if she will provide a guarantee that a school (details supplied) in County Cork will be completed and ready for students by September 2016; and if she will make a statement on the matter. [45258/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I can confirm that the school referred to by the Deputy is included in my Department’s 5 year plan to go to construction in 2015/16.

The disposal of the lands concerned to facilitate the new school building has recently been approved by Cork County Council. The conveyancing process in relation to the site concerned is currently underway, and due diligence must be performed in this regard. Once the acquisition of the site is finalised, the project will be progressed into the architectural planning process with a view to having accommodation in place, subject to no issues arising, for the academic year commencing September 2016. My Department will continue to keep the school authority apprised of developments.

School Accommodation

474. **Deputy Michael McNamara** asked the Minister for Education and Skills the amount of funding provided to a school (details supplied) in County Clare through a devolved grant for an extension, the tender for which was awarded in 2013. [45276/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I can confirm that my Department approved an application for temporary additional accommodation at the school referred to by the Deputy. Similar to other schools, the school was approved associated costs for the delivery and installation of the temporary accommodation unit concerned and to meet with the statutory planning requirements.

A total of €46,574.19 (including VAT) costs was paid out by the Department to the school authorities, in question, for prefab delivery and installation, civil works and consultancy fees. The school was also approved devolved funding of €25,940.87 (including VAT) in 2013 for a sewage treatment system.

Schools Building Projects Status

475. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding a school development project in respect of a school (details supplied) in County Wicklow; if a site has been purchased; if a planning application has been made; and if she will make a statement on the matter. [45302/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The school to which the Deputy refers is to be delivered as part of the Schools Bundle 5 PPP project. This bundle comprises one primary school, four post primary schools and one Institute of Further Education.

The site acquisition process for the school in question is underway, however, due to commercial sensitivities associated with property acquisitions generally, I am unable to provide further information at this time. The planning documentation is almost complete and this will be lodged as soon as my Department is in a position to do so.

Student Grant Scheme Appeals

476. **Deputy Róisín Shortall** asked the Minister for Education and Skills the reason Student Universal Support Ireland will not accept Department of Social Protection documentation as proof of address in respect of a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [45331/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): As part of a comprehensive customer service and communications strategy provided by Student Universal Support Ireland (SUSI), to ensure that all necessary avenues are open to applicants to receive the information they need, a dedicated email and phone line service is provided by SUSI for Oireachtas members. This was established to meet an identified need for applicants who choose to engage the assistance of their public representatives in making enquiries about their grant applications.

This service complements the established channels provided by SUSI which include online application tracking, a dedicated website, a telephone helpdesk, email and social media, including Facebook and Twitter. Enquiries may be emailed direct to SUSI at oireachtas@susi.ie. SUSI are responding to email queries within a matter of days.

My Department has confirmed that, following an appeal to SUSI, the appeals section were in contact with the applicant referred to by the Deputy and that a decision of the appeal officer has yet to be made in this case.

Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an ap-

peal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board.

Departmental Contracts

477. **Deputy Billy Kelleher** asked the Minister for Education and Skills if her Department, or any agency of her Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45344/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department made no contract payments to the company in question over the period indicated by the Deputy.

Education Agencies are responsible, within Government guidelines, for procurement of their own goods and services and the contracts arising. The Department does not maintain details of contracts undertaken by these agencies.

Teaching Contracts

478. **Deputy Charlie McConalogue** asked the Minister for Education and Skills her plans to address the situation of many secondary teachers who have spent several years teaching in casual and temporary positions without any prospect of job security or permanency; and if she will make a statement on the matter. [45355/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): The Haddington Road Agreement provided for the establishment of an Expert Group to consider and report on the level of fixed-term and part-time employment in teaching, having regard to the importance for teachers of employment stability and security and taking account of system and school needs and Teaching Council registration requirements.

The independent chairperson of the Group (Peter Ward SC) presented his report to me on 17 September 2014, following extensive consultation with all stakeholders and interested parties.

The report recommends a suite of measures which will allow fixed-term teachers to acquire permanent positions more easily and quickly and enable part-time teachers to gain additional hours. The report also provides for extended redeployment arrangements in the event of mismatch between teacher qualifications and the curricular needs of schools, giving school management increased flexibility.

The report recommends that seven changes should take place from the commencement of the 2015 school year and I intend to proceed with the implementation of those recommendations with effect from that date. The changed arrangements will be notified to schools by the end of 2014. These reforms will represent a significant improvement in the job security and stability of employment for existing and future young teachers.

SOLAS Training and Education Programmes Places

479. **Deputy Anthony Lawlor** asked the Minister for Education and Skills if there are circumstances where a person not in receipt of a social welfare payment could be deemed eligible to partake in SOLAS training schemes, either subsidised by the State or at their own expense;

and if she will make a statement on the matter. [45368/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): While priority access to former FÁS training courses is given to those in receipt of an eligible Department of Social Protection payment, all unemployed persons are eligible to participate on such courses free of charge.

It should be noted, however, that anyone referred to such a course can only receive a training allowance if they are in receipt of an eligible payment from the Department of Social Protection.

Departmental Correspondence

480. **Deputy Charlie McConalogue** asked the Minister for Education and Skills when a reply will issue to correspondence (details supplied); and if she will make a statement on the matter. [45385/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): I regret the delay in providing a comprehensive reply to the correspondence and will arrange for my officials to issue a reply to the Deputy, at the earliest opportunity.

International Students

481. **Deputy Ruth Coppinger** asked the Minister for Education and Skills if she will report on the work being done by her Department to find alternative course places for students affected by the closure of English language schools as a result of their courses no longer being approved by her Department. [43829/14]

Minister for Education and Skills (Deputy Jan O’Sullivan): As the Deputy will be aware, a number of private colleges have closed in 2014. The first priority of both the Department of Education and Skills and the Department of Justice and Equality has been to find a reasonable accommodation for genuine students affected by those closures. This accommodation must have regard to the fact that these colleges were private bodies with no relationship to the State. The Department of Justice and Equality acted rapidly to bring reassurance to students regarding their immigration status.

On 21 May 2014 the Minister for Education and Skills and the Minister for Justice and Equality announced the establishment of a Task Force on Students Affected by the Closure of Private Colleges. The Task Force worked closely with the representative bodies of the high-quality private sector providers and with student representatives to develop solutions that could provide reasonable accommodation for students impacted by the closures who were not covered by learner protection arrangements.

The Report of the Task Force, which I published together with the Minister for Justice and Equality on 2nd September, sets out the arrangements for reasonable accommodation which have been put in place by the high-quality private sector English language and higher education colleges. Those arrangements are scalable and allow affected students the opportunity to take up an alternative arrangement at significantly discounted rates. In addition to those arrangements, the Task Force also established a website, www.studenttaskforce.ie, which sets out relevant information for students.

In addition, we also announced robust regulatory reforms of the international education sector on that date. The purpose of those reforms is to protect the educational and consumer

interests of genuine international students, to tackle abuse of the labour market and the immigration regime, and to safeguard the strong international reputation of high-quality Irish education providers.

Departmental Funding

482. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the position regarding the proposal to remove funding from the Asthma Society of Ireland in 2016 (details supplied). [45049/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The funding scheme to support national organisations in the community and voluntary sector aims to provide multi-annual funding to national organisations towards core costs associated with the provision of services. My Department is providing funding under the scheme of in excess of €8 million over the two year period to mid-2016. This represents an increase in funding of more than 10% per annum compared to the previous scheme.

A new scheme was advertised for applications early this year. The Asthma Society of Ireland was not approved for funding on this occasion.

I announced, on 18 July 2014, the allocation of bridging funding of €1.4 million to a number of previously funded health, disability and other organisations for a twelve month period, pending the carrying out of a review of the public funding of national organisations in the health and disability sector. The Asthma Society is in receipt of funding from 1 July 2014 until 30 June 2015 under the bridging funding arrangements.

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 Scheme to Support National Organisations.

My Department has commenced a process of engagement with the Department of Health in order to advance the review, which is being undertaken in agreement with my colleague, the Minister of State at the Department of Health with Special Responsibility for Primary Care, Mental Health and Disability. The Health Service Executive and Pobal are also participating in this review. I intend to complete and publish the outcome of the review in due course.

Local and Community Development Programme Project Funding

483. **Deputy Jim Daly** asked the Minister for the Environment, Community and Local Government the reason there is a proposal to remove development funding from the non-Gaeltacht islands, that is, Inishbofin, Inishturk, Clare Island, Bere Island, Sherkin Island, Dursey Island, Whiddy Island, Long Island and Heir Island. [45116/14]

500. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding funding; and if he will make a statement on the matter. [44900/14]

518. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding funding; the steps being taken to safeguard this core funding to ensure the future of these small communities; and if he will make a statement on the matter. [45183/14]

535. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will provide continuity of core funding to non-Gaeltacht islands on expiry of the current local community development programme on 31 December 2014; if he will ensure the continuation of delivery of vital front-line services by the island community development companies to enable existing offices and staff on the islands engaged in addressing disadvantage, social exclusion and isolation through improving participation, representation, sustainability, equality, socioeconomic, economic infrastructure, environmental, cultural, arts heritage and administrative requirements for the islands to remain in place; and if he will make a statement on the matter. [45338/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 483, 500, 518 and 535 together.

My Department's Local and Community Development Programme (LCDP) is the largest social inclusion intervention of its kind in the State. The current Programme officially ended at the end of 2013 having operated for four years with funding of €281 million over that period. It is being implemented on a transitional basis for 2014 with a budget of €47 million pending the roll out of the new Social Inclusion and Community Activation Programme (SICAP) in April 2015.

The SICAP is one of my key priorities. The Programme's target groups are:

- Children and Families from Disadvantaged Areas;
- Lone Parents;
- New Communities (including Refugees/Asylum Seekers);
- People living in Disadvantaged Communities;
- People with Disabilities;
- Roma;
- The Unemployed (including those not on the Live Register);
- Travellers;
- Young Unemployed People from Disadvantaged areas.

In accordance with the Public Spending Code, legal advice, good practice internationally and in order to ensure the optimum delivery of the services to clients, the Programme is subject to a public procurement process, which is currently underway. Stage one (Expression of Interest) has been completed. Stage two (Invitation to Tender), got underway on 20 October and will involve the successful applicants from Stage one being invited to apply to one or more Local Community Development Committees, in Local Authority areas, to deliver the programme. Contracts for SICAP will be determined following the outcome of the procurement process.

The procurement process for SICAP was open to Local Development Companies, other not-for-profit community groups, commercial firms and national organisations that can provide the services to be tendered for to deliver the new Programme.

In Stage one, joint applications were encouraged and organisations of varying sizes (for example smaller organisations working in consortia with larger organisations) were invited to submit joint applications.

A meeting was held recently between my Department and the Department of Arts, Heritage and Gaeltacht in response to the issues raised regarding the continuation of funding for the Development Offices on the Islands concerned. My Department currently provides LCDP funding to five non-gaeltacht islands, Bere, Sherkin, Inis Turk, Inis Bofin and Clare Island. It was recognised that the issues relating to these, non-gaeltacht, islands in question are outside of, and separate to, SICAP. However, both Departments fully understand the importance of the

community development infrastructure on these islands and will collaborate to agree a workable solution.

In the meantime, LCDP funding, for the groups concerned, will continue until the end of March 2015.

Priory Hall Development

484. **Deputy Brendan Ryan** asked the Minister for the Environment, Community and Local Government in respect of the implementation oversight group set up under the aegis of his Department to oversee the overall implementation of the October 2013 Priory Hall resolution framework, the current status of the resolution process; the steps that have been taken to keep property owners informed of the current status of the Priory Hall development; if a point of contact has been appointed by the oversight group to keep residents informed; and if he will make a statement on the matter. [45280/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): An implementation group, chaired by Dr Martin McAleese, is in place to oversee the effective implementation of all aspects of the agreed Framework. The implementation group includes representatives of both former residents and buy-to-let owners, thereby ensuring that all of the Priory Hall homeowners are fully engaged and fairly treated. In relation to the refurbishment works, the position is that in August 2014, my Department conveyed approval to Dublin City Council to proceed with the refurbishment works on the first two phases of the overall Priory Hall remediation project and to advance the planning of subsequent phases of this project.

Electromagnetic Fields Studies

485. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the policy that is relied upon to define acceptable levels of electromagnetic fields associated with high-tension power lines; if the policy is to be reviewed to take account of updated expert research in both the engineering and medical disciplines; and if he will make a statement on the matter. [45304/14]

522. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the policy that defines acceptable levels of electromagnetic fields associated with high-tension power lines when planning for the proximity of such power lines to residences; and if he will make a statement on the matter. [45248/14]

523. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the way policy that covers acceptable proximity between residences and the electromagnetic fields levels associated with high-tension power lines compares with corresponding policies in other EU member states; and if he will make a statement on the matter. [45250/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 485, 522 and 523 together.

The issue of the potential health effects of electromagnetic fields was the subject of an Expert Group Report commissioned by the Government and published in March 2007. This report, entitled Health Effects of Electromagnetic Fields, which considered issues such as digital

signals, microwaves and mobile phone masts, is available for download on my Department's website at: <http://www.environ.ie/en/Publications/Environment/EnvironmentalRadiation/> .

The Expert Group reported that the majority scientific opinion was that no adverse short - or long-term effects have been demonstrated from exposure to electromagnetic fields at levels below the limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP). Extensive international research on the issue continues to be co-ordinated through bodies such as the World Health Organisation.

A substantial volume of research on this issue is being carried out internationally by bodies with responsibility for monitoring the health effects of electromagnetic fields, including the European Commission's Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR). This Committee recently published a Preliminary Opinion on Potential Health Effects of Exposure to Electromagnetic Fields, updating its previous opinions from 2009 and taking account of the many studies undertaken in the intervening years. The Report can be found at the following weblink: (http://ec.europa.eu/health/scientific_committees/emerging/docs/scenihr_o_041.pdf).

The findings of this research are being monitored by the WHO's EMF Project; it is expected that a report will issue from the WHO in 2015. My Department, via its Air Quality & Environmental Radiation Policy Section, continues to monitor this and other scientific evidence as it is made available and will consider any policy implications in this context.

In addition, my Department recently commissioned a study on international developments in non-ionising radiation (NIR) and electromagnetic fields (EMF) research since publication of the 2007 Expert Group Report. The study is also examining how the issue of NIR/EMF is dealt with in other jurisdictions and is expected to be completed by the end of this year. The results of this study will be used by a Steering Committee, convened and chaired by my Department, to consider and make specific proposals relating to the future management of these matters including, *inter alia*, any consequent legislative amendments and provisions.

Motor Tax Collection

486. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government further to Parliamentary Questions Nos. 524 and 620 of 6 June 2012, if will provide a costing of implementing a direct debit system for motor tax payment; and if he will make a statement on the matter. [45376/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I have no plans currently to introduce a direct debit payment option for motor tax and my Department has, therefore, not fully costed the introduction and implementation of a direct debit system. The introduction of such a system would also involve the Department of Transport, Tourism and Sport, which has responsibility for overseeing the operation of the National Vehicle Driver File and the associated IT systems.

Water Conservation Grant

487. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the total cost of the water conservation payment; the date recipients will receive it; the total amount of money his Department has received from the Exchequer to fund the new payment; and if he will make a statement on the matter. [45393/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Households that complete a valid response to Irish Water's customer registration process will, in the case of primary dwellings, be eligible for a €100 water conservation grant, payable through the Department of Social Protection. This payment is being made available to support more sustainable use of water, as part of the Government's objective of achieving greater water conservation among households, and will be available to all households (primary dwellings). It is estimated that the grant will cost €130 million in 2015.

The detailed arrangements, including financial details, for the operation of the scheme are being developed by my Department and the Department of Social Protection, with the expectation that it will be operational by September 2015.

Water Conservation Grant

488. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if private group water scheme users will receive a water conservation payment; if individual private well users will receive a water conservation payment; and if he will make a statement on the matter. [45394/14]

489. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if the water conservation payment will be issued to all households regardless of whether they use both water in and water out or just one aspect of the water services; and if he will make a statement on the matter. [45395/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 488 and 489 together.

Households that complete a valid response to Irish Water's customer registration process will, in the case of primary dwellings, be eligible for a €100 water conservation grant, payable through the Department of Social Protection. This payment is being made available to support more sustainable use of water, as part of the Government's objective of achieving greater water conservation among households, and will be available to all households (primary dwellings) including those in the group water sector and those with private wells or septic tanks.

The detailed arrangements for the operation of the scheme are being developed by my Department and the Department of Social Protection, with the expectation that it will be operational in September 2015.

Irish Water Appointments

490. **Deputy Lucinda Creighton** asked the Minister for the Environment, Community and Local Government if he will publish the minutes of all meetings of the Irish Water consultative group in view of the fact that this group agreed service level agreements which will have significant financial implications for Irish taxpayers for many years to come. [45493/14]

494. **Deputy Lucinda Creighton** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 236 of 13 November 2014, if he will provide a list of all the names of the individual representatives of his Department, the County and City Management Association, the Local Government Management Agency, the Water Services Transition Office, Irish Water, and Irish Congress of Trade Unions and affiliated unions who have been part of, or continue to be part of, the Irish Water consultative group from Sep-

tember 2012 to date; if a person (details supplied) was responsible for appointing the persons to the group; if not, if he will indicate the person responsible for appointing the persons to the group and whether this required ministerial consent; and if he will make a statement on the matter. [44804/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 490 and 494 together.

The Irish Water Consultative Group was established to facilitate engagement with the Unions and staff on the roll-out of the Water Sector Reform Implementation Strategy, and had its inaugural meeting in September 2012 under an independent chair, Mr. Kevin Foley of the Labour Relations Commission. This joint union/management group was established to provide a mechanism for regular structured dialogue, consultation and engagement on issues arising from the implementation strategy, including service level agreements. These service level agreements signed between Irish Water and individual local authorities were based on a generic template, a copy of which is available on my Department's website, under the service level agreements section at the following link: <http://www.environ.ie/en/Environment/Water/WaterSectorReform/#documents>.

Representation is a matter for each of the respective organisations rather than by appointment by the Chairman.

The Union side is represented by the Irish Congress of Trade Unions and comprises up to 8 representatives from Congress, SIPTU, IMPACT and the Local Authority Craft Group of Unions.

The Management side is represented by officials from my Department's Water Services and Local Government (Human Resources) Divisions; representatives from the County and City Management Association, the Local Government Management Agency (LGMA) and the Water Services Transition Office; and Irish Water/Bord Gáis.

The LGMA hosts the meetings of the Group and provides secretariat services and is responsible for holding all records of the Group. I have asked the LGMA to forward the minutes including the attendees lists directly to the Deputy.

Building Regulations Application

491. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide an update on the implementation of the new building regulations introduced in March 2014; and if he will make a statement on the matter. [44764/14]

492. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he has considered mandatory project insurance in view of the new building regulation regime; and if he will make a statement on the matter. [44765/14]

493. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if his Department has undertaken a study of the additional costs for one-off houses generated by the new building regulations; and if he will make a statement on the matter. [44766/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 491 to 493, inclusive, together.

Over 4,700 new construction projects have been notified to Building Control Authorities across the local government sector since the Building Control (Amendment) Regulations 2014 regulations came into operation on 1 March 2014.

Evidence to date suggests that the Construction industry is responding well to the new regulatory framework. Oversight of activity by industry and by local building control authorities has improved immeasurably and authorities have ready access to detailed data on projects via the online Building Control Management System. The online system streamlines building control administration and enables authorities to identify risks and track progress.

A Framework for Building Control Authorities was adopted by the City and County Management Association on 17 July 2014 – these common protocols add clarity, efficiency and consistency to building control activities across the local government sector.

I am satisfied that the new regulatory framework represents a reasonable and appropriate response to the many building failures that occurred in the past decade. The enhanced professionalism and accountability arising from the arrangements under the new Regulations will lead to improved quality and reduce risk within the construction sector. This will in turn lead to market conditions more conducive to insurers and a wider availability and use of latent defects insurance. However, the Government has undertaken to explore the potential for latent defects insurance on construction projects as part of the wider reform of building control arrangements and this matter is currently being progressed within my Department.

In relation to the issue of cost, I refer to the reply given to Questions Nos. 259, 268, 269 and 285 of 4 March 2014 which sets out comprehensively how the impact of the regulations, including the cost impact, was viewed by my Department in the context of the comprehensive public consultation that informed and preceded the making of the regulations. A number of cases have, however, been brought to my attention whereby consumers have been quoted exorbitant charges for professional services in relation to residential construction projects, particularly single house projects. The new regulations support improved competence and professionalism which will provide additional work opportunities for competent practitioners and construction professionals. However, the consumer should not have to pay a premium for such services and, if concerns about value for money for consumers prove to be well-founded, I will consider any reasonable and appropriate steps that may be required to address the issue.

Question No. 494 answered with Question No. 490.

Local Authority Expenditure

495. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if he has directed Sligo County Council to include measures in its annual budget to ensure that the council will return a surplus of €1 million on its revenue account for 2015; and if he will make a statement on the matter. [44807/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The continued deterioration of Sligo County Council's financial position is of serious concern. Sligo County Council has incurred revenue deficits for the last 6 years, has an accumulated deficit of over €19m and also has long term debt of over €120m.

It is a matter for each local authority, including Sligo County Council, to determine its own spending priorities in the context of the annual budgetary process having regard to Government policy and both locally identified needs and available resources. The elected members of a local authority have direct responsibility in law for all reserved functions of the authority, which

includes adopting the annual budget, and are democratically accountable for all expenditure by the local authority. While it is a matter for individual local authorities, including Sligo County Council, to manage their own day-to-day finances in a prudent and sustainable manner, my Department is in regular consultation with the Council in relation to its financial position.

The next steps to move to a sustainable financial position need to be taken by Sligo County Council, and need to be reflected both in its budget for 2015 and through the agreement of a long term financial plan with my Department.

Planning Issues

496. **Deputy Stephen S. Donnelly** asked the Minister for the Environment, Community and Local Government the existing powers in planning legislation that could be used to prevent fast food outlets setting up in close proximity to schools; and if he will make a statement on the matter. [44818/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Planning authorities may, when adopting the local area plan for their areas, adopt policies to curtail an excessive concentration of fast food outlets in particular areas.

Under planning legislation the change of use of any premises to a takeaway or fast food outlet would require planning permission. In deciding whether or not to grant permission for a development, the relevant planning authority or An Bord Pleanála must consider the proper planning and sustainable development of the area having regard to the provisions of the development plan, any submissions or observations received, and relevant ministerial or Government policies including any guidelines issued by my Department. The Local Area Plan Guidelines for Planning Authorities (June 2013) recognise the important role of planning in promoting and facilitating active and healthy living patterns for local communities. For example, the Guidelines outline that the local area plan can promote active and healthier lifestyles by ensuring that, *inter alia*, exposure of children to the promotion of foods that are high in fat, salt or sugar is reduced through careful consideration of the appropriateness or location of fast food outlets in the vicinity of schools and parks.

Motor Tax Collection

497. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 497 of 11 November 2014, the costs of administering a single renewal notice and tax disc. [44827/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Motor tax can either be renewed in a local authority motor tax office or online at www.motortax.ie, which is maintained by the National Vehicle and Driver File (NVDF), under the auspices of the Department of Transport, Tourism and Sport.

I am not in a position to provide the cost of administering a single tax disc as cost information is not measured in this manner. Similarly, I am not in a position to provide the cost of a single renewal notice as these notices are issued by the NVDF.

Motor Tax Collection

498. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 497 of 11 November 2014, if his attention has been drawn to the fact that many persons cannot afford to pay their motor tax in a single lump sum and that they are then penalised with extra costs for paying the tax every three or six months; and the steps he will take to ensure a fairer system is put in place. [44828/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Motor tax is payable on an annual, half-yearly or quarterly basis. The rates applicable for the half-yearly and quarterly options are 55.5% and 28.25% of the annual charge, respectively. These relativities have remained generally consistent since the 1960s.

The differential takes account of the extra workload for staff in motor tax offices and the National Vehicle and Driver File and the resultant administrative costs and printing costs that arise, including the issuing of renewal notices. Each quarterly renewal of motor tax follows the same administrative procedures as the annual renewal process. Consequently, renewing on a quarterly basis generates four times the workload of an annual renewal for the equivalent period.

The estimated additional annual income from the increased charges for half-yearly and quarterly discs is in the region of €50m. A loss of income from this source would have a negative impact on the total collected via motor tax and would have to be borne elsewhere in the motor tax system or through the taxation system generally.

I have no plans currently to review the basis for paying motor tax on a half-yearly or quarterly basis.

Water Charges Exemptions

499. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government the concessions on water charges that are being proposed for community and voluntary organisations such as sports clubs, crèches and so on; and if he will make a statement on the matter. [44874/14]

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 community and voluntary organisations such as sports clubs and crèches. This policy provided for charges based on actual metered consumption and is consistent with the requirements of the Water Framework Directive.

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 Commission for Energy Regulation (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.

Question No. 500 answered with Question No. 483.

Departmental Investigations

501. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government if he will provide an update on the progress of an investigation under way in his Department (details supplied); if it is his plan to publish the original complaints that have

led to this investigation and if he will consider placing them on the record of Dáil Éireann; if he will provide all the affected parties with a copy of the interim report of the investigation prior to publication; his views on the conduct of the investigation; if other bodies have been involved in the investigation, for example, An Garda Síochána; if so, the current status of their involvement; if he will provide in tabular form a detailed schedule of the costs associated with this investigation to date showing where these costs have arisen; and if he will make a statement on the matter. [44912/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Mayo North East Leader Partnership is the Local Action Group contracted by my Department to deliver both the LEADER elements of the Rural Development Programme (RDP) 2007 – 2013 and the Local Community Development Programme to the North Mayo area. On foot of correspondence received in 2011 regarding a possible governance issue at Mayo North East LEADER Partnership Company, a comprehensive investigation into the issues outlined was carried out by the Inspection Services Section within my Department. As the investigation was effectively carried out in-house, additional costs were minimal.

The Final Report has been provided to the Department of Agriculture, Food and the Marine, the Managing Authority for the RDP, which subsequently reported the findings to the European Commission and to the external accreditation auditors (Deloitte). The findings of the investigation have also been reported to both the Garda Bureau of Fraud Investigation and the Standards in Public Office Commission and consideration of these findings are now subject to the relevant processes in these bodies. As I understand it, a Garda investigation is currently under way and therefore, at the request of the Gardaí, I am not at liberty to make the original complaint or the final report available to any other parties pending the outcome of the investigation.

Wind Energy Guidelines

502. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government if he will provide an update on the review of the wind farm guidelines that his Department was undertaking; and if he will make a statement on the matter. [44949/14]

516. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local Government when he will publish the new revised wind energy guidelines; if they will be adopted with immediate effect; if he will confirm that, irrespective of when an application is lodged, An Bord Pleanála will apply the new guidelines; and if he will make a statement on the matter. [45165/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 502 and 516 together.

In December 2013, my Department published proposed “draft” revisions to the noise, setbacks and shadow flicker aspects of the 2006 Wind Energy Development Guidelines. These draft revisions propose:

- The setting of a more stringent day and night noise limit of 40 decibels for future wind energy developments;
- A mandatory minimum setback of 500 metres between a wind turbine and the nearest dwelling for amenity considerations; and
- The complete elimination of shadow flicker between wind turbines and neighbouring dwell-

ings.

A public consultation process was initiated on these proposed draft revisions to the Guidelines, which ran until February 21 2014. My Department received submissions from 7,500 organisations and members of the public during this period.

It is intended that the revisions to the 2006 Wind Energy Development Guidelines will be finalised as soon as possible. However, account has to be taken of the extensive response to the public consultation in framing the final guidelines. Further work is also advancing to develop technical appendices to assist planning authorities with the practical application of the noise measurement aspects of the Wind Guidelines.

The revisions to the Wind Energy Development Guidelines 2006, when finalised, will be issued under Section 28 of the Planning and Development Act 2000, as amended. The 2006 Guidelines continue to apply to existing planning applications. Planning authorities, and, where applicable, An Bord Pleanála must have regard to guidelines issued under Section 28 in the performance of their functions under the Planning Acts.

I am precluded, under section 30 of the Planning and Development Act, 2000, from exercising any power or control in relation to any individual planning application or appeal with which a planning authority or An Bord Pleanála is or may be concerned. It is a matter for the relevant planning authority to make the appropriate determination in relation to a planning application or appeal, and my Department has no function in this regard. Planning authorities must 'have regard' to planning guidelines issued by my Department. However, these are issued for guidance purposes to assist planning authorities in the performance of their functions. Ultimately, planning authorities will make their own decision based on the specific merits or otherwise of individual planning applications.

Environmental Policy

503. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government his Department's policy regarding car washes operating without planning permission and that do not comply with environmental standards; and if he will make a statement on the matter. [45032/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Under the Planning and Development Act 2000, as amended, all development, unless specifically exempted under the Act or associated Regulations, requires planning permission. Section 4 of the Act and Schedule 2 of the Planning and Development Regulations 2001, as amended, set out various exemptions from the requirement to obtain planning permission. There is no specific exemption for car wash facilities.

The consideration of a planning application for the operation of a car wash would also involve consideration of the requirements of the Environmental Impact Assessment Directive 2011/92/EU, and the Habitats Directive 1992/43/EEC, as transposed in the Planning Act.

Any development that is carried out without planning permission or that does not comply with the terms of a planning permission is unauthorised development and may be subject to enforcement action by a planning authority. Decisions on planning applications and enforcement are made by planning authorities in the first instance and I have no role in relation to the matter.

Under the Local Government (Water Pollution) Acts 1977 and 1990, it is an offence to permit polluting matters to enter waters. The Acts require that discharges of trade effluent to waters or to sewers are licensed by local authorities and Irish Water respectively. In granting a

licence, conditions may be attached covering, for example, the nature, composition and volume of discharges.

In addition, local authorities have a general responsibility for the monitoring, management, protection and improvement of water quality. The Environmental Protection Agency, through its Office of Environmental Enforcement, exercises general supervision in relation to the performance of these functions by local authorities.

Leader Programmes Applications

504. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the status of an application to Mayo North East Leader Partnership Company in respect of an association (details supplied) in County Mayo; the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45033/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): In line with the 'bottom-up' approach to rural development under the LEADER elements of the Rural Development Programme 2007-2013, the Local Action Groups (LAGs) are the principal decision-makers in relation to the allocation of project funding. Such decisions are made in the context of the local development strategy of the individual groups and in line with the Programme's Operating Rules and EU regulations.

I understand that an application from the promoter referred to was received by Mayo North East LEADER Partnership (MNELP). However, the project in question falls outside the operational area of MNELP and the promoter has been informed of this fact.

Leader Programmes Applications

505. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the status of an application to Mayo North East Leader Partnership in respect of an organisation (details supplied) in County Mayo; the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45034/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department has been in contact with Mayo North East Leader Partnership and I understand that they have not received any application in the name of the promoter referred to.

Leader Programmes Applications

506. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the status of an application to Mayo North East Leader Partnership in respect of a centre (details supplied) in County Mayo; the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45036/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I understand that Mayo North East Leader Partnership (MNELP) is awaiting additional information from the project promoter in relation to the project mentioned in order to progress the application.

Leader Programmes Applications

507. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the status of an application to Mayo North East Leader Partnership in respect of an enterprise (details supplied) in County Mayo; the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45037/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I understand that the promoter referred to in the question was forwarded payment for their submitted claim on 28 October 2014.

Water and Sewerage Schemes Expenditure

508. **Deputy Noel Grealish** asked the Minister for the Environment, Community and Local Government the total expenditure from 1996 to date on the Oughterard sewerage scheme by Galway County Council, his Department and Irish Water; and if he will make a statement on the matter. [45045/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Oughterard Sewerage Scheme was included in my Department's Water Services Investment Programme 2010 – 2013 as a scheme to commence construction within the period of the Programme.

My Department conditionally approved a revised Design Review Report for the scheme in June 2012 and part of these conditions required Galway County Council to submit further clarification to the Department prior to advancing the scheme to construction. My Department did not receive this clarification from the Council prior to the end of December 2013. In total, €480,044 in respect of the project was recouped to Galway County Council from my Department between the years 2004 and 2013. These recoupments related to planning costs.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels including the delivery of water services capital infrastructure.

Irish Water has published its proposed Capital Investment Plan (CIP) 2014 – 2016 and this is available online at <http://www.water.ie/news/proposed-capital-investme/Proposed-Capital-Investment-Plan-2014-2016.pdf>.

Irish Water has also established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an improved level of service which it is aiming to provide. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a new dedicated number, 1890 578 578.

Voluntary Housing Sector

509. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government if capital assistance scheme funding will continue to be made available to voluntary groups who wish to apply for same; his plans to change the nature of the programme; and if he will make a statement on the matter. [45052/14]

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

Government if applications for CAS and CAF funding will be available in 2015; and if he will make a statement on the matter. [45129/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 509 and 514 together.

Social housing is a key priority for Government, as evidenced by the increased provisions made for the area in Budget 2015. Local authorities and approved housing bodies are continuing to work on projects announced earlier this year under a national €68 million local authority housing construction programme to provide 449 new social housing units and €46 million to approved housing bodies to provide 416 social housing units for people with special housing needs.

Approved housing bodies will continue, under the Capital Assistance Scheme, to play an important role in the future delivery of accommodation for persons with specific categories of housing need, including older people, people with an intellectual, physical or mental health disability, homeless people, returning emigrants and victims of domestic violence. The target for 2015 under this Scheme is for approved housing bodies to deliver around 440 units of accommodation for people with a specific housing need. In evaluating future applications under these Schemes, priority will be given to those approved housing bodies that have demonstrated a commitment to good governance and sound management. Engaging fully with the voluntary regulation code for approved housing bodies will be a clear statement of that commitment.

The Capital Advance Leasing Facility scheme facilitates the securing of finance by approved housing bodies from sources other than the Exchequer, including from the Housing Finance Agency and private lending institutions. The scheme provides a capital equity injection which assists approved housing bodies in securing private finance. To date over €16 million has been advanced to approved housing bodies under CALF, which has supported the provision of 551 social housing units, and this delivery is expected to continue and expand in 2015.

More broadly, plans in relation to the future delivery of social housing are now being finalised as part of a new Social Housing Strategy which will contain clear, measurable actions to increase the supply of social housing, based on innovative solutions that will harness new funding streams, in order to continue to protect the most vulnerable and disadvantaged in our society. It will also highlight the important role of the voluntary housing sector in future social housing delivery.

The overall social housing funding provision for 2015 has been increased by in excess of €200 million, with capital funding increasing by €180 million, which will allow for significant expansion in social housing provision. The specific allocations to be provided for each of the various funding schemes and programmes will be published in the 2015 Revised Estimates Volume in December. That will include the breakdown of my Department's Social Housing Investment Programme and at that point, my Department will be working with all local authorities to agree individual allocations across all the social housing programmes.

Leader Programmes Applications

510. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the status of an application to Mayo North East Leader Partnership in respect of an agricultural show (details supplied) in County Mayo, the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45057/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kel-

ly): I understand that Mayo North East LEADER Partnership expects to be in a position to submit a claim on behalf of the project promoter to my Department for payment very shortly.

Leader Programmes Applications

511. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding an application to Mayo North East Leader Partnership in respect of a person (details supplied) in County Mayo; the reason for the continuing delay; if same will be expedited; and if he will make a statement on the matter. [45060/14]

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

The relevant LAG in respect of the project referred to is Mayo North East LEADER Partnership (MNELP), which is the principal decision-maker in relation to the allocation of project funding in that area of Mayo. I understand that MNELP has received an application from the promoter in question. Decisions regarding which projects to fund will be made by the Board of MNELP in line with Programme Operating Rules and EU regulations and in the context of the local development strategy. Decisions are also dependent on the availability of funding. I understand that a final decision regarding this application is due to be made by the Board of MNELP shortly.

Leader Programmes Applications

512. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the position regarding an application to Mayo North East Leader Partnership in respect of a community council (details supplied) in County Mayo; the reason for the continuing delay; if it will be expedited; and if he will make a statement on the matter. [45061/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I understand that this project application is expected to come before the Board of Mayo North East LEADER Partnership for final decision very shortly.

Litter Pollution Legislation

513. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government his plans to amend the Litter Pollution Acts; and if he will extend the range of enforcement personnel that may issue fines under section 22 (Dog related offence) of the Litter Pollution Acts so that there is a wider enforcement scope in countering the problem of dog littering. [45108/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Litter Pollution Acts 1997 to 2009 provide the statutory framework to combat littering and include provisions relating to dog fouling. Under the Acts, the primary management and enforcement response to littering (including dog fouling) is a matter for local authorities.

It is a matter for each local authority to determine the most appropriate course of action to tackle litter pollution locally within the legislation provided, including the most appropriate

public awareness, enforcement and clean-up actions in relation to litter and dog fouling, taking account of its own local circumstances and priorities.

Section 16 of the Control of Dogs Acts 1986 and 1992 sets out the powers of dog wardens. In addition, section 28 of the Litter Pollution Act 1997 provides that a dog warden, within the meaning of the Control of Dogs Act 1986, may issue a notice or on-the-spot fine to an individual believed to have committed a prescribed offence under the Act. It is also open to a member of An Garda Síochána or a litter warden under the Litter Pollution Acts to issue a notice where an offence is believed to have been committed. It is a matter for each local authority to authorise members of staff to perform the functions of a litter warden under the Act.

I am of the view that there are sufficient penalties in place and that the powers are conferred on appropriate personnel to deal with the issue of dog fouling when enforced under the Litter Pollution Acts and I have no plans to introduce further legislation at this time. I believe that raising awareness of the litter problem and educating our young people is key to effecting a long-term change in society's attitudes towards litter disposal. Ultimately, however, it is the responsibility of each individual to ensure that they play their part in preserving the environment for others through the responsible disposal of their litter, including in relation to dog fouling.

Question No. 514 answered with Question 509.

Property Tax Administration

515. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government if he will outline the county councils which require their local authority tenants to pay property tax through their rent; and if he will make a statement on the matter. [45133/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Housing authorities are responsible, under section 58 of the Housing Act 1966, for determining rents in respect of their dwellings, subject to complying with broad principles laid down by my Department, notably that the rent payable should be related to income and that low-income households should pay a lower proportion of income in rent. Section 58 of the 1966 Act will be replaced in due course by section 31 of the Housing (Miscellaneous Provisions) Act 2009, as amended, which provides for significant harmonisation of differential rent levels nationally, while retaining some discretion for individual authorities in setting rents in their own areas.

Both enactments empower housing authorities to levy specific charges in addition to rent in respect of works or services provided to local authority dwellings under the Housing Acts 1966 to 2013. While there is no corresponding provision in the enactments in respect of Local Property Tax (LPT), it is a matter for housing authorities, as an integral part of their housing management functions, to ensure that their income from differential rent and other charges reflects, as far as practicable, the cost of managing and maintaining their housing stock. I have no information about the extent to which individual authorities have taken account of their LPT liability in setting the amount of rent payable for their residential properties.

Question No. 516 answered with Question No. 502.

Water and Sewerage Schemes Expenditure

517. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Lo-

cal Government if he will provide on an annual basis from 1997 to 2011 inclusive the financial allocation made to Monaghan County Council for water and sewerage schemes, including major schemes, smaller town and village schemes and rural group schemes; and if he will make a statement on the matter. [45177/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department provided capital funding to local authorities under the Water Services Investment Programmes (WSIPs) up until the end of 2013. The following table sets out the funding recouped to Monaghan County Council from 1997 to 2011 under the WSIPs.

Year Paid	Total paid
1997	€2,620,048
1998	€2,724,317
1999	€3,944,853
2000	€8,214,616
2001	€5,236,878
2002	€1,859,214
2003	€2,834,075
2004	€3,226,457
2005	€1,966,256
2006	€1,448,933
2007	€622,561
2008	€5,871,193
2009	€11,992,801
2010	€4,570,237
2011	€4,674,019
Grand Total	€61,806,458

Responsibility for the administration of the Rural Water Programme has been devolved to local authorities since 1997. The selection, prioritisation and approval of individual scheme proposals for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocations provided, is therefore a matter for the local authorities. The table below sets out the funding recouped to Monaghan County Council from 1997 to 2011. This includes all capital funding provided under the Rural Water Programme and subsidies, provided under the Local Government Fund, towards the operational costs of group water schemes and local authority salary costs.

RURAL WATER PROGRAMME

Year	Exchequer Grants Paid	Subsidies paid towards operational costs of Group Water Schemes and Local Authority Salary Costs
-	€	€
1997	1,600,509	264,715
1998	922,989	356,824
1999	2,264,535	651,922
2000	1,972,322	622,189
2001	2,876,253	448,972

Year	Exchequer Grants Paid	Subsidies paid towards operational costs of Group Water Schemes and Local Authority Salary Costs
2002	3,664,322	761,117
2003	8,974,784	813,626
2004	4,354,337	735,770
2005	3,674,409	1,471,682
2006	3,263,380	1,002,725
2007	2,525,976	719,116
2008	3,358,748	1,790,315
2009	2,533,132	3,019,024
2010	2,110,841	1,501,258
2011	1,920,559	3,946,445
TOTALS	46,017,096	18,105,700

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels including the delivery of water services capital infrastructure. Irish Water has published its proposed Capital Investment Plan (CIP) 2014 – 2016 and this is available online at <http://www.water.ie/news/proposed-capital-investme/Proposed-Capital-Investment-Plan-2014-2016.pdf>.

Irish Water has also established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an improved level of service which it is aiming to provide. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a new dedicated number, 1890 578 578.

Question No. 518 answered with Question No. 483.

Irish Water Expenditure

519. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the amount Irish Water has been allowed to pay for bonuses, consultancy fees, and for the running of call centres in 2014 and 2015. [41149/14]

543. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the total number of staff employed by Irish Water in its billing department; and if he will make a statement on the matter. [45389/14]

544. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the estimated maintenance costs of water meters already installed per annum in 2015, 2016, 2017, 2018 and 2019; and if he will make a statement on the matter. [45396/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 519, 543 and 544 together.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels. I have no role in the operational matters of Irish Water.

The Commission for Energy Regulation (CER) is the independent, economic regulator of Irish Water and retains the power to advise the Minister on development and delivery of water services. Irish Water's operational costs have been carefully examined by the Regulator and demanding requirements have been set. Irish Water must reduce its operating costs by 7% annually to end 2016. Details of the Irish Water's approved water charges plan, including cost breakdowns to end 2016 submitted by Irish Water to the CER, are available on the CER's website at www.cer.ie.

Irish Water has established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an improved level of service which it is aiming to provide. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a new dedicated number, 1890 578 578.

Irish Water Establishment

520. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government his plans to bring forward legislation to ensure that Irish Water cannot be privatised. [41150/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Water Services Act 2013 provides for the establishment of Irish Water as a subsidiary of Bord Gáis Éireann, conforming to the conditions contained in the Act and registered under the Companies Acts. Section 4 of the Act provides that Irish Water is registered as a private company limited by shares under the Companies Act. Section 5 of the Act provides that one share in Irish Water shall be issued to Bord Gáis Éireann (now Ervia) with the remaining shares allocated equally between the Minister for the Environment, Community and Local Government and the Minister for Finance. Accordingly, Irish Water is in full State ownership. Subsection 5(6) of Act, as amended by Section 46 of the Water Services (No. 2) Act 2013, prohibits each of the three shareholders from disposing of their shareholding in Irish Water and thus places a statutory prohibition on the privatisation of Irish Water.

The Government is committed to the continued public ownership of water services and proposes to legislate to ensure that if any future Government sought to make any amendment to the ownership of Irish Water, the matter would have to be put to the electorate. These legislative proposals in this regard will be brought forward shortly.

Irish Water Administration

521. **Deputy Michael McNamara** asked the Minister for the Environment, Community and Local Government the status of persons who have not received any communication from Irish Water and have been unsuccessful in their endeavours to make contact with that body; and if he will make a statement on the matter. [45236/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Irish Water is in the process of compiling the relevant data to ensure that customers can be billed accurately and has sent validation packs to approximately 2 million households. To implement the changed charging regime, and to provide those households who have yet to register with an opportunity to respond to the Irish Water customer registration campaign, so that they may avail of the new benefits and to receive accurate bills, it will be important to register by 2 February 2015. Households who have not previously responded can register with Irish Water by phone or online. It is possible to complete validation over the phone, even in the absence of

an application pack. The application form is also available to download from the Irish Water website www.water.ie.

Irish Water has established a dedicated phone number, 1890 448 448, to assist with queries and completion of the customer application form. This line is open from 8am to 8pm, 7 days a week and additional resources have been allocated by the company to answer calls. Irish Water can also be contacted by email. All details are clearly outlined on the company website, www.water.ie.

Irish Water has established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an improved level of service which it is aiming to provide. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a new dedicated number, 1890 578 578.

Questions Nos. 522 and 523 answered with Question No. 485.

Irish Water Remit

524. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding a water leak; and if he will make a statement on the matter. [45259/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels. I have no role in the operational matters of Irish Water.

I understand that Irish Water has investigated the case in question and has advised the customer of their findings. However, they will undertake to further contact this customer to assess suitability for investigation under the First Fix Scheme.

Under the Domestic Complaint Handling Code of Practice, if a customer remains dissatisfied with the outcome, Irish Water will refer the customer's complaint to the Commission for Energy Regulation or the Environmental Protection Agency.

The Commission for Energy Regulation may be contacted if the unresolved complaint is that Irish Water did not comply with the terms of a code of practice, in accordance with the Voluntary Dispute Resolution Working Practice between the Commission for Energy Regulation and Irish Water.

Motor Tax Collection

525. **Deputy Joe Carey** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown of the revenue generated annually by motor tax using both emissions and engine size for the years 2008 to 2013; and if he will make a statement on the matter. [45260/14]

526. **Deputy Joe Carey** asked the Minister for the Environment, Community and Local Government using statistics and data available since 2008 on the number of vehicles in the State, his Department's projections regarding the sustainability of the motor tax base; and if he will make a statement on the matter. [45263/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 525 and 526 together.

The total number of vehicles in the fleet (based on the number of vehicles under current taxation at 31 December for each year up to 2013) and gross receipts from 2008 to date are as follows:

-	Total number of vehicles	Gross motor tax receipts (€)
2008	2,497,568	1.058bn
2009	2,467,660	1.057bn
2010	2,416,387	1.023bn
2011	2,425,156	1.010bn
2012	2,403,223	1.054bn
2013	2,482,557	1.137bn
2014 (at 31 October)	2,501,206 *	995m

* there are also some 124,000 vehicles currently declared off the road.

Between 2009, when budgetary increases in motor tax took effect, and 2011, there was a year on year decline in motor tax receipts. Receipts increased in 2012 and 2013 due to further motor tax increases in those years. While there were no increases in motor tax in 2014, there is expected to be a further increase in motor tax receipts due to the change in procedure for declaring vehicles off the road, which is also a factor in the recent increases in vehicle numbers, along with increases in the fleet size resulting from economic buoyancy. Receipts are expected to be in the order of €1.16bn by year-end.

There has been a change in composition of the private vehicle fleet, with a gradual switchover from vehicles taxed based on engine capacity to vehicles taxed based on carbon emissions, which carry a lower average tax. Total receipts from private vehicles for 2008 to the end of October 2014 are set out below. The proportion of the total receipts from engine capacity vehicles is gradually reducing; apart from 2013, arising from a combination of budget increases and the changes to the procedures for declaring vehicles off the road, the overall trend is for a decline.

Receipts	2008 (€m)	2009 (€m)	2010 (€m)	2011 (€m)	2012 (€m)	2013 (€m)	2014 (to 31 October) (€m)
Private (engine capacity)	853.0	835.4	784.8	752.8	751.7	760.2	641.4
Private (CO 2)	10.2	36.9	58.4	78.5	121.5	168.5	177.9
Total Private Cars	863.2	872.3	843.2	831.3	873.2	928.7	819.3

The number of CO2 vehicles as a proportion of the overall private vehicle fleet has been increasing by about 5% year on year and, at the end of October 2014, comprised almost 34% of the total. Most of the replacement fleet is now in the 2 lowest emissions tax bands which carry relatively low tax rates – 95% of all cars now purchased are in the A and B bands. It could be expected that this trend may continue in the future; however, it could also be expected that the numbers of vehicles in the fleet should increase in the future as economic growth indicators continue to improve. Motor tax receipts and rates are kept under regular review.

527. **Deputy Seán Ó Feargháil** asked the Minister for the Environment, Community and Local Government his views on the recent amendments made by Kildare County Council to its county development plan with specific regard to the matter of the location of electricity pylons; if he will support the initiative taken by Kildare County Council in this regard; if he will review the position of his Department on this issue; and if he will make a statement on the matter. [45267/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): On 12 November 2014, I issued a notice of intent to issue a Direction, together with a draft Direction, to Kildare County Council relating to Variation No. 3 to the Kildare County Development Plan 2011-2017, as adopted by the elected members on 20 October 2014. I formed the provisional opinion to issue such notice on the basis that the Planning Authority had ignored or not taken account of a submission made by my Department on my behalf in September 2014 in respect of the proposed material alterations to Variation No. 3 to the Development Plan and that the Plan (as varied) is not in compliance with the requirements of section 13 of the Planning and Development Act 2000 (as amended).

The draft Direction outlined, *inter alia*, that the decision of the elected members to alter the policy in regard to the energy and communications objectives do not provide for proper planning and sustainable development as they would be contrary to national policy as set out by the Minister for Communications, Energy and Natural Resources in relation to Transmission and Energy Infrastructure.

The public consultation obligations under Section 31 of the Planning and Development Act 2000 (as amended) provide that the Chief Executive must publish notice of the draft direction no later than 2 weeks after receipt of the notice of intent. I expect to receive the Chief Executive's report on this public consultation, including on any views of the elected members, no later than 4 weeks after the public consultation process is completed, for my further consideration.

Local Authority Rates

528. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the situation, in 2015, as regards Irish Water and local authority rates; if this is a change from the 2014 situation and if so the financial implications this will have for each local authority. [45270/14]

533. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will provide in tabular form the amount of rates paid to each local authority by Irish Water in 2014; and the expected income from this source in 2015. [45332/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 528 and 533 together.

As outlined to the Dáil on 19 November, I intend to bring forward legislative proposals to give effect to the new package of measures for water charges and Irish Water financing which will include provision for the exemption from commercial rates of fixed networks for the production, transport or distribution of drinking water to the public and assets for treatment and disposal of sewage from the public. The amount of commercial rates budgeted for by Irish Water in 2015 and 2016, and included in operational costs reviewed by the Commission for Energy Regulation, is €59 million. The amounts paid in 2014 are outlined in the following table.

Local Authority	€'000
Carlow County Council	52
Cavan County Council	24
Clare County Council	219
Cork City Council	850
Cork County Council	1,535
Donegal County Council	415
Dublin City Council	13,820
Dun Laoghaire/Rathdown	3,420
Fingal County Council	6,573
Galway City Council	30
Galway County Council	50
Kerry County Council	589
Kildare County Council	2,210
Kilkenny County Council	169
Laois County Council	142
Leitrim County Council	nil
Limerick County Council	762
Longford County Council	95
Louth County Council	581
Mayo County Council	198
Meath County Council	261
Monaghan County Council	96
Offaly County Council	15
Roscommon County Council	nil
Sligo County Council	136
South Dublin County Council	8,518
Tipperary County Council	760
Waterford County Council	4,485
Westmeath County Council	69
Wexford County Council	130
Wicklow County Council	2,521
Total Amount paid in Water rates by Irish Water	48,725

Water Services Provision

529. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if there has been any update on an area's (details supplied) maintenance works. [45279/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels. Water services maintenance works are a matter for Irish Water and I have no role in the matter.

Irish Water has established a dedicated team to deal with representations and queries from public representatives and has contacted all Oireachtas members to provide details of an im-

proved level of service which it is aiming to provide. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on a new dedicated number, 1890 578 578.

Water Charges Exemptions

530. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government the level of water charges that will be levied on third level students for the academic year, which is of nine months duration; if landlords will be obliged to pay part of the annual water charge; and if this is the case, the proportion of the annual bill landlords will be liable for. [45296/14]

531. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government if third level students who are in receipt of the maintenance grant will be entitled to relief in relation to water charges; and if so, the amount of same. [45297/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 530 and 531 together.

Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels.

The occupier of a property is liable to pay the water charges bill and legislation provides that the owner is the occupier unless the contrary is proven. Irish Water is providing landlords with the opportunity to prove that they are not the occupier by providing the tenant's name. This will allow Irish Water to contact the tenant to complete the registration and to bill the tenant. The tenant will have to register with Irish Water to avail of the water conservation grant or to avail of lower charges than the default annual capped charge (€260), where they are single adult occupants or his/her metered usage is less than the maximum charge.

Draft legislation which I will be bringing forward will place certain obligations on landlords where the tenant has not paid water charges. In the case of tenants in private rented accommodation, the legislation will seek to insert into all tenancy agreements/leases a deemed obligation on the tenant to discharge their liability for water charges. On the changeover of a tenancy, the registration of a new tenant with Irish Water would be conditional on all water charge arrears being discharged and, in the event of the former tenant not discharging those arrears, the landlord would be entitled to withhold the amount concerned from the tenant's deposit and would be required to remit the amount involved to Irish Water.

Capped annual charges are set at €160 for single adult households and €260 for all other households, including those households comprising of third level students. All eligible households will receive a water conservation grant of €100 per year. The overall package of measures being put in place is designed to make the water charging regime more affordable and to provide clarity and certainty to households.

In terms of payment, all households, including third level students, will be able to avail of a range of easy pay options, including direct debits, electronic funds transfer, payment by cash at any retail outlet with a paypoint or payzone sign or a post office where a bill can be paid in full or part payments of a minimum of €5 can be made. Metered usage can lead to lower charges than the relevant capped charge; the Children's allowance remains at 21,000 litres per annum and will apply to all persons resident in the dwelling aged under 18 (irrespective of whether the child qualifies for Child Benefit), meaning children will continue to go free.

Departmental Funding

532. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government if he will provide details of any moneys that his Department has provided to Associated Charities Trust (details supplied) since 1990. [45324/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department does not have any record of providing direct funding to Associated Charities Trust.

However, as an association dealing with housing issues, the organisation has received funding of a total of approximately €1.17 million from Limerick City Council since 1990 under my Department's Capital Assistance Scheme, towards the provision of 22 housing units. Under this Scheme, funding is provided by my Department to local authorities who, in turn, provide funding to Approved Housing Bodies for the provision of accommodation for persons with specific categories of housing need.

Question No. 533 answered with Question No. 528.

Water Charges Exemptions

534. **Deputy Seán Kyne** asked the Minister for the Environment, Community and Local Government if allowances will be provided for each parent in cases of separation and divorce in view of the sharing of parental responsibilities; and if he will make a statement on the matter. [45336/14]

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.

Capped annual charges are set at a rate of €160 for single adult households and €260 for all other households until end 2018, with all eligible households entitled to receive a water conservation grant of €100 per year. In the case of primary dwellings registered with Irish Water and where a meter is installed, a Children's Water Allowance of 21,000 litres per annum will be provided in respect of each resident child under the age of 18 (irrespective of whether the child qualifies for Child Benefit). This allowance will be in respect of the residence where the child is normally resident and will only be claimable once in respect of an individual child. For unmetered dwellings with children, the capped charge to apply is based on the number of adults in a house (i.e. a single adult dwelling or a multi-adult dwelling).

If a dwelling is metered after 1 January 2015 and if a household's usage for the first metered year is less than the relevant capped charge, the household will be due a once-off rebate on the difference between the charges paid for the unmetered period and the charge that would have been paid through metered usage. This will be automatically calculated by Irish Water after a full year of metered usage and normally applied as a once-off credit to the customer's account.

It is not intended that the forthcoming legislation to reflect the new capped charges will alter the arrangements already approved by the Commission for Energy Regulation (CER) which would permit the registered occupier to provide approval to Irish Water to transfer of the child's water allowance, in certain circumstances.

Question No. 535 answered with Question No. 483.

Departmental Contracts

536. **Deputy Billy Kelleher** asked the Minister for the Environment, Community and Local Government if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45345/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department has not awarded any contracts to the company referred to.

Contracts awarded by agencies under the aegis of my Department are an operational matter for those agencies.

Water Charges Administration

537. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government the role he sees landlords playing regarding the collection of water charges; and if he will make a statement on the matter. [45381/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels.

The occupier of a property is liable to pay the water charges bill, and legislation provides that the owner is the occupier unless the contrary is proven. Irish Water is providing landlords with the opportunity to prove that they are not the occupier by providing the tenant's name. This will allow Irish Water to contact the tenant to complete the registration and to bill the tenant. The tenant will have to register with Irish Water to avail of the water conservation grant or to get lower charges than the default capped charge (€260), where they are single adult occupants or their metered usage is less than the maximum charge.

Draft legislation which I will be bringing forward will place certain obligations on landlords where the tenant has not paid charges. In the case of tenants in private rented accommodation, the legislation will seek to insert into all tenancy agreements/leases a deemed obligation on the tenant to discharge their liability for water charges. On the changeover of a tenancy, the registration of a new tenant with Irish Water would be conditional on all water charge arrears being discharged and, in the event of the former tenant not discharging those arrears, the landlord would be entitled to withhold the amount concerned from the tenant's deposit and would be required to remit the amount involved to Irish Water.

In the case of local authority tenants, where deposit arrangements do not apply, and where a customer is in arrears for more than 12 months and a late payment fee has accrued, Irish Water, having firstly provided the customer with the opportunity to pay the arrears or enter into a payment plan, will advise the local authority concerned of the amount of the arrears. The legislation would provide for the local authority to recover the amount outstanding over a 12 month period and to remit the amount involved to Irish Water.

Social and Affordable Housing Expenditure

538. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government when the announcement will be made regarding the €2.2 billion investment in social housing provision; if he will provide a break down of the allocation and the number of new builds by council yearly to 2017; and if he will make a statement on the matter. [45382/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Social housing is a key priority for Government, as evidenced by the additional €2.2 billion in funding announced for social housing in Budget 2015, which will assist in increasing social housing delivery, including newly built units, in 2015, 2016 and 2017. The funding that is provided by my Department to local authorities for social housing on an on-going basis supports the development and acquisition of new social housing units based on the priorities set by the local authority.

For 2015, I expect that some 7,400 new social housing units will be provided under these initiatives. It is a matter for each local authority, as the housing authority for its area, to identify the social housing need and to respond as required and my Department is working with all local authorities regarding their targets for 2015 and beyond, within the context of the available funding nationally.

The soon to be published Social Housing Strategy will build on the provisions contained in Budget 2015 and will set out clear, measurable actions and targets to further increase the supply of social housing, through a range of delivery initiatives in order to continue to protect the most vulnerable and disadvantaged in our society.

Housing Assistance Payments Eligibility

539. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government the safeguards there will be under the new housing assistance payment for persons with disabilities, including those with a mental health difficulty; if there will be flexibility in terms of the rent cap payable under the HAP in the same way that community welfare officers had discretion under the rent supplement scheme; his plans to ensure that persons with mental health difficulties do not have their recovery jeopardised by the threat of homelessness due to inflexible rent caps; and if he will make a statement on the matter. [45383/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Housing (Miscellaneous Provisions) Act 2014 provides, inter alia, for the introduction of the Housing Assistance Payment (HAP). HAP is currently being piloted in seven local authority areas. For the purpose of the pilot phase, the rent limits prescribed for the rent supplement scheme by the Department of Social Protection, have been prescribed as the rent limits for HAP purposes in the seven areas concerned. It is intended that Dublin City Council will shortly commence a HAP pilot for the Dublin region which focuses particularly on homeless households.

Under HAP, similarly to the situation that pertains in rent supplement, eligible households source their own accommodation within the private rented market. The local authority pays the rent directly to the landlord, on behalf of the household, and the household pays a rental contribution to the local authority based on the differential rent scheme for the relevant local authority.

The HAP pilot phase is being implemented by the local authorities concerned under the stewardship of the HAP Project Board, which includes representatives from my Department

and the Department of Social Protection. During the pilot phase as issues arise, for instance in relation to particular categories or make-up of households that cannot be readily dealt with under the Scheme by local authorities, such cases are examined on a case by case basis by the Project Board. The learning from the pilot phase will in turn inform the full roll out of HAP to all local authorities, broadening the current range of social housing supports available to local authorities to meet housing need generally, including households or persons with a disability or mental health difficulty.

Water Charges Administration

540. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the estimated average water usage rate per 1,000 litre for a two adult plus household and for a single adult household based on recent data; and if he will make a statement on the matter. [45386/14]

541. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the total number of two adult plus households expected to pay water charges; the total number of single adult households; and if he will make a statement on the matter. [45387/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 540 and 541 together.

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.

Irish Water has carried out a project to understand water consumption patterns in Ireland. The Water Consumption Research Project (WCRP) figures are based on actual metered data and follow-on surveys with over 3000 houses, and confirm that the average consumption for a household is 66,000 litres per year for the first occupant and an average 21,000 litres increase for each additional occupant. However, many households will use less than this amount, and it is possible for households to reduce their consumption through simple conservation measures. Data on consumption patterns will be provided by Irish Water to the CER on a regular basis.

The Irish Water tariff model contains details of the estimated break-down of Irish Water customer numbers based on data prepared by the Central Statistics Office. This model and the findings of the WCRP are available on the CER website at: <http://www.cer.ie/document-detail/CER-Water-Charges-Plan-Consultation/979> .

Irish Water has established a dedicated team to deal with representations and queries from public representatives. The team can be contacted via email to oireachtasmembers@water.ie or by telephone on 1890 578 578.

Irish Water Funding

542. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the impact the new revenue model will have on the Irish Water capital investment

plan; and if he will make a statement on the matter. [45388/14]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Since 1 January 2014 Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels including the delivery of water services capital infrastructure. Irish Water has published its Capital Investment Plan 2014-2016 and this is available online at <http://www.water.ie/news/proposed-capital-investme/Proposed-Capital-Investment-Plan-2014-2016.pdf>

Recent announcements regarding changes to the water charges regime will not impact on the delivery of water services capital infrastructure.

Questions Nos. 543 and 544 answered with Question No. 519.

Electric Vehicle Grants

545. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the efficacy of the electric vehicle grant scheme; his views on the uptake levels of the scheme; and if he will make a statement on the matter. [45313/14]

546. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the success of the electric vehicle grant scheme; his views on the low uptake of scheme; and if he will make a statement on the matter. [45316/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I propose to take Questions Nos. 545 and 546 together.

The 2009 Renewable Energy Directive sets all Member States a binding target that at least 10% of the energy used in the transport sector must come from renewable sources by 2020. Ireland aims to meet this target mainly through the use of sustainable biofuels with electric vehicles also making a smaller contribution.

The Electric Vehicle Grant Scheme was introduced in April 2011 to incentivise and support, through grants of up to €5,000, the early deployment of electric vehicles in Ireland. These grants are in addition to the VRT reliefs of up to €5,000 which apply to electric vehicles.

To date, grant support has been provided for the purchase of 551 new vehicles of which 269 were grant aided in 2014. The grant scheme, subject to finalisation of the budgetary arrangements, will continue into next year.

The extent to which EVs are adopted in the short-to-medium term will depend on a range of factors including, *inter alia*, the strength of the economy, the overall numbers of new cars being purchased, the cost of purchasing and running electric vehicles compared to fossil fuel comparators, and the number of different electric vehicle models available to purchase. Overall within the EU, demand for EVs has been lower than originally anticipated.

Postcode Implementation

547. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources the total cost to date of developing the forthcoming postcode system, Eircode; if he will provide a breakdown, in tabular form, of the names of all external consultants engaged

in the development of the new system, including amounts paid to each consultant on each individual contract and the dates paid; the further expenditure in respect of same for which a commitment has been made; and if he will make a statement on the matter. [44776/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White):

A contract was signed by Capita Business Support Services Ireland Limited in December 2013 to develop and roll out the National Postcode System over a 10 year period. Total spend to date on that contract is €3.22m. Aside from the contract with Capita, the table below includes all consultancy costs from 2010 to date associated with the National Postcode System.

Company	Duration of Contract	Cost (inc VAT)	Date Paid
PA Consulting (Project Management Services)	Sept 2010 – March 2014	€806,454	€195,932 10/02/2011€144,009 01/09/2011€140,367 29/06/2012€86,390 21/03/2013€12,962 24/04/2013€5,370 26/04/2013€4,650 09/05/2013€7,418 26/06/2013€19,602 26/07/2013€4,584 18/09/2013€3,405 27/09/2013€46,270 08/10/2013€30,996 29/11/2013€39,852 05/12/2013€20,368 13/01/2014€25,682 17/02/2014€18,597 06/03/2014
PA Consulting (Technical Advice)	April 2014 – Date	€135,578	€49,568 27/06/2014€63,468 04/09/2014€22,542 23/10/2014
Mason, Hayes & Curran (legal advice)	2011 – 2014	€141,810	€51,140 29/11/2011€11,391 14/12/2011€18,782 17/02/2012€6,937 03/04/2012€20,844 30/11/2012€20,381 22/08/2014€3,653 04/09/2014€3,653 10/10/2014€5,029 14/11/2014
Other Consultants costs	2011 – 2014	€44,180	€6,050 08/07/2011€9,840 27/06/2013€28,290 29/04/2014
Total	2011 – 2014	€1,128,022	€1,128,022

There is an on-going contract in place with PA consulting up to 1 July 2015 for the provision of technical advice. Expenditure of €135,578 has arisen on that contract to date. Future

payments due to arise under the contract amount to €278,071, (inc. VAT).

Irish Water Staff

548. **Deputy Lucinda Creighton** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 242 of 13 November 2014, when his Department will revert on the information sought; and if he will make a statement on the matter. [44805/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I refer to Question No 242 of 13 November 2014 regarding employment terms and conditions of Ervia employees. As previously advised, the employment terms of Ervia employees, are an operational matter for the company.

While this is not a matter in which I, as Minister, have a statutory role, my officials have examined the relevant records and I am advised that Ervia, or Bord Gáis at the time, submitted a note regarding the context for Performance Management Related Payments to my Department on 12 July 2011. Ervia also briefed my Department and the Department of Finance with respect to a *Performance and Competitiveness Review 2011* on 5 August 2011. This briefing included information on operational expenditure savings, pay model, performance management and performance related awards. This briefing was by way of information as Ministerial consent is not required for pay arrangements, other than in the case of the CEO.

In the period 2011 to early 2013, Ervia continued to engage with relevant departments, including my Department, regarding its proposed new pay and performance model. The current pay model in place in Ervia was implemented as a result of the successful conclusion of a suite of cost improvement measures in Ervia in early 2013.

Postcode Implementation

549. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources his response to concerns that the proposed postcode system, Eircode, will not be utilised by freight and courier companies due to an intuitive address adjacency not being included within the new code, and because of this companies will start to adopt their own codes from the private sector using part of the data contained in Eircode; his views that emergency services will not be able to rely on the code; and if he will make a statement on the matter. [44819/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): Eircodes have been designed to manage challenges around finding addresses in Ireland, specifically the fact that more than 35% of addresses are non-unique. This is why the solution adopted will assign a unique seven digit alpha numeric identifier to each address. Using this approach to assigning codes does not support sequencing of individual codes as such a system is not future proofed in relation to infill new build.

There has been widespread support from both public sector bodies and private businesses with particular interest from the retail and financial industries for the introduction of postcodes nationally. For example, Nightline who are Ireland's biggest independent logistics firm are fully supportive of the introduction of Eircodes. In addition, the emergency services, and in particular the National Ambulance Service, have welcomed the introduction of Eircodes as the codes will facilitate the speedier deployment of their services. An Post, who were actively involved in the design process, and who are fully committed to using Eircodes, are currently updating their

mail sortation systems to fully integrate with Eircodes. Eircodes will facilitate improved efficiencies and quality improvements in the mails sector and provide a stimulus to mail volumes through improved marketing capabilities.

Legislative Measures

550. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources his views on introducing legislation to require all mobile phones to be registered with the name, address and proof of identity of the phone user in order to tackle potential illegal activity through the use of untraceable and unregistered phones; and if he will make a statement on the matter. [44928/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): Available evidence to date shows that introducing measures such as outlined in the Deputy's question may not have any material impact in terms of preventing illegal activity.

A proposal to register all customers of mobile phone services was considered previously by my Department. It was concluded at the time that such a proposal would be unlikely to solve the illegal and inappropriate use of mobile phones by persons determined to use the technology for illegal activity. There is also a risk that such measures could lead to the emergence in a black market for fraudulently registered or stolen SIM cards.

Furthermore, there are significant data protection issues associated with such a proposal. The routine collection and retention of an individual's personal information could be contrary to current Data Protection legislation.

For those reasons I am not currently considering any such legislative measures.

Alternative Energy Projects

551. **Deputy Eoghan Murphy** asked the Minister for Communications, Energy and Natural Resources the reason the microgeneration pilot scheme will cease, in view of the positive environmental impact and the savings it has provided for suppliers and entrants to the scheme; and the outcome for those who have already invested in the scheme. [45040/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): While this is a matter in which I, as Minister, have no statutory function, I am aware that Electric Ireland has been offering a micro generation feed-in tariff since February 2009. I understand Electric Ireland will continue to offer the tariff to their existing customers until the end of 2015. To date, no other electricity supplier has chosen to provide such a tariff, to either domestic or commercial customers, though they have been invited to do so by the Commission for Energy Regulation (CER). Responsibility for the regulation of the electricity and gas markets is a matter for the CER, which is an independent statutory body.

I am aware of the need to give further policy consideration to the place of microgeneration in the energy mix. Analysis of the potential of microgeneration technologies such as small scale wind and hydro, and solar, has been carried out for my Department by the Sustainable Energy Authority of Ireland (SEAI). The SEAI's findings, along with responses to the recent consultation on the Green Paper on Energy Policy in Ireland, will inform future policy on the provision of any market support for microgeneration.

Postcode Implementation

552. **Deputy John Lyons** asked the Minister for Communications, Energy and Natural Resources if the new national postcodes system, Eircode, will work in conjunction with standard sat-nav devices and applications on mobile devices such as Google maps, to make it easier for members of the public to find addresses and businesses accurately. [45130/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The Eircode is designed to help find relevant location and routing information and integrate with GPS devices and smartphones. It will also be mappable onto defined national boundary sets such as counties, electoral districts and small areas.

Broadband Service Expenditure

553. **Deputy Stephen S. Donnelly** asked the Minister for Communications, Energy and Natural Resources if he will provide the total payments made by the State to enet, per year, since its creation, and the amount per year the State has received in return for these payments; and if he will make a statement on the matter. [45182/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): Following an open tender process, enet was appointed Concessionaire in July, 2004 for a 15 year term to manage, market, maintain and operate the Metropolitan Area Networks (MANs) constructed under Phase I of the MANs Programme on behalf of the State.

In July 2009, following an open tender process, enet was awarded a separate 15 year contract to manage the MANs constructed under Phase II of the MANs Programme.

The financial arrangements are contractually and commercially sensitive and are confidential among the Parties to the Concession Agreements. My Department will, however, examine the information that may be provided under the Concession Agreements and I will revert to the Deputy in the matter.

Energy Prices

554. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the doubling of the public service obligation levy in ESB bills in the past month; and if he will make a statement on the matter. [45233/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The Public Service Obligation (PSO) levy has been in place since 2001 and is the overall support mechanism for generation constructed for security of supply purposes, including peat generation, and for the development of renewable electricity. It is designed to compensate electricity suppliers for the additional costs they incur by purchasing electricity generated by these producers. The PSO levy is vital to enable Ireland to meet its 16% EU 2020 target for renewable energy.

The Commission for Energy Regulation (CER) determines the PSO levy which is a charge on all electricity customers without exception. The legal basis for the PSO levy and its method of calculation are set out in Regulations made under the Electricity Regulation Act 1999 (S.I. 217 of 2002). The annual PSO levy amount for 2014/2015 is €335.4 million. This equates to €64.37 per annum for residential customers, €221.66 per annum for small to medium sized

business customers and €34.20/kVA for medium and large customers. The levy amounts for 2013/14 amounted to €210.9 million, equating to €42.87 per annum for residential customers, €129.83 per annum for small to medium sized business customers and €18.47/kVA for medium and large customers.

The biggest driver for the levy rise for this year is the lower predicted wholesale market electricity price, which is currently estimated to be around 10% lower than last year. This results in lower predicted market income for the PSO plants and, therefore, a higher levy is required to cover their allowed costs. The lower wholesale electricity price is currently being driven by lower international gas prices in evidence since spring 2014. This drives up the proposed PSO levy. However, if these lower gas and wholesale prices are sustained, it will reduce the wholesale cost of electricity that suppliers pay. In turn, suppliers should be in a position to reduce their retail prices and potentially offset the PSO levy increase. I note increased competition in the retail electricity sector recently which should help offset some of this increase. The CER is tasked with retail market monitoring and executes this role vigorously to ensure competition leads to the fairest prices for customers.

Broadband Service Provision

555. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he will provide the names of the 78 areas in County Donegal that will require State intervention; if the Government will invest in fibre connections in these areas; and if he will make a statement on the matter. [45255/14]

556. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he has received assurances from all broadband providers that they will provide fibre to households; and if he will make a statement on the matter. [45256/14]

557. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he is committed to providing fibre to every household in the country; if not, the reasons for same; and if he will make a statement on the matter. [45257/14]

558. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he will provide fibre or satellite broadband to the 78 areas identified as needing State intervention in County Donegal; and if he will make a statement on the matter. [45266/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I propose to take Questions Nos. 555 to 558, inclusive, together.

The National Broadband Plan (NBP) aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State-led intervention in areas where commercial services will not be provided.

Yesterday, I launched a public consultation on the National High Speed Coverage Map 2016. This allows all members of the public, be they business or residential, to see whether or not their premises/home is included in the Government's proposed intervention. It also provides detailed information on a county by county basis as to which villages and townlands are to be included.

This map can be accessed at www.broadband.gov.ie. There is a wealth of data and information available here to better inform citizens about the detail of the Government's ambitious plan

to ensure all parts of Ireland have access to high quality broadband services.

The plan envisages dealing conclusively with rural connectivity issues so that current and future generations will have guaranteed access to high quality, high speed broadband similar to more densely populated areas of Ireland. The network we wish to see built will therefore have to be scalable and capable of meeting future anticipated traffic growth. Whatever the technology used, it must ensure users have a service of at least 30Mbps.

In line with the EU competition rules, we must observe a policy of technology neutrality. However, the scale of the Government's ambition in regard to the level of service we wish to see available in rural areas, the step change in broadband quality now prescribed by the EU Commission's State Aid guidelines, the exponential growth in demand from consumers, and in particular business, points to the need for a major infrastructure build that must stand the test of time.

To ensure end users can benefit from the guaranteed broadband services required, it is likely that a significant fibre build will be required as close to homes and businesses as possible. With additional fibre connectivity all broadband technologies can deliver higher speeds to end users. Access to any State funded network will be on a wholesale open access basis to all retail broadband providers on non-discriminatory terms and conditions.

The next steps in this process will see a further public consultation on a detailed intervention strategy in mid-2015. A detailed procurement process will be undertaken in order to select a potential preferred bidder(s) towards the end of 2015.

This complex and ambitious project is a key priority for Government. It aims to conclusively address current connectivity challenges in Ireland.

Departmental Contracts

559. **Deputy Billy Kelleher** asked the Minister for Communications, Energy and Natural Resources if his Department, or any agency of his Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45342/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): My Department has no record of any contracts awarded to the company referred to in the Question in the period referred to by the Deputy, or in any of the years preceding that period for which records are available.

Information relating to this issue in respect of bodies and agencies under the aegis of my Department is a matter for those organisations and my Department does not have the information sought by the Deputy. I will, however, request the relevant Agencies and bodies under the aegis of my Department to respond directly to the Deputy in the matter.

National Broadband Plan Implementation

560. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources his plans to ensure a modern and adequate broadband telecommunications infrastructure is provided in an area (details supplied) in County Cavan; and if he will make a statement on the matter. [45378/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White):

The National Broadband Plan (NBP) aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State-led intervention in areas where commercial services will not be provided.

Yesterday, I launched a public consultation on a national high speed coverage map. This allows all members of the public, be they business or residential, to see whether or not their premises/home is included in the Government's proposed intervention. It also provides detailed information on a county by county basis as to which villages and townlands are to be included.

This map can be accessed at www.broadband.gov.ie. There is a wealth of data and information available here to better inform citizens about the on-going commercial investment in improved broadband services as well as the detail of the Government's ambitious plan to ensure all parts of Ireland have access to high quality broadband services.

The next steps in this process will see a further public consultation on a detailed intervention strategy in mid-2015. A detailed procurement process will be undertaken in order to select a potential preferred bidder(s) towards the end of 2015.

This complex and ambitious project is a key priority for Government. It aims to conclusively address current connectivity challenges in Ireland.

Irish Water Funding

561. **Deputy Barry Cowen** asked the Minister for Communications, Energy and Natural Resources the credit rating of Ervia; if it has issued any bonds in 2012, 2013 and to date in 2014; if it has plans for future bond issuance; if its credit rating is subject to review following the changes to the Irish Water revenue model; and if he will make a statement on the matter. [45391/14]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I am advised that Ervia's current credit ratings are BBB+ (S&P) and Baa1 (Moody's). I understand that Ervia issued a five year €500m Eurobond in November 2012 at a competitive coupon of 3.625%. The transaction received total orders of more than €6.5bn, demonstrating strong demand for Ervia debt issuance. No public bonds were issued by Ervia in 2013 or 2014. Ervia is looking at the possibility of issuing a new Eurobond in 2015, and preparation for such an issuance is currently ongoing.

I am advised that the change in the Irish Water charging regime, which is not expected to materially change Irish Water's allowed revenue (as determined by the CER) is not expected to affect Ervia's credit rating given that, from a financing perspective, Ervia is ring fenced from Irish Water. Irish Water will apply for its own credit rating in the coming years once the revenue model and regulatory backdrop become more established. The achievement of an investment grade rating is a core principle of Irish Water's long term funding strategy.

Motor Tax Exemptions

562. **Deputy Robert Dowds** asked the Minister for Transport, Tourism and Sport if he will put in place a system whereby persons with off-road vehicles are reminded on an annual basis to confirm whether those vehicles remain off the road in order to avoid incurring fines. [44923/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The Non-Use

of Motor Vehicles Act 2013, introduced new arrangements for declaring the non-use of a vehicle for motor tax purposes. The system requires a non-use declaration (off road declaration) for a vehicle to be made in advance of its motor tax expiry date and thereby avoid payment of motor tax. To facilitate this, my Department, through the National Vehicle and Driver File (NVDF) system, issues motor tax renewal/reminder notices in advance to those vehicle owners whose non-use declaration is due to expire. The notice contains a Personal Identification Number (PIN) which enables the motor tax payment or non-use declaration, as appropriate, be made online at www.motortax.ie.

The renewal/reminder notice is also accompanied by Form RF150 (declaration of non-use form) and this enables the vehicle owner to submit the non-use declaration at the local motor tax office, thereby assisting motorists who do not wish to use the online facility. An information leaflet setting out the requirements for renewal of a non-use declaration is also included with the renewal notice.

Greenhouse Gas Emissions

563. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport if, as part of carbon emissions targets, he will incentivise the conversion of cars from petrol to liquid petroleum gas; if he will deal in particular with the issue of cars registered pre-2008; and if he will make a statement on the matter. [45300/14]

579. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport the laws that currently exist here regarding the regulation of the industry relating to the liquid petroleum gas conversion of cars; and if he will make a statement on the matter. [45293/14]

580. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport the view of the Road Safety Authority on the practice of converting petrol engines to liquid petroleum engines; and if he will make a statement on the matter. [45294/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 563, 579 and 580 together.

My Department is currently preparing the transport sector's input into the National Low Carbon Roadmap, which is being co-ordinated by the Department of Environment, Community and Local Government. A low-carbon vision for the sector is required and measures to develop a robust and cost-effective policy platform for the delivery of that vision will need to be evaluated. It is within this context that measures to incentivise alternative fuels will be considered. Alternative fuels that have the greatest emissions reduction potential will be viewed more favourably but certainty of supply and cost will have to be taken into account also. Such measures would have to be agreed, in the first instance, with the Department of Communications, Energy and Natural Resources, which is the lead Department for all energy related matters in Ireland.

In relation to cars registered pre-2008, I presume you are referring to the motor tax and Vehicle Registration Tax (VRT) systems. Any plans to amend these charging systems would have to be agreed with, and approved by, the Department of Environment, Community and Local Government in conjunction with the Minister for Finance.

Separately, and in line with the recently adopted EU Directive on the deployment of alternative fuels infrastructure, my Department will be required to prepare a National Policy Framework over the next two years to support the uptake of alternative fuels in Ireland. Liquid petroleum gas (LPG) is among a suite of alternative fuels listed in the Directive, which is to be considered from the perspective of long term oil substitution potential within the EU.

In relation to the regulation of the industry that converts cars to liquid petroleum gas, I have no function in this matter.

I have asked the Road Safety Authority to contact you directly with their views on the practice of converting petrol engines to liquid petroleum engines. Please advise my Office if you do not receive a reply within ten working days.

Bus Éireann Services

564. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if the National Transport Authority may specify from what date it has in place an internationally recognised independent system for monitoring the delivery of every service in the landing boards or routes in accordance with the specified obligations in the Bus Éireann public service obligation contracts since 1 December 2009; the number of breaches of contract if any recorded and the sanctions imposed on Bus Éireann for such breaches; and if he will make a statement on the matter. [44773/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The issue raised is a matter for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply.

Please advise my private office if you do not receive a reply within ten working days.

Bus Éireann Services

565. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if the National Transport Authority will indicate if Bus Éireann has been paid for services under public service obligation contracts since 1 December 2009 that were not delivered; and if he will make a statement on the matter. [44774/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The issue raised is a matter for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply.

Please advise my private office if you do not receive a reply within ten working days.

Road Projects Status

566. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the position regarding the review of the recommended route for the N28 road scheme; the work that is under way in this regard; when an announcement is expected; when he expects the project to proceed to statutory planning; the estimated cost of the construction of this road; and if he will make a statement on the matter. [44813/14]

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 N28 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.

It is my understanding that the planning work for this scheme is underway and 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.

Motor Tax Exemptions

567. **Deputy Arthur Spring** asked the Minister for Transport, Tourism and Sport if he believes vintage vehicles are not the cause of road traffic accidents in the main; and his further views on providing a special national car test dispensation for these vehicles in the future as they are largely used for appropriate recreation and fund-raising activities. [44927/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): As the Road Safety Authority (RSA) do not have road traffic collisions statistics available for vehicles registered prior to 1988, I cannot provide a definitive view on the number of incidents involving vintage vehicles. That was the year in which number plates changed to the YEAR-COUNTY-NUMBER format. However, I understand that the report arising from the review of Roadworthiness Testing for Vintage Vehicles which is currently underway by the RSA will include statistics received from the insurance industry in relation to claims involving vintage vehicles.

With regards to the Deputy's suggestion of a special NCT dispensation for vintage vehicles, I would point out that vintage cars and motor caravans registered prior to 1st January 1980 are currently exempt from compulsory roadworthiness testing.

However, all commercial vehicles, regardless of their age, have been required to be tested since commercial vehicle testing was first introduced in Ireland in the 1980s. It is also the case that vintage SPSVs (Small Public Service Vehicles) such as wedding and other ceremonial cars used for hire and reward purposes are required to be tested by the National Car Testing Service.

Vintage commercial vehicles can still be used for commercial purposes and this is why pre-1980 commercial vehicles, including vintage SPSVs, are required to be tested. Although there is no exemption for these vehicles, they are tested to the standards that the vehicles concerned were originally designed to meet.

The review of this area which is currently underway was included in the Government's 2013-2020 Road Safety Strategy (Action 59). As part of this review, the RSA held a public consultation process and invited interested parties (individuals, clubs, associations, etc.) to submit their views prior to 14th November last.

I will consider the outcome of this review, including any associated recommendations, when completed.

State Airports

568. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the engagement he has had to date to ensure the viability of Cork Airport; his views on a recent announcement that Aer Lingus intends to suspend two routes from its summer 2015 schedule; his further views on fears expressed for the future of the airport which has experienced a 5% fall in traffic so far this year; the steps he will take to ensure the future of this airport given that it is critical to the overall economic growth and development of the region; and if he will make a

statement on the matter. [44944/14]

574. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport his plans to maximise Cork Airport's potential as a hub for improving business and increasing tourism in the Cork region; and if he will make a statement on the matter. [45217/14]

575. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to concerns regarding Dublin Airport Authority's management of Cork Airport; and his views on same. [45218/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 568, 574 and 575 together.

As the Deputies will be aware, the DAA is the body charged with statutory responsibility to manage, operate and develop Dublin and Cork Airports. In these circumstances, responsibility for addressing the fall in passenger numbers and the viability of the airport is a matter for DAA and Cork Airport management, and is not a matter in which I have a direct role.

Since the Government decision to maintain Cork Airport as part of the DAA Group, the DAA has put in place arrangements for the airport to be run as a stand-alone business unit within the Company, properly resourced at management level locally. In addition, two of the members of the DAA Board represent Cork, thereby ensuring that issues pertaining to Cork Airport are considered at the highest level.

Since coming into office, I have met the Chair and Chief Executive of DAA and, last September, I visited Cork Airport and met with the Managing Director and some local public representatives to discuss the challenges and opportunities for growth that exist for the Airport. I have also had the opportunity in recent weeks to meet with Cork Chamber of Commerce and Cork Airport was discussed at that meeting.

I am very aware of the importance of Cork Airport for business and tourism in the Cork region. I am also aware of the continuing decline in passenger numbers over recent years at the Airport. This is why, at the request of my predecessor, a high level stakeholder body, the Cork Airport Development Council (CADC), was established by DAA. The aim of the CADC is to provide a forum for senior stakeholders from a range of sectoral and geographic backgrounds who have an interest in the development of Cork Airport to engage with management at the airport and to help contribute to traffic and route growth. The Council is chaired by DAA Chairman and comprises senior representatives from the tourism and business sectors in the Cork region who are actively engaged in achieving the goals set for the Council.

I believe that there are opportunities, particularly in the tourism sector, to grow incoming passenger numbers to the Cork region. I am calling on all relevant stakeholders to work together to exploit those opportunities and to deliver benefits not just for the airport but for the wider region.

In relation to the intention of Aer Lingus to suspend routes from its summer 2015 schedule, it should be noted that it is a matter for the airline to decide which routes they will serve based on their own commercial judgements, taking account of the demand for services. Any decision to suspend a route is an operational decision for Aer Lingus management. I am nevertheless disappointed by the decision of the Company in this instance.

I am aware that the DAA's objective is to halt the decline in passenger numbers in the short term and to return Cork Airport to growth in the future. I am confident that the DAA and Cork Airport management, working with the stakeholders in the region, can achieve this objective.

National Car Test

569. **Deputy Pearse Doherty** asked the Minister for Transport, Tourism and Sport if he will provide a breakdown of the average waiting times for those booking an appointment for a national car test in County Donegal; if he believes these waiting times are acceptable in view of the fact that it is an offence for a vehicle not to have a valid NCT; the steps he is taking in order to reduce current waiting times; and if he will make a statement on the matter. [44981/14]

571. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport his views on the reported backlogs experienced at present by the national car testing service; the way the application of road traffic penalties for non-display of a current NCT certificate will be managed in the cases of motorists who fail to secure a testing slot in adequate time; and if he will make a statement on the matter. [45055/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 569 and 571 together.

It should be noted that it has, for some time, been an offence to use a vehicle on public roads without a valid NCT certificate. Currently, this is a 'straight-to-court' offence which attracts 5 penalty points on conviction. The change I will be implementing shortly - by commencing section 10 of the Road Traffic Act 2014 - is to bring this offence within the Fixed Charge Payment System so that persons will have the option of receiving 3 penalty points on payment of the Fixed Charge rather than automatically being required to go to court.

The RSA has overall responsibility for the operation, oversight and delivery of the National Car Test, and as such, statistics relating to waiting times for any location is a matter for the Authority. I have therefore referred this part of the Deputy's question to the RSA for direct reply. Please advise my Office if you do not receive a reply within 10 working days.

Contrary to some recent media reports that there is a backlog of up to three months to book an NCT, I understand from the RSA that, while the demand for tests is currently high, there is no such backlog.

I am advised that the vast majority of car owners will receive an NCT appointment within 28 days with the average currently within 2 weeks. I understand that, in order to meet this standard, in some cases, the National Car Testing Service holds requests on a waiting list until a suitable slot is found. In the majority of cases, customers are given a slot within the required timescale. However, if a slot is not found within 28 days, the test should be offered free of charge.

To further facilitate demand, an NCT may now be undertaken up to 90 days in advance of the test due date without affecting the expiry date of the new certificate. This system is in place to ensure that owners have ample time to have their vehicle tested before their current NCT certificate expires. The RSA has run a significant advertising campaign since September to highlight this and informs me that it is in a favourable position to deal with current demand.

The application of penalties for the use of a vehicle on the public road without a valid NCT Certificate is a matter for An Garda Síochána who are responsible for the enforcement of road traffic legislation.

Road Projects Status

570. **Deputy Willie Penrose** asked the Minister for Transport, Tourism and Sport if he

will provide an update on the N4 Longford, Rooskey to Mullingar route; when funding may be made available to progress same; and if he will make a statement on the matter. [45031/14]

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, including the N4 is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

I have therefore referred the matter to the NRA for directly reply. Please contact my office if you do not receive a response within 10 days.

Question No. 571 answered with Question No. 569.

National Car Test

572. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport if he will confirm if there is a contractual obligation on the providers of the national car testing service to provide an online booking service for NCT customers; if so if he will confirm the way the contractual obligation is monitored; if the State has applied contractual penalties on the NCT service provider on any occasions when the online booking service has not been operating in a satisfactory manner; and if he will make a statement on the matter. [45056/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority (RSA) has overall responsibility for the delivery and oversight of the National Car Test.

Under the Project Agreement in place between the RSA and the National Car Testing Service (NCTS), the NCTS contractor is required to accept bookings made by personal caller, post, telephone, facsimile, e-mail or using a web based booking system. On average, 35% of NCTS bookings are made online.

The RSA informs me that this year the NCTS has experienced the highest demand since the introduction of testing and therefore must manage the allocation of staff and the release of test slots very carefully. I understand that this may mean that, on occasion, there is not the availability of test slots online .

However, the availability of appointments on the NCT website is not a reflection of the total number of slots available for customers. Customers are advised that if they cannot obtain a suitable slot online they should contact the NCTS call centre directly on (01) 4135992.

Any owner who requires a test quickly should receive an appointment within 28 days. To meet this standard, in some cases, the NCTS holds requests on a waiting list until suitable slots are found. In the majority of cases, customers are given a slot within the required timescale. However, if a slot is not found within 28 days the test should be offered free of charge. I am advised that currently, customers requesting a test are getting an appointment, on average, within 2 weeks with the vast majority getting appointments within 4 weeks. Retest appointments are, on average booked within 3 days.

NCTS met all performance standards in regard to booking times in 2013 and to date in 2014 and accordingly, no contractual penalties were applied.

The RSA has comprehensive supervision arrangements in place to ensure that NCTS adheres to key performance indicators and service level agreements including test bookings and customer service.

Rail Services

573. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport if he will provide an assurance from the chief executive officer of Iarnród Éireann to provide full time security at Howth Junction-Donaghmede DART station over the Christmas-new year period; and if he will make a statement on the matter. [45140/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The issue raised is a matter for Irish Rail and I have forwarded the Deputy's question to the company for direct reply.

Please advise my private office if you do not receive a reply within ten working days.

Questions Nos. 574 and 575 answered with Question No. 568.

Taxi Regulations

576. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport the number of registered wheelchair accessible vehicles, WAVs, in operation prior to July 2014; if he will provide the number of WAVs in each county up to July 2014 in tabular form; and if he will make a statement on the matter. [45277/14]

577. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport the number of applications to date received for the new grant aid of €1 million fund for wheelchair accessible vehicles introduced in July 2014; and if he will provide in tabular form the number of applications per county; the number that have been approved up to date and the total funding expended on successful applications; and if he will make a statement on the matter. [45281/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 576 and 577 together.

The regulation of the small public service vehicle (SPSV) industry is a matter for the National Transport Authority (NTA) under the provisions of the Taxi Regulation Act 2013, including the granting of wheelchair accessible taxi/hackney licences, and the management of the grant scheme for wheelchair accessible vehicles introduced in July of this year.

I have referred your questions to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

Road Traffic Accidents Data

578. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide in tabular form the number of pedestrians killed on our roads from 2010 to date in 2014; if he will classify where those fatalities occurred by class of road that is motorway, national, regional and local roads; if there was public lighting at that road; and if he will make a statement on the matter. [45289/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Responsibility for the compilation and maintenance of road safety statistics rests with the Road Safety Authority (RSA). However, the number of pedestrian fatalities on our roads from 2010 to 2014, reported to me by the RSA on Friday, 21st November, is:

Number of Pedestrian Fatalities by Road Type 2010 - 2012

-	2010	2011	2012	Total
Two-way single carriageway	31	40	24	95
One-way single carriageway	1	1	3	5
Dual carriageway	5	4	1	10
Motorway	4	2	1	7
Unknown	3	0	0	3
Total	44	47	29	120

Number of Pedestrian Fatalities by Road Type 2013 - 2014*

-	2013	2014**	Total
Local	8	13	21
Rural	14	11	25
National	8	5	13
Motorway	1	0	1
Unknown	0	3	3
Total	31	32	63

* 2013 and 2014 provisional figures

** 2014 figures are up to 16th November

Note that the 2013 and 2014 data is provisional and subject to change.

The number of deaths on our roads is a major concern, with pedestrians being amongst the most vulnerable of road users. Some 20% of road fatalities so far this year have been pedestrians. The current Road Safety Strategy, which runs from 2013 to 2020, contains a number of measures to ensure greater safety in pedestrian activities. As in all areas of road safety, this involves a range of measures, but, ultimately, it is also important that pedestrians, like all road-users, take responsibility for their own safety. This includes the use of high visibility clothing, particularly during the winter months. My Department and I will work with the RSA and the other appropriate bodies to ensure that the recommendations in the Strategy are implemented.

Questions Nos. 579 and 580 answered with Question No. 563.

Stadium Projects

581. **Deputy Joan Collins** asked the Minister for Transport, Tourism and Sport the position regarding plans for Dalymount Park's redevelopment along with Dublin City Council, the FAI, Bohemian FC and Shelbourne FC; the stage the project is currently at; if there are firm timeframes in his Department for completion of the project of a potential ground-share between Bohemian FC and Shelbourne FC; and if funds have been earmarked for such a project at this stage [45301/14]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): I am aware that Dublin City Council is examining a proposal involving Dalymount Park and the two clubs referred to by the Deputy. However the proposal is at an early stage and the question of any allocation from my Department does not arise at this stage.

Integrated Ticketing

582. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on measures to integrate the Leap card payment system with public service vehicles such as taxis or hackneys, as occurs within a number of countries to provide further integration within the transport network; and if he will make a statement on the matter. [45308/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Responsibility to develop, procure, implement, operate and maintain the Leap Card system is a function of the National Transport Authority (NTA).

Noting this I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Rail Network

583. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on proposals to replace the Irish rail gauge of 1,600 mm to the international standard gauge of 1,435 mm when electrification and line replacements are undertaken in the medium to long term, in order to lower the costs for train cars, facilitate international integration with the rail system of the United Kingdom in the event of an undersea tunnel being constructed in the future; and if he will make a statement on the matter. [45309/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I have no plans to replace the Irish rail gauge with the international standard gauge and I am not aware of any such plans by the Authorities in Northern Ireland either. As the Deputy will be aware the rail gauge on the island of Ireland is different to that in mainland United Kingdom.

While I am aware that the idea of an undersea tunnel linking Ireland and mainland UK has been suggested from time to time, there are no such plans under consideration by the Government. In addition, given the likely costs involved, and other priorities in the transport area for limited funding it is difficult to envisage such a tunnel being developed with Exchequer funds in the foreseeable future.

Road Tolls

584. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on road tolling in the present economic climate; and if he will make a statement on the matter. [45312/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): As I indicated recently, there are no plans to introduce additional tolls during this Government's term in office.

As regards the contracts for the privately-operated toll schemes, these are commercial agreements between the NRA and the PPP concessionaires concerned. Under the terms of the

PPP Contracts, the PPP Company has the right to levy toll charges in accordance with the Toll Bye-Laws.

In relation to the toll on the M50 and the Dublin Port Tunnel, the revenue generated is used to meet road networks costs, including the buyout of the Westlink bridge and the M50 upgrade availability payments.

Public Transport

585. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on investigating further methods to increase the average speed of the Luas by improving signalling priority to ensure that less time is spent at road traffic lights; and if he will make a statement on the matter. [45317/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The issue raised is a matter for the relevant local authority, which has responsibility for the setting and phasing of traffic signal priorities. I understand that, in the case of Luas junctions, there is a considerable amount of liaison between the Railway Procurement Agency (RPA), Transdev and the local authorities in relation to traffic priorities.

Public Transport Initiatives

586. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the capacity estimates for the proposed BRT line from Dublin city centre to Swords and comparable capacity estimates for an upgrade of Dublin bus frequency times along the same route; his views on the cost benefit of the proposed BRT system; and if he will make a statement on the matter. [45318/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. The National Transport Authority (NTA) has statutory responsibility for developing public transport infrastructure in the Greater Dublin Area (GDA) including Bus Rapid Transit (BRT) projects.

The NTA's Integrated Implementation Plan 2013-2018 has identified that Bus Rapid Transit schemes could play a significant role in the improvement of public transport in the Dublin region and has accordingly proposed three BRT schemes for Dublin, one of which is the Swords-Airport to City Centre corridor.

The NTA is currently undertaking a public consultation process in relation to the preferred option for this corridor, the details of which are available on their website: <http://www.nationaltransport.ie/consultations/public-consultation-on-swiftway-bus-rapid-transit-swordsairport-to-city-centre/>.

I have not received the business case demonstrating the costs and benefits for the Swords BRT project, which I understand is currently under preparation by the NTA and should be available by year end.

Once received the business case will be reviewed to consider all the relevant issues that will determine whether this project will adequately address a public transport deficit and deliver value for money over an appropriate time period. If the answer is positive then it will be considered for prioritisation for additional funding, if available, together with other competing

transport projects.

Haulage Industry Regulation

587. **Deputy Charlie McConalogue** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 267 of 9 October 2014, if he has any further updates following his instruction to his officials to explore options with their UK and Northern Ireland colleagues to mitigate the effect of the levy on Irish hauliers; his plans to introduce a similar road levy charge here; if not, the reasons for same; and if he will make a statement on the matter. [45322/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): As I have previously stated, the UK HGV road user levy is an unwelcome development, especially in its effect on Irish hauliers operating in the Border region. The UK authorities have rejected all requests to have significant sections of the Northern Ireland roads infrastructure exempted from the levy and have agreed to exclude only approximately 7 km of roads that criss-cross the Border. With regard to mitigating the effect of the UK levy, I have recently met with the Minister for Finance and representatives of the road haulage sector to discuss the impact of the levy and other charges on Irish hauliers. I am pleased to report that the Minister for Finance has committed to reducing road tax on HGVs of over 12 tonnes, with a tapering of the reduction for vehicles below that weight, starting in next year's budget.

In relation to the introduction of a pay-as-you-go road user levy charge in Ireland, this is one of the issues being examined by my Department through the cross-Departmental Group on HGV Road Charging. The Group will issue a consultation paper on potential reform of the commercial vehicle motor tax system to stakeholders by the end of November 2014. On completion of the consultation process, the Group will submit a report with its recommendations to the Ministers of Transport, Environment and Finance for their consideration.

Public Transport

588. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if Bus Éireann and other public transport providers are required to meet obligations under the 2005 Disability Act, including providing wheelchair accessible travel; and the measures at the his disposal to direct compliance with such obligations particularly in view of the importance of ensuring public transport serves all of the public and with reference the particular route of Galway to Clifden. [45337/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Accessibility improvements to public transport services are being advanced in the context of *Transport Access for All*, my Department's Sectoral Plan under the Disability Act 2005. The 2013 Plan sets out a series of policy objectives and targets for accessible public transport across all modes. However, while significant progress has already been achieved, much remains to be done and work in that regard is ongoing.

While, as Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport, the securing of provision of public passenger transport services is one of the principal functions of the National Transport Authority (NTA) established on 1 December 2009.

Noting this I have referred the Deputy's question to the NTA for direct reply with regard to

the second and third parts therein. Please advise my private office if you do not receive a reply within 10 working days.

Departmental Contracts

589. **Deputy Billy Kelleher** asked the Minister for Transport, Tourism and Sport if his Department or any agency of his Department have awarded any contracts to a company (details supplied) since 9 March 2011. [45354/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): My Department has not awarded any contracts to the company mentioned. The awarding of any contracts by agencies is a matter for the agency themselves, I will forward your query to them for direct reply to you as soon as possible.

Please contact my Office if you do not receive a response within ten working days.

Tourism Industry

590. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide details on his Department's plan for an eastern seaboard version of the Wild Atlantic Way; if he will provide a breakdown of lessons learned from the construction of the Wild Atlantic Way that will be applied to this new route; his plans to introduce a eurovelo route along the proposed eastern way; and if he will make a statement on the matter. [45371/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): While my Department provides the capital funding for investment in tourism projects such as the Wild Atlantic Way, it is not directly involved in developing or managing them. The development of the Wild Atlantic Way and similar initiatives is a matter for the Board and management of Fáilte Ireland.

Fáilte Ireland is currently developing a similar tourism proposition for the east and south. These areas share a strength in the richness of their historic built environment such as Viking Waterford, Medieval Kilkenny and Brú na Bóinne. This is a work in progress and is intended to form a complementary tourism proposition to the Wild Atlantic Way. It is intended that the research, brand development and consumer testing will be completed during 2014, and the new proposition will be launched in early 2015.

As regards Eurovelo routes, these have been developed by the European Cyclists' Federation. Two of the 14 cycling routes, which connect the whole continent of Europe, will traverse through Ireland. The Eurovelo 1 route travels from Norway to Portugal and enters the Republic of Ireland at Donegal and exits at Wexford. The Eurovelo 2 will begin in Galway, cross to Dublin and terminate in Moscow. These routes are prescribed by the ECF and it is not within my remit to designate an eastern cycleway as a Eurovelo route. However, I am open to exploring proposals for cycleways, within the context of the National Cycle Network Funding Programme, from local authorities in all parts of the country.

Road Safety

591. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on the imposition of 50 kilometres per hour speed limit zones along the Wild Atlantic Way in

areas where there is no separate provision for cyclists in order to increase cyclist safety along the route; and if he will make a statement on the matter. [45372/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Speed limits exist to promote safe usage of our roads. The legislation prescribes different classes of speed limit for different classes of roads, It also allows some leeway to local authorities, in their capacity as road authorities, to determine the appropriate speed limit for particular roads or stretches of road.

Where the law does allow options to local authorities to determine appropriate speed limits, it is entirely a matter for local authorities to make those decisions, having regard to all the relevant factors. Central Government has no role in this process, and it would not be appropriate for me to comment on the best speed limit for a particular road.

I would add that, in making decisions on speed limits, the most important consideration for local authorities must always be road safety.

National Roads Authority Projects

592. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 925 of 30 April 2014, his views on cyclist safety in view of the controversial plans to create a cycle way with the N86 in County Kerry; and if he will make a statement on the matter. [45373/14]

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 is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

I support the NRA's commitment to make provision for all road users (including cyclists) when designing new roads. In rural areas new or realigned roads are designed in accordance with a comprehensive road design standard known as the NRA's Design Manual for Roads and Bridges. In urban areas the requirements of the Department's Design Manual for Urban Roads and Streets apply. In general the latter standards apply where the speed limit is 60 km/h or less.

Traffic Management

593. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on the creation of local traffic only areas to improve cyclist enjoyment of rural routes in view of safety concerns from cyclists sharing roadways with high speed traffic. [45374/14]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I think we can all agree on the need to make cycling as safe and attractive a mode of transport as possible. In other jurisdictions, the 'local traffic only' option is often used in urban rather than in rural areas, and is mostly seen as an anti-congestion measure. It is mainly a method of routing non-local traffic on to by-passes and out of built-up areas.

In principle, public roads are open to all legitimate users. While restricting the use of public roads in certain urban areas might have some merit, it would be a more difficult proposition in non-urban locations. In the case of rural roads, there may not be easy alternatives available to traffic. In addition, if we are thinking in terms of roads in scenic and tourist areas, it would be

difficult to contemplate closing them to non-local traffic.

Finally, there is the question of enforcement. An attempt to limit traffic in certain rural areas to locals only would require a considerable commitment of resources.

However, low trafficked roads in rural areas do provide great potential for the development of cycle routes through signage and marketing. These routes are often used exclusively by local traffic, in any event, without the need to designate them a 'local traffic only' road. Ireland has a substantial network of low trafficked local roads and, with proper marketing and awareness raising, such routes could provide safe passage for cyclists along the length and breadth of Ireland.

I believe that this approach combined with appropriate cycle infrastructure where necessary, education to ensure responsible behaviour by drivers and cyclists, and promotion of lighting and reflective clothing to ensure high visibility for cyclists, offers the best way to improve safety for cyclists.

Turf Cutting Compensation Scheme Applications

594. **Deputy Frank Feighan** asked the Minister for Arts, Heritage and the Gaeltacht if she will provide an update on an application under the cessation of turf cutting compensation scheme in respect of a person (details supplied) in County Roscommon. [44762/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): An application for compensation under the cessation of turf cutting compensation scheme has been received by my Department from the individual referred to in the Deputy's Question. I am advised that a payment of €1,500 in respect of Year 1 of 15 (2011), €1,500 in respect of Year 2 of 15 (2012) and €1,518 in respect of Year 3 of 15 (2013) have been made to this applicant. In addition, a once-off payment of €500 has been made to the applicant in respect of the signing of a legal agreement under this scheme.

It has come to the attention of my Department that the turf plot on which the applicant now claims to have been extracting turf is different to the one which she had indicated that she had been extracting turf from on her application form. Details in relation to this plot are being assessed to ascertain if the qualifying criteria of the scheme have been met in this instance.

My Department has been in contact with the applicant and is assisting her in relation to this matter.

2016 Commemoration Programme

595. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if she will ensure that every school under the Government's remit is provided with a proclamation on the run up to the 1916 centenary. [44998/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): My Department will be working with the Department of Education and Skills to develop an education programme as part of the 2016 commemoration programme. Following the recent launch of *Ireland 2016*, a national initiative which includes a programme of events to mark the 100th anniversary of the Easter Rising, a period of consultation has now begun. In that context, suggestions and ideas from members of the public and interested groups as to activities and initiatives that might be pursued as part of the 1916 commemorations will be welcome. All such sugges-

tions, as well as the proposal set out in the Deputy's Question, will be reviewed and evaluated in early 2015.

National Famine Commemoration Ceremony

596. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if she will ensure there is a national day of Famine commemoration, with a fixed date in order to properly commemorate the millions of lives lost during the Famine. [44999/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): Although the annual National Famine Commemoration ceremony retains a degree of continuity in its format, the date and the artistic/cultural elements of the commemoration may change from year to year. In 2009, 2010, 2012, 2013 and 2014, it proved possible to hold the National Famine Commemoration ceremony on the second Sunday in May. However, it has been agreed that some flexibility should be retained in order to have regard to particular circumstances that may arise regarding the arrangements for the commemoration in any given year. I am satisfied that the retention of such flexibility does not detract from the key aim of the annual commemoration, which is to have a fitting national ceremony to remember and show respect for all those who died or suffered loss during the Great Famine.

Waterways Issues

597. **Deputy Willie Penrose** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question No. 429 of 15 July 2014, pertaining to the proposed Waterways Ireland canal by-laws, when she will make a final decision on the proposed new by-laws; if she will ensure that such proposals are not overly restrictive and punitive for users of the waterways and that user concerns and their submissions are taken cognisance of in her final decision; and if she will make a statement on the matter. [45038/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): Waterways Ireland proposes to make new bye-laws which are intended to enhance its ability to manage the canals for the benefit of all canal users. There are over 14,000 registered boat owners on the seven waterways managed by Waterways Ireland. These waterways make a vital contribution to tourism, attracting visitors from Ireland and abroad.

The proposed new bye-laws are intended to enhance the ability of Waterways Ireland to manage the Royal and Grand Canals and the Barrow Navigation for the benefit of all canal users. Investment by Waterways Ireland in these waterways has made them more attractive for boat owners and is helping to develop them as a vibrant recreational and tourist amenity. Against that background, it is now necessary to update the bye-laws to ensure that the rules governing the use of the waterways are fit for purpose and can best meet the needs of all waterway users.

I am aware that concerns have been raised regarding aspects of the proposed bye-laws. Waterways Ireland undertook a public consultation process in relation to the proposed bye-laws earlier this year. I am advised that the main stakeholders, including the Inland Waterways Association of Ireland, the Heritage Boat Association, the Royal Canal Amenity Group and the Irish Boat Rental Association, were contacted individually and invited to meet with the Chief Executive and the senior management team of Waterways Ireland prior to submitting their views. The current permit holders on the three waterways concerned, including traditional canal users and canal dwellers, received individual written notices and were given the opportunity to make their views and requirements known.

I understand that over 2,000 submissions were made in the course of the public consultation process. I have been advised that analysis of this process has been completed by Waterways Ireland and is available on the Waterways Ireland website at <http://www.waterwaysireland.org/public-consultation>, together with the submissions received. Waterways Ireland has submitted a revised set of draft bye-laws to my Department, which is currently being reviewed. When that process has been concluded, the matter will be referred to me, as Minister, with recommendations for consideration and final decision. In line with a commitment given during a debate in Seanad Éireann on 26 February 2014, I will provide interested Deputies and Senators with an opportunity to discuss the proposals with me prior to making a final decision on the draft bye-laws.

National Parks and Wildlife Service

598. **Deputy Stephen S. Donnelly** asked the Minister for Arts, Heritage and the Gaeltacht further to Parliamentary Question Nos. 437 and 556 of 27 November 2012 and 625 of 21 October 2014, if there is a discrepancy between the previous two replies and vesting order documentation (details supplied) obtained by Freedom of Information, which refers to an exercised grazing right; if so, if she will explain the discrepancy; and if she will make a statement on the matter. [45169/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): My Department is unable to see evidence of a discrepancy, as referred to by the Deputy.

Natura 2000

599. **Deputy Michael Creed** asked the Minister for Arts, Heritage and the Gaeltacht if she will provide details of the National Parks and Wildlife Service farm plan scheme, including when this scheme was introduced; the maximum level of payment available under this scheme; when access to the scheme was terminated; the reason for the introduction of the scheme in the first instance; her plans with regard to a successor to this scheme; and if she will make a statement on the matter. [45188/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): The National Parks and Wildlife Service (NPWS) Farm Plan Scheme was introduced in 2006, to incentivise farmers to manage Natura 2000 land in a manner that went above and beyond statutory requirements and where such necessary measures were not provided for in the national agri-environment schemes that were available at that time. The scheme effectively trialled agri-environment interventions at a relatively small scale to inform measures that could be taken forward in due course at a larger scale under the Rural Development Programme (RDP). It was never envisaged that the NPWS farm plan scheme would replace national, co-financed, agri-environment schemes such as REPS, AEOS, or GLAS.

Farmers were paid upon certification of compliance with an approved NPWS farm plan. These plans were prepared on the basis of either the cost to the farmer of compliance or on the basis of rates per hectare for specific management in adherence to a prescription. Therefore, in all cases, payments were specific to the farm in question and related to the measure in question, the eligible lands in which the measure was applied and the cost of compliance where this was not covered in a rate per hectare. In some cases, there was a tiered approach to payments, with a diminishing rate above certain area thresholds. Where rates per hectare were relevant, these varied depending on the habitat or species being planned. Access to the NPWS Farm Plan

Scheme was curtailed in April 2010, due to budgetary constraints.

In general, it is envisaged that future support for farmers within Natura areas should come from the EU co-funded Rural Development Programme, particularly through the new GLAS scheme. My Department has been working with, and made a number of submissions to, the Department of Agriculture, Food and the Marine on the Rural Development Programme and the GLAS measures in particular, and has advised on the priority measures for Natura habitats and species. These priorities were identified in Ireland's Prioritised Action Framework, which was formally published last week. This framework, which has been approved by Government, identifies a range of actions needed to help improve the status of Ireland's habitats and wildlife.

Ministerial Meetings

600. **Deputy Patrick O'Donovan** asked the Minister for Arts, Heritage and the Gaeltacht if she will meet with a deputation from the Irish Farmers with Designated Land and this Deputy in relation to the hen harrier special protection areas; and if she will make a statement on the matter. [45239/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): My Department has made contact with the Irish Farmers with Designated Lands in recent days with a view to convening a meeting with my officials. I understand that a meeting is expected to be arranged in the coming weeks.

Departmental Contracts

601. **Deputy Billy Kelleher** asked the Minister for Arts, Heritage and the Gaeltacht if her Department, or any agency of her Department, has awarded any contracts to a company (details supplied) since 9 March 2011. [45340/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I am informed that no payments have been made to the firm in question since my Department was established on 2nd June 2011. With regard to bodies funded from my Department's Vote Group, the Deputy will appreciate that the matter raised is part of the day-to-day operational responsibilities of the bodies in question. I am arranging, therefore, for the terms of the Deputy's Question to be transmitted to the heads of relevant bodies with a request that they provide information, to the extent feasible, directly to the Deputy.

2016 Commemoration Programme

602. **Deputy Michael McGrath** asked the Minister for Arts, Heritage and the Gaeltacht the point of contact relatives of those who fought in the 1916 Rising should use in respect of the organisation of the 1916 commemoration, to deal with issues such as tickets to events for family members, related issues; and if she will make a statement on the matter. [45379/14]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I have established a 2016 Commemoration Project Office within my Department, tasked with coordinating all activities relating to the commemoration of 1916. The relevant officials are now liaising with the Department of Defence in relation to matters regarding relatives, including the compilation of lists in this regard for other events that are organised to commemorate the centenary of 1916. The project office may be contacted at 2016projectoffice@ahg.gov.ie.

Questions - Written Answers

The Department of Defence has responsibility for the maintenance of list of relatives for the annual 1916 State Commemorations. Requests for inclusion on the relatives invitation list for 2016 are being processed in conjunction with my own Department and should be submitted for consideration to 2016projectoffice@ahg.gov.ie. Supporting documentation may be required to verify the relationship between the applicant and a 1916 Volunteer and/or the latter's 1916 service. Such requests are then verified by the Department of Defence in order to establish the relationship and authenticity of the request before inclusion on the list.