

## Written Answers.

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

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

### **Anti-Social Behaviour**

12. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport if he has had any communications with the Department of Justice and Equality regarding the tourist experience in Dublin; and if he will make a statement on the matter. [46387/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I am aware of the negative impact that incidents of anti-social behaviour and other problems on the streets of Dublin city centre can have on visitors' holiday experience and on their impressions of our country. I have previously raised my concerns with both the Minister for Justice and Equality and the Dublin City Manager and I understand that the Garda Síochána and the civic authorities in Dublin are working to tackle these problems.

Dealing with this behaviour is wider than just the criminal justice system as it involves issues such as drug dependency, homelessness and begging. It requires a coordinated approach from state agencies involved in social, housing, health and drug treatment services, as well as through partnership with business, community and voluntary groups.

In that regard, I am informed by my Ministerial colleague of a recent initiative to establish a High Level Group involving Dublin City Council, An Garda Síochána, the Dublin Region Homeless Executive and the HSE to oversee strategic and coherent responses to issues in the city centre. She plans to meet with the Group soon to see how the ongoing efforts to enhance public safety and the overall environment of the city centre can be further supported and strengthened.

In relation to improving the tourist experience in Dublin, following the report of the Grow Dublin Taskforce, which dealt with the impact of anti-social behaviour on tourists, I recently established the Grow Dublin Tourism Alliance to implement the report's recommendations. The Group, which is being set up under Fáilte Ireland, will be led by the Chairman of Bord Bia, Michael Carey.

Thankfully, Ireland remains a very safe destination generally for holidaymakers and the rate of crime against tourists is relatively low. Research has shown that the vast majority of our overseas visitors are happy to recommend Ireland as a holiday destination to others.

### **Public Transport**

13. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport his views that the recent prices increases in the cost of public transport will be reconciled with the need to encourage greater use of public transport; and if he will make a statement on the matter. [46344/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I refer the Deputy to my response to Question number 9 of today in relation to fare increases. As I stated in my earlier reply, the National Transport Authority (NTA) is responsible for determining fares in respect of publicly funded bus and rail services and I have no role in the setting of public transport fares. However, I am aware that the changes in bus and rail fares recently announced will cause hardship for many commuters in this city and this country. I am also aware how they may lead to some people questioning the value of public transport vis-à-vis the cost of running a car.

The maintenance of subsidy funding for public transport for 2015 at present levels has enabled the NTA to moderate the fares' increases necessary so that the operators can maintain as far as possible the current level of services and can also respond to sectors where demand is growing and capacity needs to be increased. It is welcome to note that, following some years of declining passenger numbers, growth in passenger numbers across all the public transport operators has returned with an average 3.6% increase to September this year. I note that the NTA has stated that it takes into consideration a number of factors in the fares determination process but primarily the objective is to find a greater match between the costs of operating public transport to the revenues accruing from it, while also protecting public transport services themselves.

The NTA is also engaged in the development and deployment of technologies to make it easier to use public transport. Public transport service quality is also an important factor that influences passenger demand and the NTA has delivered a number of significant cross-operator initiatives such as real time information at bus stops, on Apps and online, the National Journey Planner, the Leap Card, investment in the bus fleet and on-board Wi-Fi, improved public transport maps and the reconfiguration of regional city bus services that to date includes Cork, Limerick, Galway and Waterford.

### **Cycling Facilities Provision**

14. **Deputy Lucinda Creighton** asked the Minister for Transport, Tourism and Sport his plans to work with Dublin City Council to expand the Dublin bike scheme into areas of Dublin 4 and Dublin 8; his views that there has been a delay in expansion of the scheme; and if he will make a statement on the matter. [46332/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As I am sure the Deputy is aware, the development and delivery of walking and cycling infrastructure in the Greater Dublin area is a matter for the National Transport Authority in conjunction with the relevant local authority, in this case Dublin City Council. A major expansion of the *dublinbikes* scheme has recently been completed in Dublin City with approximately €5.2 million provided in funding by my Department and administered by the National Transport Authority through Dublin City Council. This brought expansion of the scheme to Dublin 8 including Kilmainham and Heuston Station, and including Barrow street and South Dock Road in Dublin 4. I am not aware of any delay in the recent expansion of the scheme.

Further to this, the Deputy will be aware of Dublin City Council's plans to further extend this scheme which are outlined in the Council's "Dublinbikes Strategic Planning Framework 2011-2016" document which was published in 2011.

Dublin City Council is continuing to finalise the roll-out of the current programme of expansion and have therefore not sought any additional funding from the National Transport Authority beyond the work currently being undertaken.

### **Irish Airlines Superannuation Scheme**

15. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport the reason he signed the ministerial order to enable the IAS scheme trustees to amend the terms of the scheme, despite the fact that many of the groups directly impacted by the changes had not agreed and were dissatisfied by the proposals; and if he will make a statement on the matter. [46312/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The administration of the Irish Airlines (General Employees) Superannuation Scheme (IASS) is a matter for the Trustees of that scheme. Resolution of its funding difficulties is primarily a matter for the Trustees, the companies participating in the scheme, the scheme members and the Pensions Authority.

On 14 November 2014, the Trustee of the IASS applied to the Pensions Authority for a Section 50 Direction and submitted a funding proposal to address the deficit in the IASS. The Trustee also requested me to commence with immediate effect Sections 32(b)(1) and 32(b)(5) of the Air Navigation and Transport (Amendment) Act 1998, as inserted by Section 34(1) of the State Airports (Shannon Group) Act 2014 to facilitate implementation of the funding proposal should the Pensions Authority approve them. The Trustee confirmed to me that it believes that this course of action is in the overall best interests of the members of the IASS as a whole. As you know, this was also the view of the Expert Panel.

Following specific requests on behalf of deferred members that more funding be made available outside the IASS for that group, I subsequently engaged further with the employers in the matter. However, it was clear that the funding proposed by the employers is the maximum that can be achieved. Therefore, having considered the Trustee's request and reflected on all of the issues relating to the IASS, including the significant deficit of €750m, I signed the Commencement Order on 17 November 2014.

I am very conscious of the difficulties that this will cause for many members but the risks that will arise for all members, the companies and the wider economy in the event of failure of this solution are even greater and this is the reason that I commenced these provisions. I believe that the funding proposal put forward by the Trustee offers the best possible outcome for all members given the acute difficulties and unsustainable circumstances of this fund.

### **Rail Network**

16. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport if the review of the business case for DART underground by the National Transport Authority is complete; if so, if he will share the findings of the report; the timeframe now envisaged for the project; if it is still the intention to move forward under the existing railway order; if compulsory purchases necessary to the project are envisaged; if so, will the notices to treat process be concluded by September 2015; and if he will make a statement on the matter. [46014/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** DART Underground is now being reviewed and assessed by the National Transport Authority (NTA) in conjunction with other large public transport projects for the Dublin area. The 2010 business case

for DART Underground is currently being updated and will be based on the latest data on population, transport demand, construction costs etc. The NTA have advised me that the DART Underground report and the outcome from the Fingal/North Dublin Transport Study and the preliminary Business Case for the BRT to Swords will be available by mid 2015.

Following receipt and assessment of the reports I will then consider the options and priorities for addressing key public transport deficits in the GDA having regard to the costs and benefits and affordability of each project as well as funding sources and options including private funds, EIB loans and EU grants.

Significant additional Exchequer resources will be required to advance any new major project irrespective of the availability of private or EU funds. With existing funding levels the key priority is to protect investment made to date and to maintain safety standards. If additional funds become available, there will be many competing projects from all transport modes in all regions.

I will prioritise any additional funds for projects for which there is a clear need, which are affordable, have a sound business case and add value to existing infrastructure. I would expect that there will be public transport projects in the Dublin region which will meet these criteria if funds are available.

The Railway Order for DART Underground is valid until 2024 but a High Court Judgement in February 2014 determined that the period for serving Notices to Treat for the purpose of compulsory purchase of property under the Order should be 18 months from the date of the Judgement, rather than the 7 years set out in the Railway Order. As a consequence, a decision on whether to proceed with DART Underground under the current Railway Order must be made by September 2015 if the CPO conditions applicable to the project are to be met.

### **Road Projects Status**

17. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will provide an update on the Galway city outer bypass and if he will reaffirm the commitment and support for this vital project. [46326/14]

**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 Galway City Outer Bypass is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

The Galway Outer City Bypass project was identified in the Government's July 2012 Infrastructure Stimulus project as a future priority project.

I understand from the National Roads Authority that the preliminary scheme appraisal for the Bypass is now completed and route selection has been advanced. It is anticipated that the scheme should be ready for submission to An Bord Pleanála by the end of 2015.

### **Road Network**

18. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he proposes to continue to upgrade the national road network with particular reference to identifying areas such as the M50 or other similar routes that are currently experi-

encing traffic congestion; the extent to which it may be expected to address such issues in the short, medium and long term; his plans for the continuation of the motorway network to parts of the country not currently served by motorways; his priorities in this regard; and if he will make a statement on the matter. [46325/14]

**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. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act.

Noting the above, 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.

### **Irish Airlines Superannuation Scheme**

19. **Deputy Niall Collins** asked the Minister for Transport, Tourism and Sport if he is satisfied that all members of the IASS pension fund are being treated fairly in view of the current recommendations; and if he will make a statement on the matter. [46388/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I refer the Deputy to my reply to PQ number 15 of today, 4 December 2014, in which I said that the administration of the Irish Airlines (General Employees) Superannuation Scheme (IASS) is a matter for the Trustees of that scheme. Resolution of its funding difficulties is primarily a matter for the Trustees, the companies participating in the scheme, the scheme members and the Pensions Authority.

On 14 November 2014, the Trustee of the IASS applied to the Pensions Authority for a Section 50 Direction and submitted a funding proposal to address the deficit in the IASS. The Trustee also requested me to commence with immediate effect Sections 32(b)(1) and 32(b)(5) of the Air Navigation and Transport (Amendment) Act 1998, as inserted by Section 34(1) of the State Airports (Shannon Group) Act 2014 to facilitate implementation of the funding proposal should the Pensions Authority approve them. The Trustee confirmed to me that it believes that this course of action is in the overall best interests of the members of the IASS as a whole. As you know, this was also the view of the Expert Panel.

Following specific requests on behalf of deferred members that more funding be made available outside the IASS for that group, I subsequently engaged further with the employers in the matter. However, it was clear that the funding proposed by the employers is the maximum that can be achieved. Therefore, having considered the Trustee's request and reflected on all of the issues relating to the IASS, including the significant deficit of €750m, I signed the Commencement Order on 17 November 2014.

I am very conscious of the difficulties that this will cause for many members but the risks that will arise for all members, the companies and the wider economy in the event of failure of this solution are even greater and this is the reason that I commenced these provisions. I believe that the funding proposal put forward by the Trustee offers the best possible outcome for all members given the acute difficulties and unsustainable circumstances of this fund.

## **Harbour Authorities**

20. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport the plans he has or is aware of in terms of maintaining Dun Laoghaire Harbour, County Dublin, as a functioning transport harbour considering the Stena Line has once again been pulled out of Dun Laoghaire for the winter months; if he will report on the arrangements for the transition period between now and when the harbour is brought under the control of Dun Laoghaire Rathdown County Council; and if he will make a statement on the matter. [46343/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** Stena Line, as an independent commercial company, has taken a decision to introduce greater efficiencies and reduce their overall operating overheads in order to continue to provide services at Dun Laoghaire. The HSS Stena Explorer, operating on the Dun Laoghaire Holyhead route, generates most of its turnover during the period May to September. High fuel and operating costs leaves the remaining months unsustainable. Dun Laoghaire Harbour Company issued a press release on 20th November 2014 stating that it had been informed by Stena Line that it will not operate its Holyhead Dun Laoghaire service over the 2014 Christmas period. Passengers and freight customers, however, can still avail of the company's route between Dublin Port and Holyhead. This route has 4 sailings a day in each direction between these ports and the company operates a year round schedule.

The port is actively engaged in discussions with Stena Line in respect of a seasonal service from 2015.

The port company is also focused on building the volume of cruise calls for the 2015 and 2016 seasons, and beyond.

As the Deputy is aware, the proposed transfer of the Dún Laoghaire Harbour Company to Local Authority control requires primary legislation. In September this year the Joint Oireachtas Committee considered the draft General Scheme in relation to the Bill and I have since responded to the Committee on its recommendations. The Bill is now with the Office of the Parliamentary Counsel for legal drafting. I expect a Bill will be ready for publication in Q1 2015.

As with all other relevant port companies, I requested Dún Laoghaire Harbour Company establish a Steering Group comprised of Company and Council representatives to consider and oversee the transition to the new governance structures. Such a group has now been established. An important first step will be a full due diligence process for which my Department has made some funding available. I understand terms of reference for such a process are currently being finalised.

My officials will continue to liaise with the Company and the Council throughout the process.

## **Road Projects Status**

21. **Deputy Seán Kyne** asked the Minister for Transport, Tourism and Sport if he will provide an update on the status of the N59 - Galway to Clifden, N6 - Galway to M6 and M17-18 - Gort to Tuam road projects in County Galway. [46323/14]

**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. Within its capital budget, the assessment and prioritisation of individual projects is also a matter for the NRA in accordance with Section 19 of the Roads Act.

Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **National Car Test**

22. **Deputy Denis Naughten** asked the Minister for Transport, Tourism and Sport the steps he is taking to ensure that the national car test takes due regard of medical adaptations to vehicles; and if he will make a statement on the matter. [46020/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The Road Safety Authority (RSA) has overall responsibility for the delivery and oversight of the National Car Test (NCT).

The RSA informs me that the service aims to be as flexible as possible in its approach to assessing the roadworthiness of vehicles that have been subject to medical adaptations and procedures are in place to allow such vehicles to be tested at NCT centres.

However, if the vehicle inspector notices a repair or modification which may adversely affect the roadworthiness of any of the test items, including where unsafe "repairs or modifications" are specified in the NCT Manual as a reason for failure, the tester shall seek a Modifications Report in writing, completed by the Vehicle Manufacturer or a suitably qualified individual.

From July 2014 the 'Reasons for Failure' under several test items in the National Car Testing Manual were amended to allow for refusal where there is an obviously unsafe repair or modification. Where a safety critical modification (for example, chassis lengthened or shortened, a goods vehicle converted to a passenger car, modifications to braking etc) has been carried out since the last test, the owner will be required to present a Modifications Report. Subject to this, a vehicle with a medical adaptation that does not affect the roadworthiness of the vehicle is able to pass the NCT.

### **Planning Issues**

23. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport when it is expected to complete the Final Stages of the Roads Bill 2014; if he will include provision in the Bill to allow the National Roads Authority to engage in preplanning consultations with An Bord Pleanála; and if he will make a statement on the matter. [46021/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The main purpose of the Roads Bill 2014, which has completed Second Stage in the Dáil, is to facilitate the merger of the National Roads Authority (NRA) and the Railway Procurement Agency (RPA). The Bill also provides for a number of amendments to the existing provisions of the Roads Acts 1993 to 2007. At present there is no provision in either the Roads Acts or the Planning Acts for the NRA or road authorities to enter into pre-planning application consultations with An Bord Pleanála in relation to proposed road developments.

I believe that there is merit in providing for such consultations and accordingly I will endeavour to introduce an amendment in this regard in the Roads Bill at Committee Stage.

As pre-planning consultations are a function of An Bord Pleanála, and therefore primarily a planning matter, my Department is liaising with the Department of the Environment, Community and Local Government and An Bord Pleanála, as well as with the National Roads Authority, on the matter.

It is expected that the Roads Bill will reach Committee Stage in the New Year and will be enacted as soon as possible thereafter.

### **Public Transport**

24. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide an update on his plans to privatise a percentage of the public transport bus routes currently operated by CIÉ companies; and if he will make a statement on the matter. [46389/14]

**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 response within ten working days.

### **Road Projects Expenditure**

25. **Deputy John Halligan** asked the Minister for Transport, Tourism and Sport the level of funding which was allocated to Waterford Council for the year 2014 regarding roads; the portion of this allocation that was spent on resurfacing; his views that the council's current process of spot-fixing potholes is not the most economical way to allocate funds and is not solving the problem; if the allocation for 2015 will be sufficient to begin a wide-scale resurfacing of the most badly affected roads in the county; and if he will make a statement on the matter. [45862/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The construction, improvement and maintenance of individual national roads (including national road schemes in County Waterford), is a matter for the National Roads Authority under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this 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.

The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities' own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority.

Details of the 2014 regional and local road allocations to all local authorities (including Waterford) are available in the Dail library, including the allocations for maintenance and improvement works. In addition Waterford County Council received an additional special allocation of €3.878 million to repair roads damaged by severe weather. This was the highest such allocation received across all counties. The economic reality of recent years has meant significant reductions in roads budgets across the board and a focus on road maintenance and repair programmes. It is important to reiterate that the role of Exchequer grants for regional and local roads is to supplement local authorities in their spending in this area.



No decision has been made on the 2015 road allocations to date and I expect to announce details in January next year.

### **Sports Events**

26. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will provide an update on the Rugby World Cup bid, the meetings held and the progress to date with various bodies and the elements of the bid. [46015/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** Last November the Government considered a Memorandum on the discussions and analysis to date on a potential bid to host the Rugby World Cup in 2023. In response to the Memorandum, the Government expressed strong support for the proposal and for the conduct of further work to get to the stage of making a formal decision to bid.

To progress the matter further, Minister Ring and Minister Varadkar met with Minister Arlene Foster and Minister Carál Ní Chuilín, who are the Ministers respectively responsible for tourism and sport in the Northern Ireland Executive, in Armagh on 22 January 2014. A working group was established to examine key issues further and to report back to Ministers in the Summer.

The working group, on which the IRFU and relevant Government Departments from both jurisdictions were represented, has since reported and, in conjunction with our colleagues in Northern Ireland, Minister Donohoe and I have been examining the report and considering the most appropriate next steps.

The Government has also considered how to proceed, in close cooperation with the Northern Ireland Executive, and we will announce the results of these considerations very shortly.

### **Tourism Policy**

27. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will consider ways to offer incentives and compensation to farmers for any loss or inconvenience caused by allowing greenways or walkways through their lands, in view of the huge societal and economic potential that such infrastructure may bring; and if he will make a statement on the matter. [46300/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The economic and social benefits to local communities from the delivery of greenways in their locality is fully recognised by my Department. In terms of the best land access models for greenway delivery, the use of publicly owned land is advantageous from the perspective of reducing costs. Negotiated permissive access, from the perspective of cost and public ownership, continues to have value but, for projects of national scale, consideration must be given to land purchase by agreement or if necessary by CPO. The process of obtaining permissive access is resource intensive and I would have my doubts that such a process could be deployed on projects of national scale where agreement would need to be secured with hundreds or more landowners. Greater investment is now being provided for greenways and it would be precarious to rely on permissive access where the associated agreements may be withdrawn at any time without recourse to the State. Of course, as already stated, it will be a matter for all developers of cycling infrastructure to consider access to land on a case by case basis and to take a multi-criteria approach in the route selection process.

In the context of developing major cycling infrastructure projects that traverse long sections of privately owned land, I fully support the need to consider negotiated financial agreements or, if required, CPO. However, I certainly recommend that all other options are considered before land purchase is decided upon.

The key consideration should always be to select an approach that will maximise the future use of the amenity concerned.

### **Sports Events**

28. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he continues to engage with international sporting organisations with a view to hosting world cup events in this country; if he has had any discussions with the heads of such organisations in this regard; if he expects to achieve a positive result arising from any such discussions; and if he will make a statement on the matter. [46324/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** Sport is widely enjoyed across Irish society and is beneficial to our economy, health and culture. The performance of Irish sports people and teams not only boosts the morale of the country but also promotes a positive image of the country overseas with the potential to generate inbound tourism.

The hosting of major sports events can also deliver additional international visits and helps to put Ireland onto travel itineraries as a holiday destination. The Giro D'Italia and the American Football match between the University of Central Florida and Penn State earlier this year shows that the island of Ireland can successfully host large international events.

I am supportive of the ongoing efforts of the Tourism Agencies and the National Governing Bodies of Sport to attract international events, subject, of course, to an assessment of the costs/benefits involved in any State financial support. In that context, I was delighted that the FAI and Dublin City Council recently won their bid to host part of the UEFA Euro 2020 tournament at the Aviva stadium, a bid which had my strong support and indeed the support of the Government as a whole.

I am sure that the Deputy is aware that a working group was established to examine key issues in relation to the possibility of Ireland hosting the Rugby World Cup in the future. The working group, on which the IRFU and relevant Government Departments from both jurisdictions were represented, has reported and, in conjunction with our colleagues in Northern Ireland, Minister Donohoe and I have been examining the report and considering the most appropriate next steps. The Government has also considered how to proceed, in close cooperation with the Northern Ireland Executive, and we will announce the results of these considerations very shortly.

We continue to look for opportunities to both grow tourism and develop sport in Ireland further by hosting major events with real overseas revenue-generating potential.

### **Greenhouse Gas Emissions**

29. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the way he will ensure that the transport sector meets its carbon emissions reduction targets; the percentage of transport currently fuelled by renewable fuels and non-renewable fuels; and if he will make

a statement on the matter. [46386/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** Ireland has committed to a very ambitious reduction target of 20% in the non-Emissions Trading Scheme (ETS) sector by 2020, the highest in the EU.

My role, as Minister, is to ensure that the transport sector is well positioned to make a cost effective contribution towards this target along with the other sectors in the non-ETS, namely agriculture, energy and the built environment.

The Deputy will be aware of the Government's plan to put in place a low-carbon development strategy to ensure that Ireland can effectively and equitably underpin an effective transition to a low-carbon future by 2050. Transport is a key element of that strategy. The Government has developed a Climate Action and Low Carbon Development Bill, which sets out proposed statutory obligations in relation to the development of a National Low Carbon Roadmap. I expect the Bill to come before the Houses of the Oireachtas very shortly.

The purpose of the road-mapping process will be to set out a pragmatic and holistic approach aimed at pursuing and achieving transition to a low-carbon, climate-resilient and environmentally sustainable economy in the period up to and including 2050. My Department is required to develop the transport sector contribution to the national roadmap and that process is well underway.

While the Minister for Communications, Energy and Natural Resources is responsible for policy on renewable energy, I understand that 2.8% of the energy in the transport sector was from renewable sources in 2013. This was achieved mainly through the use of biofuels in road transport, and biofuels amounted to 3.5% of the volume of road transport fuels placed on the market.

### **Public Transport**

30. **Deputy Ruth Coppinger** asked the Minister for Transport, Tourism and Sport if his Department has conducted an impact analysis on the use of public transport and the recent increase in fares. [46331/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I refer the Deputy to my responses to Questions 9 and 13 of today in relation to fare increases. The issues raised are matters 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 response within ten working days.

### **Transport Infrastructure**

31. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport if he will provide financial details on the consultation and tendering process of the proposed bus rapid transit, BRT, system, particularly in view of his present indecision on the issue and the existing body of consultation work that has already been completed on the proposed Metro North rail line; and if he will make a statement on the matter. [46390/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The National Transport Authority (NTA) has statutory responsibility for the development of public transport

infrastructure in the Greater Dublin Area (GDA) including Bus Rapid Transit (BRT) projects.

The NTA's Integrated Implementation Plan 2013-2018 has proposed a Swiftway BRT Scheme as an interim solution to the short term demand needs of the Swords/Airport corridor. BRT would be a fast and efficient form of public transport in some parts of Dublin and would be cheaper to build, operate and maintain than rail. However, BRT will not on its own replace rail-based solutions where a higher capacity solution is required in the long-term, such as on the Swords/Airport corridor.

As a result the NTA is undertaking a technical consultancy (Fingal/North Dublin Transport Study) to assess the longer term rail transport requirements of the North Dublin/Fingal corridor, extending from Finglas to Malahide and including Dublin Airport and Swords. This review will examine existing proposals (heavy rail, metro, Luas extensions) as well as other options for a rail-based transport solution to meet the area's needs in the long term. The report will be available in 2015 and will be assessed in conjunction with the more detailed proposals for the Swords/Airport Corridor, having regard to available funding and the best value solution over the appropriate time period. A draft preliminary Business case for the Swords BRT will be available shortly.

I will then consider the options for addressing key public transport deficits in the GDA having regard to the costs and benefits of each project and to available Exchequer funding as well as other possible sources of funds. I expect to finalise this review by mid-2015.

With regard to the consultation process, I understand from the NTA that they have held two non-statutory public consultations regarding the Swiftway BRT. The first consultation launched earlier this year, focused on introducing BRT as a new public transport mode for Dublin in terms of both its concept and proposed network. The second consultation launched in relation to the Swiftway BRT network is on the Proposed Scheme, including Preferred Route for the Swords/Airport to City Centre route. The advertisement process and the method of making submissions under this process is a matter for the NTA.

With regard to financial details on consultation and tendering for the proposed BRT system, I understand from the NTA that they have engaged the assistance of a technical design consortium to bring the Swords/Airport proposed scheme to planning consent. The cost of this is in the region of €2.5 million.

## **Public Transport**

**32. Deputy Joan Collins** asked the Minister for Transport, Tourism and Sport regarding the privatisation of publicly owned bus services and in view of the debacle that was Greyhound, his views that the transfer of undertakings directive, TUPE, is not adequate protection for Dublin Bus and Bus Éireann workers who will be transferred to private operators because of the Government and National Transport Authority decision to privatise 10% of the bus market. [46335/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** Neither Dublin Bus nor Bus Éireann are being privatised. However, the direct award contracts for the provision of Public Service Obligation (PSO) bus market services held by the two companies expired at the end of November. The awarding of subsequent contracts is the statutory responsibility of the National Transport Authority (NTA). All Bus Éireann and Dublin Bus routes have been included in the new five year direct award contracts between the companies and the NTA for the period to end of November 2019. The NTA announced that 10% of publicly subvented bus

services will only remain within the direct award contract until the end of 2016 after which they will be operated under separate contract that will have been competitively tendered, rather than privatised as the Deputy suggests.

It is recognised that there are a number of concerns in relation to potential tendering for PSO services however modest the proposals may seem to some. These include the impact on industrial relations and cost savings measures within CIÉ at a general level and the specific implications of TUPE and related issues surrounding pensions.

I wrote to unions on 18th July welcoming their participation in a process in the LRC to assist with the areas of concern. Five meetings have taken place at the LRC involving unions, companies and the NTA, with the latest on 14th November. A number of unions have also sought a meeting with me to outline their concerns and I have agreed to a meeting to be held on 15th December.

### **Public Service Obligation Services**

33. **Deputy Lucinda Creighton** asked the Minister for Transport, Tourism and Sport in view of his announcement to extend the public service obligation contracts for flights to airports in counties Donegal and Kerry from Dublin, if he will now revisit previously discontinued PSO agreements for airports in counties Galway, Sligo and Waterford; and if he will make a statement on the matter. [46333/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** A Government Decision to reduce to two the number of routes covered by PSO air services, namely the Donegal/Dublin and Kerry/Dublin routes, was taken in line with the Value for Money Review of Exchequer Expenditure on the Regional Airports Programme, published in 2011. This Review took account of a number of factors including the performance of the services, the requirement to make best use of scarce Exchequer resources, as well as improvements in alternative transport modes and changes in EU legislation covering PSO services. There are no plans to revisit that decision.

### **Transport Infrastructure**

34. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport his views regarding the second public consultation process regarding the Swiftway bus rapid transport from Swords and the airport to the city centre and the reason the advertisement process and method of making submissions was altered; if it would not be preferable to halt this process now and reconsider prioritising Metro North; and if he will make a statement on the matter. [46311/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The National Transport Authority (NTA) has statutory responsibility for the development of public transport infrastructure in the Greater Dublin Area (GDA) including Bus Rapid Transit (BRT) projects.

The NTA's Integrated Implementation Plan 2013-2018 has proposed a Swiftway BRT Scheme as an interim solution to the short term demand needs of the Swords/Airport corridor. BRT would be a fast and efficient form of public transport in some parts of Dublin and would be cheaper to build, operate and maintain than rail. However, BRT will not on its own replace rail-based solutions where a higher capacity solution is required in the long-term, such as on the Swords/Airport corridor.

As a result the NTA is undertaking a technical consultancy (Fingal/North Dublin Transport Study) to assess the longer term rail transport requirements of the North Dublin/Fingal corridor, extending from Finglas to Malahide and including Dublin Airport and Swords. This review will examine existing proposals (heavy rail, metro, Luas extensions) as well as other options for a rail-based transport solution to meet the area's needs in the long term. The report will be available in 2015 and will be assessed in conjunction with the more detailed proposals for the Swords/Airport Corridor, having regard to available funding and the best value solution over the appropriate time period. A draft preliminary Business case for the Swords BRT will be available shortly.

I will then consider the options for addressing key public transport deficits in the GDA having regard to the costs and benefits of each project and to available Exchequer funding as well as other possible sources of funds. I expect to finalise this review by mid-2015.

With regard to the consultation process, I understand from the NTA that they have held two non-statutory public consultations regarding the Swiftway BRT. The first consultation launched earlier this year, focused on introducing BRT as a new public transport mode for Dublin in terms of both its concept and proposed network. The second consultation launched in relation to the Swiftway BRT network is on the Proposed Scheme, including Preferred Route for the Swords/Airport to City Centre route. The advertisement process and the method of making submissions under this process is a matter for the NTA.

With regard to financial details on consultation and tendering for the proposed BRT system, I understand from the NTA that they have engaged the assistance of a technical design consortium to bring the Swords/Airport proposed scheme to planning consent. The cost of this is in the region of €2.5 million.

### **Child Benefit Eligibility**

35. **Deputy Frank Feighan** asked the Tánaiste and Minister for Social Protection the reason children allowance for children attending third level education up to 21 years of age has been stopped. [46709/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** Children's allowance was replaced by Child Benefit in 1986. Child benefit is a universal payment that assists parents with the cost of raising children and it contributes towards alleviating child poverty. It is paid to more than 613,000 families in respect of almost 1.2 million children, with an estimated expenditure of around €1.9 billion in 2014.

Child benefit is paid monthly in respect of all children up to the age of 16 years and in respect of children over 16 years of age up to their 18th birthday who are in full time education, on certain training schemes or have a disability. The current age limit was set under Budget 2009 when the upper age limit that applied then was reduced from 19 years to 18 years with effect from 2010. Child benefit has never been paid to those over 19 years of age.

For families on low incomes there are a number of provisions to social welfare schemes which support children in third level education until the age of 22. These include:

- qualified child increases (QCIs) with primary social welfare payments
- family income supplement (FIS) for low-paid employees with children.

Therefore, I have no plans to make any changes to the age threshold for child benefit.

Budget 2015 increased child benefit by €5, from €130 to €135 per month, which will benefit over 611,000 households with children. In addition, the new back to work family dividend for long-term unemployed jobseekers with children and lone parents who return to work, will provide €29.80 per child in the first year and half that figure in the second year.

### **Back to Education Allowance Eligibility**

36. **Deputy Frank Feighan** asked the Tánaiste and Minister for Social Protection the reason the back to school clothing and footwear allowance ceased for children attending third level education. [46710/14]

**Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):** The Back to School Clothing and Footwear Allowance (BSCFA) scheme is a non-statutory scheme which provides a one-off payment to eligible families to assist with the costs of school clothing and footwear when children start school each autumn. The total budget provision for the scheme for 2014 is €46.3 million.

Since 2012 successive Budget amendments have further aligned the scheme with the Irish education system. In 2014 payment of the allowance was restricted to persons aged over 18 years and attending secondary school. Children over the age of 18 years attending third level education who previously qualified for payment of BSCFA would generally be eligible for third level student grants.

Families on low incomes can avail of a number of supports that provide financial assistance towards children who are in full-time education until the age of 22, including through the payment of qualified child increases (QCIs) on primary social welfare payments and through the family income supplement (FIS).

*Question No. 37 withdrawn.*

### **Domiciliary Care Allowance Applications**

38. **Deputy Noel Coonan** asked the Tánaiste and Minister for Social Protection when an application for domiciliary care allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [46557/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance (DCA) was received from the person concerned on the 11th November 2014. This application has been forwarded to one of the Department's Medical Assessors for their medical opinion. Following receipt of this opinion, a decision will be made by a Deciding Officer and notified to the person concerned. It can currently take 10 weeks to process an application for DCA.

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

39. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection the reason an application for one-parent family payment in respect of a person (details supplied) in Dublin 8 was not backdated to the date of the original application; and if this backdated pay will be awarded. [46560/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person concerned has been in receipt of One Parent Family payment since November 2011. In January 2014 she was assessed with means arising from her engagement in employment, however, she recently advised of a reduction in the number of hours that she worked. Accordingly a revision of her means was carried out and an increased rate has been awarded.

I am pleased to inform the Deputy that backdated payment, arising from a change in the client's means will be paid to the client on Thursday 11th December 2014.

*Questions Nos. 40 and 41 withdrawn.*

### **Invalidity Pension Appeals**

42. **Deputy Barry Cowen** asked the Tánaiste and Minister for Social Protection when a person (details supplied) in County Offaly will receive a decision on an appeal for invalidity pension. [46589/14]

**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, including that adduced at oral hearing, 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.

*Questions Nos. 43 and 44 withdrawn.*

### **Social Welfare Overpayments**

45. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the number of persons in the State who have paid back money to her Department to date in 2014, that is, persons who were deemed to have been overpaid or had overclaimed or were not within the terms of schemes from which they were receiving money; the total amount that is being paid every week; and if she will make a statement on the matter. [46599/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The Department is not in a position to publicly comment on overpayment recoveries in 2014 at this time as these figures form part of the statutory accounts of the Department and are subject to audit by the Office of the Comptroller and Auditor General.

### **Domiciliary Care Allowance Applications**

46. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the position regarding a domiciliary care allowance in respect of persons (details supplied) in County Kerry; and if she will make a statement on the matter. [46600/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for domiciliary care allowance in respect of three children on 17th November



2014. These applications have been forwarded to one of the Department's Medical Assessors for their medical opinion. Following receipt of these opinions, a decision will be made in respect of each application by a Deciding Officer and notified to the person concerned. It can currently take 10 weeks to process an application for DCA.

### **Social Welfare Code**

47. **Deputy Brian Stanley** asked the Tánaiste and Minister for Social Protection if she will reconsider the reintroduction of the diet supplement allowance for gluten-free products for coeliac sufferers who are in receipt of social welfare payments; and if she will make a statement on the matter. [46617/14]

**Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):** Diet supplement, administered under the supplementary welfare allowance (SWA) scheme, is payable to qualifying persons, in receipt of the supplement prior to February 2014, who have been prescribed a special diet as a result of a specified medical condition.

During 2013, the Department commissioned the Irish Nutrition and Dietetic Institute (INDI) to update their previous research published in 2006 and updated in 2007 on the costs of healthy eating and specialised diets. Pricing for a selection of foods based on branded and own label foods was surveyed in a sample of retail outlets for each diet. These outlets included large stores, large low cost stores, medium sized stores and convenience stores.

The research shows that the range of costs associated with a specialised diet is influenced mainly by the shopping location with the lowest costs being the large discount store and the highest cost the convenience store. The research showed that the average costs across all of the retail outlets of the diets supplemented under the scheme can be met from within one third of the minimum personal rate of social welfare payment, i.e. the SWA rate of €186 per week. The scheme was discontinued on the basis of this evidence and I have no plans to re-introduce it.

Payment of the supplement will continue to be made to the existing 5,000 recipients for as long as they continue to be entitled to the payment. In cases of particular hardship that may present, officials have the legislative power to award a payment under the supplementary welfare allowance scheme in cases of exceptional need.

*Question No. 48 withdrawn.*

### **Disability Allowance Eligibility**

49. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the reason an application to appoint an agent was not approved in the case of a person (details supplied) in Dublin 24; and if she will make a statement on the matter. [46647/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** Disability Allowance is not payable for any period in respect of which the claimant is resident outside of the state. In all circumstances, disability allowance recipients must inform the department that they are intending to leave the state.

The person concerned has previously been outside the state and failed to notify disability allowance section. The department has reviewed the situation and will allow the person concerned to have an agent to collect his payment. This will be subject to regular review.

## **Rent Supplement Scheme Expenditure**

50. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if she will increase rent support to facilitate persons who are homeless; and if she will make a statement on the matter. [46649/14]

**Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):** 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 71,800 rent supplement recipients for which the Government has provided over €344 million for 2014.

The Department is finalising a review of the maximum rent limits under the rent supplement scheme. 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 can assure the Deputy that officers administering rent supplement throughout the country have considerable experience and make every effort to ensure that accommodation needs are met including through the use of their discretionary statutory powers on a case by case basis, as necessary. A notice reminding staff of their statutory discretionary power, including those operating in Kildare, 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. The Department is currently examining the procedures in place throughout the country to ensure that the necessary supports continue to be provided.

## **State Pension (Non-Contributory) Applications**

51. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the reason for refusal of non-contributory old age pension in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46650/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** State pension non-contributory (SPNC) is a means tested pension.

The Deputy has already been given full details of this case by the Department. Based on the documentation provided to date by the applicant and a report from the social welfare inspector it was decided that the person concerned had not fully disclosed his means and on that basis the Deciding Officer refused SPNC. The customer was advised of his right to a review of the decision or to appeal the decision to the Appeals Office.

The Deciding Officer can review the decision. If the customer wishes a review to be undertaken he should provide any additional documentation, facts or evidence in relation to income and outgoings that would be relevant when reassessing his means.

The case has also been forwarded to the Appeals Office. If the person concerned wishes to

appeal the decision, or if the Deputy wishes to make an appeal on his behalf, a written submission clearly stating the grounds of the appeal should be sent to the Appeals Office, D'Olier House, D'Olier St, Dublin 2.

### **Rent Supplement Scheme Payments**

52. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if an increase in rent support is merited in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46654/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** As outlined to the Deputy in reply to Question No. 98 (33724/14) on 17th September 2014, the client concerned is in receipt of their full entitlement to Rent Supplement based on their monthly rent, weekly income and family composition.

### **Maternity Benefit**

53. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if she will review entitlement to maternity benefit in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46656/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** An application for maternity benefit by the person concerned was refused on the grounds that she was not in insurable employment at the time of her application and did not satisfy the PRSI contribution conditions in the tax years relevant to her application. The person concerned was notified in writing of this decision on 17 July 2014.

It is open to her to appeal this decision to the independent Social Welfare Appeals Office.

### **Jobseeker's Benefit Applications**

54. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection when jobseeker's allowance will be granted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46657/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for a jobseeker's allowance on 17/10/2014. As the person concerned resides with her father who is self-employed, supplementary information in relation to parental means was requested in order to complete a means assessment. To date this information has not been received. However upon receipt of the information the application can proceed and a decision will issue to the person concerned.

### **Rent Supplement Scheme Payments**

55. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if provision may be made by way of increased rent support in view of their current situation in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46668/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The client concerned is in receipt of their full entitlement to Rent Supplement based on their monthly rent, weekly income and family composition.

### **Rent Supplement Scheme Eligibility**

56. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the position regarding eligibility for rent allowance in the case of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [46675/14]

**Tánaiste and Minister for Social Protection (Deputy Joan Burton):** The person in question has not made an application for rent supplement and therefore her eligibility cannot be determined.

### **Credit Availability**

57. **Deputy Bernard J. Durkan** asked the Minister for Finance if he is satisfied regarding the availability of credit to the hospitality sector with particular reference to the need to ensure that the hotel industry has adequate access to credit as required; and if he will make a statement on the matter. [46639/14]

**Minister for Finance (Deputy Michael Noonan):** The Government recognises that small businesses, including those in the hospitality sector, play a central role in the sustainable recovery of the Irish economy. To facilitate this, Government policy since 2011 has been focused on ensuring that all viable SMEs have access to an appropriate supply of credit from a diverse range of bank and non-bank sources.

2013, the year of The Gathering, was the best year for inbound tourism since 2008. Tourism delivers income and jobs in every town and city and to every corner of our country. The abolition of the air travel tax last year will result in over one million extra passengers through additional capacity on many existing routes, as well as the introduction of new services. The reduced 9% rate of VAT on tourism related activities has been a great success and there are now an extra twenty three thousand employed in the sector since mid-2011. In addition, as I announced in the Budget 2015 speech, I increased the amount of finance that can be raised by a company under the Employment and Investment Incentive to €5 million annually subject to a lifetime maximum of €15 million and I also increased the required holding period for shares from 3 to 4 years. With specific regard to the hospitality sector, I extended the inclusion of hotels, guest houses and self-catering accommodation in the scheme by a further 3 years.

Some recent joint banking/industry research has revealed that a majority of Irish hoteliers are optimistic about the medium term outlook for the sector with (67%) saying that the tourism sector will improve within the next three years. A total of 71% believe the financial performance of their own properties will improve within the same time-frame. The research also revealed that 54% of hotels saw turnover increase in 2012, with 26% saying it decreased.

Having completed a process of deleveraging, both AIB and Bank of Ireland are now concentrating on growing their balance sheets. In this context, both banks recognise the need to increase business lending in the period up to 2016 and have put on record their commitment to the SME sector.

My Department has been involved in a range of initiatives to encourage access to credit

for small and medium sized businesses, and the SME State Bodies Group, which includes representation from Fáilte Ireland, provides a forum for the development and implementation of policy measures to enhance SMEs' access to a stable and appropriate supply of finance.

Some of the main policies introduced by this Government to encourage access to credit for small and medium businesses include:

- The Supporting SMEs Online Tool, a cross-government initiative, was launched in May 2014. On answering 8 simple questions, the small business will receive a list of available Government supports. The Supporting SMEs Online Tool is available at [www.localenterprise.ie/smeonlinetool](http://www.localenterprise.ie/smeonlinetool).

- The Strategic Banking Corporation of Ireland has been established as a means of ensuring that SMEs are provided with sufficient finance for growth. The SBCI, from available funding of some €800 million initially, will provide a more extensive range of financing than is currently offered in Ireland. A full roll-out will occur from January 2015 with traditional bank lenders and importantly, new credit providers from beyond the traditional bank sector being involved which means SMEs will benefit from greater choice as well as more funding. More information on the SBCI can be found on [www.sbc.gov.ie](http://www.sbc.gov.ie).

- The Credit Guarantee Scheme encourages additional lending to small businesses by offering a partial Government guarantee to banks against losses on qualifying loans to eligible SMEs. My colleague, the Minister for Jobs, Enterprise and Innovation, will shortly bring legislation to the Oireachtas which enable the development of a more flexible Credit Guarantee Scheme with longer duration and more products and providers included.

- The Microenterprise Loan Fund, administered by Microfinance Ireland, provides loans of up to €25,000 to small businesses who have been refused credit by commercial banks. Microfinance Ireland works in partnership with the Local Enterprise Offices nationally to administer this fund. This scheme is currently being reviewed by the Department of Jobs, Enterprise and Innovation with a view to making proposed changes to enhance its effectiveness.

- The Credit Review Office helps SME or Farm borrowers who have had an application for credit of up to €3 million declined or reduced by either Bank of Ireland or Allied Irish Banks, and who feel that they have a viable business proposition. They also examine cases where borrowers feel that the terms and conditions of their existing loan, or a new loan offer, are unfairly onerous or have been unreasonably changed to their detriment. This is a strictly confidential process between the business, the Credit Review Office and the bank. The Credit Reviewer John Trethowan and his team have overturned 55% of the refusals that have been appealed to the Office. Further details are available at [www.creditreview.ie](http://www.creditreview.ie).

The Department of Finance, working with the other relevant Departments and Agencies, will continue to monitor the availability of both bank and non-bank credit on both a macro and sectoral basis in order to ensure that sufficient access to finance is available to facilitate participants in the SME sector to reach their full potential in terms of growth and employment generation. In this context the forthcoming Action Plan for Jobs 2015 will include a dedicated chapter and associated integrated set of actions to support the financing for growth in the SME sector.

## NAMA Operations

58. **Deputy John McGuinness** asked the Minister for Finance if a situation has arisen with the National Asset Management Agency whereby a borrower claimed that it could achieve a better outcome for the taxpayer than could be expected from following NAMA's proposed

course of action; NAMA's policy when facing a situation such as this, and in the event of such a situation occurring if NAMA's rationale for its decisions is available for independent analysis. [46569/14]

**Minister for Finance (Deputy Michael Noonan):** In the context of the management of close to 800 debtor connections, numerous situations arise where debtors disagree with NAMA as to what may be the best outcome for taxpayers. This is to be expected. Whilst in many cases debtors may believe from their perspective that a certain course of action will achieve a better outcome, NAMA has been charged by the legislature with determining in each instance what course of action will deliver the best outcome for taxpayers. This requires it to take an objective view of both the potential rewards and potential risks attaching to any proposal and be guided by its overall objective which is to achieve the best financial return for taxpayers. NAMA must adopt a rigorous and prudent but commercial approach in relation to the expenditure of public funds and it seeks to ensure that taxpayers are not exposed to unwarranted risks. In making its decisions, NAMA has significant internal financial and project appraisal expertise and it has access, where required, to external advice and validation.

All NAMA decisions are clearly communicated to debtors. All NAMA decisions are documented and signed off by the appropriate NAMA Board-approved delegated authority and are subject to independent review by internal and external auditors. In addition, the NAMA Chairman and CEO have publicly stated on a number of occasions that any debtor with a concern or complaint in relation to their dealings with NAMA should directly contact them. All such queries and complaints are fully investigated by the Chairman and CEO. Ultimately, it is also the case that all debtors have recourse to the courts should they feel that such recourse is required.

### **NAMA Operations**

59. **Deputy John McGuinness** asked the Minister for Finance if it would be appropriate for the National Asset Management Agency to make repeated demands for additional security over other assets, both unencumbered and encumbered, thereby prejudicing other creditors including the Revenue Commissioners, and if it is appropriate for NAMA to seek priority over other such creditors. [46570/14]

64. **Deputy John McGuinness** asked the Minister for Finance in the event of a borrower seeking to provide priority to another creditor over the National Asset Management Agency if the agency will consider such a borrower to be unco-operative. [46575/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 59 and 64 together.

NAMA's approach to unencumbered assets is determined on a case-by-case basis by reference to its assessment of the best achievable commercial outcome in any given situation. It is not possible therefore to set out a general position in this matter. It is clearly the case, however, that, in line with its statutory obligation to achieve the best possible return for taxpayers over its lifetime, NAMA is required to seek as much additional security as possible in circumstances where the balances on a debtor's loans are more than the value of supporting collateral. This is necessary to ensure maximum loan repayment. In so doing, NAMA operates fully in accordance with the mandate given to it by the legislature.

In seeking to maximise its own position on behalf of taxpayers, NAMA is aware that other creditors, including international banks, will seek to do likewise and it is important that the taxpayers' position be protected to the greatest extent legally possible. In certain circumstances,

NAMA is open to discussions regarding sharing arrangements with other creditors for unencumbered assets but, as outlined, this can only be considered on a case-by-case basis by reference to the unique facts of each case, including NAMA's position in the hierarchy of creditors. NAMA's view of a debtor's willingness to co-operate is based on a range of criteria, of which this is only one.

As the Deputy is aware, the Revenue Commissioners have significant rights regarding the collection of taxes and all creditors, NAMA included, must have due cognisance of these rights.

In referring to 'encumbered assets', I assume that the Deputy is referring to assets that are already pledged to NAMA. As with any secured lender, NAMA is clearly obliged to seek the realisation of assets that secure its loans.

NAMA has to date obtained charges over additional security with an aggregate value in excess of €800m, which represents a significant additional protection for Irish taxpayers.

### **NAMA Property Sales**

60. **Deputy John McGuinness** asked the Minister for Finance if it is appropriate for the National Asset Management Agency to compel the sale of land where planning has lapsed even though a better price could be achieved if new planning was obtained. [46571/14]

62. **Deputy John McGuinness** asked the Minister for Finance if the National Asset Management Agency has ever refused a borrower consent to apply for planning permission on the borrower's property; if so, the way such a refusal would be of benefit to the taxpayer. [46573/14]

63. **Deputy John McGuinness** asked the Minister for Finance the National Asset Management Agency's policy on borrowers proposing to increase the value of land by applying for planning permission and if this policy is transparent and objective. [46574/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 60, 62 and 63 together.

NAMA works closely with its debtors to identify opportunities to enhance asset values through the planning process and it therefore evaluates carefully all requests to fund planning applications. In a large majority of cases, NAMA agrees to such requests and is currently supporting its debtors to advance a number of significant applications through the planning process. I am advised by NAMA that its credit application approval rate is in excess of 95%.

NAMA cannot, however, accede to all such proposals from debtors. Each proposal has to be prudently assessed on a cost/benefit basis taking account of both the planning and market risks involved and the expected return on investment. There are clearly cases where the costs associated with the proposed planning application, costs that are borne by NAMA and ultimately by the taxpayer through additional borrowings, cannot be justified by reference to the potential increase in value.

NAMA has significant internal planning expertise as well as access to external advice. Any decision taken by NAMA to turn down a request for funding a planning application is taken with full consideration of the facts and all available advice in the specific case.

NAMA clearly communicates to its debtors the rationale for its decision on each credit application. All NAMA decisions are documented and signed off by the appropriate NAMA Board-approved delegated authority and are subject to independent review by internal and ex-

ternal auditors. In addition, the NAMA Chairman and CEO have publicly stated on a number of occasions that any debtor with a concern or complaint in relation to the dealings with NAMA, including, for instance, a NAMA decision to refuse funding for a planning application, should feel free to directly contact them. All such queries and complaints are fully investigated by the Chairman and CEO.

### **NAMA Property Construction**

61. **Deputy John McGuinness** asked the Minister for Finance the number of applications for planning permission that have been made on the instruction of the National Asset Management Agency on lands where the agency holds the loans since the establishment of the agency; the number made in each year since its establishment. [46572/14]

**Minister for Finance (Deputy Michael Noonan):** Applications for planning are made by NAMA debtors or, in the case of enforcement, on their behalf by receivers and not by NAMA. I am advised that through NAMA funding it has supported debtor planning applications relating to in excess of 8,000 residential units and a substantial amount of commercial accommodation.

*Questions Nos. 62 and 63 answered with Question No. 60.*

*Question No. 64 answered with Question No. 59.*

### **NAMA Debtor Agreements**

65. **Deputy John McGuinness** asked the Minister for Finance if the National Asset Management Agency has taken control of a number of assets of borrowers including premium tickets for both Croke Park and the Aviva Stadium. [46576/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by NAMA that, through its engagement with its debtors, it has obtained charges over a wide range of previously unencumbered property and non-property assets. Through this process, NAMA has obtained charges over additional security with an aggregate value in excess of €800m, which represents a significant additional protection for Irish taxpayers. This includes a limited number of cases where debtors have disposed of their interest in corporate hospitality facilities at sporting events with the proceeds going to NAMA.

### **NAMA Debtors**

66. **Deputy John McGuinness** asked the Minister for Finance in a situation where a borrower has disposed of all assets and has no prospect of repaying the outstanding balance, the procedures or actions that the National Asset Management Agency follows. [46577/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by NAMA that, where a cooperative borrower has consensually sold all available assets, made full disclosure to NAMA and made every reasonable effort to repay debt, NAMA is prepared to consider forbearance on residual debt. NAMA will carry out independent verification of the debtor's statement of affairs and will retain recourse to the debtor for a period so that any future windfall gains or a portion of earnings may be applied towards debt reduction. NAMA will reserve the right to pursue the debtor should it subsequently emerge that full disclosure was not made at the time of the consensual forbearance settlement.



## NAMA Debtors

67. **Deputy John McGuinness** asked the Minister for Finance if the National Asset Management Agency is aware of any individual borrowers having taken their own lives; and if the agency is satisfied that it acted appropriately with such persons and their families. [46578/14]

**Minister for Finance (Deputy Michael Noonan):** NAMA's engagement with its debtors is carried out in a manner consistent with the highest professional industry standards with the aim of maximising the return to the taxpayer in respect of debts owing to it. All debtors are afforded equal courtesy and the Agency engages with all debtors in an entirely professional, impartial and objective manner.

## Tax Reliefs Abolition

68. **Deputy Joanna Tuffy** asked the Minister for Finance if he will provide an update on all tax reliefs on income tax either eliminated or being phased out from budget 2012 onwards; the estimated savings to date for each; and if he will make a statement on the matter. [46580/14]

**Minister for Finance (Deputy Michael Noonan):** I understand the Deputy to be referring to reliefs or credits eliminated or commencing to be phased out with effect from Budget and Finance Act 2012. The tax reliefs and credits which follow below were ceased or are being phased out since Budget and Finance Act 2012. (Section numbers refer to the Taxes Consolidation Act 1997.)

I am advised by the Revenue Commissioners that tax returns for 2013 were only due last month so that data have not yet been processed or made available for analysis. Returns for 2014 are not yet filed. Estimated costs of reliefs, allowances and credits for 2012 are being prepared and will be published shortly on Revenue's statistics website <http://www.revenue.ie/en/about/statistics/index.html>. Updates for later years will be published in due course on the same webpage. In the absence of this information I am providing the Budget estimates relating to the various credits or reliefs, where available.

Section 87A and section 381B Section 18 of the Finance Act 2013 applied the following changes, with effect from 13 February 2013, to the taxation of certain individuals deemed to be engaged in the trade of dealing in or developing land:

- Loss relief, related to both the decline in land values and interest deductions, was restricted to circumstances where the decline in value is actually realised and interest on the funding loan is actually paid, and

- The write-off of debts used to acquire land as trading stock, became an income receipt.

The purpose of these changes was to deny tax deductions in circumstances where there is no real economic loss suffered by the taxpayer.

Section 88A and section 472A Section 7 Finance Act 2013 discontinued the double deduction in respect of certain emoluments and relief for the long term unemployed, in respect of employments commencing on or after 1 July 2013. They were replaced by the new JobsPlus scheme.

Section 201 Foreign Service Relief on ex gratia termination lump-sum payments, provided for in section 201 of Taxes Consolidation Act 1997, was abolished with effect from the passing of Finance Act 2013 (27 March 2013).

Section 201 and Schedule 3 Top Slicing Relief (TSR) on ex-gratia lump sums payments was ceased from 1 January 2013 where the payment was €200,000 or over. The yield was estimated at €10m in a full year. TSR was abolished completely for ex gratia payments made on or after 1 January 2014 with an expected yield of €22m in a full year.

Section 201 A lifetime limit of €200,000 on the amount that may be paid tax-free was applied to ex-gratia payments made on account of the death or disability of an employee in Finance Act 2013. Any amount exceeding €200,000 is taxable in full.

Section 253 Relief to individuals on loans applied in acquiring an interest in a partnership was abolished for new loans with effect from 15 October 2013. Relief for existing loans was restricted commencing in 2014, with relief being reduced on a sliding scale each year until 2016 with no relief available in 2017. Savings of €1m in 2014, and €4m for each year thereafter, were estimated.

Section 462 The One Parent Family Tax Credit (OPFTC) of €1,650 for a single individual with whom a qualifying child resided during a tax year was ceased at 31 December 2013. It was replaced by the Single Person Child Carer Credit from 1 January 2014. This was estimated to yield €18m in 2014 and €25m in a full year.

Section 470 A cap was introduced on relief for premiums for qualifying health insurance policies in respect of policies entered into or renewed on or after 16 October 2013. A maximum relief of €1,000 per adult and €500 per child covered by a policy was introduced. This was estimated to yield €94m in 2014 and €127m in 2015.

Section 470B The Age Related Tax Credit (ARTC) for private health insurance policies taken out or renewed during 2012 by a person aged over 60 but less than 65 years was reduced from €625 to €600. This coincided with a move from age bands of 10 years to five years, with the credit for the 60 to 65 age group being reduced, while the rates for the other relevant age categories were increased. The ARTC scheme ceased with effect from 31 December 2012 but was replaced by the Risk Equalisation scheme. Both schemes were self-financing via a levy on the health insurance companies.

Section 481 Relief for individuals to invest in qualifying films is being abolished with effect from 1 January 2015. The cost to the exchequer for the relief in 2013 is estimated to be €76m based on investors spending €185m and claiming relief at 41%. It is being replaced by a Corporation Tax credit with relief at 32%. Therefore, if a similar expenditure of €185m was incurred there would be a saving to the exchequer of €17m. The budget estimate (2013) was for a saving of €20m in 2016.

Section 825B Repayment of tax where earnings are not remitted was phased out with effect from tax year 2012 with end year of 2015. The Special Assignee Relief Programme (SARP - section 825C) was introduced from tax year 2012.

Section 848A The scheme of tax relief for donations made to approved bodies (i.e. charities etc.) was amended in a number of respects with effect from 1 January 2013. One of the changes was that relief for donations made by self-assessed taxpayers, previously obtained by way of a deduction from taxable income, was aligned with that for PAYE-only taxpayers such that the relief is now given on a “grossed-up” basis at the rate of 31% to the approved body (and not to the donor). This and the other changes made were on a cost neutral basis.

## **Property Tax Exemptions**

69. **Deputy Thomas P. Broughan** asked the Minister for Finance if his attention has been drawn to the difficulties being experienced by some homeowners who have been trying to claim an exemption from liability for the local property tax due to their homes having significant pyrite damage and the onerous requirements imposed on such homeowners in terms of having to provide costly engineering and other professional reports in support of their application for an exemption from tax. [46581/14]

**Minister for Finance (Deputy Michael Noonan):** I confirm that I am aware of the anomaly to which the Deputy refers, and that officials of my Department, together with officials of the Department of Environment, Community & Local Government, are examining the alternatives other than testing that may be available in order to confirm entitlement to a Local Property Tax (LPT) exemption. I am conscious that the issue to which the Deputy refers needs to be addressed and I want to assure the Deputy, and those homeowners affected, that this issue is receiving attention.

Section 10A of the Finance (Local Property Tax) Act 2012 (as amended) provides for a temporary exemption of at least three consecutive years from the charge to Local Property Tax (LPT) for residential properties that have been certified under Regulations made by the Minister for the Environment, Community and Local Government (S.I. No. 147 of 2013) as having “significant pyritic damage”. These Regulations describe the methodology that must be used when a property is being assessed for pyrite damage.

Unless and until the LPT legislation is changed, Revenue has an obligation to act in accordance with section 10A of the LPT legislation which requires that an LPT exemption can only apply where the residential property has been assessed and a certificate confirming “significant pyritic damage” has been issued.

I expect to make a decision as regards alternatives shortly, that will be consistent with the original objectives of the legislation, and the report of the Pyrite Panel, and I will communicate my decision to the Deputy immediately it is made.

It is important that any changes that may be made do not go beyond the objectives of providing a temporary exemption for homes with “significant pyritic damage” only. As I have advised on many occasions in the past, a liability to LPT should apply to all owners of residential property with a limited number of exemptions. Limiting the exemptions available allows the rate of the tax to be kept low for those liable persons who do not qualify for an exemption.

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

70. **Deputy Pearse Doherty** asked the Minister for Finance his plans to review the Disabled Drivers and Passengers (Tax Concessions) Regulations 1994, SI 353 of 1994, with a view to allowing upper limb amputees avail of the scheme. [46604/14]

**Minister for Finance (Deputy Michael Noonan):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT (up to a certain limit) on the purchase of an adapted car for transport of a person with specific severe and permanent physical disabilities, repayment of excise duty on fuel, and an exemption from Motor Tax.

To qualify for the Scheme, an applicant must have a permanent and severe physical disability within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations (S.I. 353 of 1994) and satisfy one of the six qualifying criteria outlined in the Regulations. The Senior Medical Officer for the relevant local Health Service Executive administrative area makes a professional clinical determination as to whether an individual applicant satisfies

the medical criteria. A successful applicant is provided with a Primary Medical Certificate, which is required under the Regulations to claim the reliefs provided for in the Regulations. An unsuccessful applicant can appeal the decision of the Senior Medical Officer to the Disabled Drivers Medical Board of Appeal, which makes a new clinical determination in respect of the individual. The Regulations mandate that the Medical Board of Appeal is independent in the exercise of its functions to ensure the integrity of its clinical determinations. After six months a citizen can reapply if there is a deterioration in their condition.

To qualify for the Scheme an applicant must be in possession of a Primary Medical Certificate. To qualify for a Primary Medical Certificate, an applicant must be permanently and severely disabled within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 and satisfy one of the following conditions:

- be wholly or almost wholly without the use of both legs;
- be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
- be without both hands or without both arms;
- be without one or both legs;
- be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

The Scheme represents a significant tax expenditure. Between the Vehicle Registration Tax and VAT foregone, and the repayment of excise on fuel used by members of the Scheme, the Scheme represented a cost of €43.5 million to the Exchequer in 2013. This figure does not include the revenue foregone to the Local Government Fund in the respect of the relief from Motor Tax provided to members of the Scheme. In terms of the numbers of beneficiaries of the Scheme in 2013, 4,355 citizens availed of the Vehicle Registration Tax and/or VAT relief, and 11,436 availed of the repayment of excise on fuel element of the Scheme.

The Department of Finance conducted a review of Disabled Drivers and Disabled Passengers Scheme in 1993, which informed the drafting and enactment of the 1994 Regulations. As part of the review, the position of single hand amputees was considered given extensive representations made seeking the inclusion of persons without the use of one arm or hand within the qualifying medical criteria. The review noted that such a disability did not present as serious a challenge to mobility as the extant qualifying criteria, and on that basis, and in the context of limited resources, priority should be given to those citizens with the greatest challenge to their mobility.

Unfortunately, the current context is still one of constrained resources. I recognise the important role that the Scheme plays in expanding the mobility of citizens with disabilities, and I have managed to maintain the relief at current levels throughout the crisis despite the requirement for significant fiscal consolidation. However, in the still challenging fiscal environment and given the scale and scope of the Scheme, I have no plans to expand the medical criteria beyond the six currently provided for in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994.

71. **Deputy Martin Ferris** asked the Minister for Finance further to Parliamentary Question No. 50 of 8 October 2014, if he will provide the information. [46618/14]

**Minister for Finance (Deputy Michael Noonan):** The Revenue Commissioners have carried out a detailed examination of the particular case. The individual concerned had failed to submit income tax returns and estimated assessments had been made by a Revenue Officer. No appeals were submitted against the assessments raised and subsequently an attachment order was obtained against payments due to the individual by a State Department.

Belatedly returns were submitted for all years and the assessments were amended in accordance with these returns. Under section 955(2)(a) of the Taxes Consolidation Act 1997 no repayment may be made after the end of a period of 4 years commencing at the end of the chargeable for which the return was made. On the facts of the particular case the returns were outstanding for periods ranging from 8 to 11 years.

The Revenue Commissioners have no authority to make a repayment in the circumstances of the case.

### **Property Tax Rate**

72. **Deputy Michael Healy-Rae** asked the Minister for Finance in view of property prices beginning to rise if he will introduce a freeze on property tax revaluations for the next ten years in legislation as householders are already struggling to pay their present bills and if they will have to revalue the homes they will be unable to pay; and if he will make a statement on the matter. [46631/14]

74. **Deputy Pearse Doherty** asked the Minister for Finance his plans to amend the rate at which the local property tax is levied or to amend the Finance (Local Property Tax) Act; and if he will make a statement on the matter. [46692/14]

81. **Deputy Michael McGrath** asked the Minister for Finance if he is conducting a formal review of the local property tax in particular, in respect of the revaluation date of November 2016; and if he will make a statement on the matter. [46724/14]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 72, 74 and 81 together.

As the Local Property Tax is a new tax, the Government wished to provide certainty to homeowners and for this reason valuation periods of three years were introduced (with the exception of the first valuation period which covers three and a half years). In addition to providing certainty, it also eases the administration burden on the homeowner by not having to revalue their houses each year.

The regular revaluation periods ensure that the property register is maintained with accurate and up to date information to assist in evaluating the operation of LPT, as well as bringing newly built properties within the scope of LPT. The Deputies may be aware that under the LPT legislation, where a property is not a “relevant residential property” on a valuation date (i.e. not liable to LPT), with certain exceptions, that property will not be a relevant residential property until the next valuation date. In the interests of equity to compliant LPT payers it is important to have regular valuation dates so that newly built properties are brought into the LPT net. It also provides certainty to those homeowners as to when they will become liable to LPT.

The initial valuation of a property on 1 May 2013, assuming it was made in good faith, is

valid from 1 May 2013 to 31 October 2016, and will not be affected by any increase or decrease in property prices or other changes, including repairs or improvements made, during this period. I also committed not to amend the central national rate of LPT for the lifetime of the Government.

While I am very conscious of the concerns of homeowners over increasing property prices and the effects this will have on their LPT liabilities, particularly in urban areas, the next valuation date is not until 1 November 2016. In advance of that date, in conjunction with my officials, I will be examining the LPT and impacts on LPT liabilities due to increasing property prices.

### **Banking Operations**

73. **Deputy Michael McGrath** asked the Minister for Finance if he was ever briefed by the Central Bank of Ireland regarding contingency plans providing for the army to surround banks here because of a risk the banks would run out of money; the person that provided him this briefing and those who were in attendance at the meeting; if the Department of Defence was consulted on the matter in order to provide for the operational arrangements to put the plans into effect; and if he will make a statement on the matter. [46676/14]

**Minister for Finance (Deputy Michael Noonan):** Primary responsibility for the maintenance of law and order, including the protection of the internal security of the State, rests with An Garda Síochána. However, one of the roles assigned to the Defence Forces in the White Paper on Defence (2000) is to provide Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so.

The Central Bank would have no role in relation to briefing on security deployment by the Garda Síochána or the Defence Forces.

I am advised that, for operational and security reasons, the Department of Defence does not comment on contingency planning for operational matters.

*Question No. 74 answered with Question No. 72.*

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

75. **Deputy Michael Healy-Rae** asked the Minister for Finance the position regarding eligibility for the primary medical certificate in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [46696/14]

**Minister for Finance (Deputy Michael Noonan):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and VRT (up to a certain limit) on the purchase of an adapted car for transport of a person with specific severe and permanent physical disabilities, repayment of excise duty on fuel, and an exemption from Motor Tax.

To qualify for the Scheme, an applicant must have a permanent and severe physical disability within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations (S.I. 353 of 1994) and satisfy one of the six qualifying criteria outlined in the Regulations. The Senior Medical Officer for the relevant local Health Service Executive administrative area makes a professional clinical determination as to whether an individual applicant satisfies the medical criteria. A successful applicant is provided with a Primary Medical Certificate, which is required under the Regulations to claim the reliefs provided for in the Regulations. An

unsuccessful applicant can appeal the decision of the Senior Medical Officer to the Disabled Drivers Medical Board of Appeal, which makes a new clinical determination in respect of the individual. The Regulations mandate that the Medical Board of Appeal is independent in the exercise of its functions to ensure the integrity of its clinical determinations. After six months a citizen can reapply if there is a deterioration in their condition.

To qualify for the Scheme an applicant must be in possession of a Primary Medical Certificate. To qualify for a Primary Medical Certificate, an applicant must be permanently and severely disabled within the terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 and satisfy one of the following conditions:

- be wholly or almost wholly without the use of both legs;
- be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
- be without both hands or without both arms;
- be without one or both legs;
- be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

If a citizen does not meet the eligibility criteria above, they will not qualify for a Primary Medical Certificate, and subsequently cannot become members for the Scheme.

The Scheme represents a significant tax expenditure. Between the Vehicle Registration Tax and VAT foregone, and the repayment of excise on fuel used by members of the Scheme, the Scheme represented a cost of €43.5 million to the Exchequer in 2013. This figure does not include the revenue foregone to the Local Government Fund in the respect of the relief from Motor Tax provided to members of the Scheme. In terms of the numbers of beneficiaries of the Scheme in 2013, 4,355 citizens availed of the Vehicle Registration Tax and/or VAT relief, and 11,436 availed of the repayment of excise on fuel element of the Scheme.

I recognise the important role that the Scheme plays in expanding the mobility of citizens with disabilities, and I have managed to maintain the relief at current levels throughout the crisis despite the requirement for significant fiscal consolidation. I frequently receive correspondence from applicants who do not meet the qualifying criteria but feel that they could benefit from the Scheme. While I sympathise with those who do not qualify for Scheme, I cannot, given the scale and scope of the Scheme, expand it further within the current context of constrained resources.

*Question No. 76 withdrawn.*

### **Income Data**

77. **Deputy Róisín Shortall** asked the Minister for Finance if he will provide the Revenue Commissioners data on the number of persons in each of the following income brackets, below €9,000, above €9,000 but below €12,000, above €12,000 but below €15,000, above €15,000 but below €20,000, above €20,000 but below €25,000, above €25,000 but below €30,000, above €30,000 but below €40,000, above €40,000 but below €50,000, above €50,000 but be-

low €60,000, above €60,000 but below €70,000, above €70,000 but below €80,000, above €80,000 but below €100,000, above €100,000 but below €120,000, above €120,000 but below €150,000, above €150,000 but below €200,000 and above €200,000. [46711/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the information requested, estimated by reference to the income tax year 2015, is set out in the following table.

**All income earners for Income Tax Year 2015 (provisional)**

Range of Gross Income - €	Number of Income Earners
0 to 9,000	368,585
9,001 to 12,000	107,297
12,001 to 15,000	116,836
15,001 to 20,000	213,112
20,001 to 25,000	216,626
25,001 to 30,000	201,085
30,001 to 40,000	324,506
40,001 to 50,000	229,709
50,001 to 60,000	157,805
60,001 to 70,000	107,045
70,001 to 80,000	77,378
80,001 to 100,000	91,301
100,001 to 120,000	47,956
120,001 to 150,000	34,809
150,001 to 200,000	22,512
Over 200,001	24,642
Total	2,341,203

The figures are estimates from the Revenue tax-forecasting model using actual data for the year 2012 adjusted as necessary for income, self-employment and employment trends in the interim. These are, therefore, provisional and may be revised. It should also be noted that a married couple or civil partnership that has elected or has been deemed to have elected for joint assessment is counted as one tax unit.

The Deputy may be interested to know that Revenue's statistics webpage <http://www.revenue.ie/en/about/statistics/index.html> contains, inter alia, detailed information on the distribution of income earners for previous years and this page will be updated in due course as more recent statistics become available.

**Mortgage Lending**

78. **Deputy Michael McGrath** asked the Minister for Finance if the Central Bank of Ireland has indicated that there will be a delay to the introduction of the rules regarding mortgage lending which are due to come in to effect on 1 January 2015; and if he will make a statement on the matter. [46721/14]

**Minister for Finance (Deputy Michael Noonan):** The introduction of macro prudential measures is an independent matter for the Central Bank. The consultation period on the Central Bank's macro prudential proposals for residential mortgage lending ends on 8 December next and the Central Bank has informed me that it hopes to be in a position to announce a finalised



set of regulations soon after that date depending on the complexity of the responses received.

### Tax Data

79. **Deputy Michael McGrath** asked the Minister for Finance the number of persons who have paid the domicile levy in each year since its introduction; the total amount raised; the number of cases currently being pursued by the Revenue Commissioners; and if he will make a statement on the matter. [46722/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that as of 1st December 2014, the number of persons who have made domicile levy payments are as per the following table.

Levy Year	No of Persons who made payments for each Levy Year 1	Total Payments received to date for each Levy Year 2
2010	23	€3,161,454
2011	22	€3,206,684
2012	14	€2,237,811
2013	9	€1,376,907
Total		€9,982,857

1 Some persons have made partial payments of the levy due to, for example, claims for inability to pay which are being processed.

2 These amounts include interest for late payments.

I am further informed by the Revenue Commissioners that there is an on-going compliance programme in relation to individuals who appear to meet the criteria in relation to the domicile levy for the years 2010 to 2013. The purpose of the compliance program is to determine whether these individuals meet all the criteria in relation to the levy and to quantify and collect any outstanding domicile levy liability that might be due for back years. There are currently 93 compliance interventions opened on persons who may have a liability to the domicile levy for tax years 2010-2012. These 93 interventions involve 63 individuals with some individuals subject to interventions for more than one year.

### Cycle to Work Scheme Data

80. **Deputy Michael McGrath** asked the Minister for Finance if his Department has conducted any further analysis on the costs and benefits of the cycle to work tax incentive; and if he will make a statement on the matter. [46723/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware from a previous PQ in relation to this incentive, the cycle to work scheme came into operation on 1 January 2009 and there is no notification procedure for employers involved. Therefore the Revenue Commissioners do not have statistics on its uptake. This approach was taken with the deliberate intention of keeping the scheme simple and reducing administration on the part of employers.

As I noted in a previous response, it was estimated at the time of the introduction of the scheme that approximately 7,000 employees would avail of it over the first five-year period of its operation. However anecdotal evidence would suggest that the scheme has been considerably more successful than this and its continuation has been welcomed by the cycle business sector.

While I have not asked my officials to conduct any further specific analysis along the lines set out by the Deputy, I would advise him that all such schemes are reviewed in the context of the annual Budget and Finance Bill process.

*Question No. 81 answered with Question No. 72.*

### **Data Protection**

82. **Deputy Michael McGrath** asked the Minister for Finance the regulations that currently cover the use of private investigators by financial institutions to obtain information regarding their clients; and if he will make a statement on the matter. [46725/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has informed me that this is primarily a matter for the Data Protection Commissioner.

On the issue more generally, the Central Bank expects all regulated entities to fully comply with all legal and regulatory obligations specific to the sector in which the firm operates, including all the Data Protection Acts. The Bank further expects all regulated entities to fully co-operate with the office of the Data Protection Commissioner.

Risk based supervision is fundamental to the Central Bank's statutory mandate to ensure that each regulated entity is meeting its regulatory obligations. It is important for entities to develop a sound appreciation of material operational risks arising from the outsourcing of business activities, and how these risks are interrelated.

Financial service providers regulated by the Central Bank who outsource activities must ensure that the outsourced firm complies with the relevant provisions of legal and regulatory obligations specific to the sector in which the firm operates. Where a regulated entity engages a private investigator then the Bank expects that the relevant guidance from the Data Protection Commissioner's office will be followed.

### **Ground Rents Payments**

83. **Deputy Brendan Ryan** asked the Minister for Public Expenditure and Reform the amount the State pays annually in ground rents for State-owned buildings and buildings in State control; and if he will make a statement on the matter. [46693/14]

84. **Deputy Brendan Ryan** asked the Minister for Public Expenditure and Reform if he will provide a list of the top ten recipients of ground rent payments from the Government in 2013; and if he will make a statement on the matter. [46694/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** I propose to take Questions Nos. 83 and 84 together.

The annual ground rent for properties under the remit of the Commissioners of Public Works is €4,147.44.

The top ten recipients of ground rent for properties in State ownership under the remit of the Commissioners of Public Works are set out as follows:

The table shows the Landlord and the annual ground rent paid.

Landlord	Ground rent per annum
Sweetman Estate	€419.36

Landlord	Ground rent per annum
Executors of Perrot Estate	€361.88
Kilruddery Farms	€275.73
Mrs W.C. Kennedy and Mrs H.D. Wood	€258.14
M.D. Pennefather C/O Commonwealth Bank	€176.98
The Bursar Kings Hospital	€165.07
Dundon Callanan Solicitors	€140.64
Ticher Limited	€88.88
First Management	€87.03
James Buckley Liquidator	€76.18

The Commissioners of Public Works are not in a position to include ground rent costs for properties that may be under the remit of other State Bodies/Agencies.

### Flood Prevention Measures

85. **Deputy Brendan Griffin** asked the Minister for Public Expenditure and Reform if the Office of Public Works will carry out anti-erosion works at a river (details supplied) in County Kerry; and if he will make a statement on the matter. [46687/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris):** Without a more detailed address the Office of Public Works (OPW) is not in a position to be absolutely definitive about the specific lands mentioned by the Deputy but in recently carrying out some maintenance on the Marine Catchment Drainage Scheme at Castleisland erosion was identified on lands in the ownership of a named person. This erosion is considered as posing a risk of flood damage, and therefore remedial works at this location have been proposed for inclusion in the OPW's 2015 maintenance work programme.

For information, the OPW approved funding of €144,000 under the Minor Flood Mitigation Works and Coastal Protection Scheme to Kerry County Council this year for flood mitigation works on the Glenshearoon Stream and tributaries of the River Maine at Castleisland. The progression of these works is a matter for the Council.

### Public Sector Staff Redeployment

86. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform his views on correspondence (details supplied) regarding redeployment of civil servants on career breaks; and if he will make a statement on the matter. [46718/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The arrangements for the Career Break Scheme for civil servants were revised in 2013 and are set out in Circular 4/2013.

All staff going on career break following the introduction of the new scheme on 22/2/2013 are covered by the arrangements set out in Circular 4/2013. Staff who were already on career break at the time the revised scheme was introduced were permitted to remain on career break under the terms of the original circular (18/1998).

Circular 4/2013 revoked the specific instructions which are referred to in the details sup-

plied with the Deputy question as follows:

- Circular 18/1998

- Letter to Personnel Officers dated 3/3/2008 - Special leave without pay for career breaks in: Amendments to Circular 18/98 in relation to Eligibility and Duration and Purpose.

- Letter to Personnel Officers dated 18/3/2009 - Special leave without pay for career breaks and resumption of duty. This sets out provisions relating to resumption of duty, reassignment to another Department and persons who fail to indicate their intention to return to duty.

The details provided by the Deputy refer to Paragraph 23 of Circular 18/1998 and the return to work of a staff member following a career break. This paragraph states that *where an officer indicates that s/he wishes to resume duty, s/he will be assigned to the next appropriate vacancy to be filled following the expiry of the career break, with a guarantee of re-employment in a relevant grade (not necessarily in his/her existing Department) within twelve months of the expiry of the career break.*

Civil service organisations therefore have, under the new and the previous scheme, up to twelve months after the expiry of the career break to make an offer of employment. That offer is subject to there being an appropriate vacancy in the employing organisation. Where a civil service organisation considers that it is unlikely that a vacancy will arise for an individual returning from career break, the onus is on the organisation to ensure the person is put on the PAS redeployment panel and inform the individual of this and the fact that s/he will be circulated with redeployment vacancies.

The detail of this process is set out in the “Redeployment Toolkit”, (revised in October 2014) and agreed with the staff unions, which sets out the background and the process for staff returning from career break who are put on the redeployment panel.

If it is not possible to make a reasonable offer within the 12 month period after the expiry of the career break, the possibility of facilitating the civil servant on a supernumerary basis must be explored. Where the civil servant refuses a reasonable offer of work, the Department is under no further obligation to provide employment and can deem a refusal to be a resignation.

The administration of the Career Break Scheme is a matter for each individual Department/Office. The Circulars and Letter to Personnel Officers are available on [www.circulars.gov.ie](http://www.circulars.gov.ie). Information on redeployment is available at <http://www.per.gov.ie/redeployment/>.

### **Licence Applications**

87. **Deputy Brendan Griffin** asked the Minister for Jobs, Enterprise and Innovation the position regarding a commercial practice (details supplied); and if he will make a statement on the matter. [46613/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The only licences which are issued by my Department for the sale of goods relate to Occasional Trading Licences under the Occasional Trading Act 1979. I also have policy responsibility for the Casual Trading Act 1995 but casual trading licences under that Act are issued by the relevant local authorities. Given the nature of the cash-and-carry or wholesale business, neither of the aforementioned legislative provisions is likely to be utilised by those businesses. However, some specific licences are required which are outside the remit of my Department. For example, a Wholesale Dealer’s Licence is required from the Revenue Commissioners to sell alcohol in

bulk quantities while, depending on the nature of the wholesale business, a Road Haulage Operator Licence may be required from the Road Safety Authority.

### **Action Plan for Jobs**

88. **Deputy Gabrielle McFadden** asked the Minister for Jobs, Enterprise and Innovation when the Government's new regional enterprise strategy will be rolled out to the midlands region; and if he will make a statement on the matter. [46680/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The aim of the Action Plan for Jobs is to help enterprises to create employment in all regions of the country. If we are to do this successfully, it is important that the economic potential of each region is maximised and that each region builds on its particular strengths and assets to provide an environment that stimulates entrepreneurship and attracts both indigenous and foreign investment. While employment has increased nationally by approximately 80,000 since the start of the Action Plan process in 2012, not all regions are yet fully experiencing the benefits of economic recovery. The pace of progress in the regions therefore needs to be accelerated through targeted supports for enterprise and job creation.

The 2014 Action Plan for Jobs includes a number of commitments to support competitive regions, including, within my own Department, developing a framework for Regional Enterprise Strategies. It is my intention that this framework will be applied to produce action-oriented plans to support enterprise growth and jobs in the regions, commencing with the Midlands. Consultation with regional stakeholders from both the private and public sector will underpin the Enterprise Strategies.

Over the past number of months, officials from Enterprise Ireland, IDA Ireland and my Department have been involved in a series of engagements with stakeholder groups in the Midlands region, which included representatives from the enterprise sector, skills and education providers, and public bodies operating in the region.

The consultation process will continue with a Midlands Regional Enterprise Forum on the 19th December in Athlone, which will bring all the main stakeholder groups together to discuss the strengths and opportunities that can be built upon to support enterprise and jobs growth in the region. The consultation process will inform the Regional Enterprise Strategy for the Midlands which I aim to publish early in the New Year.

### **Single Payment Scheme Applications**

89. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Food and the Marine the reason for the delay in a single farm payment for 2014 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. [46529/14]

**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 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**

90. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine when a decision will be finalised regarding entitlements in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [46536/14]

**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 17 April 2013 without any lands being declared. Following the submission of an appeal on 18 September 2014, this case was further reviewed, the appeal was deemed successful and 8.76 hectares have been added to the application. In this regard 8.76 entitlements have now been restored in full to the account of the person named and payment will issue in the coming weeks.

### **Single Payment Scheme Eligibility**

91. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding entitlements in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [46553/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the Terms and Conditions of the Single Payment Scheme and other area based schemes an applicant, as well as meeting the Scheme criteria, is required to comply with EU regulatory requirements relating to Cross Compliance.

A report detailing findings of an inspection carried out by Kerry County Council on 12 February 2014 was referred to my Department's Cross Compliance Unit for attention. This report detailed breaches relating to the cross compliance requirements under the Nitrates Regulations.

The breaches identified related to a lack of facilities to collect soiled water, slurry and silage effluent; soiled water seeping directly onto land and farm wastes being routed to an unlined Lagoon type facility leading to indirect discharge to ground water.

As similar breaches under the Nitrates Regulations had been identified within the previous three years, the regulatory provisions required that the rules on repetition be applied and this resulted in a final penalty of 60% being applied against the 2014 Direct Schemes payments.

The person named was notified of this decision on 13 June 2014. The person named has appealed this decision and this request is currently being examined. The person named will be notified of the outcome as soon as possible.

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

### **Disadvantaged Areas Scheme Payments**

92. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when payment will issue under the 2014 disadvantaged areas 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. [46582/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2014 Disadvantaged Areas Scheme was received from the person named on 30 April 2014. Processing of this application was recently finalised and payment under the Disadvantaged Areas Scheme was issued on 26 November 2014, directly to the nominated bank account of the person named.

### **Forestry Sector**

93. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding forestry premiums in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [46595/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The Forest Service Inspector reported that the applicant's plantation is showing signs of prolonged nutrient deficiency and, therefore, it is not up to the standard required under the grant-aid scheme. The applicant wrote to the Forest Service in November 2014 and confirmed foliar samples will be taken for analysis from the forest in the coming weeks. Until the samples are taken, the appropriate follow up works are completed, and the plantation is passed by the Forest Service Inspector no further premiums will be paid.

### **Agriculture Scheme Payments**

94. **Deputy Michael Creed** asked the Minister for Agriculture, Food and the Marine the position regarding 2013 and 2014 single farm payment and disadvantaged areas scheme applications in respect of a person (details supplied) in County Cork; the level of alleged ineligible land in the application; and if he will make a statement on the matter. [46601/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A review of the lands declared by the person named under the 2013 Single Payment Scheme/Disadvantaged Areas Scheme revealed that a number of the land parcels declared contained ineligible features. In order to clarify the position regarding the level of ineligible features, my Department arranged for a ground verification check to be undertaken. The findings of this verification check were that the applicant had an over-claim greater than 20% of the area determined. Under the EU Regulations and the Terms and Conditions of the Single Payment Scheme/Disadvantaged Areas Scheme no payment is due where the level of over-claim is greater than 20%. The person named was notified of this decision on the 5 May 2014. The person named had received payments of €1,699.92 on 10 October 2013 under the 2013 Disadvantaged Area Scheme and €913.22 on 16 October 2013 under the 2013 Single Farm Payment Scheme, which regrettably, were deemed overpaid and have been recouped from the 2014 Single Farm payment made by my Department. A balance of €370.46 is still outstanding and will be recouped from future payments by my Department.

The person named has received a payment of €1,279.48 on 13 October 2014 under the 2014

Disadvantaged Area Scheme. In the event that the person named is dissatisfied with the outcome of the verification check, the decision can be appealed to the independent LPIS Appeals Committee, within three months of the notification letter.

### **Agriculture Scheme Expenditure**

95. **Deputy Tom Fleming** asked the Minister for Agriculture, Food and the Marine if he will review an application for single farm payment and headage payment in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [46605/14]

**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 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.

### **GLAS Eligibility**

96. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine if he will reconsider the requirement that 50% of farmers on a commonage must agree to sign up to a management plan to participate in the GLAS scheme; if his attention has been drawn to the fact that this requirement is creating an unnecessary hurdle for farmers, preventing many from joining the scheme; and if he will make a statement on the matter. [46606/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I am aware that some commonage farmers have concerns regarding the proposed implementation of commonage management plans in the Green Low-Carbon Agri-Environment Scheme (GLAS). In response to the reservations expressed by farmers representatives on this particular point, I revised the minimum participation rate downwards from 80% to 50%. I think it is particularly important to point out that the 50% requirement will be based on active farmers only i.e. those actually grazing the commonage. To give an example, if there are 20 shareholders on a commonage, and 15 are claiming shares under the Single Payment Scheme, but only 10 of those are actively grazing the land at present, the 50% requirement to trigger priority access to GLAS is just 5 farmers. I believe that 50% participation is the minimum required to achieve the best agri-environmental results for the commonages. I also believe that it represents an achievable target but again, in response to concerns raised by farmers representatives, where real difficulties are encountered, I have already said that the farmers who are having a difficulty in reaching the 50% can approach the Commonage Implementation Committee for advice and assistance.

I met this week with a number of farmers who expressed concerns regarding the common-



age management plans. While I have addressed certain elements of these concerns, I am reviewing their submission in the context of the threshold for environmental action which must be demonstrated in order to receive GLAS approval at EU level.

### **Disadvantaged Areas Scheme Applications**

97. **Deputy Joe Carey** asked the Minister for Agriculture, Food and the Marine to set out the position regarding a 2013 area aid payment in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [46621/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The areas declared by the person named were reviewed as part of the comprehensive review of all land parcel data maintained on my Department's Land Parcel Identification System and over-claims totalling 2.14 hectares were identified, which represented in excess of 20% of the area determined in 2013. The person named had received a payment of €1,799.81 on 2 October 2013 under the 2013 Disadvantaged Area Scheme, which, due to the findings of the assessment, was deemed to be over-paid. Therefore, this amount was recouped from the 2014 Disadvantaged Area Scheme payment due to the applicant.

My Department carried out a further review of this case in advance of a ground verification check to be carried out to verify the position on the ground. The outcome of this review was that the level of over-claims was reduced to 1.69 hectares, which represented 9.9% of the area determined, which resulted in a refund of €1,313.14 now payable under the 2013 Disadvantaged Area Scheme. This amount will issue shortly to the applicant.

The person named will be advised, in writing, of the findings of the verification visit as soon as possible following the visit. In the event that the person named is dissatisfied with the outcome of this verification check, the decision can be appealed to the independent LPIS Appeals Committee within four weeks of the date of issue of the notification letter.

### **Single Payment Scheme Payments**

98. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine to set down his views on matters (details supplied) regarding late payments; and if he will make a statement on the matter. [46628/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2013 Single Payment/Disadvantaged Areas Schemes was received from the person named on 14 May 2013. The application was processed and finalised with an advance Single Payment issuing on 16th October 2013 and balancing Single Payment issuing on 2nd December 2013. A full Disadvantaged Areas Scheme payment issued on 24th September 2013. All payments issued directly to the nominated bank account of the person named. An application under the 2014 Single Payment /Disadvantaged Areas Schemes was received from the person named on 13 May 2014. Processing of this application has recently been finalised with payments under both schemes to issue shortly directly to the nominated bank account of the person named.

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

Under the EU Regulations governing the Scheme and other area-based payment schemes,

a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, have to be completed before any payment can issue. During these checks a query arose in respect of land parcels declared which required digitisation. This is being dealt with by my Department at present and once that process is completed, the application will be processed with a view to making payment in respect of 2013 at the earliest opportunity.

### **Single Payment Scheme Payments**

99. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when payment will issue under the single farm payment scheme and the disadvantaged area based scheme for 2011 to 2014, inclusive, in respect of a person (details supplied) in County Galway; the reason for the delay in issuing these payments; and if he will make a statement on the matter. [46683/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment due under the 2011 Single Payment Scheme and 2011 Disadvantaged Area Scheme issued under the joint herd number of the person named and the deceased. My Department is currently examining the entitlement of the person named and the estate of the deceased for subsequent years. The person named did not lodge an application under the 2012 Schemes nor did he declare any land under the 2013 Schemes but did lodge an application in 2014. When the position in relation to the estate has been established, a review will be undertaken to determine if payment can be made.

### **Single Payment Scheme Applications**

100. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine to explain the reason for the delay in processing a payment under the single farm payment and disadvantaged area schemes in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [46684/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 15 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.

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

101. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine to outline the reason for the delay in processing the remainder of a payment under the agri-envi-

ronment options scheme in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [46685/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the 2012 Agri-Environment Options Scheme (AEOS 3) with effect from 1st May 2013 and has received 75% payment in respect of the 2013 Scheme year. The person named was selected for a ground inspection which took place on 29th April 2014. During this inspection, areas of non-compliance with the Terms and Condition of the Scheme were noted in relation to the Species Rich Grassland action which resulted in a penalty being imposed. The person named was informed of the penalty and the appeal options and as no appeal was received, the application was processed for payment on the basis of the inspection findings. The balancing 25% payment (net of penalty) will issue shortly.

### **Disadvantaged Areas Scheme Applications**

102. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive farm payments; the reasons for the delay in processing the claim; and if he will make a statement on the matter. [46691/14]

**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 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.

### **Live Exports**

103. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine his plans to engage with the EU Commission to have current failures in the Common Market surrounding the export of live cattle to Northern Ireland and Britain addressed; and if he will make a statement on the matter. [46719/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Under the rules governing the free movement of goods and services within the EU, all Irish beef producers have ready, unimpeded and equal access to all EU Member State markets without restriction. Articles 34 to 36 of the Treaty on the Functioning of the European Union prohibit Member States from maintaining or imposing barriers on intra-EU trade in goods. These provisions give rise to the principle of mutual recognition whereby each Member State is obliged to accept onto its market products which are legally manufactured or marketed in another Member State. My Department attaches considerable importance to the live export trade and, over the years, has been very active in facilitating both the cross border live trade and shipments abroad. Live exports serve a dual purpose as a means of satisfying market demands for live animals

and providing alternative market outlets for farmers. Total live exports to the end of November this year stand at almost 225,000 head of which 65,000 went to the UK, an increase of some 5,000 head or 8% up on the comparable period in 2013. Of this 65,000, nearly 49,000 went to Northern Ireland which is down only 2.4% on the same period in 2013. Live exports to Great Britain are up nearly 63% on last year. This does not suggest any failure in the common market.

The potential to grow the live trade to the UK even further is constrained by the buying specifications operated by the British retail chains in relation to cattle born in this country and exported live for finishing and processing in that market. The retailers' longstanding policy is to market British and Irish beef separately. This means that beef must be sourced from animals originating in one country or the other; i.e. born, reared and slaughtered in the same country. In addition, logistical difficulties can arise when a small number of Irish-born animals are slaughtered in a UK meat plant. Under mandatory EU labelling rules, these carcasses have to be deboned in a separate batch, packaged and labelled accordingly, thereby incurring additional costs for the processor. These issues are a matter of commercial preference, both of slaughter plants in the UK and Northern Ireland, and of UK retailers. Decisions by processors and retailers in other member states in relation to purchasing policy are matters of commercial preference.

While Bord Bia has repeatedly raised this issue with British retailers over the years, they are unlikely to reverse their marketing policy in the short term and are currently under pressure to stock more British beef. Nevertheless Bord Bia, in its ongoing interactions with British customers, will continue to pursue all opportunities to maximise the full potential of the beef and livestock trade with our largest trading partner. In addition, Bord Bia actively supports the development of the live export trade through the provision of market information, developing market access and promotional activity.

I have also had several meetings with my Northern counterpart, Minister Michelle O'Neill, on this subject. We agreed to make a joint approach to the three British retailers who stock Irish Beef, accepting that these were commercial matters, but also seeking some flexibility given that this beef is produced to the exacting standards required by British consumers. Following on from this, I convened a meeting with Minister O'Neill and the Northern Ireland Retail Consortium which took place in October. At this meeting the NIRC made it clear that their beef buyers had a preference for single origin beef, of which they had ample supply, but they would keep the situation under review. I also met separately with Tesco where we had a useful and frank discussion on this and other procurement issues. I will continue to pursue opportunities for exports of beef and live cattle at every opportunity.

### **Live Exports**

**104. Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of applications currently with his Department for the licensing of ships for the live export of cattle; when each application was submitted; when it is expected a decision will be made on each application; if his Department has received further enquiries regarding the licensing of vessels; the additional steps he is taking to promote live exports; and if he will make a statement on the matter. [46720/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** There are currently two applications for dedicated vessels (received in June and July respectively, of this year) being processed by my Department for the carriage of livestock from Irish ports. Both vessels have been inspected by an Independent Marine Surveyor and a Department Veterinary Inspector and detailed reports have issued to the owner/applicants detailing certain modifica-

tions required to be made to the vessels. Approval of both vessels is subject to the outcome of further inspections by both the Marine Surveyor and my Department. Several enquiries were received by my Department over recent months seeking information on the procedures involved for approval of livestock vessels for carriage of livestock from Ireland. However no applications ensued.

The live export trade provides alternative and important market outlets for certain categories of livestock, thereby serving a market demand and providing increased competition in the market place for cattle and I will continue to work with all those involved to facilitate this trade. To date, this year, six voyages have taken place involving two ships taking cattle to Libya. In an effort to further promote live exports, certificates have also been agreed with Egypt for fattening cattle and slaughter cattle, leaving the way open for commercial transactions to take place.

### **Overseas Missions**

105. **Deputy Clare Daly** asked the Minister for Defence further to Parliamentary Question No. 255 of 25 November 2014, if he will clarify the impression that the Defence Forces are considering sending soldiers to Afghanistan after 31 December 2014 and that those Defence Forces personnel will be directly involved in training Afghan soldiers, in view of such an exercise being inappropriate for Irish personnel to be involved with; and if he will make a statement on the matter. [46530/14]

**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 in Kabul.

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 shortly.

Should the Government decide that the Defence Forces will participate in this mission, the personnel will be deployed to the staff appointments in the Resolute Support Mission Headquarters in Kabul.

### **Defence Forces Reorganisation**

106. **Deputy Clare Daly** asked the Minister for Defence when the White Paper is due; and his views on a merger of the coast guard and customs maritime sections with the Naval Service. [46532/14]

**Minister for Defence (Deputy Simon Coveney):** The preparation of a new White Paper

on Defence is one of my key priorities and I am determined to ensure that the new White Paper fully addresses the defence response to future security challenges in a comprehensive way. I anticipate receipt of an initial draft of the White Paper by the end of this year. The final draft of the White Paper will be fully considered by Government in due course.

The White Paper process underway was intended to provide an opportunity to examine critically future demands and consider how we might best meet associated operational requirements. I am conscious that many of the day to day services delivered by Defence are cross-cutting in nature and I believe that Defence resources and expertise should be leveraged to maximum effect for the benefit of the State. In this context, there are opportunities to consider new and innovative approaches to the delivery of a range of important services. Working groups comprising civil and military representatives from the Department of Defence and the Defence Forces are considering likely future operational demands and the types of defence capabilities required to meet these demands.

In the course of their deliberations, the Working Groups are taking into consideration the inputs received from a wide variety of stakeholders. Discussions have also been held with a range of Government Departments on cross-cutting policy issues and likely future demands from Government bodies and State agencies. These discussions are continuing, as required, throughout the White Paper process. The Deputy will appreciate that I do not wish to second guess any recommendations that may arise from the White Paper process by commenting on specific issues at this point.

### **Defence Forces Review**

107. **Deputy Clare Daly** asked the Minister for Defence his plans to introduce a regular path to becoming a commissioned officer in view of the numbers of highly trained NCOs and skilled tradesmen; his views on whether it would make sense to select the best and keep these skills and motivate people to progress within the Defence Forces; and if he will make a statement on the matter. [46533/14]

**Minister for Defence (Deputy Simon Coveney):** In its recently published third report, the Independent Monitoring Group (IMG) has recommended that the Department of Defence and the Defence Forces review the opportunities available to Enlisted Personnel to become Officers. Progressing this recommendation will necessarily involve a review of the terms and conditions that have applied when providing opportunities to Enlisted Personnel to become Officers and looking at the policy around the frequency of such opportunities. Arising from the IMG report an Implementation Group has been established to progress the implementation of the recommendations arising from that report. In this context a Working Group is to be established to review the terms and conditions and other related matters around providing opportunities for Enlisted Personnel to become Officers. This work will commence in early 2015 and the outcome will inform policy on Commissioning from the Ranks into the future.

### **Defence Forces Retirement Scheme**

108. **Deputy Clare Daly** asked the Minister for Defence if professional servicemen who have passed all medical and physical tests required of them are going to be retired under the post-1994 contract, and when a definitive response will be provided to them. [46534/14]

109. **Deputy Clare Daly** asked the Minister for Defence if he will take steps to critically examine and review the service history of all those personnel that are about to be discharged

under the post-1994 contract with a view to seeing what internal Defence Forces courses could be offered to upskill these personnel prior to leaving. [46535/14]

**Minister for Defence (Deputy Simon Coveney):** I propose to take Questions Nos .108 and 109 together.

As I have outlined previously to the House, a claim has been received from the Permanent Defence Force Other Ranks Representative Association (PDFORRA) in relation to this matter and it is being dealt with under the Conciliation and Arbitration Scheme for members of the Permanent Defence Force.

Discussions have been taking place with the Representative Association, with regards to their claim, under a special Subcommittee of Conciliation Council. As discussions under the Scheme are confidential to the parties involved, it would not be appropriate for me to comment on the matter at this time, other than to emphasise that in dealing with this issue the manpower and operational needs of the Defence Forces must be the primary consideration.

As Military life places unique physical and psychological demands on individuals it is necessary that its members be physically and mentally prepared to meet the challenges of all military operations and to undertake their duties on deployment overseas. It is vital the age and health profile of personnel be such as to ensure that operational capability and effectiveness are not compromised. As such, in order to maintain the age profile of the PDF to carry out the operational tasks required by Government, it is necessary to have a constant input of recruits into the PDF. The maximum age for personnel who have enlisted in the PDF post 1 January 1994 provides the mechanism through which a satisfactory age profile can be achieved.

However, while there was significant progress made in discussions between PDFORRA and Civil and Military Management it was not possible to reach full agreement. As a result, the issue is being referred to third party adjudication for a ruling. It is expected that the adjudication hearing will take place as soon as possible following the exchange of submissions between the parties.

In the meantime work is continuing on exit support measures to support those due to be discharged. A number of military courses, and other skills courses are already accredited with various Third Level Institutions and Professional Bodies. In addition, a comprehensive training course to aid Transition to Civilian Life for these personnel, which involves a skills appraisal and review of a person's service history and training already provided, is currently being piloted.

### **Defence Forces Operations**

110. **Deputy Michael McGrath** asked the Minister for Defence if there is a record in his Department of being briefed by the Central Bank of Ireland regarding contingency plans providing for the Army to surround banks here because of a risk the banks would run out of money; if the appropriate operational arrangements were in place in the event the situation ever arose; and if he will make a statement on the matter. [46677/14]

**Minister for Defence (Deputy Simon Coveney):** Primary responsibility for the maintenance of law and order, including the protection of the internal security of the State, rests with An Garda Síochána. However, one of the roles assigned to the Defence Forces in the White Paper on Defence (2000) is to provide Aid to the Civil Power (ATCP) which, in practice, means to assist An Garda Síochána when requested to do so.

A wide variety of military training activities are specifically designed to respond to possible security emergencies that may arise and the Defence Forces hold regular co-ordination and liaison meetings with An Garda Síochána in relation to ATCP issues. The Defence Forces are similarly prepared to carry out any security-related tasks, as may be directed by Government. For operational and security reasons, my Department does not comment on contingency planning for operational matters .

### **Defence Forces Personnel**

111. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence if the terms and conditions of commissioned officers of the Defence Forces are being reneged on in that special service officers, for example, bomb disposal and marine engineers, are being denied their promotion to commandant, contrary to industrial relations agreements, Defence Forces regulations and contracts of employment; and if he will make a statement on the matter. [46681/14]

**Minister for Defence (Deputy Simon Coveney):** The issue of promotion of Special Services Officers has been raised by the Representative Association for Commissioned Officers (RACO) at Conciliation Council. In accordance with normal procedures, the Association's claim is being dealt with under the Conciliation and Arbitration Scheme for members of the Permanent Defence Force. As discussions under the Scheme are confidential to the parties involved it would not be appropriate for me to comment further on the matter at this time. However, it is my intention that promotions will continue to be made in order to fill rank vacancies within the resource envelope allocated to Defence.

### **Defence Forces Personnel**

112. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence if the terms and conditions of commissioned officers of the Defence Forces are further being reneged on in that two potential officers, commissioned from the ranks, from the ninth potential officer course, are being forced to retire as captains at 54 years of age where their terms and conditions provide for the rank of commandant; and if he will make a statement on the matter. [46682/14]

**Minister for Defence (Deputy Simon Coveney):** The issue of the promotion of certain Officers of the 9th Potential Officers Course, in the rank of Captain, has been raised by the Representative Association for Commissioned Officers (RACO) at Conciliation Council. In accordance with normal procedures the Association's claim is being dealt with under the Conciliation and Arbitration Scheme for members of the Permanent Defence Force. As discussions under the Scheme are confidential to the parties involved it would not be appropriate for me to comment further on the matter at this time. However, I am advised that significant consideration has been given to this issue and that all pertinent matters are being considered. It is important to state that in considering this matter the 9th Potential Officers Course personnel who applied to be Officers were aware of the retirement age of 54 for Captains. The two Officers in question are on a promotion panel, and to consider favouring their promotion ahead of others on that panel would be contrary to the scheme of promotion for Officers as agreed by RACO and voted on collectively by the Officer Corps. It would result in these personnel being promoted ahead of more senior/qualified personnel who are already on an order of merit list for promotion following competitive assessment and interview. It could also lead to Redresses of Wrongs from other Captains who would be disadvantaged if such personnel were promoted ahead of them.



## Departmental Funding

113. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality if she will provide in tabular form the total annual budget allocation of her Department to provide for domestic violence related services between 2007 to 2014. [46525/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Cosc, the National Office for Domestic, Sexual and Gender-based violence, received the funding allocations detailed in the tabular statement for the years 2007-2014. These allocations are inclusive of pay and other costs associated with the office and have not been disaggregated for domestic violence services only in the time available. The Commission for the Support of Victims of Crime has also allocated funding to organisations providing domestic violence services during this time and those figures are included in the table. The main funding for domestic violence services is provided by Tusla, the Child and Family Agency under the aegis of the Department of Children and Youth Affairs. I understand that the amount provided in that respect in 2013 was almost €13.3m.

Year	Cosc allocation	Commission for the Support of Victims of Crime allocation	Total allocation
2007	€2.185m	€0.364m	€2.549m
2008	€3.45m	€0.416m	€3.866m
2009	€2.746m	€0.460m	€3.206m
2010	€2.716m	€0.466m	€3.182m
2011	€2.416m	€0.452m	€2.868m
2012	€2.091	€0.442m	€2.533m
2013	€2.029m	€0.450m	€2.479m
2014	€1.915m	€0.448m	€2.363m

## Garda Síochána Ombudsman Commission Investigations

114. **Deputy Clare Daly** asked the Minister for Justice and Equality if she has referred the information brought to her attention in relation to invoices sent from OSSL to Shell and E and P Ireland on 24 August 2012 regarding deliveries of alcohol to gardaí, to tax and customs authorities for investigation; and if she will make a statement on the matter. [46539/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The issue to which the Deputy refers concern allegations made by partners in a private company. The allegations were investigated by the statutory independent Garda Síochána Ombudsman Commission (GSOC). No evidence of the purchase or delivery of alcohol to Garda stations, nor of any misconduct of Garda members was found as a result of the investigation.

A full report on that investigation, which was published pursuant to Section 103 of the Garda Síochána Act 2005, is available on the GSOC website. In that Report GSOC indicates that its inquiry began with numerous contacts with the complainants. However, when requested to provide documentary evidence in support of the allegations the company indicated they would no longer be cooperating with the investigation. Despite this lack of cooperation GSOC proceeded with its investigation, by identifying and interviewing relevant Garda personnel, before reaching its final conclusion.

In its Report, GSOC noted that the publicity surrounding these allegations had the potential to undermine confidence in An Garda Síochána. It was in this context that it took the decision to publicly explain, what it describes as, the fair, proportionate and independent investigation of the matter.

It is open to the Deputy to refer the material in question to the tax and customs authorities if she so wishes.

### **Legislative Process**

115. **Deputy Niall Collins** asked the Minister for Justice and Equality the position regarding the Criminal Justice (Spent Convictions) Bill; and if she will make a statement on the matter. [46565/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Criminal Justice (Spent Convictions) Bill has passed Committee Stage in the Dáil, having passed all stages in the Seanad. Before the Bill could be taken at Report Stage, a 2013 UK Court of Appeal judgment necessitated a review of the disclosure provisions in both the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 and the Spent Convictions Bill. That review has been completed and amendments to the Vetting Act and consequential amendments to the Spent Convictions Bill are currently being drafted. The Bill will be enacted at the earliest opportunity. Pending the amendment of the Bill, an Administrative Filter for Garda Vetting Disclosures has been introduced, which provides that certain minor offences that are over 7 years old are no longer disclosed.

### **Citizenship Applications**

116. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if a person (details supplied) in County Cork may reapply for citizenship immediately or is obliged to wait another year until they have another year on their new GNIB card before their application will be considered; if this person will be exempt from having to wait a further year before submitting their application due to the exceptional complications which they encountered in obtaining their GNIB card; and if she will make a statement on the matter. [46597/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in her absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

- be of full age
- be of good character
- have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years

immediately preceding that period, have had a total residence in the State amounting to four years

- intend in good faith to continue to reside in the State after naturalisation
- have, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows -

(i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and

(ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

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

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

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended. Any application lodged under section 15 of the Act prior to the applicant satisfying the conditions for naturalisation would be ineligible.

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 Reports**

117. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality further to Parliamentary Question No. 327 of 6 May 2014, if she will provide an update on the work of An Garda Síochána in addressing cash for cars signs, which are particularly prolific across the greater Dublin area. [46609/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Further to my reply of 6 May 2014, in which I outlined the approach being taken by An Garda Síochána to the matter referred to, I have requested an updated report from the Garda authorities and I will contact the Deputy directly when the report is to hand.

### **Anti-Social Behaviour**

118. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the steps An Garda Síochána will be taking in the Dublin metropolitan region in conjunction with public transport operators over the Christmas and new year period to address potential incidents of anti-social behaviour on public transport. [46610/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Deputy will appreciate that, while I have no direct role in Garda strategies to tackle anti-social behaviour and criminal activity on public transport services in Dublin, I can assure him that I am in regular contact with the Garda Commissioner about all aspects of policing and community safety.

In this regard, I am informed that local Garda Management engages extensively with transport operators in the Dublin area, including with the Railway Procurement Agency, Iarnród Éireann, Dublin Bus and Transdev (the Luas operator). Each Dublin Metropolitan Region Traffic Inspector is assigned as a point of contact for the public transport operators, and a range of regional and local operations have been put in place to address issues that have arisen at specific locations. Instances of anti-social behaviour are monitored by local Garda management with the assistance of Garda Síochána Analysis Service, which results in periodic operations aimed at anti-social behaviour on and around public transport routes. I am further advised that there is effective communication with the respective control centres and that access to good quality CCTV has also been of great assistance in the investigation of complaints.

I am assured that Gardaí closely monitors patrols, and other operational strategies in place, in conjunction with crime trends and the policing needs in the areas concerned to ensure optimum use is made of Garda resources, and the best possible Garda service is provided to the public. A proactive approach is taken to tackling anti-social behaviour and criminal activity including targeted operations and a high visibility priority policing presence at key locations and pertinent times. The existing excellent co-operation between Gardaí and transport operators will continue to underpin measures to address any issues of concern that may potentially arise during the Christmas period, including in relation to the volume of people using public transport and the occurrence of alcohol-related antisocial behaviour.

### **Road Safety**

119. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the road safety campaign which will be promoted and enforced by members of An Garda Síochána during the Christmas and new year period. [46611/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy will be aware, the Road Safety Authority (RSA) and An Garda Síochána launched the Christmas and New Year Road Safety Campaign 2014/15 in co-operation with the Medical Bureau for Road Safety in UCD on 27 November, 2014. This year's Campaign will have a strong emphasis on intoxicated driving, reflecting the tragic loss of lives on our roads during this period last year, as well as analysis of outcomes from last year's campaign and in particular the number of detections and arrests for intoxicated driving.

In addition, this year's initiative incorporates a specific awareness campaign to highlight the introduction of Roadside Impairment Testing (RIT), which will provide An Garda Síochána with additional powers to test drivers whom they suspect of driving under the influence of drugs.

As part of the overall campaign, significant Garda resources will be dedicated to preventing and addressing unsafe road behaviour over the holiday period through targeted enforcement and road safety operations. Garda road safety enforcement will target high-risk behaviour such as speeding, driving while intoxicated, non-wearing of seatbelts and the use of mobile phones while driving. Furthermore, An Garda Síochána will continue to work with all partner agencies in the promotion of key messages and initiatives to improve road safety.

## Immigration Status

120. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status and possible eligibility for naturalisation in the case of a person (details supplied) in County Cavan who also requires travel documents to facilitate travel to their homeland to attempt to obtain a national passport, which seems to be a prerequisite in their case; and if she will make a statement on the matter. [46648/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation & Immigration Service (INIS) of my Department that the person concerned was granted permission to remain in the State, on a Stamp 4 basis, for three years on 17/10/2013 as an exceptional measure. In order to renew this permission to remain, the person concerned must provide a current passport or show documentary evidence that they have made serious efforts to obtain one. Future renewals of the permission to remain granted should be applied for four weeks in advance of the permission expiring, as directed in their initial grant letter.

I am informed that in exceptional cases an application for Irish temporary travel document may be considered in respect of qualifying non Irish nationals who are resident in Ireland. In all such cases, INIS must be satisfied that there is no alternative open to the applicant before an Irish temporary travel document will issue. The person concerned has to show that they have made reasonable and formal efforts to obtain a national passport, that it has been formally and unreasonably refused and that their own consular authorities are unable to offer consular assistance to them whilst resident in the State.

It is open to the person in question to submit an application for a temporary travel document accompanied by the relevant supporting documentation to the Travel Document Unit of INIS which is located at 13-14 Burgh Quay, Dublin 2. Full information in this regard and the applicable application form is available at "[www.inis.gov.ie](http://www.inis.gov.ie)".

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

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

## Naturalisation Applications

121. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the requirements in respect of eligibility to obtain naturalisation in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46655/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Section 15 of the Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in her absolute discretion, grant a certificate of naturalisation provided certain statutory conditions are fulfilled. One such condition is that the applicant must have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to

four years. Periods for which the applicant did not have the permission of the Minister for Justice and Equality to reside in the State are not reckonable for the purposes of satisfying the residency conditions for naturalisation.

An application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) on 17 September, 2014. On examination of the application submitted it was determined that the person in question did not meet the statutory residency requirements as set out in the Act and referred to above. The person concerned was informed of this by letter on 12 November, 2014 along with a calculation of her periods of reckonable residence.

It is open to the individual referred to by the Deputy to lodge a further application for citizenship if and when she is in a position to meet the prescribed statutory requirements. The on-line Naturalisation Residency Calculator available on the INIS web-site at [www.inis.gov.ie](http://www.inis.gov.ie) can be used as a guide to whether an individual satisfies the naturalisation residency conditions and, if not, give an indication of how long they should wait before making an application.

The Deputy may wish to note that queries on 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.

### **Asylum Applications**

122. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the outcome of an appeal hearing held on 18 August 2014, at 6-7 Hanover Street East, Dublin 2, in the case of a person (details supplied) in County Kildare. [46658/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** If the person concerned has made an application for asylum or subsidiary protection, the Deputy will be aware that it is not the practice to comment on such applications for so long as they remain in the protection process.

### **Naturalisation Applications**

123. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a further application for naturalisation may be entertained in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46659/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** All applications for a certificate of naturalisation are processed and assessed individually in accordance with the provisions of the Irish Nationality and Citizenship Act 1956, as amended. Section 15 of the Act provides that the Minister may, in her absolute discretion, grant an application for a certificate of naturalisation if satisfied certain statutory conditions are fulfilled. In particular, these conditions require that an applicant is of good character; has had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, has had a total residence in the State amounting to four years; that he or she intends in good faith to continue to reside in the State after naturalisation; and has made a declaration of fidelity to the Irish nation and loyalty to the State in the prescribed

manner. A foreign national who is married to, or is the Civil Partner of, an Irish citizen for at least three years may apply for naturalisation under section 15A of the Irish Naturalisation and Citizenship Act 1956, as amended, where they have been continuously resident in the island of Ireland for the year immediately prior to the date of their application and for two out of the four years prior to that year. The marriage or civil partnership must be subsisting and recognised under Irish law.

It would be inappropriate for me to indicate how specific offences will be considered in any future application as each application is considered on its merits based on the entirety of the case presented at that time. I can inform the Deputy that I am concerned to ensure that the threshold of what constitutes good character is, taking all things into account, maintained at an appropriate level and as such is fair to all applicants having regard to their particular circumstances.

It is open to the person concerned to lodge an application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

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 I know the Deputy will appreciate that it is important that appropriate procedures are in place to preserve the integrity of the process.

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

### **Family Reunification Applications**

124. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if an application for family reunification may be facilitated in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46661/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** The visa application referred to by the Deputy was received in the Dublin Visa Office on 24 April 2014. I have been advised by the Irish Naturalisation and Immigration Service of my Department that a detailed assessment has been carried out and a decision was made. The applicant has been informed of this decision.

Queries on the status of individual immigration cases may be made directly to the INIS by email 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 of seeking information by way of the Parliamentary Questions process. The Deputy may consider using the email service except in cases where the response from the INIS is in the Deputy's view inadequate or too long awaited.

### **Immigration Status**

125. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress to date in determination of eligibility for update of status in the case of a person (details supplied) in County Carlow; and if she will make a statement on the matter. [46664/14]

**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 was granted permission to remain in the State in her own right, on Stamp 4 conditions, on 3 December 2007 having previously been linked to the permission granted to her sister who was the mother of an Irish born child. This permission has been regularly renewed and is currently valid until 18 August 2016.

I should add that the categories of non-EEA nationals who qualify for educational supports are determined by the Department of Education and Skills. It is for that Department and the bodies operating under its aegis to decide on the criteria that must be satisfied before any educational support can be made available. Insofar as the Immigration Service is concerned the granting of an Immigration Stamp 4 denotes that the holder has an immigration permission to be in the State and the right to work and study. It does not confer on the holder an entitlement to any particular public service or funding. Such matters are determined by the relevant Government Departments or State agencies.

### **Immigration Status**

126. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if an upgrade of stamp 3 to stamp 4 may be facilitated in the case of a person (details supplied) in County Louth; and if she will make a statement on the matter. [46666/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is currently registered in the State under Stamp 3 conditions valid until 4 July 2015 which is renewable directly with their local immigration officer shortly before its expiry date. The person concerned should be advised to make an application to INIS for Stamp 4 conditions on the basis of family dependency of an Irish national arising from their father's naturalisation.

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

### **Naturalisation Applications**

127. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a case for naturalisation will be urgently considered to facilitate travel to their homeland where their parent is ill in the case of a person (details supplied) in County Louth; and if she will make a statement on the matter. [46667/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), the person referred to by the Deputy has submitted written representations.



These representations, together with all other information and documentation on file, will be fully considered, under 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, in advance of a final decision being made. This decision will be made as soon as possible. Section 15 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in her absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must:

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

Any application under Section 15 made by a person who does not satisfy the residency conditions would be ineligible. Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in her absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

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

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

### **Immigration Status**

128. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when an updated stamp 4 will issue in the case of persons (details supplied) in County Westmeath; and if she will make a statement on the matter. [46669/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish

Naturalisation and Immigration Service (INIS) of my Department that the persons mentioned by the Deputy entered the State on 12/04/2011 and 22/03/2011 respectively. They were granted permission as students until 04/09/2012 and have since remained in the State without permission.

This is in breach of Section 5(1) of the Immigration Act 2004 which provides that no non-EEA national may be in the State other than in accordance with the terms of any permission given to them by or on behalf of the Minister. Furthermore, Section 5(2) of the Act provides that a non-EEA national who is in the State in contravention of subsection (1) is for all purposes unlawfully present in the State.

It would also seem that these persons failed to meet the requirements of Section 9 of the Act of 2004 which sets out the obligations of non-EEA nationals in respect of registration and in particular I would draw your attention to the requirements of Section 9(2)(b) of the Act of 2004. A person who is found in breach of the requirements of the Immigration Act 2004 may have committed an offence. A person found guilty of such an offence is liable, under section 13 of the Act of 2004 to a fine not exceeding €3,000 or to imprisonment for a term not exceeding 12 months or to both.

INIS is not aware of any application for permission to remain in the State having ever been made by these persons, who should now make arrangements to leave the State immediately as they are currently present here without the permission. They should inform INIS of their departure by providing a copy of the re-entry stamps in their passport after they reach their country of origin. Failure to do so will result in the issuing of notifications of a proposal to deport the persons in question.

Queries on 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.

### **Deportation Orders**

**129. Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the way a person (details supplied) in County Waterford may regularise their status since an aircraft had to return to Dublin in 2011 when the flight was refused entry into Algerian airspace. [46670/14]

**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 is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

Representations were received in late 2013 from the person's legal representative, pursuant to Section 3 (11) of the Immigration Act 1999 (as amended), to revoke the Deportation Order. The Deputy might wish to note that any such decision will be to 'affirm' or to 'revoke' the existing Deportation Order. In the mean-time, the Deportation Orders remain valid and in place.

Queries on 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.

### **Deportation Orders Re-examination**

130. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if she will review the case of a person (details supplied) in County Waterford in view of the length of time that has elapsed since the making of their deportation order; and if she will make a statement on the matter. [46671/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that Judicial Review proceedings were instigated on 28 March 2012 by the person referred to by the Deputy. These proceedings challenge, among other things, the Deportation Order to which the Deputy refers and accordingly, as the matter is *sub judice*, I am precluded from further commenting on the matter.

I should remind the Deputy that queries on the status of individual immigration cases may be made directly to INIS by email using the Oireachtas Mail facility. In appropriate cases the facility enables the release of up-to-date information without the need to engage the more administratively expensive Parliamentary Questions process.

### **Subsidiary Protection Applications**

131. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding a person (details supplied) in County Waterford since the revocation of a deportation order by the courts; if this case will be fairly considered in view of time elapsed; and if she will make a statement on the matter. [46672/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** If the person whose details were supplied has made an application for asylum or subsidiary protection, the Deputy will be aware that it is not the practice to comment on such applications for so long as they remain in the protection process.

In terms of the processing of subsidiary protection applications generally the following information may be of interest to the Deputy. The Deputy will be aware that responsibility for the processing of subsidiary protection applications rests with the Refugee Applications Commissioner under the European Union (subsidiary Protection) Regulations 2013. The Commissioner announced in March 2014 that he is according priority to certain classes of applications for subsidiary protection. The legal basis for the prioritisation of applications is set out in the 2013 Regulations. Prioritisation relates solely to the scheduling of interviews and will not predetermine any recommendation to be made. The UNHCR as part of its mandate in relation to international protection has provided advice in relation to the prioritisation of applications.

High quality and fair decision-making in all cases continues to be a key priority at all stages of the protection process.

### **Residency Permits**

132. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding residency, eligibility for stamp 4 or naturalisation in the case of a person (details sup-

plied) in County Westmeath; and if she will make a statement on the matter. [46673/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is currently registered in the State under Stamp 4 conditions granted to them on the basis of their marriage to an Irish national. This permission is valid until 10 February 2015 and is renewable by attending at their local immigration office accompanied by their Irish spouse.

If there has been any change of circumstances preventing the renewal of their immigration permission, the person concerned should be advised to make an application to INIS outlining the circumstances preventing them from renewing their registration.

All non EEA residents on reaching the age of sixteen are required to register with their local immigration officer. The person concerned should attend at their local immigration office for registration if they are sixteen years of age.

Queries on 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.

### **Residency Permits**

133. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality notwithstanding previous refusal, the way it may be possible to facilitate a request for residency status stamp 4 in the case of a person (details supplied); and if she will make a statement on the matter. [46674/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned was refused an application for a residence card under the provisions of the European Communities (Free Movement of Persons) Regulations 2006 and 2008 (the "Regulations") on 22/08/2014. The application was refused as the person concerned did not submit the necessary documentation in support of the application.

I am further advised that the person concerned submitted a fresh application for residence under the Free Movement provisions on 17/09/2014. This application is currently under examination and a decision will be made based on the documentation on file within the six month statutory time limit. It is noted that the person concerned was requested on 7/10/2014 to submit certain documentation in support of the application but has failed to do so to date. As the Deputy will appreciate, it is incumbent on applicants to cooperate with a request for information which is a key part of their application. In addition, the person concerned did not advise the relevant office of INIS of their change in circumstances as required under Regulation 11(4) of the Regulations.

I am advised that INIS will be in contact directly with the person in question to clarify the position concerning same.

I am not in a position to comment on the outcome of any application while it is under examination. However, in view of the circumstances particular to the case, the applicant will be granted a temporary permission to reside in the State for six months pending a decision on the

case.

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

### **Naturalisation Applications**

134. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the position regarding naturalisation in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [46689/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

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

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

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

Section 16 of the Irish Nationality and Citizenship Act 1956, as amended, provides that the Minister may, in her absolute discretion, waive some or all of the statutory conditions in certain

circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

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

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

### **Firearms Legislation**

135. **Deputy Brendan Smith** asked the Minister for Justice and Equality if all stakeholders and representative organisations will be consulted in respect of the review of firearms legislation; the timeframe for the completion of this review; and if she will make a statement on the matter. [46712/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** 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 decisions until I have had the opportunity to consider all the submissions which are made and I 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 decisions are made in relation to this matter.

There is no set time frame for completion of the review. The next steps will be considered after all submissions are received at the end of January.

### **Drugs-Related Intimidation**

136. **Deputy Finian McGrath** asked the Minister for Justice and Equality if she will support residents who are being intimidated by drugs gangs but who are too afraid to report the fact to the Garda; and if she will make a statement on the matter. [46715/14]

**Minister for Justice and Equality (Deputy Frances Fitzgerald):** Under the National Drugs Strategy (2009-2016) framework a 'Drug-Related Intimidation Programme' has been established by the Garda National Drugs Unit in conjunction with the community based Na-

tional Family Support Network (FSN) with the support of the HSE's Social Inclusion Unit.

Under the programme, nominated Garda Inspectors for every Garda Division have been designated by the Garda Commissioner to deal to the issue of drug related intimidation. These Inspectors act as a point of contact for any individuals (or for representatives of the FSN acting on individuals' behalf) in responding to any issues of drug related intimidation being experienced.

I would, therefore, encourage any persons experiencing any intimidation of the type referred to by the Deputy to utilise this confidential service and more details of this programme are available at [www.fsn.ie](http://www.fsn.ie) and [www.garda.ie](http://www.garda.ie).

### **HSE Funding**

137. **Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs if he will provide, in tabular form, the total annual budget allocation of his Department to provide for domestic violence-related services between 2007 to 2014. [46526/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** Responsibility for the funding of 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.

I am advised that in 2013, the HSE spent over €17 million on the provision of Domestic, Sexual and Gender Based Violence Services. In 2014, the Child and Family Agency will also spend in excess of €17 million on the provision of these services. This includes the funding of some 60 services throughout the country:

- €10m 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.

With regard to the additional information requested by the Deputy on the funding of Domestic Violence Services from 2007 - 2012, I have asked the Child and Family Agency to request this information from the HSE. I will forward these details to the Deputy once the information has been received from the Agency.

### **School Completion Programme**

138. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs his views on the school completion programme (details supplied); and if he will make a statement on the matter. [46716/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are risk of educational disadvantage. The Programme is a targeted intervention aimed at school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports annually to approximately 36,000 children.

Since 1st January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to local projects. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme. The Agency has approved local projects' school retention plans for the 2014/2015 academic year. The first instalment of 2014/15 funding issued to local projects last September. Further payments totalling approximately €9.5m will issue this month, with a third instalment in May 2015.

The School Completion Programme was subject to a Comprehensive Review of Expenditure in 2011, requiring an annual reduction in budget of 6.5% in the period 2012-2014 to the current (2014) allocation of €24.756m. In the case of the project to which the Deputy refers, and in line with Comprehensive Review of Expenditure requirements, funding of €214,183.93 was notified for the school year 2014-2015 and awarded on foot of a retention plan approved by the Agency in summer 2014. The allocation of this funding across the range of interventions planned and between the member schools in the project is a matter for the Local Management Committee.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 this month. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the Agency's proposed activities, programmes and priorities for 2015, including provision for School Completion Programme funding, in light of the monies available.

A review of the School Completion Programme has commenced. It is being carried out by the Economic and Social Research Institute following a procurement process managed by the Agency. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. The Review is an important initiative to plan for the future development of this Programme. It is envisaged that the review will be completed during the 2014/2015 academic year.

### **Commission of Inquiry**

**139. Deputy Peadar Tóibín** asked the Minister for Children and Youth Affairs his plans to include the Westbank Home in the terms of reference for the commission of inquiry into mother and baby homes. [46527/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** 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 weeks, 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.

### **School Completion Programme**

140. **Deputy Thomas P. Broughan** asked the Minister for Children and Youth Affairs if there will be no further cuts to the school completion programme, particularly the services delivered under the programme in disadvantaged areas of north Dublin, including Dublin 3, 5, 13 and 17. [46614/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are risk of educational disadvantage. The Programme is a targeted intervention aimed at school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports annually to approximately 36,000 children.

Since 1st January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to local projects. In 2014, an allocation of €24.756 million has been provided for the School Completion Programme. The Agency has approved local projects' school retention plans for the 2014/2015 academic year. The first instalment of 2014/15 funding issued to local projects last September. Further payments totalling approximately €9.5m will issue this month, with a third instalment in May 2015. Projects serving north Dublin, including the postal areas referred to by the Deputy, will receive total grant-aid of approximately €2 million in the school year 2014-15.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement this month under Section 45 of the Child and Family Agency Act, 2013. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the Agency's proposed activities, programmes and priorities for 2015, including provision for SCP funding, in light of the monies available.

A review of the School Completion Programme has commenced. It is being carried out by the ESRI following a procurement process managed by the Agency. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. The Review is an important initiative to plan for the future development of this Programme. It is envisaged that the review will be completed during the 2014/2015 academic year.

### **School Completion Programme**

141. **Deputy Éamon Ó Cuív** asked the Minister for Children and Youth Affairs the position regarding further cuts in the school completion programme; if he will outline cuts over the past five years and the way schools (details supplied) will be expected to take further cuts when the programme is already on its knees; and if he will make a statement on the matter. [46616/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are risk of educational disadvantage. The Programme is a targeted intervention aimed at school communities identified through the Department of Education and Skills' DEIS Action Plan for Educational Inclusion. It provides targeted supports annually to approximately 36,000 children.

Since 1st January 2014, the Child and Family Agency has operational responsibility for the School Completion Programme, including the allocation of funds to local projects. The School Completion Programme was subject to a Comprehensive Review of Expenditure in 2011, requiring an annual reduction in budget of 6.5% in the period 2012-2014 to the current (2014) allocation of €24.756m. Annual budgets for the period 2010-2014 were as follows:

Year	Annual Budgets
2014	€24.756m
2013	€26.456m
2012	€28.256m
2011	€30.258m
2010	€31m

The agency has approved local projects' school retention plans for the 2014/2015 academic year and provides ongoing support to projects in the task of planning appropriate and relevant intervention in line with SCP objectives and within available funds. The first instalment of 2014/15 funding issued to local projects last September. Further payments totalling approximately €9.5m will issue this month, with a third instalment in May 2015.

The school to which the Deputy refers is one of 6 primary schools which, along with 2 post-primary schools, form a School Completion Project to which, in line with Comprehensive Review of Expenditure requirements, funding of €214,183.93 was notified for the school year 2014-2015 and awarded on foot of a retention plan approved by the Agency in summer 2014. The allocation of this funding across the range of interventions planned and between the member schools is a matter for the Local Management Committee.

The estimate for the Agency for 2015 is €635 million, a 4.3% increase on its 2014 allocation. My Department will issue a Performance Statement under Section 45 of the Child and Family Agency Act, 2013 this month. This will include my priorities for consideration in the development of the 2015 Business Plan. The Business Plan will set out the Agency's proposed activities, programmes and priorities for 2015, including provision for SCP funding, in light of the monies available.

A review of the School Completion Programme has commenced. It is being carried out by the ESRI following a procurement process managed by the Agency. The programme has been in operation since 2002 and I believe that it is timely that a review be carried out. The Review is an important initiative to plan for the future development of this Programme. It is envisaged that the review will be completed during the 2014/2015 academic year.

142. **Deputy Martin Heydon** asked the Minister for Children and Youth Affairs the status of the proposal to extend the free preschool year for a second year; and if he will make a statement on the matter. [46713/14]

**Minister for Children and Youth Affairs (Deputy James Reilly):** The Early Childhood Care and Education programme was introduced in January 2010 and provides a free pre-school year to all eligible children before commencing primary school.

Despite the challenging budgetary situation, the pre-school year has been maintained as a universal and free programme, ensuring that a significant number of children can avail of pre-school services who would not otherwise be in a position to do so.

There is an increasing body of Irish and International evidence quantifying the benefits of early years interventions in terms of improving outcomes for children and in delivering significant economic and societal return to the State. In this context I believe the introduction of a second year would benefit children's educational and developmental outcomes.

The introduction of a second pre-school year would require considerable additional funding, broadly in line with the cost of the current one-year provision, which is €175 million per annum. This additional funding is not currently available due to the financial constraints under which the Government is operating. In addition, all of the available evidence indicates that the quality of the pre-school provision is key to good outcomes for children. The implementation of the actions contained in the Early Years Quality Agenda, which involves a range of actions in key areas aimed at improving quality within early years services and enhancing the regulatory regime, is a key building block for any further extension of universal childcare provision.

*Better Outcomes, Brighter Futures*, the national policy framework for children and young people 2014-2020, recognises the value of early childhood care and education in supporting children's early cognitive, social and emotional development, and the Government is committed to the introduction of a second free pre-school year within the lifetime of the framework once the required quality standards are achieved and subject to the availability of resources. My Department and I will be keeping this commitment under review in the context of the progress of the Early Years Quality Agenda.

### **Disability Support Services**

143. **Deputy Clare Daly** asked the Minister for Health the position regarding the use of a company (details supplied) by the Health Service Executive south and its involvement in disability services in County Waterford in terms of whether the contract was awarded by public tender; the terms of reference; his views that there is a conflict of interest involved; and if he will make a statement on the matter. [46537/14]

**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, she can contact my Private Office and they will follow the matter up with the HSE.

### **Health Services**

144. **Deputy Clare Daly** asked the Minister for Health if he is satisfied with the manner in

which investigations into the Health Service Executive and its service providers are being conducted by private companies at considerable expense; his plans to regulate this industry; and if he will make a statement on the matter. [46538/14]

**Minister for Health (Deputy Leo Varadkar):** From time to time the Health Service Executive is required to carry out investigations. Engagement of external expertise can be necessary in some circumstances. All Government Departments and Agencies funded from the Exchequer including the HSE, are obliged to comply with EU Directives and national guidelines on procurement. If the Deputy has specific concerns she wishes to raise, I would ask her to forward the details to my office for investigation.

### **Medical Aids and Appliances Applications**

145. **Deputy Michael McCarthy** asked the Minister for Health the guidelines for applying for the aids and appliances grant; if this grant may be used to assist in purchasing a tablet in respect of a person details (supplied) for assistance with speech and language; and if he will make a statement on the matter. [46564/14]

**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, she can contact my Private Office and they will follow the matter up with the HSE.

### **Medical Card Eligibility**

146. **Deputy Aengus Ó Snodaigh** asked the Minister for Health if a person (details supplied) in Dublin 8 will be considered for a discretionary medical card in view of the serious ongoing medical conditions they suffer. [46567/14]

**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**

147. **Deputy Noel Harrington** asked the Minister for Health the reason the application for a medical card in respect of a person (details supplied) in County Cork will not be finalised by the PCRS, despite all the details required being supplied to them; and if he will make a statement on the matter. [46579/14]

**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 Availability**

148. **Deputy Noel Harrington** asked the Minister for Health his views on adding Souvenaid to the list of general medical services reimbursable items; and if he will make a statement on the matter. [46584/14]

**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.

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

149. **Deputy Noel Harrington** asked the Minister for Health his views on adding bronchitis-asthma as illnesses qualifying for a long-term illness card; and if he will make a statement on the matter. [46590/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The LTI 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; Haemophilia; 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.

**National Children's Hospital**

150. **Deputy Catherine Murphy** asked the Minister for Health if he will provide the business case for the siting of the proposed national children's hospital at St. James's Hospital; the advantages that site has which were the overriding factors in choosing to site the hospital there; and if he will make a statement on the matter. [46592/14]

**Minister for Health (Deputy Leo Varadkar):** Following the refusal in 2012 of planning permission for the new children's hospital at the Mater campus, Minister James Reilly TD established the Dolphin Group to review the options and make recommendations on next steps. The Group was not asked to select a site. The Dolphin Report was consistent with all previous reports on the new children's hospital in concluding that co-location with an adult teaching hospital was essential, and tri-location with a maternity hospital was optimal. It concluded that, from a clinical and academic perspective, St James's Hospital best met the criteria to be the adult partner in co-location. It has the broadest range of national specialties of all acute hospitals, as well as strong and well established research and education infrastructure. Co-location, and ultimately tri-location with a maternity hospital, on the St James's campus will support the provision of excellence in clinical care that our children deserve.

In making its decision, the Government considered the Dolphin Report as well as further detailed supplementary information on cost, time and planning which was sought from members of the Dolphin Group with the relevant technical expertise. The Government decision to locate the new children's hospital on the St James's campus was announced on 6 November 2012. The Dolphin report and the supplementary planning assessment were made available on the website of the Department of Health following the Government decision, as were submissions to the Dolphin Group.

Ireland's Children deserve a world class hospital. We have been promising it, and talking about it for too long now. It is time to build it.

**Health and Social Care Professionals Registration Fee**

151. **Deputy Ciara Conway** asked the Minister for Health the progress being made on the intended regulation of clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers and speech and language therapists and the HETAC report on education standards in the area; and if he will make a statement on the matter. [46602/14]

**Minister for Health (Deputy Leo Varadkar):** The Health and Social Care Professionals Council and the registration boards established under the Health and Social Care Professionals Act 2005 are responsible for protecting the public by promoting high standards of professional conduct and professional education, training and competence amongst the professions designated under the Act. The 12 professions designated under the Act are clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers, social workers and speech and language therapists.

The first registration board to be established, the Social Workers Registration Board, was established in August 2010, and the associated Social Workers Register opened for receipt and processing of applicants on 31st May 2011. Registration Boards subsequently established included those for radiographers, dietitians, occupational therapists, speech and language therapists and physiotherapists. The Social Care Workers Registration Board was established on 1st

December 2014 and I am currently in the process of considering a number of suitably qualified and experienced candidates for appointment to the new board. This brings to seven the number of registration boards established to date. I hope to establish the registration boards for the remaining designated professions in 2015.

An important element of the Health and Social Care Professionals Act 2005 is protection of the public. Provision is made under the Act for a “Fitness to Practice” regime to deal with complaints and disciplinary sanctions in relation to registrants. This provision of the Act, which is to be commenced from the end of this year, will allow concerned members of the public to make a complaint about a registrant. If upheld, disciplinary sanctions can be imposed, including preventing the registrant from practising their profession. The implementation and operation of a robust “Fitness to Practice” process will underpin and ensure adequate client safety.

I assume the question is referring to the Quality and Qualifications Ireland (QQI) (formerly HETAC) Awards Standards. The QQI Awards Standards determine in broad terms the standards of knowledge, skills and competence for the purposes of education and training awards at different academic levels. The various education and training programmes which seek professional approval by the relevant registration boards would be expected to meet the relevant QQI academic standards.

### **Symphysiotomy Issues**

152. **Deputy Thomas P. Broughan** asked the Minister for Health the reason there is such a short timeframe during which applications may be made for redress under the scheme from women who underwent the procedure of symphysiotomy; and his views that the short timeframe for receipt of applications could have the effect of excluding women who underwent the procedure of symphysiotomy but have since emigrated and are no longer resident in this jurisdiction or women who underwent the procedure but who are now suffering from dementia. [46608/14]

**Minister for Health (Deputy Leo Varadkar):** The Surgical Symphysiotomy Payment Scheme commenced on 10th November 2014. Government has agreed that the Scheme will also include payments for the small number of women who have had a pubiotomy. The Scheme is designed to be simple, straightforward and non-adversarial, and aims to minimise the stress for the women concerned. Many are elderly and may not want to experience the delay, publicity and financial risks that sometimes come with a court case. I met the three support groups representing the women last September and their views have helped to shape the Scheme. The Scheme is supported by two of the three groups.

Judge Maureen Harding Clark, retired High Court Judge has been appointed as independent Assessor to the Scheme. Judge Clark, from her previous work on the Lourdes Hospital Redress Scheme, brings valuable experience to the role of determining the appropriate level of award for each individual.

The Symphysiotomy Scheme is open to women who are still living and who underwent a surgical symphysiotomy or pubiotomy in the State between the years 1940 and 1990. Awards of €50,000, €100,000 and €150,000 will be offered. Details of the Terms of the Scheme and how to access application forms have been widely advertised.

Awards will be exempt from tax and legislation is being put in place as a matter of urgency to ensure they are also exempt from being taken into consideration for means tested welfare schemes and for the Nursing Home Support Scheme.

It is not a requirement for a woman to retain a Solicitor to make an application. However, the Scheme makes provision for applicants to have legal and other advice available to them in preparing to submit an application if they wish.

Applications must be made within 20 working days of the Commencement Date, which was 10 November, 2014. The Closing Date for receipt of applications is therefore Friday 5 December 2014. In exceptional circumstances, Judge Clark has discretion to extend the time for receipt of applications by an additional 20 working days, that is, to Wednesday, 14 January 2015. It is important to note that in the event of a delay arising in the compilation of a woman's supporting documentation due to difficulty in obtaining medical records, the application should be submitted within the time period set out in the Scheme with a written explanation of the reasons for the absence of the documentation. The details of this provision are set out in the terms and conditions of the Scheme, which are available on the Scheme's website.

Judge Clark reported that by last Friday, 28 November more than 140 women had applied for awards under the Scheme and to date conditional offers have been made totalling €1,450,000. There are 4 working days left to apply, including today and I would urge every eligible woman or her representative to submit her application within the appointed timeframe.

My Department will be making payments in the case of 7 women shortly and others should have payments before Christmas.

The Scheme is voluntary and I would like to emphasise that women will not waive their rights to take their cases to court as a precondition to participating in the Scheme. Women may opt out of the Scheme at any stage in the process, up to the time of accepting their award. It is only on accepting the offer of an award that a woman must agree to discontinue her legal proceedings against any party arising out of a symphysiotomy or pubiotomy.

Government hopes the implementation of this Scheme will help to bring closure on this issue for the women concerned and their families.

### **Nursing Homes Support Scheme Oversight**

153. **Deputy Michelle Mulherin** asked the Minister for Health the measures that have been taken to address the delays in the fair deal scheme; and if he will make a statement on the matter. [46622/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The HSE controls the release of funding to manage the funds that are available across the course of the year. Funding is released to approved applicants according to their place, in order of their approval date, on the national placement list. Over the course of the year to date, demand has exceeded what could be funded and the national placement list has grown as a result.

I am aware that waiting times on the Nursing Homes Support Scheme placement list are now at around 14 weeks. This is not a satisfactory situation and I am trying to address it.

In July this year, the HSE allocated €5 million for an initiative to improve access to appropriate care for older people. To date, this has funded over 300 transitional care beds for patients in acute hospitals from the placement list for the Nursing Homes Support Scheme and over 200 home care packages to assist patients in the acute hospitals who require a home care package to be discharged.

The Government has provided additional funding of €25 million in 2015 to address delayed



discharges, of which €10 million will be allocated to the Nursing Homes Support Scheme. This is expected to reduce the waiting times that currently apply. In the longer term this issue requires an integrated response across primary, community, and residential services and my Department is working closely with the HSE to ensure that available resources are deployed in the most effective way possible.

The Review of the Nursing Homes Support Scheme which is currently underway will consider the future funding and sustainability of the Scheme as well as how community and residential services are balanced. This Review will be completed in the coming months.

### **Medical Card Eligibility**

154. **Deputy Bernard J. Durkan** asked the Minister for Health if a person (details supplied) in County Kildare qualifies for medical card; and if he will make a statement on the matter. [46653/14]

**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.

### **Health Services Provision**

155. **Deputy Bernard J. Durkan** asked the Minister for Health if and when an eye test may be arranged to facilitate replacement correction spectacles in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [46663/14]

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

### **Vaccination Programme**

156. **Deputy Denis Naughten** asked the Minister for Health when the report of the vaccine damage steering group was first established; when it submitted its report to his Department; the recommendations made by his Department on the actions to be taken on foot of the report; when the report was published; the reason he has failed to implement its recommendations; and if he will make a statement on the matter. [46678/14]

**Minister for Health (Deputy Leo Varadkar):** The Vaccine Damage Steering Group was

established in 2007. The report from this Group was published on my Department's website in June 2009. This report is under active consideration by my Department. However, this issue is complex and needs to be considered in the wider context of how best to address the long term health and social needs of people who may have experienced adverse outcomes from other health services.

### **Mother and Baby Homes Inquiries**

157. **Deputy Denis Naughten** asked the Minister for Health if he will establish an inquiry into the use of children in mother and baby homes for vaccine trials; and if he will make a statement on the matter. [46679/14]

**Minister for Health (Deputy Leo Varadkar):** The Government has agreed to the establishment of a Commission of Investigation into Mother and Baby Homes. My colleague Dr. James Reilly T.D, Minister for Children and Youth Affairs, is taking the lead in this matter. The scope of the Terms of Reference for this Commission is under consideration at present. The issue raised by the Deputy is among a number of matters that are being considered in this context.

### **Medical Aids and Appliances Applications**

158. **Deputy Tony McLoughlin** asked the Minister for Health the reason a person (details provided) in County Sligo has been waiting almost two months for a piece of medical equipment which is needed to progress his recovery from a C1 spinal injury; and if he will make a statement on the matter. [46695/14]

**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 (HSE). 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.

### **Drugs-related Deaths**

159. **Deputy Róisín Shortall** asked the Minister for Health the number of deaths in each of the past ten years arising from a drugs overdose where methadone was one of the drugs present; and the number of deaths in each of the past ten years arising from a drugs overdose where methadone was the only drug present. [46699/14]

**Minister for Health (Deputy Leo Varadkar):** Information on drug-related deaths is available from 2004 onwards as the National Drugs Related Deaths Index (NDRDI) was established in September 2005. The NDRDI is an epidemiological database which records cases of death by drug and/or alcohol poisoning and death among drug users and those who are alcohol dependent. Four sources are used to collate deaths: Coroner's records; Hospital In-patient Enquiry System; Central Treatment List; and the General Mortality Register.

The Health Research Board (HRB) launched their report on the 21st January 2014 which showed deaths for 2011, the latest year for which data are available. Of the 113 such deaths reported in 2011 the majority of these deaths (86%) involved poly-substance poisonings, in addition, 68% of those who died where methadone was implicated were not in opiate substitution treatment at the time of their death.

The information sought by the Deputy is set out in the table.

-	2004	2005	2006	2007	2008	2009	2010	2011
ALL NDRDI poisoning deaths	267	300	326	389	386	374	338	365
Deaths involving Methadone	40	43	61	55	80	69	60	113
Deaths involving Methadone alone	11	10	10	14	19	5	7	16

### National Drugs Strategy Implementation

160. **Deputy Róisín Shortall** asked the Minister for Health the basis for the decision to make naloxone more widely available; the categories of drug users to whom this will be made available; the anticipated benefits of this approach; and the evidence on which this decision is based. [46700/14]

**Minister for Health (Deputy Leo Varadkar):** Opioid overdose is treatable with naloxone, an opioid antagonist which rapidly reverses the effects of opioids. In the majority of cases, overdoses are witnessed by a family member, peer or someone whose work brings them into contact with people who use opioids. According to the World Health Organisation (WHO), increased access to naloxone for people likely to witness an overdose could significantly reduce the high numbers of opioid overdose deaths.

In line with WHO recommendations and the National Drugs Strategy, the HSE has developed a National Overdose Prevention Strategy which recommends that naloxone should be made routinely available in Ireland for opioid drug users. The HSE is currently finalising a demonstration project which aims to assess and evaluate the suitability and impact of using naloxone in an Irish context. The project will involve training non-medical staff, such as care workers, family and peers, in the administration of a naloxone injection supplied in a pre-filled syringe. The project will use a similar methodology to a demonstration project carried out in Wales. This will enable the HSE to carry out a comparative analysis of data from both jurisdictions.

Key stakeholders including opioid drug users, carers, family and associated professions are being consulted in relation to the training required to deliver the programme. Locations will be selected according to need and will involve approximately 600 opioid drug users initially, attending voluntary and statutory addiction services and treatment services in prisons.

### Diplomatic Representation

161. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade his views on the need to review the Vienna Convention on Diplomatic Relations with particular reference to the need to ensure the rights of workers contracted to provide services to embassies and the employment rights of those working in embassies; and if he will make a statement on the matter. [46587/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Vienna Convention on Diplomatic Relations of 1961 is an international treaty that provides a framework for diplomatic relations between states. To date, it has been ratified by 190 countries. The Convention provides for privileges and immunities for diplomats and certain other persons working in embassies. Under the Convention, it is the duty of all persons enjoying diplomatic privileges and immunities to respect the laws and regulations of the host State, including any applicable labour laws. Consistent with the State's obligations under the Vienna Convention, my Depart-

ment works to ensure that the law is upheld and my Department will assist, as appropriate, in any investigation being undertaken by the relevant Irish authorities.

Persons working for embassies – i.e. foreign governments – may in certain circumstances bring legal proceedings in relation to their employment against that government, subject to the rules of state immunity, also known as sovereign immunity. State immunity is not regulated by the Vienna Convention. However, a distinction must be drawn between individuals working for embassies and those working for individual diplomats as private domestic workers. Any legal proceedings brought by a private domestic worker against their diplomat employer will be subject to the rules set out in the Vienna Convention.

Although an international review of the Convention is not envisaged at this point in time, Ireland as well as many of our EU and OSCE partners keep under on-going consideration how best we can meet our international and national obligations.

My interest in the promotion of best employment practices led to my introduction last September of new guidelines for diplomatic staff who intend to employ private domestic workers. These guidelines set out clearly expectations regarding such matters as payment, working hours, employment records and health insurance. Upon publication of the guidelines, my Department arranged a briefing for all resident diplomatic Missions and followed up in writing with those Missions. My Department continues to monitor the implementation of the guidelines closely.

While I believe that the majority of diplomatic staff in Ireland already follow good practices, it is my view that the obligations as set out under the Vienna Convention on Diplomatic Relations combined with the effective implementation of best practices in the form of these new guidelines provide the best way forward to ensure the protection of domestic workers employed by diplomats in Ireland.

### **Official Engagements**

162. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the overseas trips he, and the Ministers of State in his Department, have planned between December 2014 and December 2015. [46593/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department performs a wide range of functions in pursuit of Ireland's values and interests overseas. These include advancing reconciliation and cooperation on the island of Ireland; representing and advancing Government policies with other States and in international organisations; economic, trade and cultural promotion; front-line consular and passport services to Irish citizens; engaging with Irish communities abroad; and programme management, particularly in Irish Aid priority countries. These tasks require extensive engagement with our international partners, including through face-to-face Ministerial meetings.

Trade promotion and economic messaging are key elements in all visits abroad undertaken by Government Ministers. Every effort is made to ensure that, as far as is practicable, opportunities are taken for a substantive economic and promotional dimension to all official visits. An intensive programme of Ministerial-led trade missions is a key commitment in the Government's Action Plan for Jobs in 2014 and planning is underway for the programme trade missions in 2015.

In terms of travel for the remainder of 2014, I intend to accompany the President on his State Visit to China next week and the Ministers of State expect to attend meetings as follows:

Minister of State Sherlock

11-12 December: Foreign Affairs Council (Development), Brussels

3-4 December: OSCE Ministerial Council in Basel

Minister of State Murphy

4-5 December: Justice and Home Affairs Council, Brussels

14-19 December: Foreign Affairs, General Affairs and European Councils, Brussels

Next year's plans are still under development but I expect to travel to New York in late September 2015 to participate in the General Assembly of the United Nations and to address that body on Irish foreign policy priorities. I will also meet with Foreign Ministers and UN leaders there, to discuss a range of international issues, as well as bilateral issues and Ireland's candidature for election to a non-permanent seat on the UN Security Council in 2020. Given the importance of our economic relationship with the United States, I anticipate, as on previous visits, to prioritise opportunities to advance our economic interests and will work closely with the IDA, Enterprise Ireland and Tourism Ireland on an appropriate economic promotion programme. In addition, I plan to attend EU related meetings, including meetings of the Foreign Affairs Council and Informal Meetings of EU Foreign Ministers, on a regular basis throughout 2015. I expect that my colleagues will be similarly engaged on EU and other matters. My schedule over the coming months will include a visit to Kiev and, following my recent visit to Cairo to participate in the Gaza reconstruction conference, I intend to visit the Middle East at the earliest opportunity.

Minister of State Deenihan is expected to travel to Washington D.C. in mid-January 2015. Other travel undertaken by Minister Deenihan in 2015 will be planned around ensuring that the Government connects in the most effective possible way with our migrant and diaspora communities.

### **Diplomatic Representation**

163. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if there has been contact at official level recently with the Egyptian authorities on the continued detention of an Irish citizen; and if he will make a statement on the matter. [46697/14]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** There has been ongoing and regular contact at official and ministerial level since this individual's detention began in August 2013.

From the outset, the Embassy of Ireland in Cairo has had continuous contact with the Egyptian authorities in relation to the case. Contacts have included numerous meetings at Ambassadorial level with senior officials from the Foreign Ministry, Ministry of Justice, and the office of the Prosecutor General. Embassy officials have also visited the individual in detention on over thirty occasions.

I have met this individual's family and given them assurances regarding the continued assistance of my Department. Separately, officials in the Consular Division of my Department remain in ongoing, regular contact with them and have discussed the case with representatives of the Egyptian Embassy here in Dublin.

I have raised this case through direct contacts with the Egyptian government and through

the European Union, including the High Representative of the European Union for Foreign Affairs and Security Policy.

On my first day in office as Minister for Foreign Affairs and Trade, I called my Egyptian counterpart, Foreign Minister Shoukry, to raise the Government's concerns about the continued detention of this individual and the importance of due process in his case. I have since discussed this case with Minister Shoukry on a number of occasions. I have emphasised that this individual was only seventeen when the alleged offences took place, and the necessity for him to return to Ireland as soon as possible to continue his studies for his Leaving Certificate examination. I have asked that the charges against this individual be reviewed, and that he be released and permitted to return home to Ireland.

Ireland is precluded from directly interfering with the judicial process in Egypt. This is a difficult case in a complex and challenging context.

However, our concern at the continued and lengthy period of detention continues to be raised with the Egyptian authorities in a clear and sustained manner, together with the critical importance of due process in this case. It is the Government's view that this individual should not be tried as part of a group trial involving a large number of defendants and on the basis of group charges, but solely on the basis of specific evidence.

The trial of this individual and his co-accused which was scheduled to be heard on 1 December was postponed until 6 January 2015. The Ambassador in Cairo attended the court on 1 December, and met with the individual after the hearing. I would like to take this opportunity to assure the Deputy that my officials will continue to work on this case and to raise the issue with our counterparts in Egypt, with a view to securing a review of his case, his release and return to his family.

### **School Transport Administration**

164. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills her views on a matter (details supplied) regarding school transport conditions; and if she will make a statement on the matter. [46635/14]

**Minister of State at the Department of Education and Skills (Deputy Damien English):** As the Deputy is aware, Bus Éireann operates the school transport scheme on behalf of the Department.

Bus Éireann has advised the Department that in response to the expressed wishes of many school bus drivers - both Bus Éireann and private contractor school bus drivers - who wanted to remain in the position upon reaching retirement age at sixty-five years, and following the advice of their Medical Department, the Company decided to alter the compulsory retirement age for school bus drivers who provide services under the School Transport Scheme to enable experienced personnel to remain on in the position for a maximum of five more years if desired.

School bus drivers who opt to remain on after sixty-five years of age may do so up to the age of seventy, if they are satisfied to do so, subject to annual medical review and once they continue to hold the requisite driving licence. Bus Éireann has further advised that the opinion of the Bus Éireann Chief Medical Officer is that, given the demanding and safety critical nature of School Bus driving, 70 years of age is deemed a reasonable age at which to retire from such employment.

A Contractor may continue to hold the Contract to provide a school bus service on behalf

of Bus Éireann when over the age of seventy years, using a nominated driver to provide their service.

Provided a bus over twenty years old is subject to regular maintenance of a high standard and continues to satisfy the requirements of the RSA/Department of Transport and statutory obligations, that bus may be used to provide public bus services. Many buses over twenty years old do so privately throughout the State.

Under the School Transport Scheme and in relation to the operation of services on its behalf, Bus Éireann has set a goal to withdraw buses from daily service at twenty years to provide a better quality service in line with public demands, which is why buses over twenty years are generally not engaged under contract or utilised in daily service.

### **Pension Provisions**

165. **Deputy Joe Higgins** asked the Minister for Education and Skills her views on the non-compliance with circular 0025/2008 relating to the pensions of part-time employees in the institutes of technology and education and training boards and the issuing of circular 0062/2014; the organisations that did not comply with circular 0025/2008; and if she will make a statement on the matter. [46554/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The content of the circular is self-explanatory. The purpose is to outline steps which must be taken promptly by Education Training Boards and Institutes of Technology in order to finalise the Revised Arrangements for part time public servants.

The Deputy will be aware that Education Training Boards and Institutes of Technology are bodies corporate which are responsible for the management and administration of their own organisation.

### **Technological Universities**

166. **Deputy Joe Higgins** asked the Minister for Education and Skills her views on the decision of Dún Laoghaire Institute of Art, Design and Technology not to participate in the proposed new technological university with other institutes of technology in Dublin; and if she will make a statement on the matter. [46555/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** It is a matter for the governing body and leadership of Dún Laoghaire Institute of Art, Design and Technology to decide the future strategic direction of the institute. While I believe that high quality multi-campus technological universities will contribute to the social and economic fabric of their regions, stand-alone institutes of technology also have a clear mission and a very valuable role to play as part of regional clusters in a reformed higher education landscape.

### **School Services Staff**

167. **Deputy Michael McCarthy** asked the Minister for Education and Skills the options available in respect of a person (details supplied) in County Louth who is employed through the ancillary school grant; if there are any similar funding options or grants for schools; and if she will make a statement on the matter. [46563/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department provides funding towards the cost of secretarial and caretaking services in primary schools by means of the Ancillary Services Grant.

Within the grant programme, the level and extent of services provided is a matter for the school authorities who, through the discretion afforded by the scheme, apply diverse arrangements for secretarial and caretaking services as resources permit. As the secretaries and caretakers are employees of individual schools, my Department does not have any role in determining the pay and conditions under which they are engaged. These are matters to be agreed between the staff concerned and the school authorities. In addition, my Department does not stipulate any rules concerning how secretarial or caretaking services are to be obtained by the school.

The Ancillary Services grant and the Capitation grant provided for general running costs of the school may be regarded as a common grant from which the Board of Management can allocate according to its own priorities.

### **Schools Building Projects Status**

168. **Deputy Shane Ross** asked the Minister for Education and Skills if she will provide an update on the planned Educate Together school in an area (details supplied) in County Dublin; when construction will begin; and if she will make a statement on the matter. [46619/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** My Department plans to provide two new school buildings for Educate Together schools to serve the area referred to by the Deputy.

In the case of the primary school, an outline planning application for permanent accommodation for the school at its current temporary location was recently refused by An Bord Pleanála. Officials from my Department are working with officials from Dún Laoghaire Rathdown County Council in relation to the provision of permanent accommodation for the school.

In addition, my officials are working closely with Dún Laoghaire Rathdown County Council officials in relation to acquiring a suitable site for a post-primary school to serve the feeder area referred to by the Deputy. In that regard a site is under consideration but due to commercial sensitivities attached to site acquisitions generally I am not in a position to provide further detail on the matter at this time.

### **School Accommodation**

169. **Deputy Clare Daly** asked the Minister for Education and Skills if she will ensure that funding is provided for an extension to the staff room and principal’s office in respect of a school (details supplied) in view of the fact that the facilities currently available there are in breach of workplace regulation. [46620/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** I can confirm that the school to which the Deputy refers submitted an application for additional accommodation comprising a mainstream classroom and staff accommodation. The application was assessed and I am pleased to advise you that the school were allocated funding for a mainstream classroom. However in view of the need to prioritise available funding towards the provision of essential mainstream classrooms and special education rooms, my Department has advised the school concerned that it is not in a position to provide funding in respect of the staff accommodation at this time.



### School Accommodation

170. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if her attention has been drawn to the concerns and frustrations of parents in Maynooth, County Kildare, whose children find themselves unable to obtain a place in Maynooth post-primary schools notwithstanding protracted deliberation surrounding the setting up of two separate schools on the same site when the parents' choice was a single school entity operating on a senior and junior cycle basis that would have eliminated the possibility of any such issues; if the situation may be re-examined as a matter of urgency with a view to resolution; and if she will make a statement on the matter. [46646/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** As the Deputy will be aware, many representations have been received, and much consideration has been given to this matter. As previously outlined, for compelling educational reasons and to safeguard the integrity of the patronage determination process, both the new post-primary school for Maynooth, which opened in September this year to meet demographic need, and the existing post-primary school will operate as fully –vertical post-primary schools delivering both the junior and senior cycle. There is no change to this position. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice. Both schools operate under the patronage of the Kildare & Wicklow Education and Training Board, which has appointed a single Governing Authority to guarantee to Parents/Guardians and Students a fair and equitable enrolment policy for both schools and to ensure that the overall management of the campus will be as cohesive and effective as possible.

### Special Educational Needs Service Provision

171. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if she will facilitate an arrangement to facilitate the admission to a Maynooth post-primary school of the three children of a person (details supplied) in County Kildare, all of whom have special needs and who have been refused admission due to the admissions structure; and if she will make a statement on the matter. [46651/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils' not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. 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 disclose its enrolment policy and to ensure that, as regards that policy, principles of equality and the right of parents to send their children to a school of the parents' choice are respected. Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department or, in the case of an Education and Training Board (ETB) school, to the ETB in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student, or suspends a student for 20 or more days in any school year. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld. The Educational Welfare Service (EWS) of the Child and Family Agency (Tusla) is the statutory agency which can assist parents who are experiencing difficulty in securing a school

place for their child. The EWS may be able to offer assistance and advice on securing a school placement within the pupil's home area. The contact details for the EWS is Educational Welfare Services, Block 3, South Dublin County Council, Tallaght, Dublin 24, Phone 01 4635513. My Department provides for a range of placement options for pupils with special educational needs 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. In addition, the National Council for Special Education (NCSE) Special Education Needs Organisers (SENOs) can assist parents to identify appropriate educational placements for children with special educational needs. Parents may contact their local SENO directly to discuss their child's special educational needs and to seek assistance in identifying placement options, using the contact details available on [www.ncse.ie](http://www.ncse.ie).

The NCSE also recently published a Guide for Parents and Guardians of Children and Young People with Special Educational Needs on Choosing a School. This guide is also available at [www.ncse.ie](http://www.ncse.ie). As the Deputy is aware, the Government gave approval in March of this year for drafting the Education (Admission to Schools) Bill 2014, and drafting by the Attorney General is currently under way. The aim of bringing forward legislative proposals in relation to school admission is to improve the admissions process, and to ensure that the way schools decide on applications is structured, fair and transparent.

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

172. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if extra special needs teaching hours may be facilitated in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [46662/14]

**Minister for Education and Skills (Deputy Jan O'Sullivan):** I wish to advise the Deputy that all schools receive an allocation of additional teaching resources to support children who have mild general learning difficulties or learning support needs under the General Allocation Model in primary schools, or through Learning Support and Resource Teaching allocations at post primary schools. Schools are given guidance on how to identify pupils for learning support in my Departments Circulars 02/05 and 70/2014. In addition, the National Council for Special Education (NCSE) allocates additional resource teaching hours to schools for children who have been assessed within the low incidence, or more complex, category of special need, as defined by my Department's Circular Sp Ed 02/05. The NCSE operates within my Department's established criteria for the allocation of Special Education supports and the staffing resources available to my Department. It is a matter for schools to then monitor and utilise their allocation of additional teaching support to best support the needs of identified pupils, in accordance with my Department's guidance. The teaching time afforded to each individual pupil is decided and managed by schools, taking into account each child's individual learning needs. Schools have capacity to allocate resource teaching or learning support hours to pupils who have additional learning needs arising from medical conditions, from within their General Allocation Model hours. A parent who feels that their child requires additional learning support in school should raise this matter directly with their school Principal in the first instance, or with the Board of Management of the school.

### **Student Grant Scheme Appeals**

173. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if eligibil-

ity for a higher education grant may be reviewed in the case of a person (details supplied) in County Carlow in view of the fact that their application for naturalisation is pending; and if she will make a statement on the matter. [46665/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Article 32 of the Student Grant Scheme 2013 provides for the review of eligibility for the award of grant assistance in the event of changes of circumstances in the academic year, including a change in relation to a student’s nationality or immigration status. This means that where a student acquires Irish citizenship by naturalisation, or is granted permission to remain, provided for in the Act or Regulations, during the course of their studies, he/she may apply to SUSI to have his/her application re-assessed. The link for requesting a review of the application of the student referred to by the Deputy is <http://www.susi.ie/QuickLinks/Appealing-your-grant-decision.aspx>.

Any award the applicant may be eligible for as a result of a change in her immigration status will take effect from the date on which the change occurs, i.e. the date the student attends her naturalisation ceremony.

### **Summer Works Scheme Eligibility**

174. **Deputy Jonathan O’Brien** asked the Minister for Education and Skills the position regarding the summer works scheme and funding allocated for forthcoming applications. [46686/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Over 1,600 applications were received under the 2014 Summer Works Scheme. In total, the spending of more than €70 million on the 2014 Summer Works Scheme has been approved to allow over 770 schools undertake improvement works. I wish to advise the Deputy that in view of the need to prioritise available funding for the provision of essential school accommodation, it is not possible for me to advance with a new summer works programme in 2015. In that regard, I also wish to advise the Deputy, however, that provision has been made in the 2015 allocation, on foot of the budget, for the carryover costs of the improvement works already approved in 2014.

Commensurate with the level of funding set aside for the Scheme, applications were assessed on a top down basis in accordance with the prioritisation criteria outlined in the Circular accompanying the Scheme. Unfortunately, due to the scale of demand for funding under the Scheme, it was not possible to grant aid all applications. However, in accordance with the Scheme’s Circular, these applications will be retained and will be prioritised for consideration in the future, subject to availability of funding.

### **Schools Building Projects Status**

175. **Deputy Brendan Smith** asked the Minister for Education and Skills the position regarding a proposed building project in respect of a school (details supplied) in County Cavan; when this project will proceed to the next stage; the likely timeframe for construction; and if she will make a statement on the matter. [46705/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The Major School Building Project referred to by the Deputy is at an advanced stage of Architectural Planning. The Stage 2b Detailed Design Submission has been approved by my Department. Due to competing demands on my Department’s capital budget, imposed by the need to prioritise the limited funding available for the provision of additional school accommodation to meet increasing de-

mographic requirements, it was not possible to include the project referred to by the Deputy in the five year construction programme. School building projects, including the project referred to by the Deputy, which have been initiated but not included in the current five year construction programme continue to be progressed to final planning stages of architectural planning in anticipation of the possibility of further funds being available to my Department in the future. The project for the school referred to by the Deputy remains available to be considered for progression in that context.

### **Student Grant Scheme Eligibility**

176. **Deputy Frank Feighan** asked the Minister for Education and Skills the reason the Student Universal Support Ireland application (details supplied) is assessed on the basis of gross income. [46706/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The assessment of means under my Department’s student grant scheme is based on gross income from all sources. Therefore, all income is assessed from the same starting point, eliminating any distortion which might arise from different spending decisions. The means test arrangements of the student grant scheme are applied nationally. In the case of both employed and self-employed applicants, gross income is assessed with certain specified social welfare and health service executive payments excluded. The eligibility of an applicant, or the level of the grant awarded, may be re-assessed by the awarding authority in the event of a change of circumstances in the academic year. I have no plans at present to depart from the above practice in respect of the determination of income.

### **Student Grant Scheme Eligibility**

177. **Deputy Frank Feighan** asked the Minister for Education and Skills the reason the Student Universal Support Ireland reckonable income includes student’s income (details supplied). [46707/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** Assessment of means under my Department’s student grant scheme is based on gross income from all sources of the applicant and his/her parent(s)/legal guardian, where applicable, with certain social welfare and health service executive payments being exempt. It is necessary, therefore, that information regarding all income, including that from after school/weekend employment, is accounted for when completing the grant application form. However, in the assessment of means, allowance is made for “holiday earnings” on the part of the applicant and accordingly a deduction is allowed for reasonable holiday earnings i.e. income earned by the applicant from employment outside of term time but within the reference period. A maximum deduction of €3,809 may be applied to student earnings outside of term time but within the reference period.

### **Student Grant Scheme Eligibility**

178. **Deputy Frank Feighan** asked the Minister for Education and Skills in view of the fact that the Student Universal Support Ireland grant threshold for fewer than four children is €39,875 and that the higher education access route scheme thresholds for fewer than four children is €48,811, the reason there is a difference of €8,936 in income level. [46708/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The income threshold of €48,811 referred to by the Deputy was the Higher Education Access Route (HEAR) income threshold for students applying for entry in 2014.

For 2015 the income thresholds for HEAR applicants have changed to match the higher threshold of the current Student Grant Scheme, for the award of 25% part maintenance.

The income limits for HEAR and the Student Grant Scheme are shown on the table. The income threshold for HEAR for students applying for entry 2015.

Number of dependent children in your family	HEAR Income Limit
Less than 4	45,790
4-7	50,325
More than 8	54,630

Add €4,670 to the total income for every sibling/parent enrolled in a full time college, university or post leaving certificate further education course.

Income limits for maintenance grants under the Student Grant Scheme 2014.

-	To qualify for:	To qualify for:	To qualify for:	To qualify for:	To qualify for:
No. dependent children	Special Rate*	Standard rate Full maintenance 100%	Standard rate-Part maintenance 75%	Standard rate-Part maintenance 50%	Standard rate-Part maintenance 25%
Less than 4	22,703	39,875	40,970	43,380	45,790
4 to 7	22,703	43,810	45,025	47,670	50,325
8 or more	22,703	47,575	48,890	51,760	54,630

Additional increments that may be applied to the income limits in Table B for Maintenance Grants\*\*

Additional Increments					
+ increment for each additional relevant person	0	4,830	4,670	4,670	4,670

\*To be eligible for the special rate of maintenance the reckonable income on 31 December 2013 must include an eligible payment listed in Schedule 2.

\*\*Increments which may be added to the relevant income limits.

Any maintenance grant awarded under the income limits in this table will also include an award for the full student contribution grant, where the student contribution is chargeable.

### Schools Building Projects Status

179. **Deputy Martin Heydon** asked the Minister for Education and Skills the position regarding expansion plans in respect of a school (details supplied) in County Kildare; and if she will make a statement on the matter. [46727/14]

**Minister for Education and Skills (Deputy Jan O’Sullivan):** The project to which the Deputy refers was recently authorised to proceed to tender. Subject to no issues arising during the tender process a contractor will be appointed as soon as the tender process is complete.

### Leader Programmes Applications

180. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government if he will expedite a stage payment of a Leader grant approved by his Department through Mayo North East Leader Partnership to a company (details supplied) in county Galway; and if he will make a statement on the matter. [46568/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I understand that the group in question submitted a claim to Mayo North East Leader Partnership for payment which has now been processed and paid by my Department.

### Local Authority Housing Data

181. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government the number of vacant local authority housing units that are in each local authority; the number in each case that will be refurbished under the 2014 funding that has been allocated; the schedule for the refurbishment and bringing into use of all remaining local authority units in each local authority. [46586/14]

185. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the number of voids there were in each local authority in 2013 and to date in 2014; the number that have been allocated to tenants in 2013 and to date in 2014; the number of voids that will be made available for tenants in 2015 and 2016. [46627/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I propose to take Questions Nos. 181 and 185 together.

Under Section 58 of the Housing Act 1966, the management and maintenance of the local authority housing stock is the responsibility of the relevant housing authority. Statistics on local authority housing stock, including units that may be empty, are published annually by the Local Government Management Agency. The most recent statistics are in respect of 2012 and are available at the following link: [http://www.lgma.ie/sites/default/files/service\\_indicators\\_2012\\_report\\_for\\_website\\_0.pdf](http://www.lgma.ie/sites/default/files/service_indicators_2012_report_for_website_0.pdf).

My Department has allocated €30 million in 2014 to local authorities to support their work in bringing 1,960 vacant and boarded up units back into productive use, and in an energy efficient condition. The number of such units in each Local Authority area is set out in the table. I anticipate that this target will be achieved and it is a matter for each individual local authority to allocate these units to those on their social housing waiting lists.

Budget 2015 has given a further impetus to this area, and I envisage a further 1,000 vacant properties being returned to productive use through this additional funding.

Vacant Units to be returned to productive use in 2014	Local Authority
26	Carlow
15	Cavan
42	Clare
186	Cork City
155	Cork County
115	Donegal
371	Dublin City
147	Fingal
75	South Dublin
3	Dún Laoghaire-Rathdown

Vacant Units to be returned to productive use in 2014	Local Authority
42	Galway City
62	Galway County
45	Kerry
67	Kildare
25	Kilkenny
27	Laois
15	Leitrim
86	Limerick
15	Longford
10	Louth
81	Mayo
53	Meath
11	Monaghan
31	Offaly
21	Roscommon
26	Sligo
66	Tipperary
48	Waterford
46	Westmeath
16	Wexford
32	Wicklow
1,960	Total

### Social and Affordable Housing Provision

182. **Deputy Michael P. Kitt** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown of the total number of houses to be built per year under the social housing strategy 2020; if he will provide the figures for the breakdown of housing allocations per county as well as per local authority area; and if he will make a statement on the matter. [46588/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Social Housing Strategy 2020: Support, Supply and Reform, approved by Government and published last week, builds on the provisions contained in Budget 2015 and sets out clear, measureable actions and targets to increase the supply of social housing, reform delivery arrangements and meet the housing needs of all households on the housing list. In committing to provide 35,000 new social housing units, at a projected cost of €3.8 billion, the strategy marks a fresh start for social housing in Ireland. It is estimated that this level of investment will create or sustain some 29,000 construction industry jobs. Importantly, the Strategy restores the State to a central role in the provision of social housing through a resumption of direct building on a significant scale, primarily by local authorities and approved housing bodies.

The strategy will be delivered in two phases. Phase 1 targets the delivery of 18,000 additional housing units and 32,400 Housing Assistance Payment and Rental Accommodation Scheme units by the end of 2017. In phase 2, spanning the years 2018 to 2020, the strategy targets the delivery of 17,000 additional units and 43,000 Housing Assistance Payment and Rental Accommodation Scheme units.

In the initial phase, increased Exchequer funding is necessary to underpin delivery. The Government has already committed this initial funding, through the €2.2 billion announced

as part of Budget 2015. The provision of this funding will allow time for the work to be carried out to move towards more off-balance sheet funding, through the extension to the NAMA Special Purpose Vehicle, a large scale Public Private Partnership and the establishment of a 'Strategic Housing Fund'.

The strategy provides a clear governance structure which, as Minister, I will personally oversee to ensure delivery. Action 1 of the Strategy requires the agreement of targets for delivery of social housing next year and in subsequent years. These specific targets will be agreed through the governance structure, which is currently being put in place, in collaboration with local authorities and with input from the approved housing body sector. For 2015, I expect that some 7,400 new social housing units will be provided under the range of existing initiatives broken down as follows: 3,000 units through leasing initiative; 2,000 new Rental Accommodation Scheme units; 1,000 vacant local authority units will be refurbished and brought back to use; with a further 1,400 units to be built or acquired by local authorities and Approved Housing Bodies through the Social Housing Investment Programme and Capital Assistance Scheme. A further 8,400 households will be assisted through the Housing Assistance Payment.

While local authorities are responsible for the detailed planning of social housing provision based on the needs of their areas, my Department is working with all authorities, within the context of the increased funding now available, to advance projects already in train and to plan for further developments directly by local authorities and by approved housing bodies to meet the Social Housing Strategy targets for 2015 and beyond.

### **Water Charges Administration**

183. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on correspondence (details supplied) regarding water; and if he will make a statement on the matter. [46623/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I refer to the reply to Questions Nos. 149, 152, 153, 136, 137 and 138 of 26 November 2014 which sets out the position in this matter.

*Question No. 184 withdrawn.*

*Question No. 185 answered with Question No. 181*

### **Housing Estates**

186. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government his views on recent events at an estate (details supplied) in County Kerry; and if he will make a statement on the matter. [46688/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** I refer to the reply to Question No 126 of 3 December 2014, which sets out the position in this matter.

### **Local Authority Housing Maintenance**



187. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government the policy in relation to the Sustainable Energy Authority of Ireland scheme which includes the removal of solid fuel cookers Stanley No. 8, installing small stoves no back boilers, fitting solar panels and replacing windows and doors where necessary; and if a council tenant has a choice to have them installed in their home. [46690/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The scheme referred to is funded by the Sustainable Energy Authority of Ireland, which also sets its terms and conditions. The implementation of improvements to social housing units under this or any other scheme is a matter for the relevant local authority. Accordingly, my Department has no function in this matter.

### Housing Assistance Payments Implementation

188. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government the scheduling of the promised 75,000 housing assistant payments and rent supplement tenancies announced in November 2014; the estimated cost; and if there has there been a regulatory impact assessment carried out on the impact of this decision on the levels of rents generally. [46701/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Social Housing Strategy 2020: Support, Supply and Reform, approved by Government and published last week, builds on the provisions contained in Budget 2015 and sets out clear, measurable actions and targets to increase the supply of social housing, reform delivery arrangements and meet the housing needs of all households on the housing list. The Strategy commits to meet the housing needs of some 75,000 households through local authority provision via the private rented sector, utilising the Housing Assistance Payment Scheme (HAP) and accommodation sourced under the Rental Accommodation Scheme (RAS). It is intended that the strategy will be delivered in two phases. Phase 1 will target the delivery of 18,000 additional housing units and the accommodation of 32,400 additional households through HAP and RAS in the period to the end of 2017. In phase 2, spanning the years 2018 to 2020, the strategy targets the delivery of 17,000 additional units and the accommodation of some 43,000 additional households through HAP and RAS. The table details the breakdown by scheme of additional households expected to be accommodated through HAP and RAS in the period 2015 to 2020.

Delivery	2015	2016-2017	2018-2020
-	Units	Units	Units
HAP	8,400	20,000	41,040
RAS	2,000	2,000	2,000
Period Total	10,400	22,000	43,040
Cumulative Total	10,400	32,400	75,400

A Regulatory impact Assessment (RIA) was carried out in relation to the legislative proposals for the Housing Assistance Payment and accompanied the submission of the General Scheme of the Housing (Miscellaneous Provisions) Bill 2013 to the Government for approval on 17 December 2013. The main part of the RIA, however, had already been brought to the Government on 18 July 2013, and consisted of an Economic Assessment of the proposed scheme. The purpose of that assessment was to consider the potential cost implications for the Exchequer of the proposed transfer of responsibility for rent supplement recipients with an es-

established long-term housing need from DSP to local authorities.

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

189. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government further to the announcement of social housing strategy 2020 if he will provide a breakdown of the promised 35,000 new social housing units in respect of the method of procurement; and the scheduling of same. [46702/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** The Social Housing Strategy 2020: Support, Supply and Reform, approved by Government and published last week, builds on the provisions contained in Budget 2015 and sets out clear and measurable actions and targets to increase the supply of social housing, reform delivery arrangements and meet the housing needs of all households on the housing list. In committing to provide 35,000 new social housing units, at a projected cost of €3.8 billion, the strategy marks a fresh start for social housing in Ireland. It is estimated that this level of investment will create or sustain some 29,000 construction industry jobs. Importantly, the Strategy restores the State to a central role in the provision of social housing through a resumption of direct building on a significant scale, primarily by local authorities and approved housing bodies. Over the 6 years of the strategy, I anticipate that the 35,000 units will be delivered as follows: 22,273 units to be built and acquired utilising both current and capital monies; 11,000 units to be leased; and 2,300 units to be supplied through the refurbishment and bringing back in to use of vacant local authority stock.

The strategy will be delivered in two phases. Phase 1 targets the delivery of 18,000 additional housing units and 32,400 Housing Assistance Payment (HAP) and Rental Accommodation Scheme (RAS) units, by the end of 2017. In phase 2, spanning the years 2018 to 2020, the strategy targets the delivery of 17,000 additional units and 43,000 Housing Assistance Payment (HAP) and Rental Accommodation Scheme (RAS) units.

In the initial phase, increased Exchequer funding is necessary to underpin delivery. The Government has already committed this initial funding, through the €2.2 billion announced as part of Budget 2015. The provision of this funding will allow time for the work to be carried out to move towards more off-balance sheet funding, through the extension to the NAMA Special Purpose Vehicle (SPV), a large scale Public Private Partnership (PPP) and the establishment of a 'Strategic Housing Fund'.

The strategy provides a clear governance structure, which as Minister I will personally oversee, to ensure delivery. Action 1 of the Strategy requires the agreement of targets for delivery of social housing next year and in subsequent years. These specific targets will be agreed through the governance structure, which is currently being put in place, in collaboration with local authorities and with input from the approved housing body sector.

### **Electromagnetic Fields Studies**

190. **Deputy Martin Heydon** asked the Minister for the Environment, Community and Local Government if he will provide further details on a steering committee to review and assess the recently commissioned study on international developments in non-ionising radiation and electromagnetic fields research; when this steering committee will be established; if he will indicate where its members will come from; and if he will make a statement on the matter. [46726/14]

**Minister for the Environment, Community and Local Government (Deputy Alan Kelly):** My Department recently commissioned a study on international developments in non-ionising radiation (NIR) and electromagnetic fields (EMF) research since publication in 2007 of a report, entitled Health Effects of Electromagnetic Fields. The study, which is also examining how the issue of NIR/EMF is dealt with in other jurisdictions, is expected to be completed in January 2015. Officials from various Departments, together with national and international experts, are currently overseeing the study and will put forward recommendations based on the study's research and findings. The results of this study will be used by a Steering Committee, to be 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. The study and recommendations of the Steering Committee will be submitted to me in due course and I intend to bring these to Government for consideration. Following publication, interested parties will then be provided with an opportunity to make submissions for consideration, alongside the Steering Committee recommendations, to help inform future policy making in this area.

Matters relating to the composition, terms of reference, and mandate of the Steering Committee are yet to be finalised.

### **Alternative Energy Projects**

191. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Questions Nos. 10 and 13 of 23 October 2014 which indicate that of the indigenous wave energy developers, three are attempting to develop point absorber wave energy converter devices, three are working on attenuator devices, two on overtopping devices, four on oscillating water column devices and two on power take off, if a more rational use of the State's resources with a view to developing an Irish wave energy industry providing jobs for Irish workers, would be to purchase the useful intellectual property inherent in the various technologies, employ whatever proven expertise exists in these companies and direct the ESB to lead a development programme targeting the deployment of Irish wave energy conversion megawatt size devices offshore Ireland within ten years. [46598/14]

**Minister for Communications, Energy and Natural Resources (Deputy Alex White):** As the Deputy is aware, wave and tidal energy is still at the research, development and demonstration stage globally. While promising experimental devices have been developed, much research, development and demonstration is required to bring wave energy technology to commercial viability. As I outlined in response to the Parliamentary Questions on this matter on 23 October, policy action across a range of areas is required to support developers in bringing ocean energy devices from prototype to full scale commerciality. This action is now being taken in the context of the implementation of the Offshore Renewable Energy Development Plan which was published earlier this year.

The Ocean Energy Development Unit of the Sustainable Energy Authority of Ireland (SEAI) was specifically established to take forward the development of this important sector. A key part of its activity is the administration of the Prototype Development Fund, which provides grant aid for the development of prototype ocean energy devices. In line with the approach taken internationally, the emphasis is on industry led projects as the best way of supporting innovation.

ESB is developing the Westwave project to develop the first wave energy array in Ireland by 2018. Through Westwave the ESB is procuring a number of wave energy device designs which offer different solutions to the challenge of harnessing wave energy. In deploying these devices at the Westwave test site off Co. Clare, the project aims to make a significant contribution to the

international development of wave energy technology.

### **Taxi Regulations**

192. **Deputy Thomas Pringle** asked the Minister for Transport, Tourism and Sport the number of rural hackney licenses that have been issued; the way the system is performing and if there has been any problems with the operation of the new licences; and if he will make a statement on the matter. [46340/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** 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.

I have referred your question to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

### **Public Transport**

193. **Deputy Maureen O'Sullivan** asked the Minister for Transport, Tourism and Sport if he will report on the weight restriction that applies to traffic using the current 18th century Reilly's Bridge on the Royal Canal at Cabra, Dublin; the load-bearing capacity of the replacement bridge, which is now in place and which will be opened to traffic in the spring of 2015; if a weight restriction will apply to the new bridge, upon its being opened to vehicular traffic; and if he will make a statement on the matter. [46585/14]

**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 development and implementation of public transport projects in the Greater Dublin Area (GDA), such as the upgrade at Reilly's Level Crossing, 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.

### **Public Transport**

194. **Deputy Joan Collins** asked the Minister for Transport, Tourism and Sport if he will discuss the option of allowing Dublin Bus-Bus Éireann retain their current fleet-service and consider alternatives to so-called market entry for private operators. [46334/14]

**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 response within ten working days.

### **Comharthaí Bóthair**

195. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Iompair, Turasóireachta agus Spóirt

de thoradh Cheist Pharlaiminte Uimh. 1104 a bhí ann an 4 Samhain 2014, cá fhad a thógfaidh an t-athbhreithniú maidir le comharthaí bóthair; an bhfuil sé i gceist aige comhairle a lorg ón gCoiste Oireachtais chuí faoin gceist; an bhfuil scrúdú déanta aige ar an geleachtas i dtíortha eile ag a bhfuil dhá theanga oifigiúla, an Bhreatain Bheag san áireamh; an bhféadfadh sé eolas a chur ar fáil maidir le haon staidéir phroifisiúnta a rinneadh ar an gceist sábháilteachta ar thagair sé di ina fhreagra, cén uair a rinneadh iad agus cé a rinne iad; agus an ndéanfaidh sé ráiteas ina thaobh. [46607/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** Faoi láthair tá athbhreithniú ar siúl agam ar an mholadh a rinne mo réamhtheachtaí – is é sin, roinnt bheag comharthaí bóthair a bheith ann san fhormáid a moladh i dtuarascáil a choimisiúnaigh Conradh na Gaeilge, agus na comharthaí sin a bheith in airde in áiteanna ardpheiríle ar fud na tíre, chun dearcadh an phobail ina leith a fháil. Sula bhfeidhmeoidimid ar an mholadh sin, ba mhaith liom a bheith deimhin de go mbeidh fiúntas ag baint le hathrú dá leithéid ar dhearadh an téacs, agus nach gcruthóidh sé níos mó contúirte ar na bóithre. Cuirfidh mé mo bharúil in iúl maidir le ceist na sábháilteachta in am trátha.

Tuigim go ndearna an Coiste Oireachtais atá freagrach as Cúrsaí Gaeltachta breithniú ar thuarascáil Chonradh na Gaeilge, agus go raibh plé eatarthu agus údar na tuarascála agus ionadaithe Chonradh na Gaeilge in 2009. Bhí an Coiste fabhrach i leith éirim ghinearálta na tuarascála agus cuirfidh mé é sin san áireamh i m'athbhreithniú.

An reachtaíocht ina sonraítear an dlí maidir le comharthaí bóthair tá sí le fáil in alt 95 den Acht um Thrácht ar Bhóithre, 1961 (mar a leasaíodh). Tá na Rialacháin a thug an tAire Ealaíon, Oidhreacht agus Gaeltachta isteach in 2008, faoi Acht na dTeangacha Oifigiúla 2003, (Ionstraim Reachtuil Uimhir 391 de 2008) bainteach le hábhar sa chomhthéacs seo freisin. In Alt 3(3)(b) foráiltear nach mbeidh feidhm ag na Rialacháin sin i leith rialacháin a rinne an tAire, nó teoracha arna dtabhairt ag an Aire, faoi fho-ailt (2) agus (16) d'alt 95 d'Acht 1961. Cuireadh an díolúine seo san áireamh chun deimhin a dhéanamh de nach ndéanfaí ár gcomharthaí bóthair a dhearadh, mar thoradh ar réamhcoinníollacha iomarcacha, sa chaoi is go gcuirfí isteach ar inléiteacht, ar sho-thuigteacht ná ar shábháilteacht ár gcomharthaí bóthair.

I Lámhleabhar na Roinne seo maidir le Comharthaí Bóthair sonraítear na rialacha a bhaineann le dearadh chomhartha bóthair. Is ionann an Lámhleabhar seo agus treoír ón Aire, faoi alt 95 den Acht um Thrácht ar Bhóithre 1961. Ní ceadmhach comharthaí tráchta a chur in airde ar bhóithre poiblí nach bhfuil ag cloí leis na rialacha atá sonraithe sa Lámhleabhar maidir le Comharthaí Bóthair. Rinneadh athbhreithniú iomlán ar an lámhleabhar sular foilsíodh an leagan reatha go luath sa bhliain 2011.

Tá an dearadh a úsáidtear do na comharthaí bóthair dátheangacha faoi láthair i bhfeidhm ón mbliain 1996 i leith. Bunaíodh an cur chuige sin ar chóras deartha comharthaí a tháinig chun cinn thar na blianta, agus a bhí ag teacht le taighde a rinneadh ar bhonn idirnáisiúnta agus náisiúnta ar an ábhar.

### Road Safety Authority Campaigns

196. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the road safety campaign which will be promoted by the Road Safety Authority during the Christmas and new year period. [46612/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** This year's RSA/Garda Síochána Christmas road safety campaign focuses on the prevention of driving un-

der the influence of intoxicants, and extends roadside testing for alcohol to include impairment testing for drug driving. The introduction of Garda Roadside Impairment Testing follows the introduction of section 11 of the Road Traffic Act 2014, which I commenced on 27th November.

The Road Safety Authority has produced a television led awareness campaign to inform the public of the introduction of roadside impairment testing and the campaign will also be supported by radio, online and cinema advertising.

### **Cycling Facilities Provision**

197. **Deputy Billy Timmins** asked the Minister for Transport, Tourism and Sport the person or body that comprised the special assessment team established to examine applications for greenway funding selected in May 2014; the number of applications there were; the way these were marked; the mark that each received; the reason three of the top four recommended applications were not selected; the reason of the eleven that received funding only one of these was in the recommended top ten; if he will provide all other detail surrounding this issue; and if this decision may be reversed. [46630/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** My Department held a funding call in respect of the Local Authority National Cycle Network Funding Programme 2014 to 2016 in September 2013. Successful projects under this Programme were announced in April 2014. The team that was established to assess the proposals comprised officials from the Sustainable Transport Division of my Department, the National Trails Office (Irish Sports Council), Fáilte Ireland and the National Transport Authority.

38 applications were received from 28 local authorities.

A scoring matrix was developed to objectively assess and shortlist projects relative to a set criteria outlined in the funding call. Arising from this first phase of the assessment process, 10 proposals were shortlisted in December 2013.

In order to fully appraise the shortlisted projects, site visits were undertaken by members of the above team. The site visits helped to better inform the assessment process and the recommendations for funding were subsequently provided to the then Minister for Public and Commuter Transport. The projects selected for funding under the NCN Programme were as recommended by the NCN Assessment Team.

The projects selected separately in May 2014 were funded from the Government's Infrastructure Stimulus Package. These projects were selected by the Minister for Public and Commuter Transport on the basis of ability to deliver infrastructure within a relatively short timeframe, thereby maximising the stimulus effect in line with decisions made for the rest of the stimulus package.

The 11 proposals which received funding under the Stimulus Package are currently at various stages of planning, design and construction and my Department is keeping all projects under review.

Full details of the assessment and marking process in relation to the selection of projects funded under the NCN Funding Programme 2012-2014 are in the public domain following disclosure under a recent FOI request and can be viewed on the Department's website [www.dttas.ie/corporate/english/foi-decisions](http://www.dttas.ie/corporate/english/foi-decisions) or on the Smarter Travel website [www.smartertravel.ie](http://www.smartertravel.ie).

## National Car Test

198. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he and the Road Safety Authority have plans to provide a vehicle test centre for south Kerry that is the Iveragh peninsula; and if he will make a statement on the matter. [46632/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The RSA has overall responsibility for the operation, oversight and delivery of the National Car Test and I have therefore forwarded the Deputy's question to the RSA for direct reply. Please advise my Private Office if you do not receive a reply within 10 working days.

## Vehicle Testing

199. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport regarding the three-month vehicle check for vehicles providing school transport, if this test is necessary in view of the vehicles in this category having such a low involvement in accidents; and if he will make a statement on the matter. [46633/14]

200. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport in view of the test for school transport vehicles, if this test is recognised or not in that by carrying out further inspections on these vehicles, is the Road Safety Authority not questioning its own vehicle testing results; and if he will make a statement on the matter. [46634/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I propose to take Questions Nos. 199 and 200 together.

The purpose of the annual roadworthiness test is to assess the roadworthiness condition of a commercial vehicle on the day of the test.

However, a vehicle must be roadworthy at all times when being used on a public road and not just on the day of the annual test. Maintaining a commercial vehicle in a safe and roadworthy condition over its lifetime requires on-going inspection and maintenance and, since September 2013, all commercial vehicle operators, including school bus operators, are required to have maintenance systems in place. The relevant regulations in this regard are the Road Safety Authority (Commercial Vehicle Roadworthiness)(Vehicle Maintenance and Repair) Regulations 2013 (SI 348 of 2013).

Under these regulations, the owner of a commercial vehicle is responsible for determining the frequency of inspections and maintenance of vehicles having regard to a number of factors including the condition of the vehicle, mileage, the use of the vehicle and manufacturers guidelines.

These new obligations were introduced as part of the Commercial Vehicle Roadworthiness Reform Programme which had its inception in the Kentstown and Clara bus accidents in which a number of school children tragically lost their lives. The Reform Programme has introduced major changes in the areas of vehicle testing, operator obligations and roadside enforcement which are intended to bring about a step change in the roadworthiness of commercial vehicles.

There are many excellent school bus operators providing services and I commend them for their commitment to the safe transport of our children. However, it is of concern to me that, of the 750 school buses inspected by RSA Vehicle Inspectors at roadside inspections in the last six months, the RSA detected that over 50% were found to have defects with 25% of these defects being serious or very serious. Furthermore, I understand from the RSA that almost 30% of

the school bus vehicles which were tested between 1st November 2013 and 31st October 2014 failed the annual roadworthiness test. Worryingly, 8 of these school bus vehicles were so defective that they were issued with a Fail Dangerous notice at the time of the test.

From an enforcement perspective, there has been, and will continue to be, a particular focus on school buses for the foreseeable future by the RSA and An Garda Síochána.

### **Sport and Recreational Development**

201. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which he continues to pursue a strategy to maximise the degree to which sport can play a major role in the economy; and if he will make a statement on the matter. [46636/14]

202. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he has studied other European countries' use of sport as an economic propellant; if he will continue to pursue such a similar strategy; and if he will make a statement on the matter. [46637/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I propose to take Questions Nos. 201 and 202 together.

The sports sector's contribution to the economy includes sports tourism, ticket sales, subscriptions and the cost of playing sport, together with the purchase of sports equipment and an economic value of time given by volunteers.

I am supportive of the ongoing efforts of the Tourism Agencies and the National Governing Bodies of Sport to attract international events, subject, of course, to an assessment of the costs/benefits involved in any State financial support. In that context, I was delighted that the FAI and Dublin City Council recently won their bid to host part of the UEFA Euro 2020 tournament at the Aviva stadium, a bid which had my strong support and indeed the support of the Government as a whole.

In addition, a working group was established to examine key issues in relation to the possibility of Ireland hosting the Rugby World Cup in the future. The working group, on which the IRFU and relevant Government Departments from both jurisdictions were represented, has reported and, in conjunction with our colleagues in Northern Ireland, Minister Donohoe and I have been examining the report and considering the most appropriate next steps.

My Department is developing a new National Sports Policy which will be the framework for the new body, Sport Ireland, following the merger of the Irish Sports Council and the National Sports Campus Development Authority, and will have regard to international best practice. It will also examine cross-sectoral issues such as the role of sport in education and health and where the focus on Government spending in sport should be.

I would also mention the impact of the Sports Capital Programme which helps to create jobs across all areas of the country. I was delighted to announce that I have secured funding for another round of the Programme in 2015. This will be the third round of the Programme since this Government was elected to office and follows from an investment of €30m in 2012 and €40m in 2014.

### **Transport Costs**

203. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the



degree to which he continues to monitor transport costs in this country with those in other jurisdictions; and if he will make a statement on the matter. [46638/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** My Department monitors the relevant and varied costs associated with transport use in Ireland for both users and the exchequer on an on-going basis and as required. Analysis of comparable transport costs against other jurisdictions is generally only undertaken for specific projects or needs rather than on an on-going basis. I would point out that national transport costs are driven by a number of factors including demographic, economic, spatial and cultural trends and thus any comparison between jurisdictions can be problematic. My Department does seek to stay abreast of any international research which tracks comparable costs. The various agencies and regulators in the transport sector also monitor the relevant costs of transport in Ireland and may do cross-comparison analysis with other jurisdictions as they see fit. A number of user transport costs are set independently by the relevant regulators.

I should also point out that my Department has also carried out some cross-national analysis of transport investment levels as part of the work underpinning the draft Strategic Framework for Investment in Land Transport. This analysis is publically available on the Department's website through the consultation process (Background Paper No.10) and the final Policy Framework is due to be published in Q1 of 2015.

### **Transport Costs**

204. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the degree to which the transport sector in this country is affected by unfair competition from outside the jurisdiction; if he has a particular strategy in this regard; and if he will make a statement on the matter. [46640/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The transport sector is governed by sectoral transport legislation, both national and European, and by general competition law. All transport operators in the State are subject to these laws. In some cases operators legally based outside of our jurisdiction but which operate transport operations within the State may have a different cost base than transport operators based within the state. My Department keeps up to date on all aspects and developments in the transport sector, including with a view to identifying any emerging challenges.

### **Sports Capital Programme Applications**

205. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if and when he will be in a position to invite applications for any further sports capital grants; and if he will make a statement on the matter. [46641/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** I am delighted that we have been able to secure the funding to enable a further round of the Sports Capital Programme in 2015. This will be the third round of the SCP since this Government came into office. Detailed preparations are being made at present and I will launch the 2015 Programme when these are completed.

### **Tourism Policy**

206. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which his Department continues to encourage high standards throughout the hotel, catering and hospitality sectors with particular reference to incentivisation where appropriate; and if he will make a statement on the matter. [46642/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** The development of quality and standards in the tourism industry are matters for the board and management of Fáilte Ireland. Fáilte Ireland seeks to develop and maintain high standards throughout the tourism industry, including through training and education; business supports for tourism enterprises; and the maintenance of registers of various categories of tourism accommodation. Accordingly, I have referred the Deputy's question on to Fáilte Ireland for direct reply.

Please contact my private office if you do not receive a reply within ten working days.

### **Traffic Management**

207. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the extent to which his Department continues to monitor areas of particular traffic congestion with particular reference to those areas raising health and safety concerns; and if he will make a statement on the matter. [46643/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The construction, improvement and maintenance of individual national roads are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this 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.

The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993.

I would also add that traffic management in its area is a matter for the local authority concerned in conjunction with An Garda Síochána.

### **Road Improvement Schemes**

208. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if he will provide his preferred options for the continuation of major road improvement projects including motorways throughout the country; and if he will make a statement on the matter. [46644/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As the Deputy knows, the economic reality of recent years has meant significant reductions in roads budgets across the board. My Department's priority is to maintain the existing road network, and unfortunately this means that there is little scope for carrying out any major new road improvement projects.

It has been possible to progress a number of PPP projects under the 2012 Government Infrastructure Stimulus Programme and there is a pipeline of projects for which planning approval has been obtained. As the Deputy will appreciate, I have to prioritise the maintenance

and upkeep of existing infrastructure and the scope for progressing new projects will very much depend on the level of future capital funding made available in my Department's Vote.

### **Road Network**

209. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport if consideration has been given to increasing the traffic capacity of the M50; if the existing volume of traffic exceeds that for which the road was originally intended; and if he will make a statement on the matter. [46645/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects, such as the M50 is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

A substantial upgrade of the M50 was completed in 2010. This resulted in the addition of a third lane in both directions from the M1 to Sandyford and a fourth auxiliary lane in places together with the development of freeflow junctions and the introduction of barrier free tolling. This major investment has significantly enhanced the capacity of the motorway. There are no proposals at present for further investment in additional capacity.

One of the conditions attached to An Bord Pleanála's approval of the upgrade was the publication of a scheme of demand management measures. The NRA in conjunction with the relevant local authorities published its M50 Demand Management Report in April 2014.

Looking to the future and increased travel demand as the economy recovers further we will need to address congestion across the Greater Dublin Area (GDA) and not just on the M50. In this context I have asked the National Transport Authority, as the agency responsible for strategic traffic management in the GDA, to work with the NRA and the GDA local authorities to prepare a report on congestion and to outline actions and investment that might be required in the short, medium and long terms. I expect the report to be completed within a few months.

### **Cycling Facilities Provision**

210. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport the position regarding the grant application submitted to his Department in respect of the development of the Leitrim-Cavan greenway; the outcome of the assessment of this application by the independent assessment team; the reason funding has not been approved; when it is likely that this application will be approved and funding allocated; and if he will make a statement on the matter. [46703/14]

211. **Deputy Brendan Smith** asked the Minister for Transport, Tourism and Sport the position regarding the grant application submitted to his Department in respect of the development of the Sligo-Leitrim greenway; the outcome of the assessment of this application by the independent assessment team; the reason funding has not been approved; when is it likely that this application will be approved and funding allocated; and if he will make a statement on the matter. [46704/14]

**Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe):** I propose to take Questions Nos. 210 and 211 together.

The proposals submitted by Sligo and Leitrim County Councils under the National Cycle Network Funding Programme 2014-2016 for the development of greenways along sections of the Sligo Leitrim and Northern Counties Railway were assessed by an expert team comprising

officials from the Sustainable Transport Division of my Department, the National Trails Office (Irish Sports Council), Fáilte Ireland and the National Transport Authority.

The number of proposals received under this funding call from authorities far outweighed the funding available. As a consequence it was only possible to award funding totalling €6.3 million to three projects in Kerry, Galway and Waterford. All Department funding is now fully committed up to 2016.

I would hope that given the success and popularity of greenways already delivered, that funding may become available from other sources over the coming years. The EU Structural Funds Programme 2014-2020 is currently being finalised and there may be significant opportunities for cycle infrastructure development under Interreg and the Rural Development Programme.

Full details of the assessment and marking process in relation to the selection of projects funded under the NCN Funding Programme 2014-2014 are in the public domain following disclosure under a recent FOI request and can be viewed on the Department's website at [www.dttas.ie/corporate/english/foi-decisions](http://www.dttas.ie/corporate/english/foi-decisions) or on the Smarter Travel website [www.smartertravel.ie](http://www.smartertravel.ie).

### **Public Transport Initiatives**

212. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport his views on correspondence (details supplied) regarding the BRT scheme; and if he will make a statement on the matter. [46714/14]

**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 the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as Bus Rapid Transit (BRT), and Luas light rail projects.

Noting this I have referred the Deputy's question and correspondence to the NTA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### **Sports Capital Programme Administration**

213. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport if he will advise clubs on accessing funds under the Sports Capital Programme in 2015. [46717/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** Any organisation interested in applying for a grant under the next round of the Sports Capital Programme should register on OSCAR at [www.sportscapitalprogramme.ie](http://www.sportscapitalprogramme.ie) (if not already registered). OSCAR is the portal on the Department's website which must be used by organisations to register, to apply for funding (when the Programme is open for applications) and to manage the drawdown of any grants allocated. It should be noted that in order to register on OSCAR a tax registration number from the Revenue Commissioners is required.

Detailed preparations are being made at present for the next round of the Sports Capital Programme and I will launch the 2015 Programme when these are complete. Interested organisations should read the document "Guide to Making an Application" very carefully (this will be made available when the new round of the SCP is launched) and should provide all information and documentation required.

## Flood Prevention Measures

214. **Deputy Pearse Doherty** asked the Minister for Arts, Heritage and the Gaeltacht if she is satisfied with the delay in reinstating a sea defence wall in Ards, Creeslough, County Donegal which was destroyed by storms; if she is further satisfied with her Department's stance on having the reinstatement delayed due to planning restrictions and red tape being imposed by her Department; if her attention has been drawn to the costs of this project escalating due to further damage and delays in having this reinstatement completed; and if she will make a statement on the matter. [46531/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** Ireland, like all EU Member States, is bound by the requirements of the EU Habitats and Birds Directives. These Directives ensure the protection of endangered habitats and species, which have been selected for conservation within Special Areas of Conservation (SAC) or Special Protection Areas (SPA). Article 6 of the Habitats Directive, which has been considered extensively by Irish and European courts, provides a procedure for the assessment of plans and projects, which may have a significant effect on protected sites. Member States are obliged to undertake this procedure having regard for the relevant jurisprudence of the courts. In undertaking or consenting to works such as those proposed in this case, relevant local authorities must comply with the legal obligations of relevant Directives, as transposed into Irish law.

In the exercise of their functions, all public authorities have a responsibility to ensure the conservation of protected habitats and species and to ensure Ireland's compliance with our legal obligations. These requirements are enshrined in the Birds and Natural Habitats Regulations 2011 and in the Planning and Development Acts.

I understand that Donegal County Council has undertaken assessments of the proposed work in this case, in relation to its obligations under the Planning and Development Acts and the EU Habitats Directive. I further understand that the Council is of the view that the proposed works require the consent of An Bord Pleanála in accordance with the planning code. During its deliberations on the matter, Donegal County Council contacted my Department for advice and my officials provided observations and advice in a timely manner. As a prescribed body under the Planning and Development Acts, my Department may provide further observations in due course.

## Turbary Rights

215. **Deputy Michael Healy-Rae** asked the Minister for Arts, Heritage and the Gaeltacht the amount of money that the State has spent on the aerial observations of persons cutting turf from the period 22 June 2012 to 22 November 2014; and if she will make a statement on the matter. [46562/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** My Department has incurred expenditure in the sum of €80,367 in the period since June 2012 for the hire of private aircraft for the purpose of aerial monitoring of activity on raised bog Special Areas of Conservation, where the requirement to cease turf cutting applies. Private aircraft are only used when the Air Corps is not in a position to undertake these flights. Any costs incurred by the Air Corps are a matter for the Department of Defence. I should point out that Ireland is at risk of action - including the potential imposition of daily fines of up to €25,000 - before the Court of Justice of the European Union if these Special Areas of Conservation, which are protected under Irish and European law, are not preserved.

**Grant Payments**

216. **Deputy Stephen S. Donnelly** asked the Minister for Arts, Heritage and the Gaeltacht if there are restrictions on bankrupts successfully applying for grants from her Department, or from any of the bodies that award arts grants for which her Department is responsible; and if she will make a statement on the matter. [46603/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** I am advised that there is no specific condition specifying that persons who have been declared bankrupt may not apply to my Department for an arts grant. It may be noted, however, that, generally speaking, my Department does not make arts grants to individuals but to organisations. Such organisations are required to be not-for-profit and trading. In addition, grant payments by my Department are made only by electronic funds transfer to the bank account of grantees. Arrangements applied by bodies that award arts grants would be an operational matter for the bodies in question.