

Written Answers.

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

Questions Nos. 1 to 6, inclusive, answered orally.

Mental Health Services Provision

7. **Deputy Joan Collins** asked the Minister for Health his views regarding the mental health service provision in the primary care unit in Cherry Orchard, Ballyfermot, Dublin 10. [14640/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Ballyfermot/Palmerstown currently has a catchment area of approximately 88,000 people. There is a very wide ranging and broad spectrum of activities on offer to clients with mental illness, from mild episodes to more severe and enduring ill-health. The Mental Health Service in Ballyfermot has adopted a holistic approach to the type of services offered and fosters a sense of empowerment of clients to take control of their mental health status.

The services provided by Ballyfermot Primary Care and Mental Health Centre are in line with *A Vision for Change* and include the following:

- Core services are provided by three Consultant-led teams that also include a number of non-Consultant hospital doctors.
- A dedicated Rehabilitation Consultant.
- Patients requiring emergency or in-patient care are referred to the Acute In-patient Unit at Tallaght Hospital.
- Daily Occupational Therapy input with functional assessments available including Social Work and Psychology Services input.
- A Home-Based Treatment Team with a case load of between 10-12 clients per staff member, including Community Mental Health Nurses.
- Day Hospital and Day Services, which are open 7 days per week, which provide a wide range of therapeutic activities, e.g Cognitive Behaviour Therapy (CBT), men's group, mental health groups providing peer support, monthly carers' group, social outings, music/drama groups facilitated by staff or clients, art therapy and FETAC level courses.
- The Day Hospital has forged strong working relationships with local pharmacy services and GPs, in addition to Public Health Nurses.

- The First Episode Psychosis service, dealing with 18-35 year age group, includes baseline health screening and physical health screening, monitoring clients along with their families, providing them with support and education regarding their illness.

- Speech and Language Therapy Services are available for clients with swallow difficulties and speech issues requiring assessment and intervention.

- Service Users are facilitated to become involved as Advocates for other service users.

- Ongoing training for staff as part of their continuous professional development.

The significant investment provided by this Government since 2012 is enabling the HSE Mental Health Division to put in place a range of quality, person-centred, evidence based services to ensure that people with mental health difficulties are supported to achieve their optimal mental health. Some €125 million in additional funding has been provided by this Government to, in particular, strengthen community based mental health services across the country.

Questions Nos. 8 to 11, inclusive, answered orally.

Hospital Accommodation Provision

12. **Deputy Finian McGrath** asked the Minister for Health if he will act urgently to deal with the crisis of patients being on trolleys in Beaumont Hospital in Dublin 9; and if he will make a statement on the matter. [14658/15]

Minister for Health (Deputy Leo Varadkar): Reducing Emergency Department overcrowding is a priority issue for me and for the Government. All hospitals, including Beaumont, have escalation plans to manage not only patient flow but also patient safety in a responsive, controlled and planned way that supports and ensures the delivery of optimum patient care.

I am informed that Beaumont Hospital has undertaken a number of initiatives to improve the patient pathway both through the ED and the hospital, in addition to working closely with the community. All available bed capacity is open and off-site capacity is also being utilised.

Three ED-experienced nurses are to join the Emergency Department at Beaumont in the next six weeks and a feasibility study in relation to the redevelopment and potential relocation of its Emergency Department is currently out to tender.

On 2 April I announced additional funding of €74m to tackle delayed discharges and provide additional community beds thus freeing up hospital beds for other patients and reducing ED overcrowding. This is on top of measures already taken in Budget 2015 when the Government provided €25m to support services to provide alternatives to and relieve pressures on acute hospitals. This funding should enable the HSE to deliver my stated objective of reducing the number of delayed discharges by one third to less than 500 and the number of patients on trolleys in EDs waiting for admission for over nine hours to fewer than an average of 70. As a hospital with significant numbers of patients who require additional supports or long term care in order to facilitate their safe discharge from acute care, Beaumont will benefit significantly from this funding.

Services for People with Disabilities

13. **Deputy Seán Kyne** asked the Minister for Health the progress of the new system for

providing services for school leavers with a disability; if it is providing greater choice for the school leavers and their families; if his Department is liaising with the Department of Education and Skills concerning greater third level options for persons with disabilities; and if he will make a statement on the matter. [14661/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): In 2014 a co-ordinated and streamlined approach was developed to manage the process of providing services and supports to young people based on their individually expressed preferences and assessed needs. Additional funding of €7 million was allocated for this purpose. As a result, almost 1,400 young people with disabilities who finished school or rehabilitative training received placements which fully met their needs.

The Health Service Executive is committed to providing services for school-leavers again this year and is working with schools, service providers, young people and their families to identify training needs and explore suitable options for those graduating in 2015.

Planning has commenced in respect of all school-leavers and rehabilitative training graduates to ensure that needs are identified and appropriate services are provided to young people with disabilities. The HSE has confirmed that all young people and their families will be notified by the end of June of the placement that will be available to them from September. Additional funding of €6 million (at a full year cost of €12 million) has been allocated in the Social Care Operational Plan 2015 to meet the needs of over 1,400 young people who will require continuing health-funded supports.

In line with the National Disability Strategy and the Government's mainstreaming policy, responsibility for education and training for people with disabilities is a matter for my colleague the Minister for Education and Skills. Many young people with disabilities will progress to further education or vocational training funded by that Department and some young people may continue to receive health-funded supports depending on their individual needs and abilities. The Department of Health is in regular contact with the Department of Education and Skills on childrens' disability issues through the cross sectoral team arrangements that are in place.

Nursing Homes Support Scheme Data

14. **Deputy Thomas Pringle** asked the Minister for Health the revenue generated from the sale of estates of deceased persons on fair deal schemes since the commencement of the scheme; and if he will make a statement on the matter. [14638/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Under the Nursing Homes Support Scheme, where an applicant's assets include land and property in the State, the 7.5% contribution based on such assets may be deferred. This is an optional loan element of the Scheme which can assist an applicant with the cost of their care. The purpose underpinning the loan is to ensure than an applicant does not have to sell their house during their lifetime.

The loan can be repaid at any time but will ultimately fall due for repayment upon the applicant's death.

Under Section 26(2)(b) of the Nursing Homes Support Scheme Act 2009 the Revenue Commissioners are the appointed agents for the State in the collection of the repayable monies under the loan element of the Scheme. The Revenue Commissioners and the HSE work together in the calculation of amounts due to be repaid to the State.

Since the Scheme commenced in 2009 and until the end of 2014 almost 10% of applicants who received support under the Scheme have availed of the loan. The HSE have advised Revenue that at the end of February 2015 €37.3m fell to be recouped from loans due for repayment, of which Revenue have recouped €22.1m.

Hospital Staff

15. **Deputy Thomas Pringle** asked the Minister for Health in view of the recent meeting with Saolta health group and other stakeholders, including Oireachtas Members, and the recent retirements in Letterkenny General Hospital in County Donegal, the number of general surgeon positions that will be filled in the hospital; and if he will make a statement on the matter. [14637/15]

Minister for Health (Deputy Leo Varadkar): Following the retirement of Mr Kevin Moran, Consultant Urologist, from Letterkenny General Hospital, the Saolta University Health Care Group has put in place a locum consultant surgeon pending approval to fill this post on a permanent basis. In addition, the appointment of a further permanent general surgeon at Letterkenny General Hospital is planned.

Medicinal Products Prices

16. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the latest status of the existing agreement between the State and the Irish Pharmaceutical Healthcare Association on pharmaceutical prices, signed in 2012; his plans to further reduce the cost of medicines to patients and the taxpayer; if the Government's legislative powers to impose a price cut on pharmaceutical firms will be employed; the savings it is envisaged this will provide; the effect of employing the lowest price of medications in reference countries rather than the average price in these countries; and if he will make a statement on the matter. [14712/15]

Minister for Health (Deputy Leo Varadkar): In 2012 the State entered into a new three year price reduction Agreement with the Irish Pharmaceutical Healthcare Association. This Agreement remains in place until 31st October this year.

As the end of the current Agreement approaches consideration is being given to a range of options available to the State in seeking to deliver further savings on the cost of drugs. Such options include entering into a new Agreement with the Irish Pharmaceutical Healthcare Association as well as the possibility of using the legislative powers afforded to the HSE under the Health (Pricing and Supply of Medical Goods) Act 2013 to review and alter prices.

An important objective in any new arrangement will be to secure significant savings on the projected cost of drugs, as well as continued access to cost effective treatments. Since such savings may be the subject of negotiations with industry, I do not wish to place the State's detailed position or estimated savings into the public domain in advance.

Disability Services Funding

17. **Deputy Finian McGrath** asked the Minister for Health if he will prioritise funding for disability services, in line with the Taoiseach's pre-election commitments regarding disability; and if he will make a statement on the matter. [14656/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is committed to protecting frontline health and personal social services needs for people with disabilities. The Government currently provides funding of approximately €1.5 billion to the Disability Services Programme through the Health Service Executive's National Service Plan for 2015.

The HSE works with voluntary disability service providers to ensure that available resources are used in order to be responsive to the health and personal social services needs of people with a disability.

In 2015, the HSE is seeking to maximise the provision of services within available resources and to maintaining a consistent level to that provided in 2014, by providing the following specialist disability services:

- residential services to around 9,000 people with a disability;
- day services to over 22,000 people with intellectual and physical disabilities;
- respite residential support of 190,000 overnights for people with intellectual and physical disabilities;
- 3.9 million hours of Personal Assistant / Home Support Hours.

Additional funding of €6 million has been allocated in the HSE National Service Plan in 2015 to provide day places for an estimated 1,400 young people finishing school and rehabilitative (life-skills) training. €4m in additional funding has also been allocated in the Plan to deliver an increase in the services for children with disabilities and reduce waiting lists under the Progressing Disability Services for Children and Young People (0-18s) Programme.

A total of 150 people will be facilitated to move from institutions to homes in the community in line the recommendations of the HSE's report "Time to Move on from Congregated Settings - A strategy for Community Inclusion" (2011). This report proposes a new model of support in the community by moving people from institutional settings to the community, over a seven year time frame.

In order to maintain current service levels while supporting people with disabilities to achieve their full potential, including living as independently as possible, a significant change programme involving a realignment and reconfiguration of existing resources is being undertaken by the HSE. The reconfiguration will be in line with the recommendations in the Value for Money and Policy Review of Disability Services and will see new and sustainable models of service being implemented to meet the changing needs of service users, increased demographic pressures and individuals wish for more choice and control.

Mental Health Services Provision

18. **Deputy Sandra McLellan** asked the Minister for Health the holistic and alternative therapies that are being incorporated into the treatment of children's mental health within State services; and if the Government is actively promoting the use of these types of therapies for children. [14463/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The agreed HSE Service Plan 2015 aims to support the population, including children, to achieve optimal mental health, and otherwise promote positive mental health as detailed in the Executive's Operational Plan for this care programme. In particular, a key priority is to progress integrated,

evidence-based and recovery focussed models of care for mental health services.

The Executive supports timely access to appropriate services to address the mental health needs of all children from a preventative care model and early intervention perspective. It should be noted, however, that mental health problems are not the sole remit of Child and Adolescent Mental Health Services (CAMHS). Like adults with mental health problems, most children and adolescents will have these problems responded to at primary care level.

The *Vision for Change* policy recommends a consultation/liaison model between primary care and mental health services to improve communication and coordination between the two. The Mental Health Division of the HSE has actively progressed communication and integration between primary and secondary mental health services through the use of a “Stepped Care” approach. Psychological and other relevant supports are accessed in primary care in the first instance, with CAMHS providing a secondary care service to those referred to it.

A number of other important service improvements are also being progressed by the HSE Mental Health Division with a view to promoting, encouraging and fostering the development of robust preventative initiatives and quality mental health services for all children and adolescents, including;

- A proposal to support and enhance further access to psychological therapies (psychology and counselling) in primary care for young people who would otherwise be referred to CAMHS.

- In partnership with Túsla, co-sponsoring research with NUI Maynooth which is aimed at developing innovative research, building capacity, promoting inter-agency integration, with a view to developing family-focused mental health services.

It should also be noted that the provision of health and personal social services by the HSE are, by their nature, holistic to varying degrees and the concept of a holistic approach across many services is well embedded in HSE provision. In this context, the issues raised by the Deputy would also be a matter for consideration by the health professionals involved at operational level, taking account of matters such as quality and safety, the assessed need of individuals or other relevant therapeutic requirements. Such consideration is undertaken on an individual basis as part of an overall approach tailored to the affective care and treatment of an individual.

Hospital Services

19. **Deputy Thomas P. Broughan** asked the Minister for Health further to Parliamentary Question No.725 of 24 March 2015, if he will outline the business case put by Beaumont Hospital in Dublin 9 for the cystic fibrosis service, which includes a 20-bed unit; and if he will make a statement on the matter. [14636/15]

Minister for Health (Deputy Leo Varadkar): Officials from my Department met with the Cystic Fibrosis Hopesource Foundation, hospital management, clinicians and nursing staff to discuss proposals for an in-patient unit for Cystic Fibrosis patients at Beaumont Hospital within the last week. The meeting was a positive engagement, with preliminary discussions on future service needs.

It was acknowledged that the population of adults with Cystic Fibrosis served by Beaumont Hospital has more than doubled since service provision commenced. A dedicated CF Outpatient facility allows for the provision of a comprehensive range of multi-disciplinary services for approximately 150 patients. The consultation and treatment rooms have specialist air filtration

to assist with infection control. Seven single in-patient rooms are reserved for elective CF admissions for prophylactic antibiotic therapy (or other treatment as required). This ensures that adults with CF are rarely admitted as in-patients via the Emergency Department. However in the longer term, demographic factors, coupled with the increase in patient longevity resulting from improved treatment and pharmaceuticals, will increase service provision requirements further. As a result, it is estimated that a future requirement will arise for up to 20 in-patient beds.

Beaumont Hospital and the HSE are engaging in relation to the overall infrastructural requirements to best meet growing service demands. An initial business case for the future development of additional CF services at Beaumont Hospital has been submitted by the CEO of the hospital to the RCSI Hospital Group Chief Executive and is under review. The views and ideas exchanged between my officials, hospital staff and patient advocates will inform the further development of this business case in the run up to the 2016 Service Plan.

Mental Health Services Provision

20. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if it is the case that there are no mental health therapy services available to those in County Clare who do not have a new diagnosis; the action he is taking to ensure that adequate services exist; and if he will make a statement on the matter. [14711/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Since coming into office, this Government has prioritised the reform and resourcing of our mental health services in line with the recommendations in *A Vision for Change*. Additional funding totalling €125 million has been provided primarily to strengthen Community Mental Health Teams for both adults and children and to enhance specialist community mental health services for older people with a mental illness, those with an intellectual disability and mental illness, and forensic mental health services.

Alongside secondary services, there are many excellent counselling services currently provided across the country by the both the HSE and voluntary sector. Counselling is provided across the health service including primary care, social care and within mental health. This type of service can be provided by a range of trained health professionals and delivered to meet a clinical need at either primary or secondary care level. The Government, in keeping with its commitment in the Programme for Government to increase access to counselling and psychotherapy, has provided funding totalling €7.5 million to develop the Counselling in Primary Care (CIPC) service, which works closely with the HSE Mental Health Service, under whose aegis this funding is provided.

I wish to confirm that there are mental health therapy services available for people in Co. Clare, and they are not confined only to those with a new diagnosis. I understand that the Deputy may be referring to the availability of Dialectical Behaviour Therapy (DBT) services, which are designed to help reduce self harm and self destructive behaviours, using a combination of group skills training, individual therapy and phone coaching. Unfortunately there is no DBT service available as yet in Co Clare or in the Mid West, however consideration is being given to the training of staff in this regard.

Health Insurance Prices

21. **Deputy Mattie McGrath** asked the Minister for Health if he will reconsider plans to

introduce financial penalties for those who do not wish to avail of private health insurance; his views on concerns that such penalties will place an undue burden on those who currently cannot afford to sign up to a private health insurance scheme; and if he will make a statement on the matter. [14704/15]

Minister for Health (Deputy Leo Varadkar): Taking out health insurance is optional. Anyone ordinarily resident in the country is entitled, subject to certain charges, to receive public in-patient and out-patient hospital services. People who do not take out health insurance continue to have the same entitlement to services in the public hospital system.

Community rating, reflecting the principle of intergenerational solidarity, is a fundamental cornerstone of the health insurance system. This means that people who are old or sick do not have to pay more than the young and well. Under community rating, the level of risk that a particular consumer poses to an insurer does not directly affect the premium paid. Premiums for younger or healthier lives are typically higher than their expected claims would require, whereas for older or less healthy lives, premiums are typically lower than the expected claims would require.

For Community Rating to work we depend on adequate numbers of younger people taking out health insurance to help keep premium prices down for everybody. Lifetime Community Rating is being introduced to encourage people to take out health insurance at a younger age, thereby helping to spread the costs of older and less healthy people across society, to support affordable community-rated premiums for everyone who wishes to purchase insurance. It is a necessary measure to help support the viability of community rating within our system of health insurance. I have no intention of reconsidering the introduction of Lifetime Community Rating, as without it there will be a continued deterioration in the age profile of the insured population, which in turn will contribute to claims inflation and higher insurance premiums for all.

It is worth clarifying that those who do not wish to avail of private health insurance will not face a financial penalty. They retain their full entitlement to use of public hospital services. Under Lifetime Community Rating, those who decide to take out health insurance later in life will face an added premium compared to those who have subscribed over a longer period. I am satisfied that this measure is fully justified for the purposes of maintaining a stable insurance market which provides equity of treatment between young and old.

HIQA Remit

22. **Deputy Seán Kyne** asked the Minister for Health the progress on extending the remit of the Health Information and Quality Authority to oversee and inspect private health care facilities; and the type of facilities such new powers will cover. [14662/15]

Minister for Health (Deputy Leo Varadkar): I intend bringing proposals to Government shortly seeking approval to draft amendments to the Health Act 2007 to extend the remit of the Health Information and Quality Authority. These amendments will extend HIQA's remit for standard setting and monitoring to the private healthcare sector. This will mean that HIQA's powers to set and monitor standards and, where necessary, to undertake investigations shall apply to both the public and private healthcare sectors. The extent and type of private facilities to be brought within HIQA's remit will be determined during the process of drafting the necessary amendments to the Health Act 2007.

Mental Health Services Provision

23. **Deputy Richard Boyd Barrett** asked the Minister for Health his views on staffing levels in child and adolescent mental health services teams across the country, detailing his plans to ensure that all vacancies are filled to ensure the protection of vulnerable children; and if he will make a statement on the matter. [14629/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): A core unit of mental health service delivery is the Community Mental Health Team, of which 63 Child and Adolescent Teams are in place nationally.

In line with the Programme for Government, my priority as Minister has been to modernise mental health services, notwithstanding the severe resource constraints overall in recent years, and to prioritise new resources to underpin implementation of *A Vision for Change*. The prioritising funding has been used to strengthen Community Mental Health Teams for both adults and children, to enhance specialist community mental health services for older people with a mental illness, those with an intellectual disability and mental illness, forensic mental health services, and to enhance access to counselling and psychotherapy in primary care and investment in suicide prevention measures. In this regard, the Government has provided an additional €125 million and some 1,150 posts since 2012, of which around 260 posts have been allocated specifically to the Child and Adolescent Mental Health area. Approximately 80% of CAMHS posts were in place at the end of March 2015, and the remaining posts are at various stages within the recruitment process.

As of December 2014, the number of staff in post in Community Child and Adolescent Mental Health Services was 522. Actual clinical staffing of such teams, including Adolescent Day Hospitals, increased by 47 posts from September 2013 to December 2014.

The HSE is acutely aware of the need to focus on recruitment of frontline staff, and is addressing difficulties to attract candidates to particular specialties and various parts of the country. Several national and international recruitment campaigns are underway for medical consultant posts, senior and staff nurses, as well as a range of required Allied Health Professionals and Support staff, including that relating to the delivery of a multidisciplinary Child & Adolescent Mental Health Service.

Orthodontic Services Waiting Lists

24. **Deputy Billy Kelleher** asked the Minister for Health the proposals in place to address the long waiting times for orthodontic treatment; and if he will make a statement on the matter. [14654/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable. It is estimated that in up to 5% of cases it is necessary to wait for further growth to take place before treatment commences. Patients are assessed by the HSE Orthodontic Service under the modified Index of Treatment Need. Patients with the greatest level of need, i.e. Grade 5 or some with a Grade 4 are provided with treatment by the HSE.

The HSE has established a pilot scheme in Dublin North East which will involve the use of orthodontic therapists in the treatment of a number of eligible children. Consideration will be given to expanding this Scheme to other HSE areas in the future. In addition to the services provided by HSE staff, orthodontic treatment for certain categories of misalignment will be provided by a panel of independent practitioners under contract to the HSE over the next three

years. A national procurement process is being finalised. This initiative will especially focus on those waiting for 4 years or longer. It is expected that this initiative will commence later this year and will have a positive impact on waiting times.

Drug Treatment Programmes Policy

25. **Deputy Niall Collins** asked the Minister for Health the action he is taking to address the prevalence of illegal drug use in Irish society; and if he will make a statement on the matter. [13423/15]

Minister for Health (Deputy Leo Varadkar): Government's response to the problem of drug misuse in our society is set out in the National Drugs Strategy 2009-2016. The Oversight Forum on Drugs, which I chair, is responsible for the high-level monitoring of the Strategy, and solid progress is being made in delivering on its objectives.

The Strategy aims to create a safer society through the reduction of the supply and availability of drugs for illicit use. Drug seizures valued at approximately €62m were made by An Garda Síochána last year. This does not include a joint operation involving An Garda Síochána, Revenue Customs Service and the Naval Service which led to the interception of a yacht off Ireland's south-west coast in September 2014 containing cocaine with an estimated street value at that time of over €70m.

Prevention and awareness programmes constitute a significant part of the Government's response to the drug problem. In addition to substance-use education in schools, young people at risk of drug misuse can access diversionary programmes, facilities and services and family support.

The provision of appropriate and timely treatment services is a key goal of the Strategy. At the end of December, 97% of clients over the age of 18 accessed treatment within one calendar month of assessment, and 100% of those under 18 received treatment within one week of assessment. There is much wider coverage of needle exchange services outside the Dublin area, with more than 130 community pharmacies recruited and trained. In a major effort to reduce drug-related deaths, the HSE is undertaking a pilot project to make the life-saving drug naloxone more widely available to treat overdoses. Naloxone reverses the effects of drugs like heroin, morphine and methadone if someone overdoses.

The budget of Drug and Alcohol Task Forces has also been protected, with €29m provided for local drugs initiatives this year. An additional €2.1m has been provided in the HSE budget this year for measures targeting vulnerable problem drug users, including the provision of more residential detoxification and rehabilitation places.

My Department is beginning work on the development of a new Strategy for the period after 2016. The process will include a comprehensive consultation with key stakeholders and the public on the current national drugs policy and future priorities. It will also take account of evidence-based research, information and data sources on the extent and nature of problem drug use in Ireland. As Minister with lead responsibility for drugs policy, I will play an active role in the development of the new Strategy and I look forward to engaging with all interested parties in this work.

Hospital Waiting Lists

26. **Deputy Charlie McConalogue** asked the Minister for Health if he will reconsider the decision not to provide follow-up funding for the patients of Letterkenny General Hospital in County Donegal, who were outsourced under the 2013 outpatients initiative and who are still waiting on their follow-up treatment; if he will make funding available for these patients in order that they may have their treatment continued in the hospital to which they were referred under the initiative; and if he will make a statement on the matter. [14633/15]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Mental Health Services Provision

27. **Deputy Richard Boyd Barrett** asked the Minister for Health his plans to address the shortfall in services available to children with mental health difficulties, as identified in the recent publication by the Children's Rights Alliance, Report Card 2015; and if he will make a statement on the matter. [14628/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I have recently published the Expert Group report on the review of the Mental Health Act 2001. The report makes a number of significant recommendations in relation to children with one of the most important being the need to ensure that provisions relating to children should be included in a stand alone part of the Act and any provisions of the Child Care Act 1991 which apply should be expressly included rather than cross referenced.

The Group also recommended a number of child appropriate guiding principles which include issues such as the autonomy and self determination of the child should be respected insofar as practicable, the need to ensure consultation with the child at each and every stage of diagnosis and treatment, due weight being given to his/her views consistent with his/her age, evolving capacity and maturity with due regard to his/her will and preferences and ensuring that where there is an intervention on behalf of a child, his/her best interests must be taken into account.

In addition, Children aged 16 or 17 will be presumed to have capacity to consent/refuse admission and treatment in the future.

I am satisfied that the recommendations of the Expert Group will address the concerns of the publication to which the Deputy makes reference. I have instructed my officials to draw up a general scheme of a bill to reflect all of the recommendations of the Expert Group including those relating to children in revised legislation.

A full copy of the Expert Group Report is available on the Department's website.

The HSE National Service Plan 2015 aims to improve placement of children in age appropriate mental health settings. The 95% target indicated in the Plan allows for some flexibility surrounding emergency placements in Adult Units. The corresponding target set in the 2014 Service Plan was 75% or above.

It is generally accepted that it will be most challenging for the HSE to meet the ambitious target for 2015, relative to the 2014 outturn position of around 70% for age appropriate placements. However, progress in this area has been significant over recent years, as evidenced by the fact that the number of such admissions to adult units in 2008 was 247, and that the trend has been declining annually since then to the most recent draft figure of 89 admissions for 2014.

Clearly, there remains room for improvement and this issue has therefore been flagged as a Key Priority in this year's Service Plan.

At present, there are 58 in-patient beds for children and adolescents in the HSE. Overall, the HSE are targeting an operational capacity of 74 public Child and Adolescent beds nationally by the end of 2015. It should be noted that difficulties with re-opening some existing beds at local level, already resourced in the system, primarily relates to securing or retaining staff rather than the non-availability of funding.

Nursing Staff Recruitment

28. **Deputy Billy Kelleher** asked the Minister for Health the way his Department can assist the private and voluntary nursing home sector, which is experiencing difficulties in the recruitment and retention of nurses; and if he will make a statement on the matter. [14653/15]

Minister for Health (Deputy Leo Varadkar): I understand from the HSE that there are two areas under active review in relation to these recruitment and retention issues. Firstly, there is the issue of recruitment of nurses educated and trained in Ireland. The Office of the Nursing and Midwifery Services Director have been supportive in allowing the nursing home sector meet with graduate students in the universities. The Chief Nursing Office in the Department has been engaged with, the nursing home sector in promoting nursing in the older adult as a career choice. The Office has facilitated discussions, spoken at conferences and engaged with 3rd level universities on seeking solutions to this issue. Discussions have involved exploring career pathways within older people services to encourage staff into this area of nursing practice.

The second area under review, relates to the recruitment of global nurses. There are 3 adaptation courses available this year in April, June and August. These courses are 6 weeks in duration and facilitate the integration of global nurses to nursing in an Irish context. Of the 195 places available only 60 places have been taken to date. The nursing home sector are aware of these vacancies.

In addition, options are being explored with an Irish university to offer a one-day programme of assessment through an examination format. The pilot of this programme will be complete and results available in the last quarter of 2015.

Mental Health Services Provision

29. **Deputy Robert Troy** asked the Minister for Health the way his Department is addressing the long waiting times and lack of access to community mental health services for children and teenagers. [14474/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service issue this question has been referred to the HSE for direct reply. If you have not received a reply within 15 working days, please contact my Private Office and they will follow up the matter with them.

Mental Health Services Provision

30. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which ready access and back-up support remains available to children seeking assessment or treatment un-

der the child and adolescent mental health services; the extent to which the services need to be enhanced to meet current and future requirements; and if he will make a statement on the matter. [14455/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service issue this question has been sent to the HSE for direct reply. If you have not received a reply within 15 working days, please contact my Private Office and they will follow up the matter with them.

Accident and Emergency Department Waiting Times

31. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which an examination and assessment will be carried out into the causes of overcrowding at accident and emergency services throughout the country; if comparisons have been made with the best and worst practices in this regard; if provision will be made to address any issues emerging, with a view to ensuring that, in the future, patients do not have to remain on trolleys in corridors or reception areas, with consequent distress for them and their families and unsatisfactory working conditions for doctors and nurses; if precise identification of bed requirements relative to the population in each catchment area will be undertaken, with a view to addressing any deficiencies in accommodation or staffing levels; if his recent initiative in respect of the provision of extra step-down beds requires any further enhancement; and if he will make a statement on the matter. [14660/15]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospital Waiting Lists

32. **Deputy Joan Collins** asked the Minister for Health his views on the long delays for patients awaiting spinal surgery at Galway University Hospital. [14641/15]

Minister for Health (Deputy Leo Varadkar): Improving waiting lists for scheduled care is a key priority for me and for the Government. Taking into account current pressures on acute hospital services, I have put in place a target that by mid-year nobody will wait more than 18 months for in-patient, day case treatment or an out-patient appointment, with a further reduction to a wait time of no more than 15 months by year end. The HSE is currently working on an implementation plan to achieve these targets and this will be monitored throughout the year.

I have been assured by the Saolta University Health Care Group that the waiting list for spinal surgery is a priority for the Saolta University Health Care Group. I understand that a number of arrangements are being put in place in order to facilitate the level of complexity involved in relation to this type of surgery. The Group is currently reviewing a number of resources in the context of bed availability, access to diagnostics, purchase of specialist spinal equipment and access to theatre. Plans in this regard are progressing and every effort is being made to facilitate potential surgery dates for this cohort of patients.

In addition, the National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists

for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

Health Insurance Community Rating

33. **Deputy Paul Murphy** asked the Minister for Health if he will report on the expected take-up of health insurance by persons under 34 years of age; and if he will make a statement on the matter. [14709/15]

Minister for Health (Deputy Leo Varadkar): Community rating, reflecting the principle of intergenerational solidarity, is a fundamental cornerstone of the Irish health insurance market. Under community rating, the level of risk that a particular consumer poses to an insurer does not directly affect the premium paid. Premiums for younger or healthier lives are typically higher than their expected claims would require, whereas for older or less healthy lives, premiums are typically lower than the expected claims would require.

Community-rated insurance markets depend on a continuing entry of younger people, to help keep premium prices down for everybody. Lifetime Community Rating (LCR) is being introduced to encourage people to take out private health insurance at a younger age, thereby helping to spread the costs of older and less healthy people across the market, to support affordable community-rated premiums for everyone who wishes to purchase insurance. It is a necessary measure to help support the viability of community rating within our system of private health insurance, as without it there will be a continued deterioration in the age profile of the insured population, which in turn will contribute to claims inflation and higher insurance premiums for all.

There are a number of weeks remaining before the introduction of Lifetime Community Rating. All residents in this State during the grace period, who choose to wait until after 30 April 2015 to purchase private health insurance, will be subject to the provisions of the LCR regulations. I would encourage anybody who is considering purchasing health insurance to do so in advance of the new rules coming into force. Any increase in the number of younger insured persons will have a positive impact on the market as a whole as it will help to make health insurance more affordable for all.

HSE Investigations

34. **Deputy Clare Daly** asked the Minister for Health the action he has taken in relation to the fact that, rather than referring the suspension of a person (details supplied) for investigation by the regulator of midwifery, the Nursing and Midwifery Board of Ireland, as per the terms of the contract between the Health Service Executive and self-employed midwives, the area manager of the executive for Dublin Mid-Leinster instead opted to commission and chair a high-cost, resource-intensive systems analysis investigation into the person's practice. [14706/15]

Minister for Health (Deputy Leo Varadkar): I wish to thank the Deputy for the matter raised.

The HSE is legally obliged to actively promote the well-being and to protect the welfare of the public. Decisions in this regard are made on a bona fide basis, based on information available to the HSE at a particular point in time. In relation to the matters raised by the Deputy, the proceedings are ongoing and as such it is not appropriate to comment on a matter currently before the courts.

In regard to the ongoing HSE investigations, which are due to conclude within the next few weeks, the outcome will determine the necessity or otherwise for the HSE to refer the matter to the Nursing and Midwifery Board of Ireland.

Chronic Disease Management Programme

35. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health his plans for increased chronic care management in general practice; the form this will take; the increased funding that will be provided for this; when new contracts with general practitioners will be negotiated; and if he will make a statement on the matter. [14713/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Following intensive engagement, the Department of Health, the HSE and the Irish Medical Organisation have reached agreement on a package of measures, including terms for the delivery of free GP care for all children aged under 6 years; the provision of GP care without fees to all persons aged 70 years and over under the existing GMS contract; and the introduction of a Diabetes Cycle of Care for medical card or GP visit card holders who have Type 2 Diabetes. The aim is to commence the GP service for under 6s and over 70s in the summer, with the Diabetes Cycle of Care commencing in Quarter 4 of this year.

Under the new arrangements, an additional 270,000 children under 6 will benefit from GP care free at the point of service. All children under 6 will benefit from the new enhanced service under the proposed GP contract. This will involve age-based preventive checks focused on health and wellbeing and the prevention of disease. These assessments will be carried out when a child is aged 2 and again at age 5, in accordance with an agreed protocol.

The contract will also include an agreed cycle of care for children diagnosed with asthma, under which GPs will carry out an annual review of each child where the doctor has diagnosed asthma. The asthma cycle of care will provide the key elements of best practice in the care of asthma with structured visits including education of child and parents, medicine and inhaler technique review and an individualised asthma plan for parents. It will result in better quality of life for children, with resulting better health and wellbeing and less need to visit hospital. The new expanded GP service will apply to all children aged under 6, including those who already have a medical card.

The extension of GP care free at the point of service to everyone aged 70 or over and who does not currently qualify for this benefit will take effect at the same time as the under-6 service, subject to the enactment of the necessary legislation. This service will benefit about 36,000 new patients.

The Diabetes Cycle of Care will enable patients with a medical card or GP visit card and who have Type 2 Diabetes to avail of two annual visits to their GP practice for a structured review of their condition. This initiative will help to integrate care across the continuum of care, will improve clinical outcomes for patients and reduce complications often experienced with this condition.

In addition to the above, the HSE's 2015 National Service Plan has committed to a number of Chronic Disease Management initiatives as follows:

- It is planning to align the existing 10 primary care diabetes initiatives to the Diabetes Model of Care with the support of the Clinical Programme and augment existing podiatry services to deliver the model of care.

- It is also planning to undertake Chronic Disease Integration and Self Care Demonstrator Projects to provide proof of concept of integrating chronic disease services for Asthma, COPD and heart failure between Primary and Secondary Care, with particular focus on the education of practice nurses and local GPs.

Furthermore, a Memorandum of Understanding signed in February 2015 committed the Department of Health, the HSE and the IMO to substantive negotiations on a new comprehensive GP contract. A priority of these discussions, which have commenced, will be the inclusion of chronic disease management for patients over and above the initiatives outlined above.

HSE Expenditure

36. **Deputy Billy Kelleher** asked the Minister for Health if he will provide an update on the financial position of the Health Service Executive; his plans to introduce a Supplementary Estimate on foot of recent announcements; and if he will make a statement on the matter. [14652/15]

Minister for Health (Deputy Leo Varadkar): In the January 2015 Health Service Performance Report - the latest published - the HSE is reporting a net spend on an income and expenditure basis of €1.037 billion against a budget of €1.013 billion, leading to a deficit of almost €25 million.

There is a deficit of €14 million within Acute Hospitals and Social Care, with some offsetting savings in other service areas. A further €9 million of the deficit relates to the demand led areas of PCRS & Local Schemes.

The early indications from Income & Expenditure data confirm the key financial risks are in demand led areas and acute hospitals. Acute hospitals, in particular, will require very close management using the measures specified in the Accountability Framework as set out in the NSP.

As the Deputy is aware, pressures in the Acute Sector and rising waiting times for placements under “Fair Deal” have been a cause for concern, and the Government has recently provided a further €74 million to help alleviate ED overcrowding and pressures on the ‘Fair Deal’ scheme. That being said, it is too early to give a view on the Supplementary Estimate requirement for Vote 38 in 2015. The HSE is pro-actively engaged in internal efforts to maximise savings and cost containment plans and to ensure that additional measures are identified and safely implemented to mitigate any projected deficits which are within HSE direct control, while engaging on an ongoing basis with the Department of Health.

Hospitals Funding

37. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the status of present funding for Port Laoise Hospital in County Laois; the status the hospital is now given; and if he will make a statement on the matter. [14714/15]

Minister for Health (Deputy Leo Varadkar): Acute hospital funding is determined and set out in the HSE Annual Service Plan within the context of total funding provided to the HSE. The approved allocation for Portlaoise Hospital for 2015 is €49.75 million. Individual hospital funding is not framed or specifically determined by categorisation or designation but rather is based on the range and complexity of services provided by each hospital and by their level of

activity.

Portlaoise hospital is part of the Dublin Midlands Hospital Group. Work is underway to strengthen services in Portlaoise Hospital from a patient safety and quality perspective as part of a structured integration of the hospital into the Group in 2015.

Cancer Services Funding

38. **Deputy Sandra McLellan** asked the Minister for Health the allocation of funding for children with cancer; and the terms of reference for the treatment of children. [14464/15]

Minister for Health (Deputy Leo Varadkar): Cancer treatment for children in Ireland is led and directed by Our Lady's Children's Hospital Crumlin, Dublin, which is the national tertiary paediatric and adolescent referral centre for all cancer services and which operates a shared care model with hospitals around the country. Every child who develops cancer has their diagnosis established and treatment planned at the Our Lady's Children's Hospital in Crumlin.

I have asked the HSE to respond directly to the Deputy regarding funding allocation and terms of reference for the treatment of children.

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.

Nursing Homes Support Scheme

39. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if elderly persons will be asked to contribute more to the fair deal scheme, despite the Minister of State's commitment to the effect that they would not be asked do this; the stage the evaluation by his Department and the Health Service Executive of the report on the scheme is at; when it will conclude; and if he will make a statement on the matter. [14715/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): When the Nursing Homes Support Scheme commenced, a commitment was made that it would be reviewed after three years. This review is being carried out by my Department in collaboration with the HSE, with analysis and recommendations provided by Deloitte & Touche Consultants on specific issues which required specialised expertise.

The review is considering the long term sustainability of the Scheme including funding arrangements. No decisions have been taken nor plans in place regarding changes to the way the Scheme currently operates.

The Review of the Nursing Homes Support Scheme, as well as considering how the Scheme has operated to date, is expected to identify some of the broader issues that will need to be considered and tested more fully into the future, including the future financing of the full range of supports for older people, how community and residential supports and services should be balanced, and whether new care approaches can contribute positively. A continuum of more efficient care might serve to reduce the number of people requiring nursing home care and limit the projected increase in the cost of the Scheme. The draft review requires further analysis and this is ongoing at present.

40. **Deputy Charlie McConalogue** asked the Minister for Health if he will reconsider the decision not to provide follow-up funding for the 550 general surgery patients of Letterkenny General Hospital in County Donegal who were outsourced under the 2013 outpatients initiative and who are still waiting on their follow-up treatment; and if he will make a statement on the matter. [14639/15]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Drug Treatment Programmes Policy

41. **Deputy Maureen O'Sullivan** asked the Minister for Health his views on harm reduction measures in relation to addiction; his views that recovery must remain the ultimate objective for those in addiction; and if he will make a statement on the matter. [14634/15]

Minister for Health (Deputy Leo Varadkar): A core objective of the National Drugs Strategy is the development of a national integrated treatment and rehabilitation service that provides drug free and harm reduction approaches for problem substance users. Harm reduction interventions, such as needle exchange services and methadone maintenance treatment, are an important component of the response to problem substance use as such interventions encourage problem substance users to engage with, and avail of, drug treatment services.

The importance of promoting the recovery of people in treatment is recognised in the National Drugs Strategy. Problem drug users have complex needs and may require multiple interventions from a range of agencies to assist them in their recovery. The National Drugs Rehabilitation Implementation Committee, chaired by the HSE, is overseeing the roll out of a National Drugs Rehabilitation Framework. The aim of the Framework is to provide a 'continuum of care' for the recovering drug user through promoting a more integrated and client-centred approach to rehabilitation, based on shared care planning. The roll out of the Framework is currently being advanced through the HSE's Addiction Services and the Drug and Alcohol Task Forces.

My Department is commencing work on the development of a new National Drugs Strategy for the period after 2016. The process will involve a comprehensive consultation with key stakeholders and the public on the current national drugs policy and future priorities. This will provide an opportunity to ensure that our strategic approach into the future continues to be firmly focused on recovery. I have also asked my Department to examine the feasibility of utilising Social Impact Bonds as a funding model to improve both treatment and rehabilitation service outcomes. The outcome of this work will inform decisions as to the viability of this approach to maximising the social benefits which the National Drugs Strategy seeks to achieve.

Hospital Services

42. **Deputy Billy Kelleher** asked the Minister for Health if he expects the fall in the number of day cases in our hospitals in 2014 to continue in 2015; and if he will make a statement on the matter. [14651/15]

Minister for Health (Deputy Leo Varadkar): The January 2015 HSE Performance Report sets out that 808,365 day cases were treated in 2014. The HSE National Service Plan 2015 targets a day case activity level of 824,317 in 2015. This is an increase of 15,952 day cases and I

expect the HSE to deliver on its Service Plan targets in 2015.

Drugs-related Deaths

43. **Deputy Thomas P. Broughan** asked the Minister for Health if he will report on the standard operating procedures on dispensing methadone in Garda stations; if he will provide, in tabular form, the amount of methadone dispensed in Garda stations; and the number of drug-related deaths recorded, in the years 2012 to 2014 and in 2015 to date. [14635/15]

Minister for Health (Deputy Leo Varadkar): The latest annual figures from the National Drug-Related Deaths Index indicate that there were 633 drug related deaths in 2012. 350 of these deaths were due to the toxic effects of drugs which represents a decrease from 387 in 2011. Methadone was implicated in 86 poisonings in 2012 compared to 118 in 2011. The majority of the deaths (87%) where methadone was implicated were polydrug poisonings.

The HSE maintains the Central Treatment List, which is a register of all clients in receipt of methadone maintenance treatment for problem opiate use in Ireland. The dispensing of methadone in Garda Stations is not covered by the Opioid Treatment Protocol, which regulates and oversees methadone and opiate dependence treatment. Consequently, the Central Treatment List does not contain data on the dispensing of methadone in Garda stations. However, I understand that prescribing doctors are expected to follow Irish College of General Practitioners best practice guidelines.

Mental Health Services Provision

44. **Deputy Mick Wallace** asked the Minister for Health his plans to introduce 24-hour acute services for mental health in County Wexford; and if he will make a statement on the matter. [14630/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service issue this question has been referred to the HSE for direct reply. If you have not received a reply within 15 working days, please contact my Private Office and they will follow up the matter with them.

Assisted Human Reproduction

45. **Deputy Mattie McGrath** asked the Minister for Health the proposals that are currently being formulated by his Department for the regulation of commercial surrogacy; his plans to prohibit this practice; the reason for same; and if he will make a statement on the matter. [14703/15]

Minister for Health (Deputy Leo Varadkar): Currently in Ireland, the provision of assisted human reproduction services remains largely unregulated. Nonetheless, surrogacy is being practiced here and Irish citizens are also availing of international surrogacy arrangements abroad. Assigning parentage to these children requires court involvement in the vast majority of cases.

On 17th February this year I received Government approval to draft a General Scheme of a comprehensive Bill, which will regulate all aspects of assisted human reproduction, including surrogacy. Surrogacy will be regulated for the first time, commercial surrogacy will be prohib-

ited, however, the reimbursement of reasonable expenses will be permitted.

Numerous concerns have been raised in relation to commercial surrogacy, namely:

- the commodification of the surrogate's body and the resulting children;
- the welfare of the children;
- the potential for financial coercion and the risk of the exploitation of financially vulnerable women.

There are concerns that financially vulnerable women would not be fully informed of the possible physical and psychological health risks involved or that they might be willing to undergo risks that they would not otherwise for financial gain.

Following the completion of the draft General Scheme, I intend to submit the Scheme to the Joint Oireachtas Committee on Health and Children for pre-legislative scrutiny. In addition, my Department will conduct a widespread consultation on the draft General Scheme during which stakeholders and members of the public will be invited to share their views.

It is my intention that any legislation in this area protects, promotes and ensures the health and safety of parents, others involved in the process (such as donors and surrogate mothers) and, most importantly, the children who will be born as a result of assisted human reproduction. Given the concerns that I have outlined above, permitting commercial surrogacy would not be in keeping with these underlying principles.

Disability Services Provision

46. **Deputy Finian McGrath** asked the Minister for Health if he will provide the maximum support to all persons with a disability in day and residential services; and if he will make a statement on the matter. [14655/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is committed to protecting frontline health and personal social services needs for people with disabilities. The Government currently provides funding of approximately €1.5 billion to the Disability Services Programme through the Health Service Executive's National Service Plan for 2015.

The HSE works with voluntary disability service providers to ensure that available resources are used in order to be responsive to the health and personal social services needs of people with a disability.

In 2015, the HSE is seeking to maximise the provision of services within available resources and to maintaining a consistent level to that provided in 2014, by providing the following specialist disability services:

- residential services to around 9,000 people with a disability;
- day services to over 22,000 people with intellectual and physical disabilities;
- respite residential support of 190,000 overnights for people with intellectual and physical disabilities;
- 3.9 million hours of Personal Assistant / Home Support Hours.

Additional funding of €6 million has been allocated in the HSE National Service Plan in 2015 to provide day places for an estimated 1,400 young people finishing school and rehabilitative (life-skills) training. €4m in additional funding has also been allocated in the Plan to deliver an increase in the services for children with disabilities and reduce waiting lists under the Progressing Disability Services for Children and Young People (0-18s) Programme.

A total of 150 people will be facilitated to move from institutions to homes in the community in line the recommendations of the HSE's report 'Time to Move on from Congregated Settings - A strategy for Community Inclusion' (2011). This report proposes a new model of support in the community by moving people from institutional settings to the community, over a seven year time frame.

In order to maintain current service levels while supporting people with disabilities to achieve their full potential, including living as independently as possible, a significant change programme involving a realignment and reconfiguration of existing resources is being undertaken by the HSE. The reconfiguration will be in line with the recommendations in the Value for Money and Policy Review of Disability Services and will see new and sustainable models of service being implemented to meet the changing needs of service users, increased demographic pressures and individuals wish for more choice and control.

Civil Registration Legislation

47. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the procedure to be followed in the case of an Irish citizen seeking to marry an undocumented non-EU national who has been living and working in this country for several years and who is in a relationship with said Irish citizen; and if she will make a statement on the matter. [15118/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Any couple proposing to marry in the State should begin the process by contacting their local Civil Registration Service Office to make an appointment to meet the registrar and provide their marriage notification.

When attending the registrar's office in relation to the notification, the couple must provide the registrar with evidence of their name, address, age, civil status and nationality.

In addition to their personal particulars the couple will be requested to provide details in relation to their proposed marriage such as the intended date of marriage, whether they intend to have a civil, religious or secular ceremony, the proposed solemniser and venue. They will both also have to complete a declaration of no impediment stating that they are not aware of any lawful impediment to the proposed marriage. Additional information is available at http://www.welfare.ie/en/Pages/Getting_Married.aspx.

The Civil Registration (Amendment) Act 2014 was enacted on 4 December 2014. The Act contains a wide range of provisions which will be commenced on a step by step basis.

Section 15 of the Act provides that where one or both of the people giving notice of intent to marry is not a citizen of an EU member state they must provide information and documentary evidence regarding their immigration status to the registrar.

The provisions of the Act will be put into operation on the basis of an implementation plan involving both procedural and system changes. This work is being progressed as quickly as possible in order that the various provisions of the Act can be commenced.

Disability Allowance Applications

48. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the extent to which an application for disability allowance has been investigated or approved in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15135/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned has been awarded a disability allowance payment with effect from 29 October 2014. First payment will be on 22 April 2015 and any arrears due will follow shortly.

Jobseeker's Allowance Applications

49. **Deputy Jack Wall** asked the Tánaiste and Minister for Social Protection the position regarding an appeal in respect of jobseeker's allowance by a person (details supplied) in County Kildare. [14988/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned together with the relevant Departmental papers were received by that office on 24 March 2015 and that the case has been referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Social Welfare Benefits

50. **Deputy Paul J. Connaughton** asked the Tánaiste and Minister for Social Protection the reason carer's allowance is not a qualifying payment for fuel allowance, in view of the fact that many carers do not reside with the person for whom they are caring, and incur huge additional cost in caring for a loved one; her plans to change this in order that a person in receipt of carer's allowance and no other social welfare payment, and who lives alone but provides full-time care for a person who lives in another dwelling, can receive the fuel allowance; and if she will make a statement on the matter. [14991/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): To ensure that social welfare payment rates are maintained and targeted it is not possible to have secondary benefits paid to all customer groups - and carer's allowance is not a qualifying payment for receipt of the fuel allowance.

However, the Government acknowledges the valuable contribution that carers make to society - carers receive significant income supports from the Department (among the highest in Europe) while the means test applied to applicants for carer's allowance is the most generous in the social welfare system.

I should also point out that under the supplementary welfare allowance scheme, exceptional needs payments may be made to help meet an essential, once-off cost which a person is unable to meet out of his/her own resources – and this may include exceptional heating costs.

Exceptional Needs Payments

51. **Deputy Lucinda Creighton** asked the Tánaiste and Minister for Social Protection if an exceptional needs payment will be made in respect of a person (details supplied) in Dublin 8, who cannot meet funeral expenses in respect of an immediate family member; and if she will make a statement on the matter. [15001/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned applied for an exceptional needs payment in July 2013 towards the cost of funeral expenses for his late son. A payment of €850 was made to him. In August 2013 he requested a review of this decision. The Reviewing Officer investigated the case and discussed the circumstances with the person concerned and found that due to the amount of his household income he was not entitled to any further payment and the original decision was upheld. In June 2014 the person concerned was sent written notification of the outcome of the review.

It will be arranged that the person be contacted by the Department to see if further advice, including a possible referral to the Money Advice and Budgeting Service (MABS), might be appropriate having regard to his circumstances.

Rent Supplement Scheme Administration

52. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Social Protection if she will increase rent allowance in line with increasing rental prices throughout the county; and if she will make a statement on the matter. [15003/15]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): The rent supplement scheme provides support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. There are currently approximately 70,000 rent supplement recipients, for which Government has provided over €298 million for 2015.

The Department recently published a review of the maximum rent limits, “Maximum Rent Limit Analysis and Findings” and it is available on www.welfare.ie. The review finds that increasing rent limits at this time could potentially add to further rental inflation in an already distressed market, affecting not alone rent supplement recipients, but lower-income workers and students. Between the rent supplement scheme and the Rental Accommodation Scheme (RAS) administered by the Department of the Environment, Community and Local Government, the State accounts for a third of the private rented market. The State is therefore a very significant player in the sector which has a responsibility not alone to rent supplement recipients but also to the market as a whole, including all those in private accommodation.

In light of the review’s findings, the Department will instead continue to allow for flexibility in assessing customers’ accommodation needs through the National Tenancy Sustainment Framework. Under this approach, each tenant’s circumstances are considered on a case-by-case basis and rents can be increased above prescribed limits if deemed appropriate. In excess of 1,000 rent supplement recipients have received support through increased rent limits to date in order to retain their rented accommodation.

In addition, the Department in conjunction with Threshold operates a Tenancy Sustainment Protocol in the Dublin and Cork areas where supply is most acute. The primary objective of the Protocol is to ensure a speedy intervention to ensure that families at immediate risk of losing

their tenancy get rapid assistance.

The review clearly points out that the main cause of difficulty for persons renting or seeking to rent at this time is the much reduced availability of affordable private rented accommodation. The issue of supply is being addressed by Government through the Construction 2020 Strategy and the Social Housing Strategy.

I am keeping this matter under close review to ensure that the appropriate supports continue to be provided for rent supplement recipients.

State Pension (Contributory) Eligibility

53. **Deputy Michael McGrath** asked the Tánaiste and Minister for Social Protection the eligibility criteria for the State pension (contributory) that applied pre-2012; and if she will make a statement on the matter. [15018/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The State Pension (Contributory) is a very valuable benefit. Therefore, with increased numbers of people living longer, it is important to ensure that those qualifying for State Pension (Contributory) have made a sustained contribution to the Social Insurance Fund over their working lives.

To qualify for the State Pension (Contributory) prior to the reform measures of 2012 a person must have been aged 66 years or over, have started paying social insurance (at full or modified rate) before reaching age 56, and have a total of 260 full rate employment contributions paid where attaining pension age on or after 6 April 2002. With effect from April 2012, the number of paid contributions required to qualify for a State Pension (contributory) increased from 260 paid contributions to 520 paid contributions. This provision was provided for a number of years earlier in the Social Welfare Act, 1997.

The rate at which a State Pension (Contributory) is paid at is determined by the average number of contributions paid or credited per year, with tiered rates applying in respect of bands of contributions. For example, to qualify for the maximum personal rate, a person requires a yearly average of 48 or more contributions per year. From September 2012, new rate bands for State Pension (Contributory) were introduced. This resulted in one of bands (in respect of those with a yearly average of 20-47 contributions), being replaced with three bands (in respect of yearly averages of 40-47, 30-39, and 20-29 respectively). These additional bands more accurately reflect the social insurance history of a person and ensure that those who contribute more during a working life benefit more in retirement than those with lesser contributions.

Those with lower earnings and those with lesser contribution histories continue to obtain the best value for money from the Social Insurance Fund. Even for those with an average of only 20 contributions per year (i.e. 38% of the maximum), the reduced rate State Pension (Contributory) of €196 now paid is 85% of the maximum rate, and is higher than the full rate that applied in 2007.

For those with insufficient contributions to meet the requirements for a full rate State Pension (Contributory), they may qualify for a means tested State Pension (Non-Contributory) which has a maximum personal rate of €219, or just over 95% of the maximum rate of the State Pension (Contributory). Alternatively, if a person's spouse or civil partner is in receipt of a State Pension (Contributory) they may instead qualify for an Increase for a Qualified Adult of up to €206.30, which is just less than 90% of the maximum personal rate of the State Pension (Contributory).

Question No. 54 withdrawn.

Social Welfare Appeals

55. **Deputy Jack Wall** asked the Tánaiste and Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15021/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 10 March 2015, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

Question No. 56 withdrawn.

Back to Work Family Dividend Scheme Administration

57. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection when payment under the back to work family dividend scheme will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15023/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): As announced in Budget 2015, the back to work family dividend (BTWFD) scheme aims to help families to move from social welfare into employment. It will give financial support to people with children who were getting jobseeker and one-parent family payments and who take up employment, increase their hours of employment or become self-employed.

The BTWFD provides support for up to two years after a person moves from social welfare into employment. If a person qualifies for the dividend they will get a weekly payment equivalent of any increases for qualified children that were being paid on their jobseeker or one-parent family payment, up to a maximum of four children, for the first year in employment. Half that amount will be paid weekly for their second year in employment. Where payable the dividend will be additional to any entitlement the family may have under the family income supplement (FIS) scheme.

The BTWFD scheme will commence when the necessary legislation, to be advanced under the Social Welfare (Miscellaneous Provisions) Bill 2015, is in place. However applications are currently being accepted. These will be processed following the progression of the legislation and all eligible claims will be backdated to their date of application. This means that eligible applicants from the 5th of January, 2015 to the date of commencement of the scheme will receive arrears of BTWFD and their 2 year period of entitlement, subject to scheme criteria, will run from their date of application.

While it was originally envisaged that the Bill would be enacted during April, 2015, it is now due to be enacted in early May, 2015. Eligible applicants, who will be in employment or self-employment, will still get their full entitlement under the scheme.

JobsPlus Scheme

58. **Deputy Timmy Dooley** asked the Tánaiste and Minister for Social Protection the reason the one-parent family payment is not a qualifying payment under the JobsPlus programme; and if she will make a statement on the matter. [15054/15]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): JobsPlus provides a direct monthly financial incentive to employers who recruit employees primarily from the Live Register. Employers may also be eligible for the incentive if they recruit former recipients of the one parent family payment whose youngest child is 14 years of age or over who are currently in receipt of a jobseekers' payment and those transitioning into employment. The incentive provides employers with two levels of payment - €7,500 or €10,000 over two years - paid in monthly instalments provided the employment is maintained.

In line with the policy objectives set out in Pathways to Work and the Action Plan for Jobs, the objective of JobsPlus is to encourage employers to focus their recruitment on those that are longer term unemployed. A person in receipt of a one parent family payment is not considered eligible. There are no proposals to extend the criteria further.

Questions No. 59 to 61, inclusive, withdrawn.

Rent Supplement Scheme Applications

62. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if an increase in rent support is warranted in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15127/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Department has not been informed of any change of circumstance for the client concerned. The client's entitlement to Rent Supplement can be assessed if an up to date Rent Supplement application form and lease agreement is forwarded to the Mid Leinster Rents Unit, Department of Social Protection, PO Box 11758, Tallaght, Dublin 24.

Domiciliary Care Allowance Applications

63. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if she will review and-or refer to appeal a refusal of domiciliary care in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15128/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned applied for domiciliary care allowance in respect of her child on the 10th October 2014. The application was disallowed as it was considered that the child did not meet the eligibility criteria for the allowance. A decision letter issued to the customer on the 14th January 2015 advising of the decision.

In the case of an application which is refused the applicant may submit additional information and ask for the decision to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The person concerned has been advised of this in her decision letter.

Rent Supplement Scheme Applications

64. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the progress to date in determining eligibility for rent support in the case of a person (details supplied) in County Kildare; if the relevant equality legislation is being observed in this case; and if she will make a statement on the matter. [15130/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): As detailed to the Deputy in reply to Parliamentary Question No 67 of 5th March 2015, the client concerned was requested to provide the Department with details of any savings accrued through the sale of the family home on 10th of December 2014 and again on 24th February 2015 in order for the client's entitlement to be fully assessed. This documentation has not, to date, been received by the Department.

As also outlined in that response, in the assessment of means for Rent Supplement, capital (savings and investments) over €5000, is assessed as means, on an increasing scale. All applications for Rent Supplement are subject to this means test.

Social Welfare Benefits

65. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if she will indicate eligibility for a carer's allowance and a domiciliary care allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15131/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person in question is currently in receipt of carer's allowance (CA) for one care recipient. To be entitled to CA, where the care recipient is aged under 16 there must be a domiciliary care allowance (DCA) in payment in respect of that child. If the person in question believes that she satisfies the conditions for receipt of DCA and CA for another care recipient it is open to her to submit application forms for the two schemes which will be processed and decided upon in due course.

Rent Supplement Scheme Payments

66. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if and when payment, including arrears of rent support, will issue in the case of a person (details supplied) in County Kildare in respect of the period up to 18 March 2015 when the person became ineligible; and if she will make a statement on the matter. [15133/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): A final Rent Supplement payment, to include arrears due, will issue by cheque to the client concerned on 24th April 2015.

Mortgage Interest Supplement Scheme

67. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if mortgage support can be made available in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [15134/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Social Welfare

& Pensions Act 2013 provided for the closure of the mortgage interest supplement scheme to new applicants from 1/01/2014 and for a winding down of the scheme for existing recipients over four years. According to the records of this Department the person concerned made no claim for this supplement before or after this date.

The person concerned should contact their lender if they are experiencing difficulties with their mortgage at this time. The Money Advice and Budgeting Service (MABS) also provides assistance to people, in particular people in receipt of social welfare or on low incomes, who are over-indebted and need help and advice in coping with debt problems.

Tax Code

68. **Deputy Ciarán Lynch** asked the Minister for Finance if he will confirm whether income tax is calculated on the full amount, inclusive of universal social charge, even though the universal social charge is deducted; his views on whether this is double taxation; and if he will make a statement on the matter. [14983/15]

Minister for Finance (Deputy Michael Noonan): Income Tax is imposed by section 12 of the Taxes Consolidation Act 1997 (TCA) and Universal Social Charge is imposed by section 531AM of the TCA.

In the case of Income Tax, the tax is charged on an individual's income from all sources, as calculated in accordance with provisions of the Income Tax Acts. Universal Social Charge is charged on an individual's income after any relief for certain trading losses and capital allowances, but before pension contributions.

In calculating the amount of Income Tax payable in a particular tax year, there is no provision to allow for a reduction in respect of any Universal Social Charge payable in the same tax year.

Income Tax, Universal Social Charge (and indeed PRSI) are separate and distinct charges on income and I would not agree that their imposition amounts to double taxation. These charges are aggregated when calculation of marginal tax rates is completed. For example, those who pay income tax at the standard rate only, in general face a marginal tax rate of 31%, which is comprised of 20% Income Tax, 7% USC and 4% PRSI.

Bank Restructuring

69. **Deputy Pearse Doherty** asked the Minister for Finance to outline the commitments entered into by him on behalf of the State as part of the European Union-approved Permanent TSB restructuring plan. [14995/15]

70. **Deputy Pearse Doherty** asked the Minister for Finance to detail the number of mortgages and the total value of mortgages Permanent TSB has agreed to sell as part of its European Union-approved restructuring plan; and if he will make a statement on the matter. [14996/15]

71. **Deputy Pearse Doherty** asked the Minister for Finance to set out the nature of any cost-cutting measures agreed to by Permanent TSB under its European Union-approved restructuring plan; and whether the bank will reduce the number of employees as a result. [14997/15]

72. **Deputy Pearse Doherty** asked the Minister for Finance to detail the cuts to the salaries of executives at Permanent TSB agreed to under its European Union-approved restructuring

plan. [14998/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 69 to 72, inclusive, together.

Firstly I would like to welcome the approval by the European Commission of the Permanent TSB Restructuring Plan last week. The approval is an important external validation that the plan contains a credible strategy to return Permanent TSB to profitability and brings to an end a period of uncertainty about what the future shape of the bank would look like which is important for all stakeholders including customers, staff and shareholders.

The Restructuring Plan includes a set of commitments which Permanent TSB will respect during the restructuring period. Those commitments comprise, among other things, targets on cost reduction and deleverage of non-core assets, mostly non-core UK mortgages or Irish Commercial Real Estate. Moreover, Permanent TSB will operate “market opening measures” to facilitate the market entry of competitors, comprising a “services package” and a “customer mobility package”.

Permanent TSB has published details of the key elements of the plan on its website at <http://otp.investis.com/clients/uk/irish/rns/regulatory-story.aspx?cid=121&newsid=504083>.

The European Commission will publish their full decision on their website in due course and my officials will advise you when this has occurred.

While the Restructuring Plan requires that Permanent TSB’s cost to income ratio and annual operating expenses should not exceed pre-determined limits it should be noted that compliance with these commitments, and any actions required to meet them, is a matter for the Board and Management of Permanent TSB, who are responsible for the day to day management of the Group.

In relation to Irish mortgage loans, Permanent TSB has committed to reduce the value of defaulted Irish Tracker mortgages through a combination of measures, including cures and asset sales by a pre-determined date and according to a pre-determined schedule. I am advised by Permanent TSB that it is their clear preference that such a reduction would be achieved by way of completed treatments in order to cure the defaulted loans rather than other means. Such an objective provides the best outcome for affected customers. If the target cannot be met through such an approach or by other means, then Permanent TSB would be required by the Restructuring Plan to sell such loans within the pre-determined timelines.

The Deputy may also be aware that The Consumer Protection (Regulation of Credit Servicing Firms) Bill 2015 was published in January and second stage of the Bill was taken in the Dáil on 4 February. Since then, my officials have been in contact with the Central Bank and with the Office of the Attorney General to further progress the legislation.

It remains my intention to ensure that borrowers whose loans are sold by a regulated entity to a currently unregulated entity maintain the same protections as they had prior to the sale. The Bill will continue its progress through the legislative process and I look forward to further discussion of the Bill at Committee Stage.

The legislation is not retrospective. However, it will apply to all loans as defined, regardless of when they were acquired, thus capturing loan books that have already been sold. A similar approach was used in 2013 in relation to debt management firms.

73. **Deputy Seán Crowe** asked the Minister for Finance whether Irish citizens who are living abroad and who have never bought a house here are still classified as first-time buyers under the new Central Bank mortgage rules if they return to Ireland, even if they have already bought and are planning to sell a house in another country. [15012/15]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that a first time buyer is defined as a borrower to whom no housing loan has ever before been advanced (in Ireland or abroad). Where the borrower under a housing loan is more than one person and one or more of those persons has previously been advanced a housing loan, none of those persons is a first-time buyer.

The Central Bank has decided to introduce proportionate limits specifically to allow flexibility by lenders when assessing individual cases. The proportionate limits mean that lenders will be able to make decisions based on an individual borrower's circumstances up to a specific limit. Lenders will still be required to assess an individual borrower's affordability and lend prudently on a case by case basis, in line with the requirements of the Consumer Protection Code and other regulations.

Tax Settlements

74. **Deputy Michael McGrath** asked the Minister for Finance if he will provide in tabular form for each year since 2010 the number of cases brought before the Office of the Appeal Commissioners; the number of appeals that have been fully or partially upheld; the number rejected; and if he will make a statement on the matter. [15050/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Appeal Commissioners that they do not maintain records which would facilitate a response in relation to the number or proportion of cases fully or partially upheld or rejected.

I am informed by the Revenue Commissioners that information in relation to appeal cases is not recorded in the format you requested for all of the years in question. However, the Revenue Commissioners have made the following information available in relation to the years 2012 and 2013 which may be of assistance:

Appeal Commissioners Decisions

Year	For Revenue	% of Total	For Taxpayer	%	Split	% of Total	Total
2013	84	71%	32	27%	2	2%	118
2012	81	74%	28	25%	1	1%	110
Total	165	72%	60	26%	3	1%	228

Summary of Appeals for 2012 and 2013	Total Appeals	% of Total Appeals
Appeals settled by agreement (this includes cases settled without being listed for hearing and cases listed for hearing but settled without being determined by the Appeal Commissioners)	572	71%

Summary of Appeals for 2012 and 2013	Total Appeals	% of Total Appeals
Appeals finalised at Appeal Commissioner stage (i.e. not appealed further to courts)	149	19%
Appeal Commissioners Determinations Appealed to Circuit Court	61	7%
Appeal Commissioners Determinations Appealed directly to High Court	18	3%
Total (2012 & 2013)	800	100%

Living City Initiative

75. **Deputy Michael McGrath** asked the Minister for Finance to explain the reason the Living City initiative, originally announced in October 2012, has not yet commenced; when he expects the initiative to be operable; his plans for further changes to the criteria for the initiative; and if he will make a statement on the matter. [15055/15]

Minister for Finance (Deputy Michael Noonan): The Living City Initiative was legislated for in Finance Act 2013 but will only come into operation on the passing of a Commencement Order. The reason for the delay in the initiative coming into effect was related to EU State Aid approval. A number of amendments were made to the Living City Initiative in Finance Act 2014. In particular, the Act incorporated new limits on the amount of qualifying expenditure on which relief can be claimed in relation to the conversion or refurbishment of certain commercial premises. The purpose of the amendments was to bring the LCI within the *de minimis* levels of State Aid. As such, we are now in the advanced stage of discussions with Limerick, Waterford, Dublin, Galway, Kilkenny and Cork City Councils and the Revenue Commissioners in order to finalise the eligible areas for relief under the Living City Initiative (“Special Regeneration Area” as defined in Section 372AAA Taxes Consolidation Act (“TCA”) 1997) and to operationalise the relief. An order will be made to designate the Special Regeneration Areas and a Commencement Order will need to be made to bring the relief into operation. Work on this Initiative is at a very advanced stage and we intend to launch the Initiative soon.

There are currently no plans to make any changes to the criteria to qualify for the Living City Initiative but of course, the Initiative will remain subject to review following its implementation.

Bank Restructuring

76. **Deputy Michael McGrath** asked the Minister for Finance if his prior approval is required before the disposal of loans by Permanent TSB; and if he will make a statement on the matter. [15056/15]

77. **Deputy Michael McGrath** asked the Minister for Finance if the restructuring plan for Permanent TSB requires it to dispose of part of its mortgage book; the criteria it will apply in deciding which loans will be disposed of; the implication of such a sale for its customers; and if he will make a statement on the matter. [15057/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 76 and 77 together.

As the Deputy is aware, Permanent TSB has published details of the key elements of the Restructuring Plan on its website at <http://otp.investis.com/clients/uk/irish/rns/regulatory-story.aspx?cid=121&newsid=504083>.

As part of the Restructuring Plan, Permanent TSB will commit to reduce the value of defaulted Irish tracker mortgages through a combination of measures, including cures and asset sales by a predetermined date and according to a predetermined schedule.

I have been informed by Permanent TSB that it is its clear preference to reduce the value of defaulted Irish tracker mortgages by way of completed treatments in order to cure the defaulted loans rather than by other means. If the target cannot be met through this approach or other means, then Permanent TSB would be required by the Restructuring Plan to sell such loans within the predetermined timelines.

Under Clause 11 of the Relationship Framework, Permanent TSB would be obliged to consult with me prior to a disposal, outside the ordinary course of business, of a loan/loans for an amount in excess of €50 million. In the Relationship Framework it is recognised that Permanent TSB remains a separate economic unit with independent powers of decision and that its Board and management team retain responsibility and authority for determining Permanent TSB's strategy and commercial policies and conducting its day-to-day operations. The consultation would carefully assess, at that particular point in time, the matter based on the facts and in particular the impact on Permanent TSB's profit, capital and funding and compliance with Restructuring Plan commitments.

The Deputy may also be aware that The Consumer Protection (Regulation of Credit Servicing Firms) Bill 2015 was published in January and second stage of the Bill was taken in the Dáil on 4 February. Since then, my officials have been in contact with the Central Bank and with the Office of the Attorney General to further progress the legislation.

It remains my intention to ensure that borrowers whose loans are sold by a regulated entity to a currently unregulated entity maintain the same protections as they had prior to the sale. The Bill will continue its progress through the legislative process and I look forward to further discussion of the Bill at Committee Stage.

The legislation is not retrospective. However, it will apply to all loans as defined, regardless of when they were acquired, thus capturing loan books that have already been sold. A similar approach was used in 2013 in relation to debt management firms.

Tax Code

78. **Deputy Michael McGrath** asked the Minister for Finance his plans to introduce specific provision in the taxation system for seafarers, as is the case in other jurisdictions; if this is an issue his Department has examined; if his Department has an estimate of the number of Irish seafarers; and if he will make a statement on the matter. [15058/15]

Minister for Finance (Deputy Michael Noonan): Section 472B of the Taxes Consolidation Act 1997 provides, subject to certain conditions, for an annual income tax allowance of €6,350 for seafarers.

The allowance is conditional on a seafarer being at sea for at least 169 days in a tax year. The duties must be wholly performed aboard sea-going ships on an international voyage. A sea-going ship is one that is registered in the relevant Register of a Member State and is used solely for the trade of carrying, by sea, passengers or cargo for reward. An international voyage is a

voyage that begins or ends in a port outside the State.

The most recent year for which figures are available is 2012, when a total of 200 claimed the seafarer's allowance at a cost to the Exchequer of €0.4 million.

An exemption from employer's PRSI is also available in respect of qualifying companies who employ seafarers. Further details on this exemption are available from the Minister for Social Protection.

My Department does not have an estimate of the number of Irish seafarers. However, the information may be available to the Department of Agriculture, Food and the Marine.

Mortgage Interest Rates

79. **Deputy Finian McGrath** asked the Minister for Finance his views on correspondence (details supplied) regarding a mortgage issue; and if he will make a statement on the matter. [15075/15]

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

Nonetheless, the issue of regulation of interest rates remains a policy area under active review and has been the subject of recent correspondence between the Department of Finance and the Central Bank. The current position is that the Central Bank does not have new proposals for the additional regulation of interest rates.

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

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

The Deputy should be aware that the Governor of the Central Bank, Patrick Honohan, in his opening statement to the Oireachtas Joint Committee on Finance, Public Expenditure and Reform last November stated that in Ireland, as in most advanced economies, it has long been understood that tight administrative control over the rates charged by banks would be counter-productive in ensuring a sufficient flow of properly priced credit on a lasting basis. Such control would strongly discourage new entrants when, in fact, ongoing competition in the banking sector will be crucial in ensuring that the economy is provided with efficient and cost effective banking services. In this regard, there have been some movements on mortgage interest rates of late by a number of institutions which suggest that the market may be entering a new and more

competitive phase.

The mortgage interest rates that financial institutions operating in Ireland charge to customers are determined as a result of a commercial decision by the institutions concerned. Each institution determines the rate it charges its customers, depending on a number of factors such as cost of funds and commercial considerations (such as competition, risk pricing and the impact on deposit rates).

Furthermore, the Central Bank (Supervision and Enforcement Act) 2013 introduced changes to Section 149 of the Consumer Credit Act 1995 which regulates fees and charges in order to attract new entrants to the Irish banking sector. There is some evidence of improvements in the banking sector with a number of institutions introducing new products and adapting their business model. In the last 12 months there have been a number of new entrants to the Irish mortgage market bringing additional and welcome competition to this sector.

I should add that myself and the Governor of the Central Bank meet regularly, the latest of these meetings took place on 2 April. Among the items discussed was the issue of mortgage interest rates. The Governor provided an update on the ongoing work that he and his officials are carrying out on the issue of the standard variable rates charged by the lenders.

We noted that the SVRs charged in Ireland are higher than other euro area countries and have not fallen in line with ECB wholesale rates. The Central Bank will continue to research why this is the case and will publish results shortly. The Governor will update me on progress in due course.

Financial Services Regulation

80. **Deputy Willie Penrose** asked the Minister for Finance if consideration is being given to the introduction of legislation similar to that which has been introduced by the Financial Conduct Authority in the United Kingdom whereby it is proposed to hold persons accountable for bank failure by means of a presumption of responsibility rule, which requires senior managers to demonstrate, where a firm is guilty of misconduct, that they took such steps as a person in their position could reasonably be expected to take to avoid it happening; and if he will make a statement on the matter. [15085/15]

Minister for Finance (Deputy Michael Noonan): In 2011 the new Fitness and Probity regime was rolled out by the Central Bank in accordance with the provisions of the Central Bank Reform Act 2010. The regime provides for new powers to be exercised by the Central Bank to ensure the fitness and probity of nominees to key positions within financial service providers and of key office-holders within those providers.

The Central Bank has published non-statutory guidance to assist regulated financial service providers in complying with their obligations under Section 21 of the Central Bank Reform Act 2010 in relation to the Fitness and Probity Standards. The guidance outlines the steps which the Central Bank expects regulated financial service providers to take in order to satisfy themselves on reasonable grounds that individuals performing controlled functions, including pre-approval controlled functions, are in compliance with the Fitness and Probity Standards.

The operation of the Single Supervisory Mechanism now provides that the task of assessing the fitness and probity of key individuals is shared with the European Central Bank in respect of all significant credit institutions including all of our main banks.

There are no current proposals from the Central Bank or the SSM for a Presumption of

Responsibility provision. However, taking account of the conclusions that emerge from the Banking Inquiry my Department will review any issues arising in respect of the overall regulatory framework.

For the Deputy's information, the UK Banking Reform Act 2013 replaced the Approved Persons Regime for banks, building societies and credit unions with a new regulatory framework for individuals. The new framework comprises two regimes, a 'Senior Managers Regime' and a 'Certification Regime', which aim to encourage individuals to take greater responsibility for their actions and make it easier for both firms and the regulators to hold individuals to account.

The UK Financial Conduct Authority (FCA) has also announced that it is consulting on further, more detailed guidance on how the FCA will apply the Presumption of Responsibility. Under the Presumption of Responsibility, when a relevant/authorised firm contravenes a relevant requirement then the Senior Manager with responsibility for the management of any of the firm's activities in relation to which the contravention occurred is guilty of misconduct, unless they satisfy the relevant regulator that they took such steps as a person in their position could reasonably be expected to take to avoid the contravention occurring or continuing. The proposed guidance sets out the circumstances in which the FCA would seek to apply the presumption of responsibility; how the FCA would apply it and the steps that a Senior Manager should take in order to rebut the presumption of responsibility.

Banks Recapitalisation

81. **Deputy Michael McGrath** asked the Minister for Finance if Ireland has prepared an application to the European Stability Mechanism for retrospective recapitalisation of the banks; the earliest date on which such an application would be considered; and if he will make a statement on the matter. [15092/15]

Minister for Finance (Deputy Michael Noonan): As you will be aware, the Euro-area Heads of State or Government (HoSG) agreed in June 2012 that "it is imperative to break the vicious circle between banks and sovereigns" and that when a Single Supervisory Mechanism, involving the ECB, is in place and operational, the European Stability Mechanism (ESM) could recapitalize banks directly.

On 8 December 2014, the ESM Board of Governors approved the creation of the Direct Recapitalisation Instrument (DRI) in accordance with Article 19 of the ESM Treaty. The operational framework for the DRI, approved on the same date, includes a specific provision in relation to the retroactive application of the instrument. The guideline states that the potential application of the instrument for this purpose should be decided on a case-by-case basis and by mutual agreement.

However, unlike back in 2012, the ESM is no longer the only option open to us to recover the money provided to recapitalise our banks. Investors are now willing to support Irish banks again and the market value of our investments has improved accordingly. My overall objective in relation to the State's investment in the banks is to maximise the return to the Irish taxpayer over time.

In line with this objective my Department is working with AIB, the institution where €20.8 billion has been invested, on reconfiguring the capital structure. I have also appointed Goldman Sachs International to provide financial advice. The focus will be on ensuring that the best decisions are made regarding potential capital restructuring options and sequencing in order

to maximise the return of cash to the State from our AIB investments over time. While this is just the start of the process, it is an essential first step on the road to recovering value for the taxpayer. All options remain on the table and it is too early to specify what steps will be taken next or indeed to put a timeline on decisions.

In relation to our Bank of Ireland investments, the Deputy will be aware that we have already made a net positive cash return from our investment in and support for the bank, while we continue to hold a valuable equity investment. Lastly in relation to ptsb, the situation there is that the company is well advanced in executing a private sector fund raising to satisfy the shortfall identified in the ECB's Comprehensive Assessment exercise.

Tax Yield

82. **Deputy Michael McGrath** asked the Minister for Finance if he will provide, in tabular form, the level of revenue generated for the Exchequer from both residential stamp duty and commercial stamp duty, in each of the years 2011 to 2014; the number of individual residential stamp duty cases for each year; and if he will make a statement on the matter. [15093/15]

Minister for Finance (Deputy Michael Noonan): The information requested by the Deputy in relation to the yield from Stamp Duty on residential and non-residential property, together with the numbers of transactions, is as set out in the following tables. It is not possible to separately identify commercial property from within the broader non-residential category.

Residential Property

Year	€m	Number of Transactions
2011	45	18,333
2012	57	25,177
2013	66	29,741
2014	102	42,971

Non-Residential Property

Year	€m	Number of Transactions
2011	90	28,697
2012	49	28,045
2013	87	22,260
2014	173	22,955

IBRC Liquidation

83. **Deputy Michael McGrath** asked the Minister for Finance the amount of the settlement made by former directors of Irish Nationwide Building Society; if it was paid personally by the former directors or by an insurance company under the directors' indemnity insurance; and if he will make a statement on the matter. [15094/15]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators of IBRC that a mediation meeting with certain of the former directors of Irish Nationwide Building Society took place. However given that mediation is a totally confidential process, the Special Liquidators are unable to comment further on this matter.

IBRC Legal Cases

84. **Deputy Michael McGrath** asked the Minister for Finance if the liquidator of Irish Bank Resolution Corporation is in litigation with a person (details supplied); and if he will make a statement on the matter. [15095/15]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Special Liquidators that they have issued proceedings against the person referred to in the question and the Discovery Motion was heard in the Commercial Court on Tuesday (14 April 2015). Neither I nor the Special Liquidators are in a position to provide any further information on this matter.

Central Bank of Ireland Investigations

85. **Deputy Michael McGrath** asked the Minister for Finance the number of cases that have been undertaken by the Central Bank inquiry panel, under Part IIIC of the Central Bank Act 1942, since it was appointed; and if he will make a statement on the matter. [15096/15]

Minister for Finance (Deputy Michael Noonan): The Central Bank may conduct an Inquiry under Part IIIC of the Central Bank Act 1942 where it suspects on reasonable grounds that a prescribed contravention is being or has been committed. In that regard, the Central Bank has published its Inquiry Guidelines under Section 33BD of the Central Bank Act 1942.

In relation to its Inquiry Panel, the Central Bank published details on its website in October 2014. The Central Bank appointed 15 individuals to the Inquiry Panel. Inquiry members will be appointed in individual cases that are referred to Inquiry pursuant to Part IIIC of the Central Bank Act 1942.

I have been informed by the Central Bank that information in relation to any cases to be undertaken by Inquiry members will be made public in accordance with a notice to be published on the Central Bank's website, which is the mechanism provided for publication as set out in the Inquiry Guidelines. To date no such notices have been published by the Central Bank and I have been informed that no Inquiry hearings have taken place.

Notwithstanding the above, the Administrative Sanctions Procedure in Part IIIC of the Central Bank Act 1942 provides that, at any time before the conclusion of an Inquiry, the matter may be resolved by entering into a settlement agreement. I have been informed by the Central Bank that it has entered into 11 settlement agreements in 2014 under the Administrative Sanctions Procedure under Part IIIC of the Central Bank Act 1942 in relation to contraventions of various legislative and regulatory requirements. The sanctions imposed involved reprimands and fines ranging from €640 million to €3.5 million, totalling €5.42 million.

IBRC Staff

86. **Deputy Catherine Murphy** asked the Minister for Finance if he will indicate, with respect to a person (details supplied) seconded to the Irish Bank Resolution Corporation from September 2012, the reports, this person prepared during his tenure at the corporation; if he will make copies of these reports available; if that person's remit was to examine decisions prior to his deployment; the recommendations that person made with respect to transactions proposed by the corporation during his tenure; if that person's intervention led to changes, or to the aban-

donment of any proposed transaction; if he will provide details of same; and if he will make a statement on the matter. [15104/15]

Minister for Finance (Deputy Michael Noonan): On 7 September 2012 it was announced to all staff in IBRC that the person referred to in the question was to be appointed as the Bank's new Head of Market Solutions on secondment from the Department of Finance, commencing the role on 2 October 2012. The person referred to in the question brought over 20 years experience in domestic and international wholesale banking to the role.

The responsibilities of the person referred to in the question included:

- Membership of the Bank's Group Executive Committee (GEXCO);
- Membership of the Transaction Review Committee;
- Contribute to the strategic leadership of the Bank;
- Analyse existing investments within the portfolio, critically assess business plans, operations, management, processes, risks, and opportunities;
- Structure/restructure loans/investments from an optimal financial perspective, negotiate the structure and preferred terms;
- Identifying and developing deal opportunities with external investors and financiers that meet the various strategic and financial objectives of the Bank in wind down;
- Build and maintain dialogue with potential investors and counter-parties to establish market opportunities and viable transaction options that assist the Bank meeting its wind down objectives;
- Engagement will be across private equity funds, credit opportunity funds, real estate funds and sovereign wealth funds as well as banks and other providers of credit in the European markets;
- Work with asset recovery teams;
- Appoint brokers/advisors in accordance with the Bank's procurement and compliance policy;
- Team management, and;
- Lead the execution of transactions and engage with counter parties while involving internal group functional groups as well as external service providers.

The person referred to in the question was not party to any planning, preparation or discussions surrounding the ultimate liquidation of IBRC in February 2013.

While the person referred to in the question remained an employee of the Department of Finance during his secondment to IBRC, he worked solely for IBRC during this time with the Market Solutions team and heads of departments to ensure accurate data, information, due diligence and, if appropriate, disposal options for the portfolio. The work completed by the person referred to in the question, including all reports and proposals, was prepared and considered by the IBRC management/committees and, where appropriate, Board as part of the operation of the Bank.

Details of any transactions which the person referred to in the question worked on during his secondment to IBRC are not held by this Department as these were matters for the Bank at

that time.

IBRC Staff

87. **Deputy Catherine Murphy** asked the Minister for Finance if he will indicate, with respect to a person (details supplied) seconded to the Irish Bank Resolution Corporation from September 2012, the reason such an appointment was made, if the Minister was, as he has stated numerous times, satisfied that transactions at the corporation were being carried out in the best interests of the taxpayer, in particular, the transaction involving the sale of a company (details supplied); his views that some decisions at the corporation were questionable, as to whether the taxpayers' interests were fully served, and that is the reason the secondment in question was made; and if he will make a statement on the matter. [15105/15]

Minister for Finance (Deputy Michael Noonan): In September 2012 it was announced to all staff in IBRC that the person referred to in the question was to be appointed as the Bank's new Head of Market Solutions on secondment from the Department of Finance, commencing the role on 2 October 2012. This move was decided during a meeting between John Moran and the then CEO of IBRC in August 2012. Given the banking experience of the person referred to in the question it was decided that he would be seconded to IBRC to explore opportunities for deleveraging with a view to maximising the recovery for the taxpayer. This had the additional benefit of providing greater oversight while supporting the management team.

The responsibilities of the person referred to in the question included:

- Membership of the Bank's Group Executive Committee (GEXCO);
- Membership of the Transaction Review Committee;
- Contribute to the strategic leadership of the Bank;
- Analyse existing investments within the portfolio, critically assess business plans, operations, management, processes, risks, and opportunities;
- Structure/restructure loans/investments from an optimal financial perspective, negotiate the structure and preferred terms;
- Identifying and developing deal opportunities with external investors and financiers that meet the various strategic and financial objectives of the Bank in wind down;
- Build and maintain dialogue with potential investors and counter-parties to establish market opportunities and viable transaction options that assist the Bank meeting its wind down objectives;
- Engagement will be across private equity funds, credit opportunity funds, real estate funds and sovereign wealth funds as well as banks and other providers of credit in the European markets;
- Work with asset recovery teams;
- Appoint brokers/advisors in accordance with the Bank's procurement and compliance policy;
- Team management, and;
- Lead the execution of transactions and engage with counter parties while involving inter-

nal group functional groups as well as external service providers.

In relation to the transaction involving the sale of the company referred to in the question, as the deputy is aware, it was after officials in my Department received critical representations following the transaction involving the sale of the company referred to in the question that it was decided that Department of Finance officials would review the transaction in greater detail to better understand the decisions taken and the impact these decisions had on the process and the final recovery for the bank.

At a meeting which I attended along with officials from my Department on 25 July 2012, senior management of IBRC assured me that the transaction involving the sale of the company referred to in the question had been thoroughly assessed by the IBRC Board and that the transaction was managed in the best manner possible to achieve the best result for the State.

Neither I nor officials from my Department reviewed all of the transactions undertaken at IBRC; as the Deputy is aware, a Relationship Framework dated 8 July 2009 was in place at the time the Board of IBRC approved the sale of the company referred to in the question. Under this Relationship Framework, the Board of IBRC were required to engage with the Minister for Finance on certain key issues which included “any material acquisitions, disposals, investments, realisations or other transactions, other than in the ordinary course of Anglo Irish Bank’s banking business.” It should be noted that this Relationship Framework did not include any specific monetary thresholds which would trigger mandatory consultation with the Minister for Finance. It should also be noted, that at that time, the ordinary course of the Bank’s business was to conduct an orderly run-down and ultimate liquidation of the Bank.

The revised Relationship Framework and Operational Protocol which was put in place on 29 March 2012 contained specific financial thresholds which would, from that date on, trigger mandatory consultation with the Minister for Finance for qualifying transactions. Again, any transactions outside these financial thresholds were deemed within the ordinary course of the Bank’s business and it was not required that I or officials in my Department were made aware of them.

Fuel Laundering

88. **Deputy Brendan Smith** asked the Minister for Finance the additional measures he proposes to implement to deal with the issue of illegal trading in diesel and petrol products, which is impacting severely on small legitimate businesses and on many motorists due to damage to vehicle engines, particularly in the Border areas; and if he will make a statement on the matter. [15107/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that they recognise the serious threats that fuel fraud poses to legitimate businesses, motorists and Exchequer revenues. Action against this illegal activity is, therefore, a priority for them, and they are implementing a wide-ranging programme of measures to tackle the problem. Key elements of this programme include the following:

- A strengthened licensing regime for auto fuel traders was introduced with effect from September 2011, to limit the ability of fuel criminals to place laundered fuel on the market.

- A new licensing regime for marked fuel traders was introduced in October 2012, to limit the scope for criminals to source marked fuel for laundering.

- New requirements for the keeping by fuel traders of records of stock movements and fuel

deliveries were brought in to ensure that data would be available to support supply chain analysis.

- Following a significant investment in the necessary IT systems, new supply chain controls were initiated from January 2013. These require all licensed fuel traders, whether dealing in road fuel or marked fuel, to make monthly electronic returns of their fuel transactions to Revenue, providing data that can be used to identify suspicious or anomalous transactions or patterns of fuel distribution.

- Close cooperation, in the framework of the Cross Border Fuel Fraud Enforcement Group, with other enforcement authorities in this jurisdiction and in Northern Ireland, in combating the fuel fraud problem on an all-island basis.

- The introduction from the start of this month of a new and more effective product for marking rebated fuels that was identified as a result of a joint process conducted with HM Revenue and Customs in the UK.

In addition, I have introduced a range of legislative measures in recent years to support Revenue in their work against fuel fraud, including reckless trading provisions that ensure that a mineral oil trader is liable for the mineral oil tax evaded where that trader knew, or was reckless as to whether or not, in making the supply or delivery of fuel, he or she was participating in a transaction or series of transactions connected to the evasion of that tax. In the Finance Act 2014, I introduced measures to further strengthen Revenue's ability to refuse or revoke a mineral oil trader's licence where the trader does not comply with excise law, does not maintain adequate stock management systems and records, or provides false or misleading information. Revenue's ongoing action against fuel fraud has yielded significant results. Since mid-2011, 136 filling stations were closed for breaches of licensing conditions or for unlicensed trading, over 3 million litres of fuel have been seized and 31 oil laundries were detected and closed down. Industry sources report a much-reduced incidence of laundered fuel on the market and increased road diesel consumption. Obviously other economic factors have contributed to this growth but reduced fraud is also an important factor. I am advised also that the Revenue Commissioners have, since last summer, received reports from around the country of problems relating to petrol quality, and suggestions that these problems are attributable to petrol stretching. Petrol stretching involves the illegal addition of a low-tax commodity to petrol, and the motive of the criminals who engage in this activity is to profit from the sale of the adulterated petrol, thereby defrauding motorists and the State. Every filling station about which a complaint was made has been visited by Revenue enforcement officers and fuel samples taken from them have been sent to the State Laboratory for analysis. The scientific analysis required is complex and time-consuming, and the State laboratory has conducted an extensive series of tests and re-tests on the samples. Despite this extensive testing, evidence of the presence of prohibited stretching agents has been found in only two samples, both from one location. The conclusive results received from those tests led to the seizure of the product, and files are being prepared with a view to prosecution. Following a series of further tests conducted by the State Laboratory, results were received which indicated the presence of road diesel in several samples from a variety of locations. This could indicate that petrol was contaminated with road diesel at some point in time. If the problems that have come to light were caused by unintended contamination as a result of diesel being inadvertently mixed with petrol at some point along the supply chain, there would be no Revenue offence involved. However, the Revenue Commissioners are investigating the possibility of tax fraud being associated with the identified problems. In any instance where the analysis of samples by the State Laboratory indicates the presence of illegal stretching agents in petrol, Revenue will take swift and robust action and pursue prosecutions against alleged offenders where possible. I am satisfied that the Revenue Commissioners are undertaking a wide-ranging and effective programme of action against all forms of fuel fraud

and am assured that combating this illegal activity will continue to be a key priority for them.

Coastal Protection

89. **Deputy Michael McNamara** asked the Minister for Public Expenditure and Reform if he will provide the number of coastal protection and coastal repair works carried out in each county every year from 1 January 2012; the cost of each project; and if he will make a statement on the matter. [15005/15]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The identification and carrying out of necessary coastal protection works is a matter for each Local Authority. Local Authorities may carry out such works using their own resources. They may also apply to the Office of Public Works (OPW) for funding under the latter's Minor Flood Mitigation Works and Coastal Protection Scheme. The Scheme's eligibility criteria, including a requirement that any measures are cost beneficial, are published on the OPW website, www.opw.ie. It is not available for repair of damaged infrastructure or for maintenance of existing flood defence or coastal protection assets. A Local Authority may apply to the OPW for support under the scheme having regard to those eligibility criteria. Application forms are available on the OPW's website under Flood Risk Management and decisions are made having regard to the overall availability of funding for flood risk management.

Details on funding approved by the OPW for coastal protection works for each county from 2009 to the present is available on the OPW website under Flood Risk Management/Minor Works Scheme/Annual Lists of Minor Works Projects for which Funding has been Approved.

In relation to repairs to coastal protection infrastructure, significant funding was provided by the OPW to Local Authorities in 2014 in the context of the Government Decision of 11 February 2014 which allocated total funding of up to €19.6m for the repair of existing public coastal protection and flood defence infrastructure damaged in the severe weather in late 2013 and early 2014. The allocation of funding was based on submissions made by the relevant local authorities to the Department of the Environment, Community and Local Government. Details on the funding allocations by county and the actual drawdown of funding are also available on the OPW website on the Home Page under Latest News – Monthly Update: Drawdown of Funds Local Authorities Storm Damage Repairs.

The OPW does not have information on coastal protection or repair works that would have been carried out by the Local Authorities funded from their own or other (non-OPW) resources.

Information in relation to works on piers, harbours etc is a matter for the Department of Agriculture, Food and the Marine.

Departmental Properties

90. **Deputy Tony McLoughlin** asked the Minister for Public Expenditure and Reform if the Office of Public Works will consider if the old Garda Síochána barracks in Easkey in County Sligo can be taken over by the local community to provide a heritage centre in the village; and if he will make a statement on the matter. [14977/15]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The former Garda Station at Easkey, Co. Sligo has been identified for disposal and the necessary legal documentation has been submitted to the Chief State Solicitor's Office

who are preparing a Contract for Sale. The property will be sold by public auction during the second half of 2015.

Pension Levy Yield

91. **Deputy Sean Fleming** asked the Minister for Public Expenditure and Reform the yield from the pension-related deduction in 2014; and if he will make a statement on the matter. [15086/15]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The public service Pension-related Deduction (PRD), which was introduced in March 2009 under the Financial Emergency Measures in the Public Interest Act 2009 is provisionally estimated to have yielded €891 million in 2014. This estimated total does not include non-Exchequer PRD receipts, as arising for example in the local government sector.

PRD is a progressively structured reduction to the pay of pensionable public servants with staff on higher pay rates impacted more adversely than those on lower rates. Given the significant yield each year, PRD is a critical component of the public service pay and pension measures adopted as part of our national fiscal consolidation. However it should be noted that a start has already been made on ameliorating the impact of PRD on public servants. As legislated for in the Financial Emergency Measures in the Public Interest Act 2013, and as provided for in the Haddington Road Agreement, the rate of PRD on the €15,000 to €20,000 band of pay received in a year fell from 5% to 2.5% on 1 January 2014. This cut is worth €125 annually in gross terms to most public servants, with those taxed at the standard rate enjoying the greater gain in terms of take-home pay boost.

Transatlantic Trade and Investment Partnership

92. **Deputy Thomas P. Broughan** asked the Minister for Jobs, Enterprise and Innovation the progress of the Transatlantic Trade and Investment Partnership; the next steps for Ireland with regard to this partnership; and if he will make a statement on the matter. [15033/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Since the Transatlantic Trade and Investment Partnership or TTIP negotiations started with the US in 2013, eight negotiating rounds have taken place, the most recent during the week 2-6 February 2015 in Brussels. The 9th round is scheduled to take place in Washington from 20th-24th April 2015. It is hoped that there will be substantial progress in the TTIP negotiations in 2015.

According to assessments made by the EU Commission and other European bodies, a comprehensive TTIP could over time boost EU GDP by 0.5% per annum bringing significant economic gains as a whole for the EU. This converts into 400,000 jobs across the EU.

A study commissioned by my Department estimates that the benefits in Ireland will be proportionally greater than in the EU as a whole. It suggests growth in Irish exports of almost 4%, increases in investment of 1% and increase in real wages of 1.5%. It estimates somewhere between 5,000 and 10,000 additional export-related jobs. It also suggests that Irish small and medium enterprises (SMEs) will be particular beneficiaries.

Ireland's interests in these negotiations will be guided by the indications from the study. Our priorities include advancing in regulatory cooperation and common rules which aim to make trade and investment easier especially for SMEs, and protecting our interests in any sensi-

tive areas, including beef.

Ireland supports the Commission in these negotiations which aim to achieve an ambitious and comprehensive agreement contributing to growth and jobs in Ireland and the EU. We will seek to maximise any potential benefits for our economy and our citizens throughout the negotiation period.

Work Permits Data

93. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation the number of electricity linesmen granted a work permit in the past 12 months; and if he will make a statement on the matter. [15088/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I understand that my Department has not granted any work permits in respect of the occupation named by the Deputy in the past twelve months.

Agri-Environment Options Scheme Applications

94. **Deputy Dara Calleary** asked the Minister for Agriculture, Food and the Marine the reason for the delay in processing an application under the agri-environment options scheme in respect of a person (details supplied) in County Sligo; and if he will make a statement on the matter. [14973/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2010 Agri Environment Options Scheme (AEOS 1) which included a non-productive capital investment element.

A Department review of the non-productive capital investment claims submitted by applicants under AEOS , was undertaken in 2014. This review identified irregularities with documentation submitted for reimbursement in some of these claims. A full Department investigation was then commenced and my Department wrote to each of the applicants who have had their payment deferred on 28 January to explain the situation.

The matter has now been referred to An Garda Síochána for their consideration and decisions on individual cases cannot be made until the investigation is progressed further.

Targeted Agricultural Modernisation Scheme

95. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the position in relation to the grant aid in the new targeted agricultural modernisation scheme; when approval from the European Union Commission is likely to be provided; and if he will make a statement on the matter. [14986/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Rural Development Programme for the 2014-2020 period was submitted to the EU Commission for approval in July 2014. The following investments have been identified as priority areas which will be targeted in the TAMS scheme:

- (i) dairy equipment,

- (ii) a young farmer capital investment scheme.
- (iii) low emission spreading equipment,
- (iv) organic capital investment,
- (v) animal welfare and farm safety (specifically beef and sheep handling facilities) farm nutrient storage and animal housing, and
- (vi) pig and poultry investments in energy, water meters and medicine dispensers .

The new schemes can only be opened when EU Commission approval for the Programme has been received. That process is well underway but it is not possible at this stage to fix definitive dates for their introduction.

Forestry Premium Payments

96. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Food and the Marine the reason the forestry premium in respect of a person (details supplied) in County Galway was decreased this year; and if he will make a statement on the matter. [14992/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Between 2010 and 2014 payments on this contract were made on 9.57 hectares. As part of the Second Instalment grant process, which was completed on this contract in 2014, a full check of the file was carried out by the Department. The boundaries of the plantation were checked against the visible ground features, resulting in small adjustments and a reduction in area to 9.45 hectares.

The second grant payment letter dated November 2014 and the 2015 premium claim form (Form 4), which were both sent to the applicant, subsequently specified the area as 9.45 hectares. As the reduction in area was within the tolerance allowed, no debt was raised. All future payments will be made on 9.45 hectares.

Rural Environment Protection Scheme Payments

97. **Deputy Jim Daly** asked the Minister for Agriculture, Food and the Marine when a payment under the rural environment protection scheme for the year 2011 will issue in respect of a person (details supplied) in County Cork. [15010/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced REPS 4 in August 2009 and received payments for the entire duration of their contract which was terminated on the 31st December 2014. Following an on-farm inspection in 2011 areas of non-compliance under the Terms and Conditions of the Scheme were discovered which resulted in the application of penalties amounting to 50% and 19% respectively. Following an appeal to the Local Office Inspectorate these penalties have been reduced to 25% and 9% respectively and the resulting payment due will now issue to the person named at the earliest possible opportunity.

Agri-Environment Options Scheme Payments

98. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine when a payment under the agri-environment options scheme 2014 will issue in respect of

a person (details supplied) in County Donegal; and if he will make a statement on the matter. [15016/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was approved for participation in the 2010 Agri Environment Options Scheme (AEOS 1) with effect from the 1st September 2010 and payment has issued in respect of the 2010, 2011, 2012 and 2013 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The application was selected for a ground inspection which identified non-compliances with the Terms and Conditions of the scheme in relation to the Tree Planting Standard and Planting of New Hedgerow actions, which resulted in a penalty being incurred. The person named unsuccessfully appealed this finding to my Department. The file will now be processed on the basis of the inspection findings with the intention of issuing payment in respect of 2014, minus the penalty, as soon as possible.

Single Payment Scheme Payments

99. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine if a farmer who did not receive a single payment but did receive the sheep grassland scheme that has now been converted into single payment will be excluded from the Scottish derogation; and if he will make a statement on the matter. [15045/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Any farmer who was eligible to receive a direct payment in excess of €100 under the 2013 scheme year holds an automatic right to receive entitlements under the Basic Payment Scheme in 2015. A direct payment is defined as any payment received under the Single Payment Scheme, the Grassland Sheep Scheme, the Burren Conservation Scheme or the Beef Data Programme.

It is presumed that the farmer in question did receive a payment in excess of €100 under the Grassland Sheep Scheme in 2013 and consequently holds an automatic right to receive entitlements in 2015 under the Basic Payment Scheme. In addition, presuming that the farmer received a Grassland Sheep payment in 2014, the value of the 2014 payment will carry forward and will form the basis of the calculation of the value of his new entitlements.

Persons who never held entitlements under the Single Payment but who actively farmed in 2013 in either the beef, dairy, sheep or arable sectors are eligible to receive an allocation of entitlements under the provision known as the Scottish Derogation, however this provision is not required for the situation outlined above as the right to receive entitlements is automatically conferred through participation in the Grassland Sheep Scheme.

If this person requires more detailed information on the individual case or any aspect of the Basic Payment Scheme and related applications they should contact CAP Information Centre at 0761 064438 or by email at CAPdirectpayments@agriculture.gov.ie.

Farm Inspections

100. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the error rate identified by European Union auditors on each farm scheme at the time of their last inspection; the corresponding figure for similar departmental inspections; and if he will make a

statement on the matter. [15059/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Every EU Member State, including Ireland, is subject to EU audits to ensure that all scheme applicants meet the requirements of both governing EU legislation and scheme Terms and Conditions. Following such audits Member States are issued with a letter of findings as required by regulation. This letter highlights the findings of the audit and requests the comments and observations of the Member State for further consideration by the auditors. Such observation letters do not identify an error rate.

Single Payment Scheme Appeals

101. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of penalty appeals under the single payment scheme received by the agriculture appeals office in 2014; the number of appeals upheld, partially upheld, rejected and ongoing; and if he will make a statement on the matter. [15060/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Agriculture Appeals Office received 334 Single Farm Payment penalty appeals in 2014. To date, 9 appeals have been allowed, 29 appeals partially allowed and 122 appeals disallowed. 78 appeals were revised by the Department some times after significant involvement with the Appeals Office. 44 appeals were not valid, out of time, or withdrawn. 52 appeals are ongoing.

Disadvantaged Areas Scheme Appeals

102. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of penalty appeals received under the disadvantaged areas scheme by the agriculture appeals office in 2014; the number of appeals upheld, partially upheld, rejected and ongoing; and if he will make a statement on the matter. [15061/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Agriculture Appeals Office received 29 Disadvantaged Areas Scheme penalty appeals in 2014. To date one appeal has been allowed, 11 appeals disallowed, four appeals have been revised by the Department, seven appeals were not valid, out of time or withdrawn, and six appeals are ongoing.

Single Payment Scheme Appeals

103. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of penalty reviews under the single payment scheme received by his Department in 2014; the number of reviews upheld, partially upheld, rejected and ongoing; and if he will make a statement on the matter. [15062/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department, in the context of the delivery of the Direct Payments Scheme and other area-based schemes, must ensure that all applicants meet the requirements of the applicable EU governing legislation. Applicants must ensure that scheme application forms are submitted within prescribed deadlines, that the land declared for aid is eligible and that ineligible features have been excluded, that the requirements of the Cross Compliance regime are adhered to and that other scheme specific requirements are met. My Department operates a comprehensive appeal mechanism to protect the interest of farmers who have difficulties where a penalty has been applied.

The farmer can initially seek a review internally within my Department. Where the farmer remains dissatisfied the decision can be appealed to the independent Agriculture Appeals Office.

The data on reviews received by my Department is not readily available in the specific format requested by the Deputy. An official from my Department will contact the Deputy directly to clarify further the data being requested.

Disadvantaged Areas Scheme Appeals

104. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the number of penalty reviews under the disadvantaged areas scheme received by his Department in 2014; the number of reviews upheld, partially upheld, rejected and ongoing; and if he will make a statement on the matter. [15063/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department, in the context of the delivery of the Direct Payments Scheme and other area-based schemes, must ensure that all applicants meet the requirements of the applicable EU governing legislation. Applicants must ensure that scheme application forms are submitted within prescribed deadlines, that the land declared for aid is eligible and that ineligible features have been excluded, that the requirements of the Cross Compliance regime are adhered to and that other scheme specific requirements are met. My Department operates a comprehensive appeal mechanism to protect the interest of farmers who have difficulties where a penalty has been applied. The farmer can initially seek a review internally within my Department. Where the farmer remains dissatisfied the decision can be appealed to the independent Agriculture Appeals Office.

The data on reviews received by my Department is not readily available in the specific format requested by the Deputy. An official from my Department will contact the Deputy directly to clarify further the data being requested.

Basic Payment Scheme Eligibility

105. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine his Department's official definition of agricultural activity under the 2015 area aid schemes; and if he will make a statement on the matter. [15064/15]

106. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine his Department's official definition of usable agricultural area under the 2015 area aid schemes; and if he will make a statement on the matter. [15065/15]

107. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine his Department's official definition of under-utilisation under the 2015 area aid schemes; and if he will make a statement on the matter. [15066/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I propose to take Questions Nos. 105 to 107, inclusive, together.

Under the provisions of the Basic Payment Scheme, farmers need to declare an eligible hectare for each payment entitlement held in order to benefit from payment. The hectares declared must be eligible and must have an agricultural activity carried out on them. The situation in Ireland has not changed since the Single Payment Scheme was replaced by the Basic Payment Scheme at the beginning of 2015. Eligible lands include those lands with herbaceous grasses and other grazable vegetation. I am, however, pursuing options that may assist farmers,

who have marginal lands, in particular those that have designated land, in meeting the requirements of the Direct Payment regulations. My Department officials are in direct contact with the EU Commission with the intention of pursuing all possible options and bringing the matter to an early conclusion, which, including other matters will cover the three issues raised.

Basic Payment Scheme Eligibility

108. **Deputy Barry Cowen** asked the Minister for Agriculture, Food and the Marine his Department's definition of minimum activity on marginal land under the Common Agricultural Policy 2014-2020 and the Rural Development Programme 2014-2020; if the European Union Commission has approved this definition; and if he will make a statement on the matter. [15099/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Under the provisions of the Basic Payment Scheme, farmers need to declare an eligible hectare for each payment entitlement held in order to benefit from payment. The hectares declared must be eligible and must have an agricultural activity carried out on them. The situation in Ireland has not changed since the Single Payment Scheme was replaced by the Basic Payment Scheme at the beginning of 2015. Eligible lands include those lands with herbaceous grasses and other grazable vegetation. I am, however, pursuing options that may assist farmers, who have marginal lands, in particular those that have designated land, in meeting the requirements of the Direct Payment regulations. My Department officials are in direct contact with the EU Commission with the intention of pursuing all possible options and bringing the matter to an early conclusion, which, including other matters will cover the three issues raised.

Defence Forces Personnel

109. **Deputy Mary Lou McDonald** asked the Minister for Defence the reason the upper age limit for entry into the Defence Forces is 25 years; the way this compares to the practice in other European Union and Organisation for Economic Co-operation and Development countries; and if he will review the age limit and consider raising it to 30 years of age. [14993/15]

Minister for Defence (Deputy Simon Coveney): The 2000 White Paper on Defence and the earlier Defence Forces Review Implementation Plan both identified the requirement to address the age profile in the Defence Forces. A key element in military life is the need for personnel to maintain a level of fitness for combat readiness. This requirement must be balanced with the need to retain experience and expertise, particularly at managerial level in the Defence Forces.

The upper age limit for enlistment in the Army and Air Corps is under 25 years of age on the closing date for receipt of applications for enlistment, and for the Naval Service it is under 27 years of age on the closing date for receipt of applications for enlistment. The upper age limit for all Cadetships is under 28 years of age on the closing date for receipt of applications. These limits are determined on the basis that the essential functions of the Permanent Defence Force requires that its members be composed of able-bodied personnel of an age which is commensurate with the functional requirements of the organisation as a whole.

The Military Authorities have advised that these upper age limits have proven suitable for the requirements for a modern Defence Force which is actively involved in operations at home and on Peace Support Operations overseas. Other countries pursue a Defence policy that reflects their particular requirements and structure their Defence Forces accordingly. Some forces

also operate different age profiles depending on particular roles involved.

I am satisfied that the existing upper age requirements for recruitment to the Permanent Defence Force are appropriate and I do not propose to comment on the recruitment policies of other States who may operate different requirements.

Military Honours

110. **Deputy Derek Keating** asked the Minister for Defence in view of the fact that a large number of members of the Defence Forces served during the emergencies that were declared as a result of the period here known as the Troubles, maintaining peace in this State, one of whom made the ultimate sacrifice, if consideration will be given to awarding a service medal to those who gave service to the State and who were directly involved in the support of the civil power during that time, from 1968 to 1998; and if he will make a statement on the matter. [15007/15]

Minister for Defence (Deputy Simon Coveney): There are currently two medals, under the provisions of *Defence Force Regulations A.9 (New Series) – Dress and Medals*, that mark the service of personnel with either the Permanent Defence Force or the Reserve Defence Force. The medal known as “The Service Medal” may be awarded to an officer, non-commissioned officer or private of the Permanent Defence Force, or a member of the Army Nursing or Chaplaincy Services who possess the qualifying criteria for the award. The qualifying service for officers and members of the Chaplaincy Service and Army Nursing Service is 5,475 days satisfactory and continuous service. The qualifying service for NCOs and Privates is 3,650 days satisfactory and continuous service. “The Service Medal (Reserve Defence Force)” (formerly known as The Service Medal FCA and An Slua Muiri) was introduced in 1961 for members and former members of the Reserve and is awarded after 7 years of service.

The award of either of these medals to qualifying personnel reflects the service given by those personnel to either the Permanent Defence Force or the Reserve Defence Force as the case may be, and by extension the wider public, during the periods for which they served. While acknowledging the significant role of all Defence Forces personnel to the security of the State throughout the period of The Troubles, I am satisfied that these medals meet the need of marking service of personnel with either the Permanent Defence Force or the Reserve Defence Force as the case may be, and I have no plans to introduce additional medals in this regard.

Legal Aid Service Staff

111. **Deputy Sean Fleming** asked the Minister for Justice and Equality the grades and number of persons that came to her Department for approval from the Legal Aid Board and that she has approved for recruitment since 1 January 2014; the positions she refused to approve as part of this process; and if she will make a statement on the matter. [15020/15]

114. **Deputy Sean Fleming** asked the Minister for Justice and Equality the number and grades of staff that have been approved for employment in the Legal Aid Board since 1 January 2014; the number of these who are providing front-line services, are managers and-or administrators; and if she will make a statement on the matter. [15015/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 111 and 114 together.

The breakdown of the Legal Aid Board’s overall staffing complement as of 1 April 2015 is

as follows:

Location	Number of staff	Frontline (yes/no)	% of Total Numbers
Law Centres	286 (including 113 solicitors).	Yes	75%
Mediation Offices	31 (including 16 Mediators).	Yes	8%
Research and Information Unit	12	Yes	3%
Corporate Support Areas e.g IT, HR	47	No	12%
Criminal Legal Aid	7	Yes	2%
Totals	383		

Since the beginning of 2014, the Board has been granted a number of exemptions from the moratorium on filling positions to maintain front-line services where staff in such areas have left the organisation. In addition, the Board has obtained sanction to put the successful integrated mediation initiative in Dolphin House in Dublin on a permanent footing and to replace staff who have transferred to work on the Financial Management Shared Services Project. Exceptions to the moratorium sanction granted in respect of the Legal Aid Board since 01 January 2014 are as set out in the table below:

Exception sought	Grade	No. of Exceptions	Decision	Sanction Date	Exception Granted
Family Mediator - Legal Aid Board x 5 and 1 CO	Family Mediator and Clerical Officer	6	Approved	28-Feb-14	6
Legal Staff Officer - LAB	Higher Executive Officer	1	Approved	24-Jul-14	1
Legal Aid Board - Solicitors	2x Managing Solicitor G1, 3 x Solicitor Grade 3	5	Approved	28-Aug-14	5
Chief Executive of the Legal Aid Board	Assistant Secretary	1	Approved	23-Sep-14	1
Director of Civil Legal Aid	PO	1	Approved	10-Feb-15	1
Legal Aid Board - Managing Solicitor Grade 1 x 2, Solicitor x 3, CO x 3	2 x Managing Solicitor G1, 3 x Solicitor G3, CO x 3	8	Approved	12-Mar-15	8

The Board has continued to develop innovative ways of delivering services to ensure that their staffing resources are deployed to best effect. In this connection, the Board has introduced a triage service across the law centre network that facilitates applicants in getting an early meeting with a solicitor for advice on their legal problem. Mediation information is also being provided in a number of locations so that legally aided clients are facilitated in considering mediation as an alternative to litigation as a means of resolving their disputes.

The Board is also in the process of introducing a new management structure for the law centre network that is designed to improve the management of risk and performance in the organisation. The new structure will also assist the Board in meeting organisational priorities identified in the Board's new Corporate Plan for the period 2015-2017.

Road Traffic Offences

112. **Deputy Denis Naughten** asked the Minister for Justice and Equality the amount of revenue that has been collected in speed fines through the use of speed vans, by year, at locations (details supplied) in County Galway since speed vans were introduced; the number of accidents, including fatalities, at each of these locations in the past ten years, 2005 to 2015; and if she will make a statement on the matter. [14979/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have requested reports from the Garda authorities and the Court Services in relation to the matters referred to by the Deputy. I will contact the Deputy directly as soon as these are to hand.

Service Medals

113. **Deputy Derek Keating** asked the Minister for Justice and Equality in view of the fact that a large number of members of An Garda Síochána and the Irish Prison Service served during the emergencies that had been declared as a result of the period here known as the Troubles, maintaining the peace in this State, a number of whom made the ultimate sacrifice, comprising some nine members of An Garda Síochána and one member of the Irish Prison Service, if consideration will be given to awarding a service medal to those who gave service to the State during that time, from 1968 to 1998; and if she will make a statement on the matter. [15006/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Scott Medal is the highest award An Garda Síochána can bestow on a Garda member. It is awarded where a member has risked their life in the execution of duty. To date (since 1923) there have been 414 Scott Medals Awarded for bravery. The Scott medal is awarded based on a recommendation made to the Garda Commissioner and it is a matter for her in the first instance.

The Prison Service recognises acts of bravery, outstanding heroism or merit which have been performed by staff of the Irish Prison Service. Awards recognise an exceptional act by a member of staff and the awarding of same is determined by the Irish Prison Service Merit Award committee. There are two awards which may be presented depending on the degree of bravery, heroism or merit and they include:

- The Stack Medal
- The Distinguished Service Medal
- Special commendation

The Stack Medal, is the highest honour that can be bestowed upon a member of staff of the Irish Prison Service. It is presented by the serving Minister for Justice and Equality and is made in recognition of an act of exceptional personal bravery by the nominee. The Stack Medal was posthumously awarded to the late Chief officer Brian Stack (RIP) on 3 May 2013 by the then Minister for Justice and Equality in recognition of his loyal service to the State. Nominations in respect of the Stack Medal can be made to the Irish Prison Service on their official application form.

UN Conventions Ratification

115. **Deputy Paul Murphy** asked the Minister for Justice and Equality her plans to ratify the United Nations Convention on the Rights of People with Disabilities; and if she will make a statement on the matter. [15034/15]

116. **Deputy Paul Murphy** asked the Minister for Justice and Equality if she has sought advice from the National Disability Authority on the issue of ratifying the United Nations Convention on the Rights of People with Disabilities; if so, the advice that she received; if that advice identified impediments to the State ratifying the convention; the details of those impediments; and if she will make a statement on the matter. [15035/15]

Minister of State at the Department of Justice and Equality (Deputy Aodhán Ó Ríordáin): I propose to take Questions Nos. 115 and 116 together.

The Government has given a firm commitment to ratify the Convention on the Rights of Persons with Disabilities and intends to proceed to ratification as quickly as possible, taking into account the need to ensure all necessary legislative and administrative requirements under the Convention are met. As the Deputy will be aware, Ireland has a dualist legal system and therefore does not become party to treaties until it is first in a position to comply with the obligations imposed by them, including the amendment of domestic law as necessary.

A team has been charged with examining all outstanding obstacles to ratification, and has nearly completed the first phase of its work, which includes identifying all areas which will need attention to make ratification possible. An Interdepartmental Committee is in place to review issues and the actions and timeframe required to tackle them. Many of these issues involve amending unsuitable and outmoded language and in some cases, archaic legal provisions, in existing legislation. Another key task which is underway involves examining how the important issue of Reasonable Accommodation can be achieved in a meaningful way within our Constitutional framework as interpreted by the Supreme Court.

Progress towards ratification therefore continues to be made. One of the core elements of the remaining work to be completed is the enactment of capacity legislation. The Assisted Decision-Making (Capacity) Bill, published on 17 July 2013, provides a series of options to support people with impaired capacity to make decisions and exercise their basic rights in line with the principles of the UN Convention. It undertakes a comprehensive reform of existing legislation governing capacity. The Bill is currently awaiting Committee Stage in the Dáil.

In relation to the advice of the the National Disability Authority, I should explain that the Authority was asked by the the Interdepartmental Committee to commission an analysis of Irish domestic law in the context of the requirements of the Convention. This report was not intended for publication, but rather as a resource to inform and assist the work of the Interdepartmental Committee and I do not intend to publish it at this time. As the Deputy will be aware, as a matter of course the legal advice of the Attorney General is not published.

However, when the Government has approved the roadmap, outlining the measures to be taken to overcome the legislative barriers to ratification, the roadmap - which will contain a definitive statement of the legislative amendments required to allow ratification - will be published by my Department.

Property Registration

117. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding a vesting certificate in respect of a person (details supplied) in Dublin 5; and if she will make a statement on the matter. [15069/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I can inform the Deputy that under the Registration of Deeds and Title Act 2006, the Property Registration Authority (PRA) was established as and from 4 November 2006. The PRA replaces the Registrar of Deeds and Titles as the registering authority in relation to property registration in Ireland and, subject to the above Act, is independent in the performance of its functions.

The Deputy will be aware of the service to T.D.s and Senators which provides information on the current status of applications, such as the subject of this question, which was introduced in May 2006. The service provides a speedier, more efficient and more cost effective alternative to submitting Parliamentary Questions. It is operated by the PRA and is available all year round.

I can further inform the Deputy that his query has been forwarded to the PRA for attention and direct reply via the above mentioned service.

Public Sector Pensions

118. **Deputy Sean Fleming** asked the Minister for Justice and Equality the status of proposals to change the process by which retired members of An Garda Síochána are paid from the current payment in advance; and if she will make a statement on the matter. [15087/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): To date no proposals have been agreed to change the process by which retired members of An Garda Síochána are paid their pension from the current method of payment in advance. I can, however, state that this matter is currently being considered.

Naturalisation Applications

119. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status of, and application for naturalisation, in the case of a person (details supplied) in County Donegal; if all documentation requested in connection with this case has been received in the relevant section of her Department; and if she will make a statement on the matter. [15112/15]

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 has been granted permission to remain in the State for the period to 08 July, 2016. This decision was conveyed in writing to the person concerned by letter dated 24 July, 2013.

I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that no application for a Certificate of Naturalisation has been received from the person concerned. However, it will be open to the person concerned to apply for a Certificate of Naturalisation when they are in a position to meet the lawful residency criteria applicable to the lodgement of such applications. Details on the criteria to be met by persons lodging such applications are available from the INIS Website (www.inis.gov.ie).

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

Garda Recruitment

120. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality whether applicants for An Garda Síochána who may have failed part of their original entrance examination can make a further or new application; and if she will make a statement on the matter. [15113/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The Public Appointments Service (PAS) is managing the recruitment process for the Garda Commissioner and I have no direct involvement in the matter. I have, however, been informed that there are no restrictions on individuals reapplying in the event of a new competition being advertised (subject to them meeting the eligibility criteria applicable at that time), irrespective of their results from previous similar recruitment competitions.

Residency Permits

121. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status in the case of a person (details supplied) in Dublin 2; and if she will make a statement on the matter. [15117/15]

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 as long as they remain in the protection process. The position in this regard is in accordance with Section 19 of the Refugee Act 1996 (as amended) which provides for the protection of the identity of asylum applicants.

Protection applicants are issued with a temporary residence permission pending a final decision on their application.

Residency Permits

122. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed in the case of a person (details supplied) in County Kildare who, as directed, presented the relevant letter and national passport at that person's local Garda station, but was informed that this was not adequate to facilitate the update of an application for temporary permission; and if she will make a statement on the matter. [15119/15]

123. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure to be followed in the case of a person (details supplied) in County Kildare who, as directed, presented the relevant letter and national passport at that person's local Garda station, but was informed that this was not adequate to facilitate the update of an application for temporary permission; and if she will make a statement on the matter. [15120/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 122 and 123 together.

I am informed by Officials in the Irish Naturalisation and Immigration Service (INIS) that a reminder letter issued to the Garda National Immigration Bureau on 15 April 2015 advising that the passports of the persons concerned could be endorsed with the appropriate permission to remain in the State pending a decision on their application for residence under the Free Movement provisions.

I would also refer the Deputy to my reply to Question 409 of Tuesday 31 March: the situation in relation to the substantive application is still as set out in that reply.

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. The 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.

Naturalisation Applications

124. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status in the case of a person (details supplied) in Dublin 15; if all documentation relevant to facilitating a determination of this person's application for naturalisation has been received; and if she will make a statement on the matter. [15122/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy, who currently has permission to reside in the State until 26 November, 2015.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process. Certain information was requested from the applicant and a response was received on 16th March 2015. Processing of the application is well advanced and the case will be submitted to me for decision in due course.

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.

Immigration Status

125. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure for the regularisation of residency status in the case of persons (details supplied) in Dublin 1 in view of the fact that the couple in question have one child and are living apart as a result of their residency status; if family reunification is the appropriate process in this case; and if she

will make a statement on the matter. [15123/15]

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), that the first person concerned has submitted written representations.

The position in the State of the first person concerned will now be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be fully considered in advance of a final decision being made.

I am further advised that the second person referred to is the subject of a Deportation Order and therefore has no entitlement to residency in the State.

Representations were received 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 Order remains valid and in place.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter outside the State.

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

Family Reunification Applications

126. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if an application for family reunification is appropriate to facilitate the child of a person (details supplied) in County Carlow who wishes to join their parents here; and if she will make a statement on the matter. [15124/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): It is open to a visa-required national to make a visa application for any purpose to enter Ireland, the onus resting with the applicant to satisfy the visa officer as to why the visa should be granted. All information that the applicant wishes to have taken into consideration should be included with their application.

Guidelines on the visa application process can be found on the INIS website (www.inis.gov.ie). It should be borne in mind, however, that the information contained on the website is intended to act as guidance only; it does not limit the discretion of the visa officer in dealing with individual applications.

Queries in relation to general immigration matters 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 on such cases 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.

Residency Permits

127. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding current residency status and procedure to be followed to update stamp 4 in the case of a person (details supplied) in Dublin 11; and if she will make a statement on the matter. [15125/15]

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 referred to by the Deputy was granted permission to be in the State on Stamp 1 permission. Correspondence was received on behalf of the person concerned on 9th April 2015 regarding her registration of this permission. This correspondence is currently receiving attention.

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

Immigration Status

128. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status in the case of a person (details supplied) in Dublin 11; if the person concerned has made an application; and if she will make a statement on the matter. [15126/15]

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 as long as they remain in the protection process. The position in this regard is in accordance with Section 19 of the Refugee Act 1996 (as amended) which provides for the protection of the identity of asylum applicants.

Protection applicants are issued with a temporary residence permission pending a final decision on their application.

Leave to Remain

129. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if, further to Parliamentary Question No. 375 of 31 March 2015 regarding the case of a person (details supplied) in County Kildare, an alternative procedure is available to the individual in question; and if she will make a statement on the matter. [15132/15]

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 temporary permission to remain in the State for one year in 2000 under the arrangements then in place for the non-EEA national parents of Irish born citizen children. The permission was renewed subsequently until 1 September, 2008, the expiry date on the passport

of the person concerned. Following a review of their case by the relevant officials in the INIS, their permission was renewed in 2013 until 11 February, 2015. As their current permission to remain in the State has expired, it will be open to the person concerned to attend at their local Immigration Registration Office with a view to having their permission to remain renewed for a further period.

If the person concerned is experiencing difficulties in having their permission to remain renewed with their local Immigration officer it is open to the person concerned to make a written application, outlining her difficulties and including supporting documentation, for her case to be reviewed with the relevant officials in the INIS. Any such application should be addressed to Residence Division, Irish Naturalisation and Immigration Service, 13-14 Burgh Quay, Dublin 2.

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

Question No. 130 withdrawn.

Hospital Facilities

131. **Deputy Finian McGrath** asked the Minister for Health if he will support the provision of a 20-room unit for cystic fibrosis patients at Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [14805/15]

Minister for Health (Deputy Leo Varadkar): Officials from my Department met with the Cystic Fibrosis Hopesource Foundation, hospital management, clinicians and nursing staff to discuss proposals for an in-patient unit for Cystic Fibrosis patients at Beaumont Hospital within the last week. The meeting was a positive engagement, with preliminary discussions on future service needs.

It was acknowledged that the population of adults with Cystic Fibrosis served by Beaumont Hospital has more than doubled since service provision commenced. A dedicated CF Outpatient facility facilitates a comprehensive range of multidisciplinary services for approximately 150 patients. The consultation and treatment rooms have specialist air filtration systems to assist with infection control. Seven single in-patient rooms are reserved for elective CF admissions for prophylactic antibiotic therapy (or other treatment as required), thus ensuring that adults with CF are rarely admitted as in-patients via the Emergency Department. However in the longer term, demographic factors, coupled with the increase in patient longevity resulting from improved treatment and pharmaceuticals, will increase service provision requirements further. As a result, it is estimated that a future requirement will arise for up to 20 in-patient beds.

Beaumont Hospital and the HSE are engaging in relation to the overall infrastructural requirements to best meet growing service demands. An initial business case for the future development of additional CF services at Beaumont Hospital has been submitted by the CEO of the hospital to the RCSI Hospital Group Chief Executive and is under review. The views and ideas exchanged between my officials, hospital staff and patient advocates will inform the further development of this business case.

Hospital Appointments Delays

132. **Deputy Denis Naughten** asked the Minister for Health when a person (details supplied) in County Roscommon will be called for an outpatient appointment; the reason for the delay; and if he will make a statement on the matter. [14985/15]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved.

In relation to the specific case raised, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Health Services

133. **Deputy Dominic Hannigan** asked the Minister for Health if his attention has been drawn to a situation (details supplied) in County Meath; his plans to ensure no level of service is lost; and if he will make a statement on the matter. [14999/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Reports

134. **Deputy Terence Flanagan** asked the Minister for Health the position regarding the Health Research Board's review of the international evidence on fluoridation of water; and if he will make a statement on the matter. [15002/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Department of Health keeps water fluoridation policy under constant review. As part of this ongoing work, a review of evidence on the impact of water fluoridation at its current level on the health of the population is being conducted by the Health Research Board on behalf of the Department. The review is currently being finalised.

Hospital Appointments Status

135. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will be issued with an appointment for the pain clinic in Saint James's Hospital in Dublin 8; and if he will make a statement on the matter. [15014/15]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved. In relation to the specific case raised, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospital Appointments Status

136. **Deputy Jack Wall** asked the Minister for Health when a person (details supplied) in County Kildare will receive an appointment for a procedure at Tallaght hospital in Dublin 24; and if he will make a statement on the matter. [15024/15]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved. In relation to the specific case raised, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

General Medical Services Scheme

137. **Deputy Arthur Spring** asked the Minister for Health the waiting period for a person who has been removed from a general practitioner's general medical services list at the request of the general practitioner to be put on a new list with an alternative general practitioner. [15026/15]

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

Nursing Homes Support Scheme

138. **Deputy Lucinda Creighton** asked the Minister for Health if he will provide an update on the official status of the fair deal scheme and the sustainability of the model for those considering entering the scheme; and if he will make a statement on the matter. [15027/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Nursing Homes Support Scheme (NHSS) provides financial support towards the cost of long-term residential care services in nursing homes. Under the Scheme, nursing home residents contribute towards the cost of their nursing home care based on their means, and the HSE pays the balance.

In Budget 2015 €948.8m was provided for the NHSS which included an additional €10m which formed part of the Delayed Discharges Initiative. However, throughout this year hospitals have experienced increased overcrowding in Emergency Departments and increased numbers of patients whose discharge from hospital has been delayed. At the beginning of April 2015 it was announced that an additional €74m has been allocated to address the issue that has arisen. The €74m now provided will consolidate and build on what has already been achieved. €44m of this €74m was provided to the NHSS to fund 1,600 more places under the Scheme. This brings the total budget for the NHSS for 2015 to €993m.

The additional €44m has helped to reduce the number of people on the national placement list awaiting funding from 1,426 at the end of March 2015 to 503 people as of the 9 of April 2015 (latest figures available). The length of time spent on the national placement list has also reduced significantly from 11 weeks to 4 weeks currently. At the end of February 2015 (latest figures available), 22,231 people were supported under the Scheme.

When the NHSS commenced a commitment was made that it would be reviewed after three years. This exercise is broader than was first envisaged but work on the Review is in its final stages and is expected to be completed shortly. No decisions have been taken nor plans in place regarding changes to the contributions required from residents.

Nursing Homes Support Scheme Eligibility

139. **Deputy Lucinda Creighton** asked the Minister for Health if a successful application for State support under the nursing homes support scheme will carry over if the applicant (details supplied) decides to defer the support for up to two years; and if he will make a statement on the matter. [15029/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Health Strategies

140. **Deputy Paul Murphy** asked the Minister for Health his plans, or the considerations that have been taken, to make more defibrillators available on public streets and at outdoor locations, especially in busy pedestrian and transport locations; his views on providing greater access to defibrillators; and if he will make a statement on the matter. [15030/15]

Minister for Health (Deputy Leo Varadkar): The Health Information & Quality Authority conducted an economic evaluation of various Automated External Defibrillators (AED) national deployment programmes in designated places, such as hospitals, places of worship, hospitality and entertainment venues, sports clubs, transport stations, retail premises and public buildings. It reported that none of the Public Access Defibrillation programmes evaluated would be considered cost-effective using conventional willingness to pay thresholds.

One of the means to help improve health outcomes in this area is through the expansion of the National First Response Network. Community first responder groups comprise this national network. These are people from local communities who are trained in basic life support and the use of defibrillators that attend a potentially life threatening emergency in their area. They are then able to provide an early intervention in situations such as heart attack or cardiac arrest by providing, among other things, resuscitation and defibrillation.

Cardiac First Responders (CFR) Ireland, which I recently launched, is the national umbrella organisation for Community First Responders Groups. CFR Ireland is supported by the National Ambulance Service, Pre-Hospital Emergency Care Council and the Centre for Emergency Medical Science UCD. Each group is linked to the National Ambulance Service control and despatch system, and so if there is a cardiac 999 call in an area, the on-duty CFR member gets a text from the National Ambulance Service at the same time that an ambulance is despatched with location, call details. The First Responder then goes straight to the site and administers initial care (defibrillation if required) until the National Ambulance Service and Rapid Response vehicles arrives.

This national initiative provides an opportunity to extend care for cardiac events. The prospect for a pilot on defibrillator availability in a small local area will also be explored.

HIQA Issues

141. **Deputy Michael Healy-Rae** asked the Minister for Health his views on a matter (details supplied) regarding the Health Information and Quality Authority; and if he will make a statement on the matter. [15047/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Information and Quality Authority is the independent authority established under the Health Act 2007 to drive continuous improvement and to monitor safety and quality in Ireland's health and personal social care services. Since 2009 all nursing homes - public, voluntary and private have been registered and inspected by HIQA.

Under Section 8 of the Act HIQA has statutory responsibility for setting standards on safety and quality, which are subject to approval by the Minister for Health under Section 10(2) of the Act. The Board of HIQA has submitted revised standards for Ministerial approval as required. These are currently under consideration by the Department.

Medical Card Applications

142. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding an application for a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [15048/15]

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 Expenditure

143. **Deputy Billy Kelleher** asked the Minister for Health in view of his Department's statement last week that in a full year, the additional cost of the universal under-six service, including the preventative wellness checks and arrangements for management of asthma in general practice, would be approximately €67 million, the additional funding that will be provided in 2015, in view of the fact that €25 million was allocated in budget 2015 and the subsequent Health Service Executive Service plan. [15052/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The additional cost of an enhanced GP service for all 436,000 children aged under 6 is €67 million approximately in a full year. This includes the cost of providing services to approximately 270,000 children who currently must pay to see a GP. €25 million had already been set aside in the HSE National Service Plan, based on the new arrangement starting early in Quarter 2. As the service will now commence somewhat later, any additional costs in 2015 are expected to be relatively modest.

General Practitioner Services

144. **Deputy Billy Kelleher** asked the Minister for Health in view of the revised costs for free general practitioner care for under sixes, his Department's current estimate of the full year cost of providing free general practitioner care to the population as a whole. [15053/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is committed to introducing a universal GP service without fees on a phased basis. The first phase will be for all children aged under 6 years. This service will commence during the summer. In parallel with this, the second phase will extend universal GP care without fees to all persons aged 70 years and over, subject to the passing of the necessary legislation. These measures represent a major step on the way to universal health care. By this summer, approximately 800,000 people in Ireland will benefit from universal access to GP services.

The introduction of a universal GP service constitutes a fundamental element in the Government's health reform programme. The current Government is the first in the history of the State to have committed itself to implementing a universal GP service for the entire population. The principles of universality and equity of access mean that all residents in Ireland should be entitled to access a GP service.

As the Deputy has indicated, children under 6 will benefit from a new enhanced service under the proposed GP contract. This will involve age-based preventive checks focused on health and wellbeing and the prevention of disease. The contract will also cover an agreed cycle of care for children diagnosed with asthma. The costs of the enhanced GP service for all children under 6 years of age will be approximately €67 million.

The additional cost of providing a universal GP service to the entire population was previously estimated on the basis of the existing scope of the service, rates of payments to GPs and eligibility. In the absence of specific changes to the scope and content of the GP service, the

relevant fee structure or the eligibility rates, it would not be possible for an additional exercise to yield a more valid estimate in respect of the remainder of the population at this point in time.

Nursing Homes Support Scheme Applications

145. **Deputy Éamon Ó Cuív** asked the Minister for Health when payments will issue to a person (details supplied) in County Galway, approved under the nursing home support scheme; the reason for the delay; and if he will make a statement on the matter. [15067/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

Hospital Waiting Lists

146. **Deputy Finian McGrath** asked the Minister for Health the position regarding operations in the Mater hospital in Dublin 7, in respect of a person (details supplied) in Dublin 3; and if he will make a statement on the matter. [15068/15]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Medical Card Eligibility

147. **Deputy Finian McGrath** asked the Minister for Health his views on a matter (details supplied) regarding medical cards for those over 70 years of age; and if he will make a statement on the matter. [15072/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): There has been no change made or proposed to the eligibility requirements for medical cards for persons aged 70 years and older. Persons over 70 can be assessed under the over-70s gross income arrangements. In addition, persons aged over 70 years can be assessed under the standard medical card means test which is open to persons irrespective of their age. Furthermore, persons, including those aged over 70 years, may be eligible for a medical card where discretion is exercised where they face undue hardship in arranging medical services as a result of medical

or social circumstances.

However, in parallel with the introduction of the under-6 GP service without fees which will commence during the summer, a GP service without fees will be provided for all persons aged 70 years and over. The Health (General Practitioner Service) Bill 2015, which was published on 25 March 2015, will provide the statutory basis for the over-70s universal GP service. The new over-70s GP service will benefit approximately 36,000 people who currently pay to attend a GP as they are not covered by a medical card or a GP visit card.

Medical Card Administration

148. **Deputy Finian McGrath** asked the Minister for Health his views on correspondence (details supplied) regarding the case of a person; and if he will make a statement on the matter. [15074/15]

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.

Misuse of Drugs

149. **Deputy Róisín Shortall** asked the Minister for Health the reason for the undue delay in introducing new regulations under the Misuse of Drugs Acts in order to address the wide-spread problem of street-dealing of benzodiazepines and Z-drugs; and the target month to which he is working to sign these regulations. [15080/15]

150. **Deputy Róisín Shortall** asked the Minister for Health regarding proposals to introduce new regulations under the Misuse of Drugs Acts concerning the availability of benzodiazepines and Z-drugs, when the two rounds of consultation on these regulations took place; the issues that arose from these consultations; his plans to address them; and the steps he is taking to finalise these proposals. [15081/15]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 149 and 150 together.

A substantial amendment to the Misuse of Drugs Regulations 1988 to deal with a wide range of issues, including the introduction of additional controls on benzodiazepines, was the subject of a consultation process in June and September 2012. As a result, draft Misuse of Drugs amendment Regulations were prepared and made available for further consultation on my Department's website in August 2013. Over 90 submissions from a wide range of organisations were received, some proposing legislative reform of a technical and complex nature.

Issues raised included whether criminalising persons for the possession of small amounts of

benzodiazepines is an effective response to the problem of abuse; striking a balance between proper oversight and minimising the disruption for patients; agreeing changes to the proforma prescription to be used for schedule 2, 3 and 4 part 1 controlled drugs; and addressing differences of opinion regarding the maximum duration of a benzodiazepine prescription and the total treatment period/total quantity which may be dispensed.

Amendments to the Regulations were introduced in July and December 2014 to make provision for a number of issues which had been part of the consultation, including enabling authorised cannabis-based medicinal products to be used in Ireland.

While work continued on the remaining issues, including stricter controls on benzodiazepines, from the end of 2013 onwards, Departmental resources had to be reallocated to defending a constitutional challenge to section 2(2) of the Misuse of Drugs Act 1977 under which Government may declare substances to be controlled, as well as making preparations for the introduction of emergency legislation in case this provision should be struck down. Following a Court of Appeal decision on 10 March which found section 2(2) unconstitutional, the Misuse of Drugs (Amendment) Act 2015 was urgently enacted to recontrol all substances which had previously been declared controlled by Government order, thereby restoring the *status quo ante*.

On foot of advice from the Attorney General, the 2015 Act also reconfirmed existing Ministerial regulations and orders made under the 1977 Act. These regulations and orders may now only be amended by primary legislation. Work is underway on drafting a second Misuse of Drugs (Amendment) Bill to amend section 2(2) and other sections of the 1977 Act. I expect to publish this legislation in the coming months with the intention of having it enacted later this year. I intend to bring forward appropriate controls on benzodiazepines and z-drugs after this second Bill is enacted. These regulations will be subject to the three-month EU notification period under the Technical Standards Directive.

Nursing Homes Support Scheme

151. **Deputy Tom Fleming** asked the Minister for Health if he will ensure that there are no unfair financial burdens imposed on applicants and their spouses in the review of the fair deal scheme; if he will examine correspondence (details supplied) from Age Action Ireland; and if he will make a statement on the matter. [15083/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): When the Nursing Homes Support Scheme commenced, a commitment was made that it would be reviewed after three years. This review is being carried out by my Department in collaboration with the HSE, with analysis and recommendations provided by Deloitte & Touche Consultants on specific issues which required specialised expertise.

The review is considering the long term sustainability of the Scheme including funding arrangements. No decisions have been taken nor are there plans in place regarding changes to the contributions required of residents.

The Review of the Nursing Homes Support Scheme, as well as considering how the Scheme has operated to date, is expected to identify some of the broader issues that will need to be considered and tested more fully into the future, including the future financing of the full range of supports for older people, how community and residential supports and services should be balanced, and whether new care approaches can contribute positively. A continuum of more efficient care might serve to reduce the number of people requiring nursing home care and limit the projected increase in the cost of the Scheme. The draft Review requires further analysis and

this is ongoing at present.

Nursing Home Services

152. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which any discussions continue in regard to the future of Saint Brigid's Nursing Home in Crooksling in County Dublin with particular reference to the need to ensure its retention and expansion, in view of its pivotal geographical location and the high quality of service provided by its dedicated and professional staff; if adequate consideration is being given to upgrading and extending the service; and if he will make a statement on the matter. [15114/15]

153. **Deputy Bernard J. Durkan** asked the Minister for Health if consideration will be given to the establishment or setting up of a training and development centre, including the provision of respite care and step-down facilities, adjacent to the existing facilities at Saint Brigid's Nursing Home in Crooksling in County Dublin; and if he will make a statement on the matter. [15115/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 152 and 153 together.

As these are service matters they have been referred to the Health Service Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

HSE Properties

154. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which clarity in respect of title to the entire property at Saint Brigid's Nursing Home in Crooksling in County Dublin has been determined to the satisfaction of the Health Service Executive; and if he will make a statement on the matter. [15116/15]

Minister for Health (Deputy Leo Varadkar): As management of the health property estate is a matter for the Health Service Executive your question has been referred to the Executive for direct reply.

If you have not received a reply from the HSE within 15 working days please contact my Private Office who will follow up.

Hospital Waiting Lists

155. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the waiting lists for hospital appointments in respect of all forms of procedures can be reviewed and rationalised with a view to speeding up the process; and if he will make a statement on the matter. [15136/15]

Minister for Health (Deputy Leo Varadkar): Improving waiting lists for scheduled care is a key priority for Government. Taking into account current pressures on acute hospital services, I have put in place a target that by mid-year nobody will wait more than 18 months for in-patient and day case treatment or an out-patient appointment; by year-end, that target will be revised to a wait time of no more than 15 months.

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The HSE is currently working on an implementation plan to achieve these targets, and I have asked them to respond to you directly in this regard.

As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Accident and Emergency Departments

156. **Deputy Bernard J. Durkan** asked the Minister for Health the degree to which his initiative to alleviate overcrowding at accident and emergency units is expected to have an early and positive impact; and if he will make a statement on the matter. [15137/15]

Minister for Health (Deputy Leo Varadkar): ED overcrowding is a key issue for me and for the Government. I acknowledge the consistent staff effort to provide safe, quality care in very challenging circumstances, but I acknowledge equally the difficulties experienced by patients and their families.

Nationally the Government provided additional funding of €3 million in 2014 and €25 million in early 2015 to tackle Delayed Discharges and ED Overcrowding. On 2 April, I announced further funding of €74m. As a result, 746 Applicants have been or are in the process of being notified of funding approval under the Nursing Home Support Scheme and waiting times for placement are reducing.

As well as additional funding, I pursued the establishment of the ED Taskforce to determine time-defined actions to optimise existing hospital and community capacity, develop internal capability and improve processes, leadership, governance, planning and oversight.

In respect of specific anticipated service impacts, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospital Beds Data

157. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the number of acute general hospital beds available throughout the public health sector has fluctuated in each of the past ten years to date; if augmentation is warranted; and if so, to what extent; and if he will make a statement on the matter. [15139/15]

Minister for Health (Deputy Leo Varadkar): The Government approach to addressing the perceived acute bed shortage is to reduce over-reliance on the acute sector and to develop care in more appropriate community and day care based settings which is more consistent with best practice in Ireland and internationally and capable of providing better care and results. 'Future Health' commits to a move away from the current hospital-centric model of care towards a new model of integrated care which treats patients at the lowest level of complexity that is safe, timely, efficient, and as close to home as possible. This will help to reduce costs, improve access and move from the existing emphasis on episodic reactive care towards preventative, planned and well co-ordinated care. This is particularly important for the growing numbers of people with chronic conditions and those with two or more diseases and disorders.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days

please contact my Private Office and my officials will follow the matter up.

National Children's Hospital Status

158. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding the provision of the proposed new children's hospital, with particular reference to the need to ensure an early starting date; and if he will make a statement on the matter. [15140/15]

Minister for Health (Deputy Leo Varadkar): The National Paediatric Hospital Development Board is the statutory body responsible for planning, designing, building and equipping the new children's hospital. The new hospital will be co-located with St James's Hospital, and ultimately tri-located with a maternity hospital to be developed on campus. In addition to the main hospital, the project includes two satellite centres at the campuses of Tallaght and Connolly Hospitals.

A design team is now working on detailed design development with planning submission scheduled for June 2015. Subject to planning, work is scheduled to commence at the main site at St. James's, and at satellite centre sites at Connolly and Tallaght, in January 2016. Transition of services to the new hospital is expected to begin in April 2019, and to the satellite centres in 2017.

Hospital Waiting Lists

159. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which he can improve and reduce the extent of the waiting lists for various hospital appointments and procedures; the degree to which an evaluation has been made with a view to identifying the causes for delays; and if he will make a statement on the matter. [15141/15]

Minister for Health (Deputy Leo Varadkar): Improving waiting lists for scheduled care is a key priority for Government. Taking into account current pressures on acute hospital services, I have put in place a target that by mid-year nobody will wait more than 18 months for in-patient and day case treatment or an out-patient appointment; by year-end, that target will be revised to a wait time of no more than 15 months.

The HSE is currently working on an implementation plan to achieve these targets, and I have asked them to respond to you directly in this regard.

If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Health Insurance Prices

160. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which his Department continues to monitor the costs of private health insurance; if community rating processes are being observed by all insurers, without exception; if indications to the contrary have been observed; and if he will make a statement on the matter. [15142/15]

Minister for Health (Deputy Leo Varadkar): The Health Insurance Authority is a statutory regulator of the private health insurance market. In exercise of its functions, the independent regulator monitors the health insurance market including compliance by the health insurers

with the legislative rules and regulations governing the market, particularly in relation to community rating. In doing so, the Authority ensures that the market is regulated appropriately and that insurers are discouraged from engaging in practices, or offering health insurance contracts, which undermine community rating or the principal objective of the Health Insurance Acts.

With regard to the specific issue of costs, I introduced a suite of measures to address rising health insurance premiums and stabilise the private health insurance market in the interests of consumers. These include a reduction in the Risk Equalisation Stamp Duty Levy, special lower premiums for young adults, the introduction of Lifetime Community Rating, and a reduction in the Health Insurance Authority Levy. The package also includes key recommendations set out in the two Pat McLoughlin reports on Private Health Insurance costs, and builds on Budget 2015 which included a freeze on hospital bed charges and no decrease in the relievable amount on health insurance premiums for tax relief purposes.

Taken together, these measures are intended to create a sustainable market where health insurance is as affordable for as many people as possible and to create the best possible environment within which more people, particularly young people, will want to obtain and retain private health insurance, thereby reducing the necessity for premium inflation across the market.

Orthodontic Services Waiting Lists

161. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which children seeking orthodontic treatment can expect to have treatment within a reasonable time; the expected waiting time for patients in category one, two and three; and if he will make a statement on the matter. [15143/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. It should be noted that the nature of orthodontic care means that immediate treatment is not always desirable. It is estimated that in up to 5% of cases it is necessary to wait for further growth to take place before treatment commences. Patients are assessed by the HSE Orthodontic Service under the modified Index of Treatment Need. Patients with the greatest level of need, i.e. Grade 5 or some with a Grade 4 are provided with treatment by the HSE.

The HSE has established a pilot scheme in Dublin North East which will involve the use of orthodontic therapists in the treatment of a number of eligible children. Consideration will be given to expanding this Scheme to other HSE areas in the future. In addition to the services provided by HSE staff, orthodontic treatment for certain categories of misalignment will be provided by a panel of independent practitioners under contract to the HSE over the next three years. A national procurement process is being finalised. This initiative will especially focus on those waiting for 4 years or longer. It is expected that this initiative will commence later this year and will have a positive impact on waiting times.

Hospital Charges

162. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which cost comparisons continue to be made between public and private sector hospitals in respect of various procedures; and if he will make a statement on the matter. [15144/15]

Minister for Health (Deputy Leo Varadkar): Cost data in relation to public hospitals are collected by the hospitals and collated centrally by the Healthcare Pricing Office (HPO). These

data are used by the HPO to set prices for the Activity Based Funding (ABF) system which is in the process of being implemented in public hospitals.

ABF represents a major change in the way hospitals are funded and will result in a new level of focus on hospital costs. The new funding model involves moving away from inefficient block grant budgets to a new system where hospitals are paid for the actual level of activity undertaken. Under ABF, the prices to be paid to hospitals will be set by reference to the average cost of treatment across all public hospitals. By setting prices based on average costs, hospitals will be incentivised to better understand their cost-base and improve efficiency.

Patient Level Costing and Business Intelligence systems are also being rolled out across the hospital system to support implementation of ABF. The introduction of these systems will allow hospitals to interrogate their cost data in greater detail than was possible in the past and will also allow hospitals to compare their costs with peer hospitals. This will facilitate greater engagement by doctors with their own data, support improvements in the quality of patient care and help to drive efficiency.

Data relating to the cost of private hospitals are not collected or verified by my Department or the HSE/HPO. As such, cost comparisons between the public and private hospital sectors cannot be made.

General Practitioner Services Provision

163. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding the provision of free general practitioner services for children under six years of age and people over 70 years of age; and if he will make a statement on the matter. [15145/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is committed to introducing a universal GP service without fees on a phased basis. The first phase will be for all children aged under 6 years. This service will commence during the summer. In parallel with this, the second phase will extend universal GP care without fees to all persons aged 70 years and over, subject to the passing of the necessary legislation. These measures represent a major step on the way to universal health care. By this summer, approximately 800,000 people in Ireland will benefit from universal access to GP services.

Agreement has been reached between the Department of Health, the HSE and the Irish Medical Organisation on terms for the delivery of GP care without fees for all children aged under 6. This agreement represents the first step in the phased introduction of a universal GP service without fees. Under the new arrangements, an additional 270,000 children under 6 will benefit from GP care free at the point of service. This service will commence during the summer. This will be preceded by a public information campaign and simple on-line arrangements for parents or guardians to register their children for the service.

All children under 6 will benefit from the new enhanced service under the proposed GP contract. This will involve age-based preventive checks focused on health and well-being and the prevention of disease. These assessments will be carried out when a child is aged 2 and again at age 5. The contract will also cover an agreed cycle of care for children diagnosed with asthma, under which GPs will carry out an annual review of each child where the doctor has diagnosed asthma.

In parallel with this, GP care without fees will be extended to all persons aged 70 years and over, subject to the passing of the necessary legislation. The Health (General Practitioner Service) Bill 2015, which was published on 25 March 2015, will provide the statutory basis for

the over-70s universal GP service. This service will benefit about 36,000 people and will be provided under the existing GMS contract.

Hospital Staff

164. **Deputy Bernard J. Durkan** asked the Minister for Health the reason young doctors, on qualification, find it more attractive to work abroad, thereby creating a shortage of junior hospital doctors; if arrangements can be made, or agreement entered into, to ensure an adequate supply of junior hospital doctors in this jurisdiction; and if he will make a statement on the matter. [15146/15]

Minister for Health (Deputy Leo Varadkar): The recruitment and retention of doctors at all levels – from undergraduate to specialist - is critical to the effective functioning of the public health system. In this context, the implementation of the recommendations of the 2014 Strategic Review of Medical Training and Career Structure is a priority for me as Minister for Health.

The Strategic Review, chaired by Prof. Brian MacCraith, President, DCU, made 25 recommendations addressing a range of barriers and issues relating to the recruitment and retention of doctors in the Irish health system, including medical career opportunities, working conditions, and flexible working for trainees and specialists alike. The Review also addressed the need to improve career planning and enhance mentoring/training supports for trainee doctors.

I recently received the first progress report on the implementation of the recommendations, and am pleased to note that there has been a range of developments which will, I believe, help us recruit and retain doctors - including newly qualified doctors - in our health system.

On foot of the Strategic Review Group's recommendations regarding consultant career structures, associated LRC proposals for increased pay for new Consultants were recently supported by IMO members and are being implemented by the HSE.

To support implementation of the recommendations of the Strategic Review Group, my Department has established a Monitoring Group, comprising key stakeholders including trainee doctors. This will help us drive implementation across the system and embed the recommendations in the day-to-day business practice of the health system.

Accident and Emergency Departments

165. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which overcrowding at the accident and emergency department at Naas General Hospital in County Kildare has been alleviated; and if he will make a statement on the matter. [15147/15]

Minister for Health (Deputy Leo Varadkar): As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Hospitals Building Programme

166. **Deputy Bernard J. Durkan** asked the Minister for Health the position regarding the remaining development phases of Naas General Hospital in County Kildare, with particular reference to the need to ensure early provision of the promised extra facilities; the extent to

which extra bed accommodation might be identified and provided for in this context; and if he will make a statement on the matter. [15148/15]

Minister for Health (Deputy Leo Varadkar): As the Deputy is aware, the HSE is developing a substantial infrastructure project at Naas General Hospital which will deliver an endoscopy unit, an oncology unit and a physical medicine department which will include physiotherapy, occupational therapy and speech therapy. While some enabling works are required to the hospital infrastructure, (electrical distribution system, etc) it is expected that project construction could commence in the second half of 2015. This is a considerable infrastructure investment in Naas General Hospital.

There will always be more projects than can be funded by the Exchequer. Therefore any further investment in Naas General Hospital must be considered in the context of the establishment of hospital groups, within the overall acute hospital sector infrastructure programme and within the multi-annual capital envelope available to the health service. In 2015, there will be a structured integration of the hospitals in the Dublin Midlands Group which in addition to Naas General Hospital includes St James's Hospital, Tallaght Hospital, Midlands Regional Hospital Tullamore, Midlands Regional Hospital Portlaoise and the Coombe. This will provide further support for all hospitals in delivering high-quality, safe patient care in a cost-effective manner.

There is limited funding available for new projects over the next multi-annual period 2015-2019 given the level of commitments and the costs to completion already in place. In addition, the HSE cannot exceed or plan to exceed its approved commitment thresholds. The HSE is concentrating on applying the limited funding available for capital works in the most effective way possible to meet residential need now and in the future.

Hospital Staff

167. **Deputy Bernard J. Durkan** asked the Minister for Health the extent to which the number of nurses, junior doctors and consultants in various disciplines has fluctuated in the past eight years; and if he will make a statement on the matter. [15149/15]

Minister for Health (Deputy Leo Varadkar): I have asked the HSE to respond to the Deputy directly on the matter. If you have not received a reply from the HSE within 15 working days, please contact my Private Office and they will follow up the matter with them.

Human Rights Issues

168. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade his views on the killing of the farmers' leader (details supplied) on 5 March 2015 in El Castillo, Meta, Colombia; his further views on the Colombian army's counter-insurgent campaign in the Meta region and the jailing of 39 farmers' leaders from the region, including the leader of the National Association of Peasant Reserve Zones (details supplied); if he will report on any discussions and representations made with the Colombian Government or its ambassador on these matters; his views that the human rights issues in Colombia will have implications for relations between Ireland and Colombia; and if he will make a statement on the matter. [15036/15]

169. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade in view of actions taken against farmers and trade unionists by the Colombian armed forces, if his Department has discussed the human rights situation in Colombia with the European Union High Representative for Foreign Affairs and Security Policy or her officials, or if his Department

has raised it at a European Council level; his views that it has implications for the free trade agreement between the European Union and Colombia; and if he will make a statement on the matter. [15037/15]

170. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade his views on the sugar cane cutters' strike in Risaralda, Colombia and the force used against those striking workers by military and police which resulted in serious injury to striking workers; if he will report on any discussions with and representations made to the Colombian Government or its ambassador on these matters; his views that the human rights issues in Colombia will have implications for relations between Ireland and Colombia; and if he will make a statement on the matter. [15038/15]

171. **Deputy Paul Murphy** asked the Minister for Foreign Affairs and Trade his views on a land dispute between indigenous communities and a sugar cane landowner in the north of Cauca, Colombia, which saw the Colombian state forces intervene with tanks against the indigenous community, and has left over 50 wounded and two dead; if he will report on any discussions with and representations made to the Colombian Government or its ambassador on these matters; his views that the human rights issues in Colombia will have implications for relations between Ireland and Colombia; and if he will make a statement on the matter. [15039/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I propose to take Questions Nos. 168 to 171, inclusive, together.

I am aware of the incidents referred to by the Deputy even if, as is often the case in these matters, it has not proved possible to establish the full facts in every instance. As the Deputy is aware, there are serious grounds for concern regarding the human rights situation in Colombia, including in the context of labour disputes, land rights, and the ongoing state of armed conflict in that country.

Our Embassy in Mexico City, which is accredited to Bogota on a non-residential basis, is in regular contact on human rights issues with the Colombian authorities, with civil society, and with the EU delegation there.

The promotion and protection of human rights is a core principle of Ireland's foreign policy and we have prioritised the protection of trade unionists, human rights defenders, and others who are in immediate danger. Ireland engages on human rights issues with the Colombian Government in our direct contacts with them, by means of the EU-Colombia Human Rights Dialogue, and through United Nations processes. Human rights are also an essential part of the EU Free Trade Agreement with Colombia and Peru which, in addition, contains important provisions in the area of labour rights and protection of the environment.

As the UN High Commissioner for Human Rights in Colombia has pointed out, an end to the longstanding armed conflict - now under negotiation between the government and the guerrillas in the context of the peace talks in Havana - has the potential to transform Colombia in terms of its level of respect for and enjoyment of human rights. In so far as the role of the Colombian Government is concerned, I continue to believe that our policy of engagement and dialogue is the best means for advancing human rights.

Trade Relations

172. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade if he will take further action towards ending the embargo on Cuba by the United States of America; and if he will make a statement on the matter. [15071/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): As I noted in my statement of 18 December, I warmly welcome the historic decision by President Obama and by President Castro on the restoration of full diplomatic relations between the United States and Cuba. The recent meeting between the Presidents at the Summit of the Americas has been described as positive, and the White House has since announced President Obama's intention to remove Cuba from the US list of States that sponsor terrorism. Ireland's concerns about the US economic, commercial and financial measures against Cuba are long-standing and clear. Ireland and the other member states of the European Union are firmly of the view that the lifting of the embargo would facilitate an opening of the island's economy to the benefit of its people. In addition, we and our EU partners do not believe that the continued embargo contributes in a positive way to the democratic transition in Cuba. We have expressed this position in our support for the relevant resolutions at the UN General Assembly, most recently on 28 October last year. We have recorded also our strong opposition to the extraterritorial application of the legislation giving effect to the embargo. The US embargo against Cuba is codified in legislation passed by Congress. President Obama has indicated his willingness to engage with Congress in an honest and serious debate about lifting the embargo, which we welcome.

The recent UN debate recorded continued concerns and criticisms regarding governance and human rights in Cuba. It was noted that while the US embargo has a damaging effect on the Cuban economy, domestic Cuban economic policy seriously hampers its own economic development. Together with our EU partners we have urged that the package of economic and social reforms adopted by the Cuban Parliament in August 2011 be extended and implemented in a manner that will address the key concerns of the Cuban population.

Human Rights Issues

173. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade if he will continue to demand the release of a person (details supplied) in Egypt who is now on death row; and if he will make a statement on the matter. [15073/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Reports that this individual is on death row are incorrect. His case is currently before the Courts in Egypt – as matters stand he has not been convicted of any crime. I, and officials in my Department including our Embassy in Cairo, have raised this case with the Egyptian authorities on many occasions. The individual's trial has started, with the next hearing scheduled for 26 April. The Irish Government has formally supported applications by this individual's lawyers for his release. I have spoken personally to my Egyptian counterpart on a number of occasions, including as recently as 2 April, to underline our support for this citizen's release and to highlight key humanitarian concerns.

In advance of the last hearing, reports were circulated that this individual was being tortured and was being kept in a 'death penalty cell'. As soon as possible after these reports were received, our Ambassador in Cairo herself undertook a consular visit. Following discussions with the individual, during which he could speak freely, the Ambassador established that the citizen was neither being tortured nor housed in a death penalty cell, nor was he sharing a cell with prisoners who had been sentenced to death. In addition to being inaccurate, such reports were unlikely to have been helpful to this citizen's best interests.

We keep all aspects of this case, including the Department's own approach, under review. However, at all times, the key consideration for me and my Department has been, and will continue to be, to ensure that any action that is taken is in this citizen's best interests. However, I would like to assure the deputy that officials in the Department of Foreign Affairs and Trade,

both in Dublin and in Cairo, remain in ongoing contact with this individual and his family, and will continue to offer full consular support. We will continue to engage appropriately with the Egyptian authorities, will remain resolute in seeking to protect the interests of the citizen concerned and will do all possible to achieve a positive outcome.

Undocumented Irish in the USA

174. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the outcome of any recent discussions he has had with the authorities in the United States of America regarding the proposed immigration reform legislation; and if he will make a statement on the matter. [15077/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Achieving relief for undocumented Irish migrants in the US is a priority for the Government in our contacts with the United States. Through our Embassy in Washington and our Consulates throughout the U.S., we continue to work closely with high level Government contacts and with many other individuals and groups across Irish America and beyond. All of this work is aimed at achieving relief for undocumented Irish migrants in the United States and improved channels for legal migration between Ireland and America. Throughout his recent visit to the US and in a series of high level contacts with the US Administration, with Congress and at State level, the Taoiseach raised the issue of immigration reform and the plight of the undocumented Irish, stressing that almost every family in Ireland is related to or knows somebody who is caught up in this deeply distressing situation. During his meeting with President Obama on 17 March the Taoiseach commended him on his executive action announced late last year. The Deputy would be aware that this action is currently the subject of legal proceedings in the US federal courts. The Taoiseach emphasised the need to allow the undocumented to come out of the shadows and be free to travel home for family events. He also highlighted the issue of those amongst the Irish undocumented who might be eligible for visas, but who would be required to return to Ireland for their issuance and hence would require waivers for their prior period of undocumented residence. The Taoiseach also pointed to the need for a legal pathway to allow for future Irish immigration to the US for those who wish to make a contribution there, expressing the hope that a political way forward could be found on this issue which would encourage progress on a comprehensive legislative package by Congress. President Obama spoke of his executive actions on immigration reform and acknowledged the contribution of Irish immigrants to America's development. He considered that one of the great strengths of the United States had always been its willingness to welcome new immigrants to its shores.

I also raised immigration reform issues, including the possibility of immigration reform legislation, when I met with Vice President Biden in Boston on 30 March. I have also had the opportunity to discuss these matters on a number of occasions with US Ambassador O'Malley. The Government as a whole, including my Department in Dublin and our Embassy in Washington, will continue to actively follow up on all of the issues raised in recent contacts with the US Administration, with Congress and with the US Embassy in Ireland.

Northern Ireland Issues

175. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade when the next meeting of the implementation group on the Stormont House Agreement will take place; the issues to be discussed at that meeting; and if he will make a statement on the matter. [15078/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): In accordance with the review and monitoring provisions of the Stormont House Agreement, quarterly review meetings are held involving the Northern Ireland Executive party leaders and the British and Irish Governments. The second such meeting took place in Belfast on 27 March at which I represented the Government. The meeting reviewed progress made to date on the detailed implementation timeline for the Stormont House Agreement which was agreed by the NI Executive party leaders and the two Governments at the first review meeting of 30 January. The next review meeting is scheduled to take place in June. A six-monthly update on progress on implementation of the Agreement is due to be published at that time, in accordance with the review and monitoring provisions of the Agreement. The Government remains committed to playing its part in ensuring the full implementation of the Stormont House Agreement.

Foreign Conflicts

176. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if the ongoing humanitarian crisis in Syria and adjoining areas will be discussed at the next European Union Foreign Affairs Council meeting; and if he will make a statement on the matter. [15079/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Ireland has strongly engaged with the efforts of the European Union to promote a political resolution of the current conflict in Syria. We have repeatedly stressed that only a political solution can achieve a sustainable peace in Syria. We will also continue to address the humanitarian consequences of the conflict and provide urgent assistance and support to the civilian populations within Syria and neighbouring countries who have been displaced or suffered violations of their rights. Syria has been discussed regularly at meetings of the Foreign Affairs Council. At present, it is not on the agenda for the meeting on 20 April. However, at the most recent meeting, in March, a strategy was adopted outlining how the EU and its Member States can counter the threat posed by ISIS and help restore peace and security in Syria and Iraq. At the December meeting of the Council, the UN Special Envoy for Syria, Staffan di Mistura, discussed measures to address the acute security and humanitarian situation, as well as possible steps to move towards a political process. The protracted crisis in Syria and the region has resulted in immense humanitarian need. More than 200,000 people have lost their lives, and there are now over 12.2 million people in need of immediate life-saving support within Syria. Due to the violence and the lack of access to aid, 3.8 million people have left Syria for neighbouring countries. The crisis has had a particularly devastating impact on civilians, as recent events in Yarmouk refugee camp in Damascus show. Ireland is particularly mindful of the impact of the crisis on neighbouring countries which are supporting large populations of vulnerable Syrian refugees. We also remain gravely concerned about barriers to humanitarian access in Syria and have consistently advocated for safe and unimpeded humanitarian access and respect by all parties for International Humanitarian Law.

The EU is the main donor in response to the humanitarian crisis in Syria, providing a total of €3.6 billion since the outset of the conflict. Ireland has played its part as one of the most generous international contributors to the humanitarian response on a per capita basis, and has provided over €32 million in humanitarian assistance to Syria since 2011, through UN partners, NGOs and the Red Cross. At the recent UN Pledging Conference for Syria, which took place in Kuwait on 31 March, my colleague, Minister of State Sherlock, announced an additional pledge of €12 million on behalf of the Irish government which will be used to provide lifesaving assistance to those in need in Syria and in neighbouring countries over the course of 2015. This pledge will bring Ireland's total contribution to the Syria crisis to €41 million.

Passport Application Refusals

177. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade the reason one of the children of a person (details supplied) in Dublin 24 does not qualify for an Irish passport, while the child's parents and siblings are all Irish passport holders, in view of the fact that the child was born here; and if he will make a statement on the matter. [15121/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The Department wrote to the applicant's parents on 27 November, 2014 to give notice of its intention to refuse him a passport under the Passports Act, 2008 (the Act) on the grounds that he was not an Irish citizen. This letter explained that the submitted application did not demonstrate their son's entitlement to Irish citizenship under section 6A of the Irish Nationality and Citizenship Act, 1956 as amended (the 1956 Act); the 1956 Act was amended in 2004 to stipulate that a person, born in the State on or after 1 January 2005, where neither parent is an Irish or British citizen or otherwise entitled to reside in the State or Northern Ireland without restriction at the time of that person's birth, may claim citizenship by birth in the State (and thereby establish eligibility for an Irish passport) only where a parent has been lawfully resident in the State for three years of the four years preceding that person's birth; and (iii) the submitted evidence of the mother's lawful residence in the State covered the period 12 April, 2006 to 4 January, 2009. This fell short of the three year period as required by Section 6A of the 1956 Act. On this basis, the applicant was not considered to be an Irish citizen and thus had no entitlement to a passport.

In a reply, dated 11 December, 2014, the parents referred to the fact that their three older children were all issued with Irish passports. They accepted, however, that their son did not qualify for citizenship under section 6A of the 1956 Act. Nonetheless, they were of the view that he was an Irish citizen by virtue of his birth and length of residence in the State.

These points, however, failed to demonstrate his entitlement to Irish citizenship for the following reasons:

the applicant's siblings were all born in Ireland before 1 January, 2005. The 2004 amendment of the 1956 Act did not, therefore, apply to them. Accordingly, they were all Irish citizens from birth; and (b) the lawful residence of the applicant in Ireland is relevant to an application for naturalisation. No evidence has been presented to the Department to show that he is a naturalised citizen.

As the correspondence from the applicant's parents failed to establish his entitlement to Irish citizenship, the Department wrote to them on 29 December, 2014 to inform them that a passport had been refused to him.

It should be noted that this decision was taken on the basis that entitlement to Irish citizenship had not been proven under section 6A of the 1956 Act. It may well be the case that such entitlement may exist under the naturalisation provisions of that Act. The applicant's parents may, therefore, wish to pursue this matter with the Department of Justice and Equality which processes applications for this category of citizenship.

Pupil-Teacher Ratio

178. **Deputy Timmy Dooley** asked the Minister for Education and Skills the number of primary school classes which have 37 or more pupils; and if she will make a statement on the matter. [15000/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): Provisional results from the 2014/2015 National School Annual Census show that there were 57 primary school classes in the State which had 37 or more pupils. Final figures will be published at the end of June. Further details on individual school class size is available on my Department’s website at www.education.ie/en/Publications/Statistics/Data-on-Individual-Schools/.

Student Grant Scheme Appeals

179. **Deputy Billy Timmins** asked the Minister for Education and Skills the position regarding an appeal under the Student Universal Support Ireland Scheme in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [15028/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): The appeal of the student referred to by the Deputy was considered by the Student Grant Appeals Board on 26 March 2015 and a letter issued to the student on the same date informing him of the Board’s decision.

Student Support Schemes

180. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if funding is available for a course (details supplied) in the United Kingdom through the Student Universal Support Ireland scheme; and if she will make a statement on the matter. [15082/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): As part of a comprehensive customer service and communications strategy provided by Student Universal Support Ireland (SUSI), to ensure that all necessary avenues are open to applicants to receive the information they need, a dedicated email and phone line service is provided by SUSI for Oireachtas members. This was established to meet an identified need for applicants who choose to engage the assistance of their public representatives in making enquiries about their grant applications.

This service compliments the established channels provided by SUSI which include online application tracking, a dedicated website, a telephone helpdesk, email and social media, including Facebook and Twitter.

Enquiries may be emailed direct to SUSI at oireachtas@susi.ie. SUSI is responding to email queries within a matter of days.

School Placement

181. **Deputy Joanna Tuffy** asked the Minister for Education and Skills the position regarding demand for second level places in a school (details supplied) in County Dublin; and if she will make a statement on the matter. [15102/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that there are seven post primary schools in the area in question, one of which opened in temporary accommodation last September. A permanent school building for this school, which will have capacity for 1,000 pupils is under construction and will be ready for occupation in September 2015. This will facilitate a first year intake of up to 120 pupils, an increase of 68 from last September. The Deputy is aware that another new 1,000 pupil post-primary school opened in the same area in September 2009.

In addition, building projects for two other post-primary schools in the area, were included on the Five Year Construction Programme to proceed to tender and construction. When these projects are completed, the schools will have capacity for 1,000 pupils each.

My Department expects the seven schools between them to cater for the level of demand presenting for pupil places. A situation may arise however where some pupils may not obtain a place in their school of first choice.

My Department is currently undertaking a nationwide demographic review to determine where additional post-primary school places will be needed in the coming years. I wish to advise the Deputy that the area referred to is included in this review.

Special Educational Needs Staff

182. **Deputy Joanna Tuffy** asked the Minister for Education and Skills the position regarding the contract for special needs assistants (details supplied); and if she will make a statement on the matter. [15103/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating a quantum of Special Needs Assistant (SNA) support for each school annually taking into account the assessed care needs of children qualifying for SNA support. Where children have significant care needs whereby they may need additional support to be able to attend school, the NCSE may make an allocation of SNA support to the school to assist that child. The NCSE operates within my Department’s criteria in allocating such support. The criteria by which SNA support is allocated to pupils is set out in my Department’s Circular 0030/2014.

The employment and deployment of SNAs is a matter for the individual school. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated.

Water Charges Administration

183. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the role of personal public service numbers in the administration of the water conservation grant; if these numbers will be provided to any third-party company; and if he will make a statement on the matter. [15011/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): To promote sustainable use of water and to enhance water conservation in households, the Department of Social Protection will administer, on behalf of my Department, a €100 water conservation grant for households (principal private dwellings) that complete a valid response to Irish Water’s customer registration process. It is proposed that the grant will be paid in one instalment to all eligible households from September 2015 and on an annual basis thereafter. The water conservation grant replaces the tax rebate and social protection measures previously announced, as it is a more straightforward means of addressing water issues for all households on equal terms and will reduce households’ outlay on water services both now and in the future. An allocation of €130m for the grant scheme has been provided in my Department’s Estimate for 2015.

My Department, in consultation with the Department of Social Protection, is currently finalising the modalities of the water conservation grant. I will thereafter make Regulations under the Water Services Act 2014 which will provide for the terms and conditions attaching to the grant, including specifying 30 June 2015 as the date by which households will need to have responded to the Irish Water campaign if they are to be eligible for the grant in 2015. All households registered with Irish Water under its application campaign will be contacted directly by the Department of Social Protection from July 2015. The Department of Social Protection will require certain details to process the grant including the Personal Public Service Number (PPSN) of the applicant and bank details. Further information on the grant is available at www.watergrant.ie.

Departmental Funding

184. **Deputy Seamus Kirk** asked the Minister for the Environment, Community and Local Government the status of a grant of €3.5 million to Alverno Heights and Alverno Court in Laytown in County Meath, which was set aside under his Department's 2014 social housing investment programme, to carry out a range of measures to improve the standard and quality of the housing stock in both estates; and if he will make a statement on the matter. [14990/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Specific funding of €3.5 million was not set aside for these projects in 2014. However, my Department has worked with Meath County Council recently in undertaking various works in these areas relating to energy efficiency improvements and the remediation of boarded-up social housing units. The options for further improvement works are being examined by the Council and my Department will consider these when they are submitted.

Water Charges Administration

185. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government his views that a €4,800 water connection fee for a new home in County Galway is excessive; his plans to work with Irish Water to introduce a common fee for the connection of water supplies to all new homes throughout the country; and if he will make a statement on the matter. [15025/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provides that Irish Water shall collect charges from its customers in receipt of water services provided by it in accordance with a water charges plan to be approved by the Commission for Energy Regulation (CER). Section 22(5) of the Act provides that a water charges plan may provide for charges in respect of the provision of a service connection (within the meaning of the Water Services Act 2007) to or in respect of a premises. In its decision on Irish Water's Water Charges Plan, published in October 2014, the CER stated that, until it made a decision on Irish Water's new connection charges, Irish Water should continue to apply the connection fee arrangements that were in place in each local authority on 31 December 2013.

The CER has recently reviewed its 2015 work plan with Irish Water and has published, in its Water Charges Plan Decision Paper of 5 March 2015, the areas that it will be progressing in 2015, which includes the development of Connection Charging Policy. Later this year, the CER will publish a detailed work plan in relation to connection charges and will consult widely

as part of that plan.

Consultancy Contracts Expenditure

186. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, the amount that has been spent on consultants relating to Government homeless strategies in the years 2011 to 2014 and to date in 2015; and if he will make a statement on the matter. [15031/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The only amounts spent on consultants relating to Government homeless strategies for the years in question were in respect of A review of The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008-2013, which was completed in 2012 at a cost of €6,000.

Homelessness Strategy

187. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the measures in place to end long-term homelessness by 2016; the investigations that took place in respect of missing the previous targets to end rough sleeping by 2010; if there are recommendations to learn from previous measures; if he will provide moneys to support community organisations offering family and counselling support to families and children experiencing homelessness; and if he will make a statement on the matter. [15032/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): A review of the then Government's strategy The Way Home: A Strategy to Address Adult Homelessness in Ireland 2008-2013 was completed in 2012 and it endorsed the fundamentals of the Strategy – a copy is available on my Department's website at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/SpecialNeeds/HomelessPeople/>.

The review also informed this Government's Homelessness Policy Statement, which was published in February 2013 and outlines this Government's aim to end involuntary long-term homelessness by the end of 2016. A range of measures are being taken to secure a ring-fenced supply of accommodation to house homeless households and mobilise the necessary supports in order to deliver on the Government's target by the end of 2016. These measures have been identified in the Government's Implementation Plan on the State's Response to Homelessness (May 2014) and in the Action Plan to Address Homelessness (December 2014). Progress in implementing these plans is reported through the Cabinet Committee on Social Policy and Public Service Reform. The plans and progress reports are also available on my Department's website at the above link.

Tusla is the lead Government Agency for welfare and protection issues relating to families and children. As set out under the Action Plan to Address Homelessness. Tusla is liaising with the Department of Social Protection, Dublin City Council and Focus Ireland in the development of a protocol to ensure that services are fully responsive to the particular protection and welfare needs that might arise for families and children in emergency accommodation.

Social and Affordable Housing Provision

188. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government his plans to review regulations regarding the operation of the land aggregation

scheme; and if he will make a statement on the matter. [15044/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Land Aggregation Scheme was introduced in 2010 as part of revised arrangements for the funding of land for social housing purposes. The primary purpose of the Scheme was to assist in the gradual unwinding of loans taken out by housing authorities to purchase land for the social and affordable housing investment programme. Applications to the value of some €163 million in loans were accepted into the Land Aggregation Scheme.

Local Authorities were notified of the discontinuance of the Land Aggregation Scheme, with respect to new applications, in 2013. The focus of the Scheme has now shifted to the management and utilisation of the lands included in the Scheme. The Housing Agency has been tasked with developing an extensive Land Management Strategy under which land transferred to the Agency under the Land Aggregation Scheme will be considered. The development of this strategy is being progressed in the context of the Social Housing Strategy 2020.

The Housing Agency, in consultation with my Department and local authorities, is updating data and developing a more extensive and detailed database and GIS map of all local authority owned lands, as well as the Land Aggregation Scheme lands showing their location, size, boundaries and other information. This map will be up-dated over the course of the Strategy to record the development and use of lands.

Accordingly, both lands that have been transferred to the Housing Agency and other local authority held lands suitable for housing development will be among the first sites considered in order to support the implementation of the Social Housing Strategy 2020.

Irish Water Funding

189. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on a matter (details supplied) regarding Irish Water; and if he will make a statement on the matter. [15046/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): With effect from 1 January 2014, Irish Water is responsible for public water services. The Water Services (No. 2) Act 2013 provided for a range of matters consequent upon the transfer of functions in relation to public water services from local authorities to Irish Water. This includes the mechanisms for the transfer of assets and liabilities from local authorities to Irish Water. In particular, Section 12(8) provides for the transfer of development levies received by local authorities for the purpose of investment in water services to be transferred to Irish Water and provides that such levies can only be expended by Irish Water in the functional area of the local authority concerned.

On 30 March 2015, I signed an order under section 12 of the Water Services (No. 2) Act 2013 providing for the transfer from the local authorities to Irish Water of moneys received or due to be received, in accordance with section 48 or 49 of the Planning and Development Act 2000.

While this gives legal power for the transfer of the resources, the financial transaction which subsequently arises is dependent on the completion of work which has been underway for some time between Irish Water and the local authorities in relation to the identification and quantification of water-related financial assets, liabilities and debtors which will result in a net amount to be reflected in a balancing statement resulting in payments to be made by Irish Water to local authorities or vice versa. The work involved is now at an advanced stage and I anticipate that

it will be completed shortly. This work is focussed on identification of the liabilities with precision and accuracy, but as it has evolved it has been possible to estimate the likely aggregate liability for the purpose of the financial planning by Irish Water and the submission of forecast expenditure and liabilities to the Commission for Energy Regulation.

Departmental Investigations

190. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 501 of 25 November 2014, if he will place the relevant report on the record of Dáil Éireann, in view of the fact that An Garda Síochána has decided not to pursue any issue within it; and if he will make a statement on the matter. [15097/15]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): It is not my intention to make the internal investigation report relating to an independent Local Development Company available at this time, having regard in particular to the fact that the report references information given in confidence.

Water Charges Administration

191. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government the steps he will take with regard to home owners and tenants who do not pay their water charges bills; and if he will make a statement on the matter. [15098/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels.

In November 2014 I announced a package of measures to ensure that domestic water charges are certain, affordable and clear. If a customer does not pay their water charges, late payment provisions shall automatically apply, unless the customer enters into a payment plan. In the case of a One Adult Household (capped at €160), €30 will be added to any bill where outstanding payments equate to the total annual payment and remain unpaid for 3 months or more. An additional €30 will be added on every anniversary of the original add on date while the bill remains unpaid or a payment plan has not been entered into with Irish Water. In the case of a Two Adult Household (capped at €260), €60 will be added and again at each anniversary.

The late payment charges will only apply where someone is in arrears for more than 12 months and has not entered into a payment plan with Irish Water. Payment plans will be developed based on an ability to pay and it is important to note that the late payment charges are focused on those who “will not pay”, rather than those who cannot pay.

A range of flexible payment options will be available. Irish Water will facilitate bill payment through direct debit, electronic funds transfer, payment by cash at any retail outlet with a Paypoint or Payzone sign, or a post office where a bill can be paid in full or part payments of a minimum of €5 can be made. The overall net cost for those who register is either €1.15 a week for single adult households or €3 a week for all others. Water supply will not be reduced under any circumstance.

Any customers who have unpaid water charges can be pursued through the Courts by Irish Water for the sums due and a debt judgment may be obtained against the customer.

The Government intends to bring forward legislation to enhance the collectability of domestic water charges, building on the approach set out in the Water Services Act 2014. Further details on the modalities involved will be available on publication of the draft legislation following Government approval.

Departmental Reports

192. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government when he will publish the planning consultancy report into planning functions in six local authorities; the action that will be taken on the report; the cost of the report to date; if he will commit to a debate in Dáil Éireann on the report; and if he will make a statement on the matter. [15100/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): MacCabe Durney Barnes Consultants were appointed in February 2014 to carry out an independent planning review on the performance of planning functions in six selected planning authorities (Carlow, Cork, Galway and Meath County Councils and Cork and Dublin City Councils) in accordance with section 255 of the Planning and Development Act 2000, as amended. The review is expected to cost just under €95,000 including VAT @ 23%. I expect to receive the final report from the consultants shortly and I subsequently intend to publish it having considered its contents. The issue of a debate on the report is a matter for consideration at that stage.

Departmental Investigations

193. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government his plans for an investigation into planning irregularities in County Donegal, arising from the June 2013 High Court case and subsequent Attorney General advice; and if he will make a statement on the matter. [15101/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I have considered what next steps need to be taken in respect of certain Donegal County Council planning matters taking account of advice from the Office of the Attorney General. My Department will be shortly appointing a Senior Counsel nominated by the Attorney General to prepare a report in relation to these matters and I expect that the timeframe for this appointment will be finalised shortly.

Fuel Laundering

194. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government the result of correspondence and discussions he had with the Minister for the Environment for Northern Ireland following the dumping of sludge, a by-product of diesel laundering, in the Louth-Monaghan area; and if he will make a statement on the matter. [15108/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): As I outlined in the reply to Question No. 260 of 5 March 2015, I have written to my counterpart in the Northern Ireland Executive, Minister Mark Durkan, to highlight again the problems being faced by border counties exposed to the consequences of environmental crime. Minister Durkan shares my abhorrence of the criminality which underpins this problem and the

reckless and dangerous practice which endangers both human health and the environment and poses a particular threat to our watercourses. I will be raising this matter again with Minister Durkan at the forthcoming North South Ministerial Council meeting on the 13 May 2015.

Employment Rights

195. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the engagement he has had with Bord na Móna regarding the wage cuts being imposed on seasonal workers by the company; and if he will make a statement on the matter. [14978/15]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): Bord na Móna is facing significant business challenges in the context of the deregulation of the electricity market and increasingly competitive and challenging environments across all its business areas. In order to ensure its continued success, the Company is implementing a programme to transform all areas of its operations and structure, the key objective of which is to improve business effectiveness and efficiency.

The matter raised by the Deputy is an operational matter for the company and not one in which I, as Minister, have any role or function. However, I have raised the matter with Bord na Móna and have been advised that management and Union representatives are currently involved in discussions under the auspices of the Labour Relations Commission on a range of issues relating to business transformation in the company. These discussions include areas related to the terms and conditions of employees, including seasonal workers. It would not be appropriate for me to comment on this matter while these discussions are in progress.

Television Licence Fee Collection

196. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources the basis upon which citizens are obliged to purchase a second television licence when transferring a television from their family home to a mobile home; and his plans to address this matter. [15076/15]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The legislative basis for the current TV licensing system is set out in Part 9 of the Broadcasting Act 2009, which provides *inter alia* for the requirement to have a television licence and the penalties for not having a valid licence. In accordance with Section 142 of the Act, any premises at which a television is located requires a TV Licence regardless of its use. Currently, only one class of licence and one level of licence fee exist and this covers any number of devices so long as they are all in the same property (residential or commercial). There is currently no provision within the legislation that can be used to accommodate the type of situation identified in the Deputy's question without the need for a second licence.

Railway Procurement Agency

197. **Deputy Willie O'Dea** asked the Minister for Transport, Tourism and Sport his plans to allow Luas security workers to operate as transport police, similar to airport police; and if he will make a statement on the matter. [15051/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The issue raised

is a matter for the Railway Procurement Agency (RPA) and I have forwarded the Deputy's question to the RPA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Road Traffic Legislation

198. **Deputy Joe Costello** asked the Minister for Transport, Tourism and Sport his plans to regulate the operation of rickshaws; and if he will make a statement on the matter. [14982/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I outlined my position in regard to rickshaws in my recent response to Question No. 196 of 1 April 2015. I would refer the Deputy to my answer on that occasion for full details, and I shall confine myself here to the key points.

Rickshaws as such have no definition in law, and are classified as pedal cycles. I have been asked by Dublin City Council to consider legislating to regulate rickshaws. Any proposed regulatory legislation requires a Regulatory Impact Assessment (RIA) before a decision can be made on whether legislation is appropriate. As this is a local matter, I informed the Council that it would be appropriate that the Council prepare the RIA.

As I also indicated in my answer on 1 April, any questions about progress in that regard might be directed to the Council.

Driver Licence Data

199. **Deputy Seamus Kirk** asked the Minister for Transport, Tourism and Sport the number of Irish drivers who have received an international driving permit in each of the past four years; the costs associated in awarding these permits; the most popular countries for which Irish drivers have obtained an international driving permit; his views on the security features in the international driving permit; if he is satisfied with the corresponding use of international driving permits here by non-European Union drivers; and if he will make a statement on the matter. [15004/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): International Driving Permits (IDPs) are issued on behalf of my Department by the Automobile Association (AA), and my Department has no direct role in the process. I have therefore referred the matter of numbers of permits issued, and countries for which they were issued, to the AA for direct reply.

In regard to the other matters raised, I understand that the IDP derives from international conventions dating from 1926 and 1949. The security of the IDP depends on the security of the national driver licensing system, as it is not possible to get an IDP without a full licence. In cases where people are driving with an IDP, they must still be able to produce their own national licence if required.

In regard to the use of IDPs in Ireland by non-EU/EEA drivers, I am not aware of any issues or difficulties.

On the matter of costs, the fee for an IDP is €10. This is set in regulations for which I have responsibility. I understand that the AA also charges an additional administration fee of €5, but only in the case of postal applications. There are no costs to the Exchequer from the IDP.

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Cycling Facilities Funding

200. **Deputy Tony McLoughlin** asked the Minister for Transport, Tourism and Sport with regard to the proposed Sligo-Mayo Greenway, the reason a limited amount of funding for a feasibility study for the County Sligo section, which is supported by Sligo County Council, will not be considered by his Department considering the widespread support for the project locally and the potential benefits it could bring to the local economy in County Sligo; and if he will make a statement on the matter. [15009/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I am supportive of plans to undertake a feasibility study of the Sligo section of the Sligo-Mayo Greenway and am fully aware of the economic and social benefits greenway projects bring to the local economy. However, while I realise that the funding required to undertake this study is relatively small the position remains that all Department funding for the development of greenways is fully committed up until 2016.

€6.3 million was awarded by my Department under the National Cycle Network Funding programme 2014-2016 to develop 3 greenway projects in Kerry, Galway and Waterford. A further 11 projects shared funded under the €200 million Government Stimulus Package for infrastructural development, €10 million of which was earmarked for the development of greenways. Details of these projects can be viewed at www.smartertravel.ie.

Should further funding become available in the interim for the development of the National Cycle Network it will then be possible to give consideration to funding other projects, or elements of projects, which are considered to have merit. I would also encourage local authorities to carry out as much preparatory work as possible within their own resources in advance of any future funding calls.

Semi-State Bodies

201. **Deputy Emmet Stagg** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 192 of 25 February 2015, if his private office has received a reply from Irish Rail in relation to the matter raised. [15110/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Irish Rail was contacted on 25 February 2015 and asked to respond directly to the Deputy within 10 working days on the issues raised. My Office has made further contacts with Irish Rail as a follow up to the matter.