

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 11, inclusive, answered orally.

Industrial Relations

12. **Deputy Richard Boyd Barrett** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on the legislation he has promised in relation to collective bargaining; if he will provide some indication of the likely content of this legislation; and if he will make a statement on the matter. [18351/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): Cabinet approval was obtained on Wednesday last, May 6th, to publish the Industrial Relations (Amendment) Bill 2015. Publication is expected this week with enactment to follow as expeditiously as possible thereafter.

The main purpose of the Bill is twofold: Firstly to provide (1) for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing remuneration and conditions of employment in individual enterprises, and (2) to provide for a new statutory framework for establishing minimum rates of remuneration terms and conditions of employment for a specified type, class or group of workers, particularly in the context of transnational provision of services and promoting harmonious relations between workers – in effect a framework to replace the former sectoral Registered Employment Agreements. The relevant provisions are contained in Part 2 of the Bill.

Secondly, to put in place the legislative amendments to the Industrial Relations Acts 2001 and 2004 required to give effect to the Programme for Government commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights (ECHR). Furthermore, the Statement of Government Priorities 2014-2016 prioritised the enactment of the Collective Bargaining legislation as approved by Government. The relevant provisions are contained in Part 3 of the Bill.

The proposals in the Collective Bargaining element of the legislation respect Ireland's voluntary Industrial Relations system but ensure that where an employer chooses not to engage in collective bargaining either with a trade union or an internal 'excepted body' the 2001 Act will be remediated to ensure there is an effective means for a trade union, on behalf of members in that employment, to have disputed remuneration and conditions of employment assessed against relevant comparators and determined by the Labour Court if necessary.

They will also ensure that if an employer chooses to collectively bargain with an internal

‘excepted body’, instead of a trade union, that body must pass tests as regards its independence.

Provisions are included to ensure the Act is used appropriately. There are provisions to ensure cases dealt with are ones where the numbers of workers are not insignificant; provisions to ensure elements of remuneration and conditions of employment are not challenged without regard for the totality of remuneration and conditions of employment; provisions to manage the frequency of reassessment of the same issues.

Crucially, additional protection by way of interim relief is proposed where a trade union member, identified in the course of use of the process under the Act, believes her or his dismissal is a direct consequence of this.

In addition, any determination by the Labour Court may also be enforced by the Circuit Court, should any employer choose not to engage with a trade union or implement a previous recommendation of the Labour Court.

The new legislation will balance the interests of workers and employers by providing certainty and clarity for businesses while enhancing collective bargaining in workplaces, providing for registered employment agreements to be re-established and sectoral wage rates and conditions.

Integral to the process of drafting the Bill, submissions and presentations were received from a range of interested parties ranging from trade union representatives, employer representatives, State bodies and others. In addition, the Irish Congress of Trade Unions, the Irish Business and Employers’ Confederation, and the American Chambers of Commerce were consulted extensively and the Bill, balancing the concerns of both sides of industry in this area, very much reflects the consensus achieved through the submission and consultation process.

Transatlantic Trade and Investment Partnership

13. **Deputy Mick Wallace** asked the Minister for Jobs, Enterprise and Innovation his views on the chapters of the Transatlantic Trade and Investment Partnership regarding regulatory co-operation; if he will provide a progress update on the latest negotiations at European Union level in relation to the partnership; and if he will make a statement on the matter. [18405/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I welcome the publication of the EU’s draft Regulatory Cooperation Chapter which is intended to provide the framework for ongoing regulatory cooperation under TTIP. This is an area where significant mutual gains can be made which will promote trade and job creation. It will be a particular area of interest for Ireland with our large pharmaceutical and medical device sectors, It offers all parties an opportunity to make input into this significant area on the TTIP. The revised regulatory cooperation text was tabled by the EU and is available on the EU Commission website along with a detailed explanation of the EU proposal. The chapters on Regulation first set out the potential benefits of regulatory cooperation in terms of:

- Jobs and growth
- More choice for consumers
- Stronger regulation, better enforced
- Greater influence on the international stage

They then demonstrate that such cooperation will not lower existing protection in the EU or

in the US. It makes clear that nothing in a TTIP agreement will affect the right of either side to make new regulations, or undermine the procedures through which those regulations are made.

The detailed articles set out the general objectives and principles of cooperation. The key objectives are to facilitate trade and investment by removing unnecessary burden, promoting a transparent and predictable regulatory environment and promoting international cooperation. Some principles of good regulation are enshrined in the cooperation agreement such as early indication of plans, opportunity for consultation, sound impact assessment, development of an annual cooperation programme covering information exchange, identifying the scope for mutual recognition of equivalence, simplification or harmonisation. It also provides for the establishment of a Joint Regulatory Cooperation Body to facilitate their implementation of the cooperation agreement.

In addition, nine specific sectors have been identified as areas on which regulatory cooperation work can be carried out and mutual gains achieved. These are cars, pharmaceuticals, medical devices, cosmetics, engineering, textiles, chemicals, pesticides, ICT.

The EU and US work closely already in a number of areas. Air transport is one example where common standards for safety and technical requirements are already in place, we have also agreed to recognise each other's organic food standards. The ultimate objective of these initiatives is to avoid duplication and to find ways to make our systems work more smoothly.

Regulatory compatibility and cooperation recognises the realities of globalisation and will make the trading landscape easier and more predictable. This will be particularly important in unlocking the potential of SMEs helping them to internationalise and grow exports as is reflected in my Department's recent report on the impacts of TTIP on Ireland.

Action Plan for Jobs

14. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which measures continue to be taken to monitor the jobs market, with a view to ensuring early detection, where jobs may be at risk; and if he will make a statement on the matter. [18342/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Action Plan for Jobs (APJ) 2015 was published in January this year and is the fourth in the multi-annual series of a whole of government approach to economic recovery, export growth and job creation. The Action Plan for Jobs set a target to increase employment by 100,000 by 2016 and we are well on track to achieve that figure this year, ahead of the target. Much work remains to be done however to replace all the jobs lost in the downturn, the target which we have set is to achieve sustainable full employment by 2018.

This will require enhanced focus on developing skills and capability on the competitiveness of our sectors; on new business start-up, on developing new opportunities and on anticipating threats to existing jobs.

With this year's plan (APJ2015) we have embedded a new assessment framework, which will improve monitoring associated with our employment policies. This is in response to a suggestion by the OECD that one area of improvement for APJ was to more clearly link actions to outcomes. For the first time we will be able to assess how actions increase sales, stimulate the domestic economy (retail, construction, tourism, agri-food), improve skills, activation and startups, enhance productivity and R&D, make doing business easier and cheaper, and enhance funding availability for SMEs. A full set of assessment metrics is set out in Annex 2 of

APJ2015. As well as helping assess the effectiveness of the APJ, these metrics will also enhance monitoring of the jobs environment with a view to ensuring early detection of areas of risk or indeed opportunity.

My Department, Enterprise Ireland, IDA Ireland and the Local Enterprise Offices work closely with individual enterprises to identify early warnings of difficulty, to seek to minimise job losses where possible and to develop responses to assist the enterprises get on a firmer footing for the future.

My Department is also developing a dashboard of indicators which provide early indicators of changes occurring in areas critical to the developing environment which influences enterprise and jobs. This includes tracking of Labour Market data from the CSO and our various agencies but also trends in company formation, in purchasing managers indices, in company formation, in relation to indices of competitiveness etc. This early intelligence better inform our policy responses and longer-term strategies.

Employment Appeals Tribunal

15. **Deputy Paul Murphy** asked the Minister for Jobs, Enterprise and Innovation if additional resources will be required to reduce current waiting times for Employment Appeals Tribunal hearings from the current average of over a year to three months; and if he will make a statement on the matter. [18418/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am advised by the Employment Appeals Tribunal that, currently, the average waiting time for a hearing before the Tribunal is 63 weeks. This has reduced from an average of 79.5 weeks in 2012 and every effort is being made to finalise cases on hand as efficiently as possible. The Tribunal indicate that there are currently approximately 3,500 cases on hand. There is likely to be a small number of cases which may prove difficult to finalise in the short to medium term, including some cases adjourned, due to parallel High Court proceedings.

The Deputy will be aware that, as part of the current reform of Workplace Relations Services, the functions of the Employment Appeals Tribunal will be transferred to the Workplace Relations Commission (WRC) and the Labour Court insofar as first instance complaints and appeals respectively are concerned. The Employment Appeals Tribunal will continue to function for a limited period, after the establishment of the WRC, to finalise complaints and appeals which were lodged before commencement of the enabling legislation and will be dissolved on finalisation of those legacy cases. The decision to extend the period of operation of the Tribunal beyond the establishment of the new framework is predicated on the assumption that complainants and respondents in matters referred to the EAT prior to the establishment of the WRC would have a legitimate expectation of having the case disposed of before a tripartite tribunal, sitting in public and operating with the degree of procedural formality currently applied by the EAT.

With effect from the commencement of the enabling legislation, therefore, no new complaints or appeals will be presented to the Employment Appeals Tribunal, which will then be in a position to focus its resources on finalising legacy cases. My objective is to ensure that the Tribunal has the necessary resources to progress these cases to finality in an efficient and effective manner and within a reasonable timeframe.

More efficient and effective receipt, registration and referral of workplace relations complaints has already led to the removal of the hearings backlog in certain cases, particularly in the

case of the Rights Commissioner Service. My objective as part of the Reform Programme is to greatly reduce the waiting time for hearings by putting in place a target period of three months from the time of complaint to hearing.

I am committed to ensuring that the Workplace Relations Commission will have the appropriate level of resources to ensure that waiting times are reduced and decisions issued on a timely basis. I am pleased to say that some 19 new Adjudication Officers, selected for appointment following an open competition conducted by the Public Appointments Service, will shortly complete an accredited training programme. These Adjudicators, together with the current cohort of Equality Officers and Rights Commissioners who will be appointed as WRC adjudicators, will be available for deployment on the establishment of the Workplace Relations Commission. The adjudication resources at the disposal of the Commission will, therefore, comprise a diverse group of experienced industrial relations and HR practitioners, employment lawyers and civil servants with appropriate skills and experience.

Work is proceeding at an accelerated pace on progressing a comprehensive programme of work to ensure that our workplace relations services are business ready. This critical work includes the rationalisation of accommodation and hearings venues in conjunction with the OPW on a phased basis, finalising arrangements for the introduction of compliance notices and fixed charge notices in support of inspection activities, the transitioning of e-business, the phasing out of ICT systems in line with the rationalisation of services and implementing the proposed Customer Relationship Management Solution to support complaints and adjudication management.

Transatlantic Trade and Investment Partnership

16. **Deputy Maureen O’Sullivan** asked the Minister for Jobs, Enterprise and Innovation if he has given due consideration to the damage the Transatlantic Trade and Investment Partnership will create for Ireland and other countries in relation to the investor state dispute settlement and the fact that corporations, with profit as their only motivation, will be granted further rights to challenge Governments in legal proceedings, against decisions Governments make in the public good that will affect these corporations’ profitability or potential profitability; if he will acknowledge that the partnership is a bad deal for Ireland and many other countries; and if he will make a statement on the matter. [18323/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The purpose of the negotiations on a Transatlantic Trade and Investment Partnership (TTIP) is to reduce barriers to trade and investment in order to generate jobs and growth. 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 injection of economic activity will bring new job opportunities. Based on EU Commission estimates, about 30 million jobs in the EU depend on sales to the rest of the world, and on average, each additional €1 billion of exports supports 15,000 additional jobs across the EU. That suggests that across the EU, an ambitious TTIP could generate 400,000 jobs.

The results of the study commissioned by my Department suggest that TTIP will be good for Ireland. It 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.

In relation to ISDS, the EU Commission has been working over the last few months on a number of areas by way of follow-up to its public consultation on ISDS. These are: the protection of the right to regulate; the establishment and functioning of arbitral tribunals; the relationship between domestic judicial systems and Investor to State Dispute Settlement (ISDS); and the review of ISDS decisions for legal correctness through an appellate mechanism.

Last week, the EU Commissioner for Trade, Cecilia Malmström, presented a concept paper to the EU Council of Ministers and to the EU Parliament's International Trade Committee. The paper sets out ideas for reforming the current ISDS system, with the overall aim of creating a new modern system of investment arbitration. The ideas include strengthening governments' right to regulate, making arbitral tribunals operate more like traditional court systems with a clear code of conduct for arbitrators, and guaranteeing access to an appeals system. The paper can be found at:

http://trade.ec.europa.eu/doclib/docs/2015/may/tradoc_153408.PDF

I welcome the comprehensive work by the EU Commission in following up on the views expressed by stakeholders, and the ideas it has set out in the concept paper, which I will be carefully considering.

Economic Competitiveness

17. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which he remains satisfied regarding the competitiveness of this economy to attract foreign direct investment, while supporting and encouraging the indigenous sector in both manufacturing and services; and if he will make a statement on the matter. [18343/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): A key objective of the Action Plan for Jobs process which this Government commenced in 2012 was to rebuild our competitiveness and provide a solid foundation for future growth. The recovery in jobs and exports to date is in large part due to the considerable improvement in competitiveness that has taken place in recent years. Prices and labour costs have grown less in Ireland than in our trading partners. Combined with the recent depreciation of the euro, this has seen Irish competitiveness – as measured by the real effective exchange rate - recover most of the deterioration recorded during the boom years.

Our improved competitiveness is reflected in our international rankings also. Since 2011, Ireland's rankings in both the IMD and WEF competitiveness reports has improved – from 24th to 15th in the IMD's World Competitiveness Yearbook, and from 29th to 25th in the WEF Global Competitiveness Report. In the World Bank's Doing Business 2015 report, Ireland is ranked 13th out of 189.

As noted in the Government's Spring Economic Statement, this recovery in competitiveness has facilitated a reallocation of resources towards the tradable sectors of the economy. Exports are now at an all-time high and total employment in IDA supported client companies grew to 174,000 in 2014 from a low of 145,000 in 2009.

Enterprise Ireland reported that client companies created 19,705 new jobs in 2014 – a net increase of 8,476. This is the highest net gain in the history of the agency and demonstrates clearly the direct impact that increasing exports has on jobs in Ireland. Enterprise Ireland supported companies no, account for total direct employment of 180,000 people - the highest recorded in the history of the agency. Significantly, EI clients recorded the lowest level of job losses since 2000.

These successes are spread across manufacturing, services and R&D activities.

Industrial Relations

18. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation when promised industrial relations legislation will be introduced on collective bargaining rights, and on enhancing existing anti-victimisation provisions; the action being taken to address the industrial unrest at Ireland's largest indigenous retailer; and if he will make a statement on the matter. [18353/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): Cabinet approval was obtained on Wednesday last, May 6th, to publish the Industrial Relations (Amendment) Bill 2015. Publication is expected this week with enactment to follow as expeditiously as possible thereafter.

The main purpose of the Bill is twofold: Firstly to provide (1) for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing remuneration and conditions of employment in individual enterprises, and (2) to provide for a new statutory framework for establishing minimum rates of remuneration terms and conditions of employment for a specified type, class or group of workers, particularly in the context of transnational provision of services and promoting harmonious relations between workers – in effect a framework to replace the former sectoral Registered Employment Agreements. The relevant provisions are contained in Part 2 of the Bill.

Secondly, to put in place the legislative amendments to the Industrial Relations Acts 2001 and 2004 required to give effect to the Programme for Government commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights (ECHR). Furthermore, the Statement of Government Priorities 2014-2016 prioritised the enactment of the Collective Bargaining legislation as approved by Government. The relevant provisions are contained in Part 3 of the Bill.

The proposals in the Collective Bargaining element of the legislation respect Ireland's voluntary Industrial Relations system but ensure that where an employer chooses not to engage in collective bargaining either with a trade union or an internal 'excepted body' the 2001 Act will be remediated to ensure there is an effective means for a trade union, on behalf of members in that employment, to have disputed remuneration and conditions of employment assessed against relevant comparators and determined by the Labour Court if necessary.

They will also ensure that if an employer chooses to collectively bargain with an internal 'excepted body', instead of a union, that body must pass tests as regards its independence.

Provisions are included to ensure the Act is used appropriately. There are provisions to ensure cases dealt with are ones where the numbers of workers are not insignificant; provisions to ensure elements of remuneration and conditions of employment are not challenged without regard for the totality of remuneration and conditions of employment; provisions to manage the frequency of reassessment of the same issues.

Crucially, additional protection by way of interim relief is proposed where a trade union member, identified in the course of use of the process under the Act, believes her or his dismissal is a direct consequence of this.

In addition, any determination by the Labour Court may also be enforced by the Circuit

Court, should any employer choose not to engage with a trade union or implement a previous recommendation of the Labour Court.

In relation to the dispute mentioned, I continue to urge both parties to avail of the services of the State's industrial Relations machinery who remain available to assist the parties, if requested. Engagement, in my opinion, with the State's industrial relations machinery offers the best way whereby the parties involved in trade dispute can hope to resolve their differences.

Job Losses

19. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation if he will ensure that the necessary support is being provided by his Department to the workers at Cadbury's in Coolock in Dublin 5, who have lost their jobs in recent months; and if he will make a statement on the matter. [18350/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Immediately after the announcement by the company concerned, I established an inter-agency group to co-ordinate the response to the proposed job losses.

The group, chaired by Enterprise Ireland, will seek to secure alternative employment for the area affected and ensure that departing workers have access to supports they need from State agencies for retraining, access to social welfare supports, access to advice on employment rights and access to advice and support for those workers who intend to start their own businesses. The group includes Local Enterprise Offices, IDA Ireland, SOLAS, Education and Training Boards, Department of Social Protection, MABS, Northside Partnership and the Citizens Information Bureau. The first meeting was held on 18 March.

Recently it was proposed to the management, and through them to the staff unions, that a meeting of the interagency group could be held with the unions. That offer to meet has not as yet been taken up. However I can confirm that the group remains ready to meet employee representatives at their convenience.

Separately, I understand that the management and employee representatives are now in discussions on a variety of issues.

Ireland's body of employment rights legislation protects all persons legally employed in Ireland on an employer-employee basis. Persons working under a contract of employment, on a full-time or part-time basis, have the same protection under law.

The National Employment Rights Authority (NERA) provides information to both employers and employees on their rights and obligations under employment, equality & industrial relations legislation.

NERA's Workplace Relations Customer Services staff are available to meet the Cadbury workforce to provide information and answer any questions they may have with regard to their present situation.

If required, the State's industrial relations machinery is also available to assist the parties concerned in any way possible.

I continue to monitor this situation very closely. Enterprise Ireland has had meetings with the company's management on a weekly basis since the announcement of the proposed job losses. I have directed Enterprise Ireland and IDA Ireland to continue their drive to find alterna-

tive projects for the area affected.

Transatlantic Trade and Investment Partnership

20. **Deputy Mick Wallace** asked the Minister for Jobs, Enterprise and Innovation his views on the concerns raised in many corners regarding the human rights implications of the Transatlantic Trade and Investment Partnership, including the recent call, reported in the British newspaper *The Guardian*, from a former senior official in the United Nations, Mr. Alfred de Zayas, calling for the suspension of the partnership negotiations for this reason; and if he will make a statement on the matter. [18404/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The primary objective of the TTIP is to promote growth and jobs, greater compatibility in regulation, high standards, and common rules to facilitate trade and investment.

The EU Commission's mandate to negotiate with the United States on a Transatlantic Trade and Investment Partnership on behalf of the EU states that the Agreement will exclusively contain provisions on trade and trade-related areas applicable between the parties.

The mandate also states that the Agreement should confirm that the transatlantic trade and investment partnership is based on common values, including the protection and promotion of human rights and international security.

Industrial Relations

21. **Deputy Ruth Coppinger** asked the Minister for Jobs, Enterprise and Innovation if the forthcoming Industrial Relations Bill, which reportedly will restore some sectoral registered employment agreements, will also outlaw bogus self-employment arrangements, which are rife in the construction sector; and if he will make a statement on the matter. [18410/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): Cabinet approval was obtained on Wednesday last, May 6th, to publish the Industrial Relations (Amendment) Bill 2015. Publication of the Bill is expected this week with enactment to follow as expeditiously as possible thereafter.

The main purpose of the Bill is twofold: Firstly to provide (1) for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing remuneration and conditions of employment in individual enterprises, and (2) to provide for a new statutory framework for establishing minimum rates of remuneration terms and conditions of employment for a specified type, class or group of workers, particularly in the context of transnational provision of services and promoting harmonious relations between workers – in effect a framework to replace the former sectoral Registered Employment Agreements. The relevant provisions are contained in Part 2 of the Bill.

Secondly, to put in place the legislative amendments to the Industrial Relations Acts 2001 and 2004 required to give effect to the Programme for Government commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001, so as to ensure compliance by the State with recent judgments of the European Court of Human Rights (ECHR). Furthermore, the Statement of Government Priorities 2014-2016 prioritised the enactment of the Collective Bargaining legislation as approved by Government. The relevant provisions are contained in Part 3 of the Bill.

Part 2 of the Bill provides for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing terms and conditions in individual enterprises. Such agreements will not be legally binding beyond the subscribing parties.

It also provides for a new statutory framework for establishing minimum rates of remuneration and other terms and conditions of employment for a specified type, class or group of – in effect a framework to replace the former sectoral REA system. In this context, the new framework proposes a mechanism whereby, in future, at the request, separately or jointly from organisations substantially representative of employers and/or of workers, the Labour Court can initiate a review of the pay and pension and sick pay entitlements of workers in a particular sector and, if it deems it appropriate, make a recommendation to the Minister on the matter. If the Minister is satisfied that the process provided for in the new legislation has been complied with by the Labour Court, he shall make the Order. Where such an order is made it will be binding across the sector to which it relates, and will be enforceable by the National Employment Rights Authority (NERA).

The Deputy will be aware that NERA inspectors carry out inspections of employers' employment records and workplaces to determine compliance with employment law and employee's statutory entitlements. In 2014, NERA carried out over 5,500 such inspections including construction sites. The policy of NERA is to seek voluntary compliance where breaches of employment law are detected. NERA work with employers and allow them every reasonable opportunity to rectify breaches. Allegations of non-compliance with employment rights legislation should be referred to NERA who investigate matters brought to their attention.

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

Whether any given situation is an abuse of the sub-contracting or RCT systems is a matter for the Revenue Commissioners.

Employment Rights

22. **Deputy Richard Boyd Barrett** asked the Minister for Jobs, Enterprise and Innovation if it is his intention to bring in legislation to deal with zero and low hour contracts, particularly in the context of the ongoing dispute between workers and employers at Dunnes Stores; and if he will make a statement on the matter. [18352/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): In accordance with the Statement of Government Priorities, I commissioned, last February, the University of Limerick (UL) to carry out a study into the prevalence of zero hour and low hour contracts and the impact of such contracts on employees. The appointment of UL follows a competitive tendering process.

The key objectives of the study are:

- To fill the gap in knowledge that currently exists in terms of the hard data and information that is available concerning the prevalence of zero hour and low hour contracts in the Irish economy and the manner of their use.
- To assess the impact of zero hour and low hour contracts on employees.
- To enable the Minister to make any evidence-based policy recommendations to Government considered necessary on foot of the study.

The study will have a broad scope, covering both the public and private sectors, with a particular focus on the retail, hospitality, education and health sectors. The study will examine how zero and low hour contracts operate in practice and how they impact on employees. It will assess the advantages and disadvantages from the perspective of employer and employee and assess the current employment rights legislation as it applies to employees on such contracts. The study will also consider recent developments in other jurisdictions, including the UK in particular. The study may also identify how the information gap might be addressed in the future.

A wide range of stakeholders is being canvassed to contribute to the study and I expect the study to be completed in Q3. The Deputy will appreciate that I cannot anticipate the outcome of the study or the Government's consideration of the study's findings. However, the Deputy can rest assured that where the evidence points to some adjustment being required to the protections already in place under Irish employment law, these will be brought forward for consideration by Government.

In relation to the Dunnes dispute, I continue to urge both parties to avail of the services of the State's industrial relations machinery who remain available to assist the parties, if requested. It is my opinion that engagement with the State's industrial relations machinery offers the best way whereby the parties involved in this dispute can hope to resolve their differences. Ultimately, responsibility for the settlement of a trade dispute rests with the parties to the dispute. However, an early and fair settlement to this dispute is in the interest of all concerned. Last week the Government agreed the text of the Industrial Relations (Amendment) Bill 2015 which in addition to providing a replacement for the Registered Employment Agreement system, will provide an improved framework for workers who seek to better their terms and conditions where collective bargaining is not recognised by their employer.

Industrial Relations

23. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation if he will confirm that the July 2015 deadline for the introduction of robust collective bargaining legislation is still on track; and if he will make a statement on the matter. [18359/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): Cabinet approval was obtained on Wednesday last, May 6th, to publish the Industrial Relations (Amendment) Bill 2015. Publication is expected this week with enactment to follow as expeditiously as possible thereafter.

The main purpose of the Bill is twofold: Firstly to provide (1) for the reintroduction of a mechanism for the registration of employment agreements between an employer or employers and trade unions governing remuneration and conditions of employment in individual enterprises, and (2) to provide for a new statutory framework for establishing minimum rates of remuneration terms and conditions of employment for a specified type, class or group of workers, particularly in the context of transnational provision of services and promoting harmonious

relations between workers – in effect a framework to replace the former sectoral Registered Employment Agreements. The relevant provisions are contained in Part 2 of the Bill.

Secondly, to put in place the legislative amendments to the Industrial Relations Acts 2001 and 2004 required to give effect to the Programme for Government commitment to reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights (ECHR). Furthermore, the Statement of Government Priorities 2014-2016 prioritised the enactment of the Collective Bargaining legislation as approved by Government. The relevant provisions are contained in Part 3 of the Bill.

The proposals in the Collective Bargaining element of the legislation respect Ireland's voluntary Industrial Relations system but ensure that where an employer chooses not to engage in collective bargaining either with a trade union or an internal 'excepted body' the 2001 Act will be remediated to ensure there is an effective means for a trade union, on behalf of members in that employment, to have disputed remuneration and conditions of employment assessed against relevant comparators and determined by the Labour Court if necessary.

They will also ensure that if an employer chooses to collectively bargain with an internal 'excepted body', instead of a union, that body must pass tests as regards its independence.

Provisions are included to ensure the Act is used appropriately. There are provisions to ensure cases dealt with are ones where the numbers of workers are not insignificant; provisions to ensure elements of remuneration and conditions of employment are not challenged without regard for the totality of remuneration and conditions of employment; provisions to manage the frequency of reassessment of the same issues.

Crucially, additional protection by way of interim relief is proposed where a trade union member, identified in the course of use of the process under the Act, believes her or his dismissal is a direct consequence of this.

In addition, any determination by the Labour Court may also be enforced by the Circuit Court, should any employer choose not to engage with a trade union or implement a previous recommendation of the Labour Court.

Company Law

24. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation if the Companies Act 2014, which is to be commenced on 1 June 2015, will make provision for regulating aggressive and intimidating actions by receivers, as part of their efforts to recoup assets; his views that such behaviour is a growing problem; and if he will make a statement on the matter. [18401/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Receiverships arise as a result of private contractual relationships, normally between a company and a lending institution. Receivership is a remedy that derives from the courts of equity. The law in relation to receivership is largely made up of rules which the courts have developed by applying general private contract law and equitable principles.

The Companies Act, 2014, which will commence on 1 June 2015, substantially re-enacts the existing law on receivership. The most important change to the existing law is the codification of the powers of receivers in section 437 of the Act, which until now has been contained in case law. This change is in line with the position of other common law countries.

Under the Companies Act, 2014 additional transparency and protection exists as the receiver has specific statutory duties under section 439 which provide that:

- receivers must achieve the best price reasonably obtainable at the time of sale; and
- the receiver must not sell by private contract a non-cash asset of a company to a person who is or who, within three years prior to the date of appointment of the receiver, has been, an officer of the company unless the Receiver has given 14 days notice of his intention to do so to all creditors of the company who are known to him or who have been intimated to him.

Receivers also have a duty to provide certain information to the Registrar of Companies and the ODCE.

The Act also prevents certain persons from being appointed as Receivers (section 433), such as persons who are undischarged bankrupts and connected persons (parent spouse etc of an officer of the company), among others. Breach of a receiver's statutory duties may result in the receiver being held personally liable for any loss incurred.

As part of its Work Programme 2014 - 2016 the Company Law Review Group will be examining the area of receivership law and I look forward to receiving its Report in due course.

Construction Contracts

25. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation when the appointment of the chairman for the panel of adjudicators will go before the Oireachtas Committee on Jobs, Enterprise and Innovation; when the Construction Contracts Act 2013 will be implemented; and if he will make a statement on the matter. [18358/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Government is committed to the earliest possible implementation of the Construction Contracts Act, 2013 and, as a consequence, approved the delegation of responsibility for its implementation to my colleague the Minister of State for Business and Employment last November. I am informed that Minister Nash intends to appoint a Chairperson of the Ministerial Panel of Adjudicators, which is to be established under the Act, as soon as is practicable, having regard to procedural and contractual considerations.

The necessary work is continuing on the preparations for the full implementation of the Act, as the commencement of the Act is dependent on a number of factors set out in the legislation. These factors include the appointment of a Panel of Adjudicators by Minister Nash. The selection of the adjudicators for this Panel will be achieved through an open competitive process to be arranged by the Public Appointments Service, at the earliest opportunity. Minister Nash is also overseeing the preparation of a Code of Practice for the conduct of adjudications, which will be binding on all adjudicators operating under the Act. The drafting of the Code is at an advanced stage and will be finalised after consultations have concluded with the relevant construction industry stakeholders.

Once the preparatory arrangements have been finalised, a date for implementation of the Act will be announced in advance to provide sufficient notice to those affected by the Act's provisions.

IDA Staff

26. **Deputy Mattie McGrath** asked the Minister for Jobs, Enterprise and Innovation his views on the appropriateness of Industrial Development Agency Ireland's direct intervention in the upcoming same-sex marriage referendum, by advocating a "Yes" vote; if he had discussions of any kind with the agency regarding same; and if he will make a statement on the matter. [18400/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Attracting Foreign Direct Investment is a key element of the Government's enterprise strategy. Ireland is currently enjoying a strong period of growth and almost 175,000 people are now employed at IDA Ireland client companies, the highest number on record.

These companies export over €124bn a year, procure 22.4bn in Irish goods and services, €8.5bn of which relates to payroll/salaries. IDA Ireland's core mandate is to see this huge economic contribution expand further for the benefit of all the citizens of Ireland.

In that context, IDA Ireland has a central role in the business and economic life of Ireland and in furthering the goals of creating long-term, sustainable employment for the citizens of Ireland.

As a result IDA Ireland is asked regularly, often in public, to give its views on topical business issues linked to FDI, particularly those bearing directly on employment, the sourcing of talent and more broadly, Ireland's international brand image.

In that context, IDA has commented over many years on a wide range of issues, including Irish and international economic performance, taxation, property, competitiveness, International and European relations, educational issues, talent attraction and issues relating to infrastructure and utilities.

The IDA Ireland Chief Executive Officer Martin Shanahan conducted a recent business interview with *The Irish Times* and during that interview, covering a range of topics, was asked about the marriage equality referendum and views expressed on this subject in public by IDA's client companies.

As made clear by the CEO in this lengthy interview, IDA Ireland has not campaigned on the marriage equality referendum and is an 'apolitical' organisation. However in the context outlined above, the CEO of IDA Ireland felt it appropriate to respond to the questions asked on the likely repercussions internationally and in a business sense of a No vote and equally on the likely repercussions of a Yes vote.

IDA Ireland has not devoted any public financial resources to the referendum campaign and no discussions were held between IDA Ireland and my Department on this issue.

As the Deputy will be aware, promoting a Yes vote in the marriage equality referendum on 22nd May is Government policy. We firmly believe that this is a matter of equality, and that we should all have the right to marry the person we love, and we are attempting to convince the people of that case in advance of the vote.

Clearly there is a prohibition on the use of public funds to promote a particular outcome in a referendum and there are systems in place to ensure that this is adhered to.

I strongly believe that a Yes vote on 22nd May would be good for Ireland. I will be strongly making that case on the doorsteps and in the media between now and 22nd May.

27. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation the level of analysis undertaken by his Department, and agencies under the remit of his Department on the availability of existing and possible future needs for infrastructure, such as roads, public transport and broadband in the western region, which are necessary to encourage investment, and promote indigenous job creation. [18411/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Sustained investment in economic infrastructure to underpin employment growth has been one of the key priorities of the Action Plan for Jobs. The soon to be published Capital Investment Programme along with other Government strategies such as the National Broadband Strategy will identify key infrastructural priorities to be addressed within the constraints of available resources.

The availability of competitively priced world class infrastructure (energy, broadband telecoms, transport, waste and water) and related services is critical to support economic growth and job creation.

My Department and its agencies engage on a continuous basis with other Departments and agencies and the private sector on the particular infrastructure needs required to support enterprise development and job creation in all regions of the country including the Western Region. In June 2014, Forfás made a submission to the Department of Public Expenditure and Reform's review of capital investment outlining the main capital priorities for the period to 2020 to support enterprise development and job creation.

Earlier this year, the Government announced details of the Regional Action Plan for Jobs initiative which seeks to build on the strengths and assets of each region to maximise enterprise growth and job creation. My objective is that six Regional Action Plans, including one for the West region, will be launched by July, with the two remaining plans in development at that stage.

In launching the Action Plan for Jobs: Regional initiative, I also announced that new funding of up to €250 million will be made available over the next five years to support job creation through enterprise growth in the regions. This includes €150 million for an IDA property investment programme to attract foreign direct investment into the regions, and €100 million to Enterprise Ireland to support indigenous enterprises to start up, grow and export. As part of IDA's capital investment programme, a total of nine locations were identified in the recent announcement as headline investments to occur in the period 2015-2017 - including facilities at Galway and Castlebar within the West Region. The Enterprise Ireland funds will be distributed through three new competitive calls which will be announced by Enterprise Ireland over the coming months. Funding will be allocated to the best ideas across the regions. Tangible jobs impact, enterprise start-up and scaling are amongst the criteria against which applications will be measured. Innovative collaborations among different regional agencies or stakeholders will also be favourably weighted.

Infrastructure and Capital Investment Programme

28. **Deputy Seán Kyne** asked the Minister for Jobs, Enterprise and Innovation the way he and his Department communicated the need for new or upgraded infrastructure with other Departments and agencies responsible for providing or leading such investment; and if there are permanent lines of communication between the relevant parties in order that investment and improvements can be made without delays, which could impact on investment and job creation. [18414/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The availability of competitively priced world class infrastructure (energy, broadband telecoms, transport, waste and water) and related services is critical to support economic growth and job creation. Investing in economic infrastructure to underpin employment growth has been one of the key priorities of the Action Plan for Jobs since its inception in 2012. Despite the economic downturn this Government has continued to prioritise investment in key infrastructures and as set out in the 2015 Spring Economic Statement is committed to infrastructure investment to underpin future growth and the Public Capital Programme will be published over the coming months.

My Department and its agencies are continually engaged with relevant stakeholders on the particular infrastructure needs required to support enterprise development and job creation. The stakeholders include other Government Departments, regulatory bodies and public and private infrastructure providers. In addition, I am a member of the Economic Infrastructure and Climate Change Cabinet Committee. Officials from my Department are members of the relevant Inter-departmental Committees.

As the country returns to growth, further targeted investment and reform is required to address existing and likely infrastructural bottlenecks which could constrain growth in the economy by dampening productivity growth, increasing costs and limiting sectoral opportunities for foreign direct investment (FDI) and indigenous enterprise development. However, given the constraints on Government finances, capital investment in the short term must remain highly targeted and support our broad economic development objectives. In this context, I announced earlier this year as part of the Action Plan for Jobs an investment programme of €150m over five years by my Department through IDA Ireland in utility intensive sites to help attract more multinational jobs to the regions.

My Department (and previously through Forfás) assesses Ireland's performance in meeting the infrastructure needs (energy, telecoms, transport, waste and water) of enterprise on a frequent basis. For example, in June 2014, Forfás made a submission to the Department of Public Expenditure and Reform's review of capital investment outlining the main capital priorities for the period to 2020 to support enterprise development and job creation. The review, which will focus on infrastructural investment consistent with the Government's economic and social priorities including the investments that would best support economic recovery and social progress, is to be published next month.

There is also significant scope for Government to improve infrastructure capacity and deliver more cost effective, higher quality services to business users without the need for Exchequer investment by addressing policy and regulatory barriers. It is critically important to put in place the right policy and regulatory framework to give investors the confidence to commit to long-term projects, and ensure the supply chain has the certainty and tools it needs to deliver effectively. For example, as part of the Action Plan for Jobs 2012, I requested Forfás to undertake a study to identify changes in the operation of sectoral regulators that would enhance cost competitiveness, which informed the Government Policy Statement on Economic Regulation, published in July 2013.

Research and Development Supports

29. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation his plans to encourage greater levels of research and development; and if he will make a statement on the matter. [18357/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Da-

mien English): All of our agencies have policies in place to encourage greater levels of research and innovation and to build the innovation capacity of our enterprises. Enterprise Ireland directly supports companies who engage in innovation with instruments designed to support companies at different levels of engagement in innovation.

IDA also has a suite of supports for client companies who invest in research.

Both IDA and EI collaborate in the establishment of clusters of companies to engage in innovation through Technology Centres. Nine new Technology Centres have been established under this government, the most recent of which was in Dairy Processing where huge opportunities exist for Ireland.

Science Foundation Ireland is a major funder of enterprise-focused research. Through research prioritisation it has ensured that investment is made where Ireland has the capacity to build competitive advantage. Its flagship investment in 12 world class Research Centres has made industry partnership a prerequisite for success.

A major focus of all the efforts of state agencies has been to increase the impact of investment in research on job creation. To this end, Knowledge Transfer Ireland was established in 2013. It has built upon the new IP protocol by taking initiatives to increase the uptake in terms of licences and spin-outs. The opportunity for successful commercialisation is supported by EI programmes for High Potential Start-Ups and by the Commercialisation Fund.

Since we have come into Government:

- the levels of Business Expenditure on Research and Development have increased from €1.86bn in 2011 to an estimated €2.09bn in 2013 due to, inter alia, improvements in the R&D tax credit regime;

- 12 world class SFI Research Centres have been established - the largest ever combined Government and industry co-funding collaboration of its kind in the research field in Ireland, involving up to 300 companies and a commitment of some €200m in cash and in-kind contributions from industry partners;

- A further nine industry relevant Technology Centres were established, bringing the total number of centres to 15, and involving collaboration with over 300 companies;

- Collaborative innovations between industry and the higher education sector reached 2,202 between 2011 and 2013;

- 294 HPSUs were established between 2011 and 2013;

- In 2013, the year in which Knowledge Transfer Ireland was established, there was a sharp increase in the number of loans/options/assignments signed, up 60% from the previous year at 139. In the same year, 31 technologies that had previously been licensed out by an RPO became available for commercial use.

Aer Lingus Staff

30. **Deputy Ruth Coppinger** asked the Minister for Jobs, Enterprise and Innovation if he supports the position of Aer Lingus cabin crew staff and their union, IMPACT, in opposing the partial outsourcing of transatlantic routes to the United States of America, based on using contract workers employed on inferior pay and conditions; and if he will make a statement on the matter. [18409/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): I take it the issue that is the subject of the Deputy's question is the reported outsourcing of cabin crew for the new Boeing 767 aircraft which is being leased by Aer Lingus for three months over the summer period to meet seasonal demand on the Shannon to Boston route. I would urge the parties involved to avail of internal dispute resolution mechanisms to try and resolve the issues in dispute here.

I would like to assure the Deputy that the State's industrial relations machinery is available, if required, to assist in this dispute.

Ireland's system of industrial relations is, essentially, voluntary in nature and responsibility for the resolution of industrial disputes between employers and workers, rests with the employer, the workers and their representatives. The State provides the industrial relations dispute settlement mechanisms to support parties in their efforts to resolve their differences.

Even what often appears to be the most intractable of disputes is capable of resolution where both sides engage constructively and in good faith in this voluntary process. The principle of good faith implies that both sides in a dispute make every effort to reach an agreement and endeavour, through genuine and constructive negotiations, to resolve their differences.

EU Directives

31. **Deputy Martin Ferris** asked the Minister for Jobs, Enterprise and Innovation if he is prepared to support the proposals for the seafarers directive, proposed by Liadh Ní Riada MEP, which aims to provide the same rights to seafarers as those enjoyed by land based workers. [12814/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): A General Approach was adopted by the EPSCO Council on 11th December 2014 on the proposal for a Directive which aims to provide for a more uniform protection of seafarers' labour rights, including the right to information and consultation, and affording seafarers the same rights as those enjoyed by workers on shore.

The compromise position agreed by the EPSCO Council reflects the outcome of work undertaken by recent Council Presidencies that has been directed to enhancing the rights of workers in the seafaring professions under EU labour law. Ireland fully supports the proposals agreed at Council which aim to ensure that the optional exclusion of seafarers from key employment and social rights is removed and to ensure a level playing field in the maritime sector.

On 1st April 2015, the European Parliament's Employment and Social Affairs Committee adopted a draft legislative resolution and voted in favour of entering into negotiations with the Council with a view to reaching an agreement on the draft Directive. I understand the Committee took account of the Opinion of the Parliament's Committee on Fisheries on which Ms. Liadh Ní Riada, MEP, acted as Rapporteur.

I understand further that the trilogue negotiations on the draft Directive, which commenced recently between the European Parliament, the Presidency and the European Commission, reached a provisional agreement last week. I look forward to an early and satisfactory conclusion to these negotiations.

Employment Rights

32. **Deputy Joan Collins** asked the Minister for Jobs, Enterprise and Innovation in view of 62,000 workers registered in the construction industry as self-employed, that is more than 50% of the total workforce, his views that this represents a significant level of bogus self-employment. [18369/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): The Central Statistics Office Quarterly National Household Survey indicates that at the end of Quarter 4 2014 there were 116,700 persons engaged in construction, 43,400 of which were self employed. This equates to 37%.

Ireland's body of employment rights legislation protects all persons legally employed in Ireland on an employer-employee basis. Where NERA receives complaints in relation to bogus self-employment or bogus sub-contracting, they are forwarded to the Revenue Commissioners and/or the Department of Social Protection (Scope Section) for investigation either solely by the recipient, or jointly with NERA. Complaints regarding the abuse of the sub-contracting or the Relevant Contracts Tax (RCT) system are solely a matter for the Revenue Commissioners.

In most cases it will be clear whether an individual is employed or self-employed. Where there is doubt in relation to the employment status of an individual the relevant Departments and Agencies will have regard to the Code of Practice for Determining Employment or Self-Employment Status of Individuals. This Code was drawn up and agreed in 2007 by the Office of the Revenue Commissioners, Department of Social and Family Affairs, Department of Enterprise, Trade and Employment, the Irish Congress of Trade Unions and the Irish Business and Employers Federation.

NERA has statutory authority to share information with both the Revenue Commissioners and the Department of Social Protection. Such information sharing takes place regularly between NERA inspectors and their counterparts in these bodies. In cases of mutual interest, joint operations and/or inspections may also be carried out. This exchange and sharing of information, together with the joint operations, is a valuable element of the inspection process and contributes to uncovering non-compliance in the areas covered by the relevant bodies.

In the course of 2014 a total of 353 joint investigations took place with the Revenue Commissioners and /or the Department of Social Protection. These inspections may involve all or a combination of the three parties and in some instances may also involve the Gardaí.

NERA provides information on employment, equality & industrial relations legislation, through the Workplace Relations Customer Service and Information Unit. It can be contacted at Lo-call: 1890 80 80 90 or via its website www.workplacerelations.ie.

IDA Expenditure

33. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will provide an update on the element of Industrial Development Agency Ireland new investment, research and development expenditure, and new jobs, related to County Donegal in 2014; and if he will make a statement on the matter. [18402/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Approximately 70% of all FDI investment won by IDA Ireland comes from the existing client base. IDA Ireland has a structured client engagement process aimed at assisting existing investors evolve and grow through a company transformation process. This involves many dimensions from new mandates, R&D activities, retraining and in some cases managing job reductions. Although there were no R&D grant payments to IDA Ireland client companies in County Donegal

during 2014, a total of €1,889,800 in employment grants were paid to client companies in the County during the year.

IDA Ireland continues to invest in its clients in the county and in many cases these investments are not publicly announced.

The Annual Employment Survey, which tracks employment levels in companies that are clients of the Enterprise Development agencies shows that employment in IDA Ireland client companies in Donegal rose from 2,387 in 2013 to 2,612 in 2014 an increase of over 9%.

Action Plan for Jobs

34. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide a list of the disability related action in the Government's Action Plan for Jobs 2015. [18378/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Action Plan for Jobs (APJ) 2015 was published in January and is the fourth in the multi-annual series. In addition to explicitly setting out measures to be taken by Government over the course of a year to enhance the environment for job retention and creation, it also points to parallel Government strategies which deal with other sectors or policy areas, for example *Food Harvest 2020*, *Harnessing Our Ocean Wealth*, and the new *Tourism Action Plan*. The Action Plan for Jobs does not repeat all of the constituent actions which make up these other strategies, rather their inclusion signals their importance to the jobs effort, and links their implementation to the Government's broad approach to employment creation.

In this context, disability related action in APJ 2015 is captured in action 128 of this year's plan. Action 128 in the APJ commits Government to implement the actions agreed under the *Comprehensive Employment Strategy for Persons with Disabilities*, a strategy which falls under the remit of the Department for Justice and Equality.

The employment strategy is a cross-government approach that brings together actions by different Departments and state agencies in a concerted effort to address the barriers and challenges that impact on employment of people with disabilities. The aim of the strategy is to ensure that more people with disabilities can access work and that services at local level are coordinated and there is joined up access across agency boundaries to deliver more seamless supports to people with disabilities.

Under Action 128 of the APJ, the comprehensive strategy is to be finalised by the end of Q2 and I understand that a revised draft of the Comprehensive Employment Strategy was well received at the April 14th meeting of the National Disability Strategy Implementation Group, the Group responsible for its publication.

Economic Competitiveness

35. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation considering he is the lead Minister for the Action Plan for Jobs, the steps he will take following the latest National Competitiveness Council report *Costs of Doing Business in Ireland 2015*, outlining that Ireland was the third most expensive location in the euro area for consumer goods and services; and if he will make a statement on the matter. [18355/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I was pleased

to welcome the publication of the recent National Competitiveness Council (NCC) which noted our progress in rebuilding our competitiveness but also set out the progress still to be achieved. The report by the NCC has been noted by both the Cabinet and the Cabinet Committee on Economic Recovery and Jobs. I have asked my Ministerial colleagues to consider appropriate actions, additional to those already contained in the Action Plan for Jobs, in response to the issues identified by the NCC to improve competitiveness that might be progressed through the Cabinet Committee structures and to indicate policy developments over the coming period that may have a positive or negative impact on competitiveness.

While the NCC report, prepared under the Action Plan for Jobs 2015, finds that Ireland is an expensive location in which to do business, it also finds that costs have fallen across a range of business inputs since 2009, making Ireland more competitive internationally. This is reflected in our ongoing ability to successfully compete internationally for trade and investment and in our improving performance across a range of international competitiveness benchmarking reports – we have moved from 24th to 15th in the IMD's World Competitiveness Yearbook, for example.

In the longer term productivity performance must be the vehicle through which we must improve our competitiveness and grow the economy. Relentlessly pursuing cost competitiveness remains vital to us as a small, export oriented economy is important but we must also sustain our focus on productivity growth across all sectors of the economy.

Structural reform, as championed through the Action Plan for Jobs, is essential to deliver the necessary productivity gains and improvements in competitiveness. Such reforms are essential to improving the competitiveness of our exporting sectors, which will be at the heart of delivering on our ambition of having full employment by 2018.

In this regard, it is critical that all Government policy reflects the Council's underlying message that policies which enhance Ireland's international competitiveness position, reward productivity and develop productive infrastructure capacity are of foremost importance.

Investor-State Dispute Settlement

36. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he supports the proposal of the European Commissioner, Ms Cecilia Malmström, to the European Parliament Committee on International Trade, that the European Union should work towards the establishment of an international investment court and appellate mechanism, in place of the existing investor-state dispute settlements mechanism attached to the Transatlantic Trade and Investment Partnership. [18382/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The EU Commission has been working over the last few months on a number of areas by way of follow-up to its public consultation on ISDS. These are: the protection of the right to regulate; the establishment and functioning of arbitral tribunals; the relationship between domestic judicial systems and Investor to State Dispute Settlement (ISDS); and the review of ISDS decisions for legal correctness through an appellate mechanism.

Last week, the EU Commissioner for Trade, Cecilia Malmström, presented a concept paper to the EU Council of Ministers and to the EU Parliament's International Trade Committee. The paper sets out ideas for reforming the current ISDS system, with the overall aim of creating a new modern system of investment arbitration. The ideas include strengthening governments' right to regulate, making arbitral tribunals operate more like traditional court systems with a

clear code of conduct for arbitrators, and guaranteeing access to an appeals system. The idea of an eventual international investment court is a longer term prospect. The paper can be found at:

http://trade.ec.europa.eu/doclib/docs/2015/may/tradoc_153408.PDF

I welcome the comprehensive work by the EU Commission in following up on the views expressed by stakeholders, and the ideas it has set out in the concept paper, which I will be carefully considering.

Employment Rights

37. **Deputy Thomas Pringle** asked the Minister for Jobs, Enterprise and Innovation the measures he will introduce to improve security for workers on zero hour contracts, low hour contracts and short-term contracts, and for part-time workers; and if he will make a statement on the matter. [18413/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): In accordance with the Statement of Government priorities, I commissioned, last February, the University of Limerick (UL) to carry out a study into the prevalence of zero hour and low hour contracts and the impact of such contracts on employees. The appointment of UL follows a competitive tendering process. The key objectives of the study are:

- To fill the gap in knowledge that currently exists in terms of the hard data and information that is available concerning the prevalence of zero hour and low hour contracts in the Irish economy and the manner of their use.

- To assess the impact of zero hour and low hour contracts on employees.

- To enable the Minister to make any evidence-based policy recommendations to Government considered necessary on foot of the study.

The study will have a broad scope, covering both the public and private sectors, with a particular focus on the retail, hospitality, education and health sectors. The study will examine how zero and low hour contracts operate in practice and how they impact on employees. It will assess the advantages and disadvantages from the perspective of employer and employee and assess the current employment rights legislation as it applies to employees on such contracts. The study will also consider recent developments in other jurisdictions, including the UK in particular. The study may also identify how the information gap might be addressed in the future.

A wide range of stakeholders is being canvassed to contribute to the study and I expect the study to be completed in Q3. The Deputy will appreciate that I cannot anticipate the outcome of the study or the Government's consideration of the study's findings. However, the Deputy can rest assured that where the evidence points to some adjustment being required to the protections already in place under Irish employment law, these will be brought forward for consideration by Government.

In relation to part-time workers and short-term contracts, Irish employment rights legislation contains strong safeguards for part-time workers. The Protection of Employees (Part-Time Work) Act 2001 implemented EU Council Directive 97/81/EC into Irish law. The purpose of the Directive was to implement the Framework Agreement on part-time work concluded by the European cross-industry organisations UNICE, CEEP and the ETUC. The Act provides a wide degree of protection for part-time employees, including the general protection that a part-time

employee shall not be treated in a less favourable manner in respect of his/her conditions of employment than a full time employee.

Section 13(5) of the 2001 Act contained provisions in relation to the preparation and publishing of a Code of Practice by the Labour Relations Commission in relation to the steps that could be taken by employers for the purposes of Clause 5.3 of the Framework Agreement. Clause 5.3 of the Framework Agreement provided that, as far as possible, an employer should give consideration to a request by workers to transfer from full-time work to part-time and vice-versa. The Labour Relations Commission prepared this Code of Practice, based on the provisions in Section 13 of the 2001 Act, following consultation with the social partners. It was deemed to be a Code of Practice and implemented, in 2006, by the Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006 (S.I. No. 8 of 2006). Under Section 42(4) of the Industrial Relations Act 1990, the Code is admissible in evidence in any proceedings before a Court, the Labour Court, the Labour Relations Commission, the Employment Appeals Tribunal or the Equality Tribunal.

The Protection of Employees (Fixed-Term Work) Act 2003 provides that fixed-term employees may not be treated less favourably than comparable permanent employees, unless the employer can objectively justify the different treatment. Any justification offered cannot be connected with the fact that the employee is on a fixed-term contract.

The 2003 Act also establishes a framework to prevent abuses arising from the use of successive fixed-term employment contracts. The Act provides that where an employee has been on two or more continuous fixed-term contracts, the total duration of those contracts may not exceed four years. After this, if the employer wishes to renew the employee's contract, it must be an open-ended contract unless there are objective grounds justifying the renewal of the contract for a fixed term only.

The Unfair Dismissal Act 1977 as amended contains a provision aimed at ensuring that successive temporary contracts are not used in order to avoid that legislation. It provides that where a fixed-term or specified-purpose contract expires and the individual is re-employed within 3 months, the individual is deemed to have continuous service for the purposes of that Act.

Employment Data

38. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will write to the Central Statistics Office to formally request it to compile official statistics regarding zero hour and low hour contracts here. [18379/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): In accordance with the Statement of Government priorities, I commissioned, last February, the University of Limerick (UL) to carry out a study into the prevalence of zero hour and low hour contracts and the impact of such contracts on employees. The appointment of UL follows a competitive tendering process. The key objectives of the study are:

- To fill the gap in knowledge that currently exists in terms of the hard data and information that is available concerning the prevalence of zero hour and low hour contracts in the Irish economy and the manner of their use.

- To assess the impact of zero hour and low hour contracts on employees.

- To enable the Minister to make any evidence-based policy recommendations to Government considered necessary on foot of the study.

The study will have a broad scope, covering both the public and private sectors, with a particular focus on the retail, hospitality, education and health sectors. The study will examine how zero and low hour contracts operate in practice and how they impact on employees. It will assess the advantages and disadvantages from the perspective of employer and employee and assess the current employment rights legislation as it applies to employees on such contracts. The study will also consider recent developments in other jurisdictions, including the UK in particular.

I should emphasise that, in respect of the specific matter raised by the Deputy, the terms of reference of the study allow for UL to identify how the information gap surrounding zero hour contracts and low hour contracts might be addressed in the future.

Enterprise Support Services Provision

39. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation under the Action Plan for Jobs, the concrete measures that will be taken to improve the supports for self-employed persons and entrepreneurs; and if he will make a statement on the matter. [18354/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The 2015 Action Plan for Jobs sets out a comprehensive range of measures to support entrepreneurship, SMEs and the self-employed in the areas of education and research, business environment and supports, innovation and access to finance, networks and mentoring; and, access to markets. Increasing entrepreneurial activity is a Disruptive Reform in the Action Plan for Jobs for 2015. Our key priority is driving implementation of the actions in the National Entrepreneurship Statement, which was published in October last year and to achieve the ambitious targets set out for a 25% increase in the number of start-ups and in the scaling and sustainability of new enterprises.

The launch of the Local Enterprise Offices (LEOs) was a major reform delivered in 2014 and the clients of the LEOs increased employment by 4,012 last year to 31,326 jobs throughout the country. In 2015 the LEOs will have ambitious and robust county strategies and targets for start-ups, enterprise engagements and supports to be effective first-stop-shops for enterprise information and supports and launch an Entrepreneur Partnering Programme.

My Department through its agencies will build on the 2014 success of the awards programmes such as Ireland's Best Young Entrepreneur with a renewed programme for 2015.

When it comes to promoting prosperity through job creation, the role of new entrepreneurs can hardly be overstated, with two-thirds of new jobs created by firms in their first five years. Enterprise Ireland works to increase the number of companies starting-up, succeeding, expanding, exporting and ultimately creating jobs in Ireland. EI's support system for young companies includes help with business planning, mentoring and development advice, feasibility funding and finance, often in the form of equity investment, as appropriate to the founder's ambitions and the company's potential and stage of growth. Enterprise Ireland has set itself an ambitious target of 550 new and early start-ups supported by 2016.

Enterprise Ireland's ten regional offices work closely with entrepreneurs, local development agencies and local representative bodies offering a wide range of supports for entrepreneurship. Building on the success achieved to date on the Competitive Feasibility Funds, EI will launch four targeted funds during the year in the West, Midlands, MidEast, and one sectoral fund.

Early stage companies continue to face difficulties in accessing the necessary funding required to develop and to enable entrepreneurs to achieve their vision for their company. Enter-

prise Ireland also continues to support the development of the Seed and Venture Capital and Business Angel sectors to increase the provision of early stage funding to support entrepreneurs and early stage companies. A further call for expressions of interest under the Seed and Venture Capital Scheme 2013-2018 will be issued by the end of Q2.

In many cases the lack of a first reference sale is a key barrier to accessing funding at an early stage. Early intervention through entrepreneur development programmes such as New Frontiers and others workshops and accelerator programmes helps companies accelerate their business development and to build up the skills and contacts needed to successfully start and grow. EI will support 130 new Entrepreneurs via the New Frontiers programme in 2015.

The launch of the simplified Startup Refunds for Entrepreneurs Scheme (SURE) in 2015 will provide additional finance for entrepreneurs. A range of agriculture related measures are being implemented including steps to maximise available agricultural land with measures to encourage long term leasing. We are also continuing to supporting the tourism sector with retention of 9% VAT rate. More broadly improvements in personal taxation will benefit the self-employed and entrepreneurs and support growth in demand across the economy.

Transatlantic Trade and Investment Partnership

40. **Deputy Thomas P. Broughan** asked the Minister for Jobs, Enterprise and Innovation if he will report on the current status of Transatlantic Trade and Investment Partnership; the time-frame the Government is working within; if an impact analysis of potential negative consequences has been developed along with examining positive outcomes; and if he will make a statement on the matter. [18301/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The 9th round of the TTIP negotiations took place in New York from 20 – 24 April 2015. Another round is expected in mid-July 2015. In addition, inter-sessional discussions will also be organised between formal rounds. The objective during these rounds is to make as much progress as possible in all areas of the negotiations.

During the last Round, work advanced in all three pillars of the negotiations: market access, regulatory cooperation and rules. On market access, the discussions were technical, aimed at better understanding the respective tariff offers and issues around government procurement. Regulatory issues took up a lot of the time, with a focus on both horizontal co-operation as well as the 9 specific sectors [cars, pharmaceuticals, medical devices, cosmetics, engineering, textiles, chemicals, pesticides, ICT]. The regulatory discussions are aimed at enhancing transatlantic trade by reinforcing regulatory co-operation in areas of shared interest and cutting out overlapping, unnecessary red-tape. The discussions in the area of rules included sustainable development, and energy and raw materials. SMEs were also discussed in the last Round, specifically, how SMEs might benefit from TTIP. A Report released by the EU Commission at the start of the week of the last Round, which identifies perceived obstacles to trade for SMEs, will inform the EU approach in this area.

The definitive time-frame is difficult to predict but it is expected that there will be substantial progress in these negotiations in 2015.

According to assessments made by the EU Commission, 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. Right across the range of issues covered by TTIP, I will ensure we are best positioned to make the most from these and other trade and

investment opportunities in order to maximise any potential benefits for Irish companies and citizens.

The study commissioned by my Department estimates that these 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 the TTIP negotiations will be assisted by the indications from this study, which also includes areas of potential sensitivity. Our priorities include advancing regulatory cooperation and common rules which aim to make trade and investment easier especially for SMEs, and protecting our interests in any sensitive areas, including beef.

Ireland supports the Commission in these negotiations which aim to achieve an ambitious and comprehensive agreement contributing to growth and jobs both here and the EU. I will continue to promote our objective for a comprehensive, balanced agreement for the benefit of the long term development of our country.

Construction Contracts

41. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if the chairperson and panel of adjudicators, as provided for in the Construction Contracts Act 2013, have been appointed. [18380/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Government is committed to the earliest possible implementation of the Construction Contracts Act, 2013 and, as a consequence, approved the delegation of responsibility for its implementation to my colleague the Minister of State for Business and Employment last November. I am informed that Minister Nash intends to appoint a Chairperson of the Ministerial Panel of Adjudicators, which is to be established under the Act, as soon as is practicable, having regard to procedural and contractual considerations.

The necessary work is continuing on the preparations for the full implementation of the Act, as the commencement of the Act is dependent on a number of factors set out in the legislation. These factors include the appointment of a Panel of Adjudicators by Minister Nash. The selection of the adjudicators for this Panel will be achieved through an open competitive process to be arranged by the Public Appointments Service, at the earliest opportunity.

Cross-Border Enterprise Initiatives

42. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will explore the development of a cross-Border development zone with the Assembly's Minister for Enterprise, Trade and Investment. [18376/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): There are already a range of mechanisms in place to pursue cross-Border economic development.

My ongoing engagement with the Northern Ireland Administration through the North South Ministerial Council, both in Plenary format and through the Trade and Business Sectoral sessions, presents a very useful forum to drive cross border and all-island economic issues. I will continue to pursue relevant and appropriate initiatives through the North South Ministerial

Council.

I strongly believe that it is important to continue building on what has already been achieved in the region by the relevant State bodies and by local authorities on both sides of the border. The work of the Cross Border Body, *InterTrade Ireland*, has been foremost in this regard, with a significant range of enterprise development initiatives and programmes in place. My Department jointly funds and provides oversight to this Body, together with the Department of Enterprise, Trade and Investment in Belfast and it represents a very effective mechanism for tackling business development on an all-island basis. In addition, there is on-going co-operation between *Enterprise Ireland* and its Northern Ireland counterpart agency, *Invest Northern Ireland* on areas of mutual interest.

A further useful mechanism has been the work of organisations such as *the Irish Central Border Area Network*, the *North West Region Cross Border Group* and *East Border Region Ltd.* These organisations involve local authorities on both sides of the border working together to pursue the specific needs of communities in their regions. They have the experience and local knowledge to assist with driving future development strategies of mutual interest. Indeed, the projects led by such groups, and others, under the Enterprise Development theme of the INTERREG IVA Programme (2009-2015), have made a significant impact on developing small businesses in the region. My Department co-funds the Enterprise Development strand of this INTERREG Programme, under which a total of 28 individual projects have been initiated. In addition, my Department has been involved in the planning process for the next strand of the INTERREG Programme for the period up to 2020, which has recently been formally approved by the EU, and we will continue to financially support this programme.

The concept of a specific Border Development Zone as a means of fostering economic recovery in the cross-Border region of the Republic of Ireland and Northern Ireland was the main theme of a conference organised by the *Centre for Cross Border Studies (CCBS)* and the *International Centre for Local and Regional Development (ICLRD)* in 2014. This follows the development of this concept in the CCBS-sponsored Bradley/Best economic study of 2012 and I am aware that the CCBS has undertaken further research on the topic in the intervening period also.

The concept of initiating a Border Development Zone in the Border region is an interesting proposal. However it could raise significant issues involving EU State Aid Rules and other EU provisions and it would also, of course, require detailed negotiations between both Administrations on this island. There would also, almost certainly, be significant resource issues, which would be challenging in the current financial environment. For these reasons, and while I will of course keep abreast of the ongoing research by the CCBS, I do not envisage the establishment of such a zone as being practical or realistic at this time, especially given the existing, well-developed arrangements which are in place, as set out above.

IDA Site Visits

43. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation the number of Industrial Development Agency sponsored visits by potential investors to County Donegal in 2014; and if he will make a statement on the matter. [18403/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I am informed by IDA Ireland that there were 6 IDA Ireland sponsored site visits by potential investors to County Donegal during 2014.

IDA Ireland sponsored site visits by potential investors to specific locations in Ireland are

only part of the long and complicated process involved in attracting foreign direct investment to this country. These site visits may take place at the beginning or end of the process and in some cases there are no site visits involved. Site visits, when they do occur, involve new companies visiting a location for the first time and senior executives of existing companies. For reasons of client confidentiality and commercial sensitivity, IDA Ireland does not comment publicly on the success rate of such site visits.

While these site visits contribute to investment approvals and the creation of jobs, there is not always a direct correlation between site visits made and jobs created in any given year. It is important also to acknowledge the natural time lag between a decision being made to invest and that investment coming on stream. The time lag can be between 3 and 5 years in some cases. That time is required for such activities as locating and acquiring a suitable site for the company's operations, constructing a facility, installing machinery and the recruitment and training of suitable staff.

The level of investment coming on stream is best captured in the number of jobs created in any given year as recorded in the Annual Employment Survey which shows that employment in IDA Ireland client companies in Donegal rose from 2,387 in 2013 to 2,612 in 2014 an increase of over 9%.

Departmental Strategies

44. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation his views that the consultation period for a successor to the Strategy for Science, Technology and Innovation was too short and too rushed for meaningful stakeholder engagement and consultation; and if he will consider extending it. [18338/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Damien English): To ensure its development benefits from a whole of Government perspective, formulation of the successor to the Strategy for Science, Technology and Innovation has been tasked to an Interdepartmental Committee (IDC) on Science, Technology and Innovation, which comprises membership from relevant Government Departments and the Higher Education Authority, along with the Chief Scientific Adviser to the Government.

In October 2014, my Department contacted key stakeholders in the innovation ecosystem to outline our plans for the development of the new Strategy, setting out the range of issues which will be under consideration in its formulation and inviting them to identify key policy statements or analyses that could usefully inform the process. A consultation paper was then prepared as a scene setter which provided details of the current position in relation to the range of relevant issues including, inter alia, investment in Science, Technology and Innovation for economic and societal benefit, the development of human capital, the transfer of knowledge into jobs, delivering research excellence, and the value of international collaboration to Ireland.

The detailed consultation paper was circulated by the IDC on 13th February 2015 with the views of stakeholders sought by the closing date of 23rd March 2015. The consultation paper was also posted on the websites of IDC members. In advance of the consultation paper being issued, I met with each of the heads of the Universities and with the IoTI RD&I Group and DIT's Head of Research, and to get their views and to invite their formal written submissions following issue of the paper.

While the deadline has not been extended, my Department has been very flexible in the approach taken with regard to the closing date for receipt of submissions. More than half of the

total of 80 submissions received were accepted after the original deadline had passed, the latest having been received on 7th May – giving a total of 12 weeks since the publication of the consultation paper which in my view is more than adequate. Each of these submissions is being considered in detail by my Department and, in due course, by the Interdepartmental Committee. Following this analysis, stakeholders will also be invited to attend a consultative workshop designed to address key issues arising from the written consultation phase and the ongoing work of the Committee. This comprehensive approach to consultation will ensure that the full range of stakeholders' views will be proactively considered in the formulation of the new Strategy.

Job Creation

45. **Deputy Denis Naughten** asked the Minister for Jobs, Enterprise and Innovation the progress on securing an alternative tenant for the Bank of America facility in Carrick-on-Shannon, County Leitrim; and if he will make a statement on the matter. [18341/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): A series of actions are being implemented by local and national bodies to source an alternative employer and find alternative employment for those impacted by the MBNA redundancies, which unfortunately took effect on November 28th last.

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

As part of the ongoing work Enterprise Ireland and IDA Ireland continue to fully engage with their existing client companies and, in the case of IDA Ireland, with prospective new international investors, to market the facility and especially to make them aware of the skilled pool of former staff.

There have been a small number of preliminary enquiries about the facility, both from foreign owned and Irish owned businesses but it is too early in the process to be specific about their potential.

It is noteworthy that Government has had considerable success in driving job creation in the Border Region, which includes County Leitrim. Since Q3 2012 the unemployment rate has fallen from 17.7% to 10% as of Q4 2014, and the rate in the West Region, which includes Roscommon, has shown an almost similar fall, to now stand at 10.2%. While still unacceptably high, this reduction represents very substantial progress and I am driving this improvement with the advent of the new Regional Enterprise Strategies. These will be developed following consultation with key stakeholders at regional level and on the analysis of the strengths of each region. All will include specific actions for all the enterprise development organisations and other public bodies active in each region, to promote enterprise growth and job creation. Of course specific issues and factors relevant to particular regions, such as the MBNA closure, will be fully embraced in the new Strategies.

Industrial Relations

46. **Deputy Paul Murphy** asked the Minister for Jobs, Enterprise and Innovation if he is in favour of trade union representatives at the Cadbury-Mondelez plant in Coolock in Dublin 5 having full access to the accounts of the company, and having independent expertise, in order

that the company's cost reduction efforts can be examined fully, and alternatives can be formulated by the trade unions; and if he will make a statement on the matter. [18417/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): I understand the dispute at the Cadbury Mondelez plant in Coolock relates to redundancies at that site and I would like to assure the Deputy that the State's industrial relations machinery is available, if required, to assist in this dispute. I know that in similar situations in the past, the parties have facilitated access to commercially sensitive information such as company accounts. It is a matter for the parties in each dispute to decide however.

Ireland's system of industrial relations is, essentially, voluntary in nature and responsibility for the resolution of industrial disputes between employers and workers, whether in redundancy or other collective disputes, rests with the employer, the workers and their representatives. The State provides the industrial relations dispute settlement to support parties in their efforts to resolve their differences.

Even what often appears to be the most intractable of disputes is capable of resolution where both sides engage constructively and in good faith in this voluntary process. The principle of good faith implies that both sides in a dispute make every effort to reach an agreement and endeavour, through genuine and constructive negotiations, to resolve their differences.

Employment Rights

47. **Deputy Maureen O'Sullivan** asked the Minister for Jobs, Enterprise and Innovation if he is satisfied that self-employed persons are afforded the same rights as pay as you earn workers; his views on concerns expressed by self-employed persons that they are under pressure to liquidate their business in order to receive State assistance; if he will elaborate on whether local enterprise offices offer assistance to self-employed persons on the way to access assistance, without having to cease their business, and the stress that this occurs; and if he will make a statement on the matter. [18324/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Government's Spring Economic Statement clearly acknowledged that while the income tax system remains highly progressive by international standards, disincentive effects are obvious with a marginal tax rate of 51 per cent for middle-income workers, and top marginal rates of 52 per cent for PAYE workers and 55 per cent for certain self-employed persons, when Universal Social Charge (USC) and PRSI are taken into account. In Budget 2015, my colleague the Minister for Finance, Mr Michael Noonan, TD, signalled the start of a multi-year programme of income tax reform to address these issues.

In relation to access to social welfare supports for the self-employed, I have been informed by my colleague, the Minister for Social Protection, under whose remit this issue arises, that self-employed persons are liable for PRSI at the class S rate of 4% which entitles them to access long-term benefits such as State pension (contributory) and widow's, widower's or surviving civil partner's pension (contributory) as well as guardians payment (contributory), maternity benefit and adoptive benefit. Ordinary employees who have access to the full range of social insurance benefits pay class A PRSI at the rate of 4%. In addition, their employers make a PRSI contribution of 10.75% in respect of their employees, resulting in the payment of a combined 14.75% rate per employee under full-rate PRSI class A.

Self-employed workers may access social welfare supports by establishing eligibility to assistance-based payments such as jobseeker's allowance and disability allowance. In the case of

jobseeker's allowance they can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services.

In the report of the Advisory Group on Tax and Social Welfare on Extending Social Insurance Coverage for the self-employed, published in September 2013, it was noted that almost 9 out of every 10 self-employed people who claimed the means tested jobseeker's allowance between 2009 and 2011 received payment. It recommends that social insurance for the self-employed should be extended on a compulsory basis and that the rate of contribution for class S should be increased by at least 1.5 percentage points. This recommendation will be further considered by the Minister for Social Protection taking into account the findings of the most recent Actuarial Review of the Social Insurance Fund and the views of industry who have concerns about rising costs.

In relation to my area of responsibility the Local Enterprise Offices (LEOs) are the first port of call in terms of advice, information, mentoring, training and, subject to eligibility criteria, grant support for anyone who wishes to start or expand a business. Where appropriate the LEOs will refer clients to other State Agencies or Government Departments for advice on supports such as the Start-up Refunds for Entrepreneurs (SURE), Microfinance Ireland, the Credit Guarantee Scheme and the Credit Review Office.

Businesses can also access the online search tool for SME business supports that was launched last year. The Supporting SMEs Online Tool is a cross-governmental initiative to help Irish start-ups and small businesses navigate the range of Government business supports for which they could be eligible. The Supporting SMEs Online Tool is available at: www.actionplanforjobs.ie

Social Welfare Appeals

48. **Deputy Jim Daly** asked the Tánaiste and Minister for Social Protection the reason the Social Welfare Appeals Office would not investigate an appeal, subsequent to her Department advising a person (details supplied) to submit an appeal to it; and if she will make a statement on the matter. [18714/15]

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 registered in that office on 7th May 2015. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these papers have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

Carer's Allowance Appeals

49. **Deputy Tom Fleming** asked the Tánaiste and Minister for Social Protection if she will expedite an appeal for a carer's allowance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [18728/15]

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 registered in that office on 13th April 2015. It is a statutory requirement of the appeals process that the relevant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers were received in the Social Welfare Appeals Office on 27th April 2015 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on 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.

Child Benefit Eligibility

50. **Deputy Michael Moynihan** asked the Tánaiste and Minister for Social Protection if she will consider introducing a qualified child increase for persons in receipt of a widow's, widower's or surviving civil partner's (non-contributory) pension, considering the consequences of the recent changes to the one parent family payment, and the fact that those on a widow's, widower's or surviving civil partner's (contributory) pension may receive a payment for their children up to 22 years of age; if he will acknowledge that this situation is unfair on persons in receipt of the non-contributory pension; and if she will make a statement on the matter. [18730/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): All Social welfare contributory schemes, including the Widows/Widowers or Surviving Partners contributory pension are insurance based schemes. The pension is paid to the husband or wife of a deceased person and is available to those who satisfy the necessary PRSI contribution conditions, either on their own record or on that of the deceased spouse, provided the applicant is not cohabiting. A claimant may also qualify for an increase for a qualified child as part of the conditions of this PRSI contribution based scheme.

In order to qualify, either the person claiming or their spouse or civil partner must have:

- At least 260 paid contributions paid before the relevant date (which is either the date of the bereavement or the 66th birthday of one of the spouses, depending on the basis of qualification), and
- An average of 39 paid or credited contributions in either the 3 or 5 years before the death of the spouse or civil partner or before he or she reached pension age (66), or
- A yearly average of at least 24 paid or credited contributions from the year of first entry into insurance until the year of death or reaching pension age. If this average is used then an average of 24 will entitle a person to a minimum payment, they will need an average of 48 per year to get the full pension.

For those who do not meet the qualifying condition of such a contributory payment, they may apply for a means-tested Widow's or Widower's (non-contributory) pension, which may be payable to those who are under 66 and who do not satisfy the social insurance conditions. This is a payment for widows, widowers or surviving civil partners who do not have dependent children, and who have not reached State pension age. If the person has qualified children, they may instead qualify for the means-tested one-parent family payment (OPF).

The Deputy may wish to note the phased one-parent family payment (OFP) scheme age change reforms were introduced in the Social Welfare and Pensions Act, 2012, to reduce long-term social welfare dependency by ending the expectation that lone parents will remain outside of the workforce indefinitely. The final phase of the one-parent family payment scheme age change reforms will be taking place on 2 July, 2015, when the maximum age limit of the youngest child at which a one-parent family payment ceases will be reduced to 7 years for all recipients. Prior to these reforms lone parents could have been on the scheme until their youngest child turned 18 years of age (or 22 years of age if they were in full time education).

However, there is an exemption to these reforms for recipients who are recently bereaved. In these circumstances the One-Parent Family Payment will be payable for two years from the date of death of the spouse/civil partner/co-habitant or until the youngest child reaches age 18, whichever occurs first. If after the two years has elapsed and the person continues to have an income support need, they will either remain on the one-parent family payment, move to the jobseeker's transitional payment or to the jobseeker's allowance (JA) depending on the age of their youngest child, in the same way as any other lone parent.

Back to Education Allowance

51. **Deputy Michael Moynihan** asked the Tánaiste and Minister for Social Protection if she will change the rules regarding back to education allowance to ensure that persons coming from Youthreach are eligible to qualify for the allowance immediately after they finish their Youthreach programme; and if she will make a statement on the matter. [18731/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Back to Education Allowance (BTEA) is designed to support jobseekers to undertake second chance education. A person wishing to pursue a course of study under BTEA must satisfy a number of conditions such as age and be in receipt of a qualifying payment for a specified period of time amongst others.

Youthreach participants are eligible to apply for BTEA subject to establishing an entitlement to a qualifying social welfare payment immediately prior to the commencement of their approved course of study.

In addition, time spent on the Youthreach programme is counted towards the qualifying period and is considered for BTEA purposes 'to be out of formal education' and thereby granting earlier access to the programme than would otherwise apply.

Fuel Allowance Payments

52. **Deputy Ruth Coppinger** asked the Tánaiste and Minister for Social Protection if she will extend payments under the fuel allowance, in view of the unseasonably colder weather after 3 April 2015; and if she will make a statement on the matter. [18739/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The fuel allowance is a payment of €20 per week for 26 weeks from October to April, to 415,000 low income households, at an estimated cost of €208 million in 2015. The purpose of this payment is to assist these households with their energy costs. The allowance represents a contribution towards the energy costs of a household. It is not intended to meet those costs in full. Only one allowance is paid per household.

My Department also pays an electricity or gas allowance as part of the household benefits package to 415,000 customers, at an estimated cost of €227 million in 2015.

I am not in a position to extend the criteria for these schemes or the current value of the allowances.

The best way to tackle fuel poverty in the long term is to improve the energy efficiency of the dwelling. My Department is currently working closely with the Department of Communications, Energy and Natural Resources on these issues and in moving forward the actions agreed in the Energy Affordability Strategy. The Better Energy Homes scheme provides support towards the installation of attic and wall insulation, and heating system upgrades including solar and thermal.

One-Parent Family Payment Eligibility

53. **Deputy Jack Wall** asked the Tánaiste and Minister for Social Protection the position regarding an application for one parent family payment in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [18741/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The one-parent family payment application of the person concerned was referred to a Social Welfare Inspector prior to decision by a deciding officer, in order to establish if the conditions of entitlement to one-parent family payment are fulfilled.

The Inspector's report is now complete and the file has been referred to the Deciding Officer for decision this week.

Employment Support Services

54. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Social Protection the reason a request by a person (details supplied) in Dublin 12 to do a safe pass course was denied until the person finds employment, when in fact the person had to turn down employment due to not having a safe pass certificate; and if this decision will be reviewed. [18745/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned made enquires at Bishop's Square Intreo Centre regarding attending a Safe Pass Course. He was advised that under the operational guidelines for the Training Support Grant which funds Safe Pass Courses, in order to qualify, an applicant must have a job offer or the potential of a job offer. Until such time as the person concerned can provide evidence of a job offer or a potential job offer this matter cannot be progressed.

Disability Allowance Applications

55. **Deputy Seán Ó Fearghail** asked the Tánaiste and Minister for Social Protection the position regarding an application for a disability allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [18784/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The application from the person concerned was disallowed on the grounds that her weekly means were deemed to be in excess of the statutory limit allowable in her case for disability allowance purposes.

Notification of this decision issued on 15 April 2015.

The person concerned was advised of the option to submit further evidence for review or lodge an appeal directly to the Social Welfare Appeals Office. To date neither option has been exercised.

Departmental Offices

56. **Deputy Brendan Smith** asked the Tánaiste and Minister for Social Protection if she will confirm that the status of her Department's offices in Ballybay in County Monaghan will not be changed; that this office will continue to be located in Ballybay; and if she will make a statement on the matter. [18791/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Twenty nine staff occupying two adjoining buildings on Main St. in Ballybay, Co. Monaghan were redeployed from the Department of Agriculture, Food and the Marine to the Department of Social Protection in July 2012. The staff are engaged in the processing of the Public Services Card. The current facilities are not considered appropriate for the existing business processes or to accommodate the recently expanded operation.

I am advised that the Office of Public Works have investigated all of the options in Ballybay and have inspected a number of properties, with a view to adapting a number of buildings to meet the Department of Social Protection's requirements. The position is that a significant investment would be required to bring the proposed properties up to modern standards. In addition, other technical surveys and reports, planning permission, fire certification and physical works would take approximately one year to complete. Unfortunately, this timeframe is not commensurate with the Department's business requirements and the need to establish a Public Service Card Centre in the County, which is badly needed and is now an urgent requirement. Consequently, neither my officials, nor the OPW, consider that the properties on offer in Ballybay could meet the requirements in terms of both cost and time and a decision has been made to move the current facilities to Monaghan Town and combine it with a public, customer facing facility to serve the people of Monaghan.

Carer's Allowance Appeals

57. **Deputy Tom Fleming** asked the Tánaiste and Minister for Social Protection if she will examine an appeal for a carer's allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [18811/15]

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 registered in that office on 8th April 2015. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Deciding Officer on the grounds of appeal be sought. When these papers have been received from the Department, the case in question will be referred to an Appeals Officer who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral appeal hearing.

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

Pension Provisions

58. **Deputy Michael Fitzmaurice** asked the Tánaiste and Minister for Social Protection if it is the case that the rate band changes introduced by her on 1 September 2012 militate disproportionately against working women when they reach pension age, as evidenced by the fact that approximately 61% of those negatively impacted by the rate band changes are women, and approximately 39% are men; while she may have sought to ensure that those who contribute more during their working lives benefit to a greater extent at pension qualification age, her views that she has created a moral hazard in the system, in so far as a person who has made no paid contribution whatsoever, and who has made no provision at all for their retirement, may now receive a more substantial pension as a recipient of the State pension (non-contributory) than those persons who have contributed towards the State pension (contributory) having worked intermittently, whenever and wherever possible; if she will act immediately to correct this anomaly; and if she will make a statement on the matter. [18830/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The State pension (contributory) is a very valuable benefit and is the bedrock of the Irish pension system. Therefore, it is important to ensure that those qualifying have made a sustained contribution to the Social Insurance Fund over their working lives.

To ensure that the individual can maximise their entitlement to a State pension, all contributions paid over their working life from when they first enter insurable employment until pension age are taken into account when assessing their entitlement and the level of that entitlement. 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.

While new rate bands for State pension (contributory) were introduced from September 2012, it was already the case that bands existed for different levels of contribution, and that some people qualified for a higher rate of pension on the State pension (non-contributory). Therefore, this is not a new development. A person who qualifies for a reduced rate of SPC below the maximum SPNC rate does so because, in addition to their SPC, they have additional means over and above that contributory pension. If they did not, they would instead be paid the higher SPNC rate. Accordingly, they are not worse off as a result of paying their contributions and the PRSI system continues to provide good value for such workers.

Since the introduction of the State pension (contributory), men have been more likely to have a complete social insurance record than women, and yet, all of the main poverty indicators show that women over 65 experience poverty at the same or lower levels than men of the same age, despite many women having lower lifetime earnings than men. This is a result of the social protection system which awards entitlements based on contributions to the Social Insurance Fund by the claimant or his or her spouse, and provides assistance where people have no such PRSI record. Those with lower earnings and those with lesser contribution histories continue to obtain the best value for money from the Social Insurance Fund, e.g., a person with an average of only 20 contributions per year (i.e. 38% of the maximum) can receive a State pension of €196, i.e., a higher rate than the full rate in 2007.

It is not possible to state to what extent, if any, women were disadvantaged by the changes made in 2012 to new entrants to the State pension (contributory), as most of those whose State pension (contributory) entitlement would have been reduced, and these include both men and women, would have had access to other benefits. Such benefits would be either derived from their spouse's contribution record, such as the widow's pension (contributory) or qualified adult

increase on his pension, or in their own right, such as the State pension (non-contributory).

Over time, there has been a very significant increase in female participation in the workforce, and this will impact on the gender profile of the various benefits claimed under the Irish pensions system.

For those with insufficient contributions to meet the requirements for a 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).

Disability Allowance Applications

59. **Deputy Tom Fleming** asked the Tánaiste and Minister for Social Protection if she will expedite a disability allowance application in respect of a person (details supplied) in County Kerry, as all relevant information has been submitted; and if she will make a statement on the matter. [18848/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the Department is in receipt of an application for disability allowance from the above named person on 16 April 2015. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome.

The processing time for individual disability allowance claims may vary in accordance with their relative complexity in terms of the three main qualifying criteria, the person's circumstances and the information they provide in support of their claim.

Invalidity Pension Applications

60. **Deputy Seán Ó Fearghail** asked the Tánaiste and Minister for Social Protection if she will expedite an application for invalidity pension in respect of a person (details supplied) in County Kildare, who has severe back problems and has been hospitalised for nine weeks; and if she will make a statement on the matter. [18852/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned has been awarded invalidity pension with effect from the 05 February 2015. Payment will issue to his nominated bank account on the 28 May 2015. Any arrears due from 05 February 2015 to 27 May 2015 (less any overlapping social welfare payment and/or outstanding overpayment) will issue in due course. The person in question was notified of this decision on the 12 May 2015.

Social Welfare Overpayments

61. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Social Protection if an overpayment in respect of a person (details supplied) in County Kerry will be reviewed; and if she will make a statement on the matter. [18863/15]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): In order to have the

rate of recovery of their overpayment reviewed, the person in question should forward a proposal on the amount of repayment they consider to be appropriate and affordable. In support of this proposal they should submit relevant details of their income and outgoings. These details should be forwarded to Debt Recovery Unit, Department of Social Protection, Government Buildings, Ballinalee Road, Longford.

Living City Initiative

62. **Deputy Seán Ó Fearghail** asked the Minister for Finance if he will address the issues raised in correspondence (details supplied) regarding the Living City Initiative; and if he will make a statement on the matter. [18733/15]

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

This Initiative is targeting particular areas of these six cities which are most in need of regeneration. The designated areas have been chosen following consultations with the relevant local authorities, other Government agencies and an independent adviser.

The Department will closely monitor the progress of the Initiative in the six cities, and will keep the suggestion of extending the relief further under review.

It is important to note that I do not see this as a wide-spread Initiative, as it is targeted at those areas in the six cities which are most in need of attention.

Vehicle Registration

63. **Deputy Pearse Doherty** asked the Minister for Finance the reason a car, which has been fully approved under the national car test, must also pass a vehicle export examination before its owner may export it under the vehicle registration tax export repayment scheme. [18836/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that section 135D(1) of the Finance Act 1992 provides for a number of verification checks that must be carried out on a vehicle prior to its exportation. One of these checks is a physical examination to ensure that the vehicle is that which is declared for export and is generally in working order. The examination is neither equivalent to, nor a replacement for, the National Car Test. Comprehensive details of the requirements for the Export Repayment Scheme are on the Revenue website at the following link: <http://www.revenue.ie/en/tax/vrt/export-repayment-scheme/faqs.html>.

Mortgage Arrears Proposals

64. **Deputy Michael McGrath** asked the Minister for Finance in respect of the Residential Mortgage Arrears and Repossession Statistics for Quarter 4, 2014 published by the Central Bank of Ireland, the number of the 114,674 private dwelling home mortgage accounts classified as restructure-rescheduled that are currently meeting the terms of the restructuring-rescheduling arrangement, and are no longer regarded as being in arrears; and if he will make a statement

on the matter. [18711/15]

Minister for Finance (Deputy Michael Noonan): I am informed by the Central Bank that some 114,674 principal dwelling home (PDH) mortgage accounts were classified as restructured at end-December. Of these restructured accounts, 97,449 accounts (84.9%) were deemed to be meeting the terms of their current restructure arrangement. This means that the borrower is, at a minimum, meeting the agreed monthly repayments according to the current restructure arrangement.

The Central Bank also reported that some 78,418 (68.4%) restructured PDH accounts were not in arrears at end-December 2014. Restructured accounts in arrears include accounts that were in arrears prior to restructuring where the arrears balance has not yet been eliminated, as well as accounts that are in arrears on the current restructuring arrangement.

It is a positive development to note that the above data reflects a quarter-on-quarter increase of 4.3 per cent in PDH mortgage accounts which were classified as restructured for the last quarter of 2014, a development which I hope to see continued in future Central Bank quarterly bulletins.

Strategic Banking Corporation of Ireland

65. **Deputy Pearse Doherty** asked the Minister for Finance the way the Strategic Banking Corporation of Ireland will be treated in the national accounts; and if he will make a statement on the matter. [18746/15]

Minister for Finance (Deputy Michael Noonan): The Strategic Banking Corporation of Ireland (SBCI) was established in 2014 and has since signed funding deals, recruited staff, signed lending contracts with two banks and appointed a board of directors. Most importantly the SBCI commenced lending to businesses in the real economy through AIB and Bank of Ireland at the start of March 2015. SMEs have already begun to access SBCI funds to grow and develop their businesses. More lending partners will join with the SBCI throughout the course of 2015 increasing choice for SMEs and driving competition in the markets for SME credit.

Eurostat determined that the SBCI should be classified in the general government sector from its inception in 2014. Further information regarding this decision can be located on Eurostat's website <http://ec.europa.eu/eurostat/documents/1015035/6761701/Advice-2015-IE-Classification-of-Strategic-Banking-Corporation-of-Ireland.pdf/60a59485-1aff-4f8e-8864-143411c097d6>.

As with any body classified in the general government sector, any borrowing undertaken by the SBCI from external third parties is included in general government debt. As the borrowing will be subsequently lent on to other parties, this is considered a loan asset and will be included in the calculation of net debt. The surplus or deficit of the SBCI will count towards the general government balance. The impact of the SBCI in the context of the overall general government balance is negligible.

The SBCI has been included in the March 2015 EDP return prepared by the Central Statistics Office. The SBCI has also been included in the general government forecasts published by my Department in the Spring Economic Statement and Stability Programme Update of April 2015.

66. **Deputy Derek Nolan** asked the Minister for Finance if he will put a special task force in place to propose ways of restricting persons trading on the black market, and the consequent evasion of taxes, and the impact on the Exchequer and legitimate businesses; and if he will make a statement on the matter. [18748/15]

Minister for Finance (Deputy Michael Noonan): My understanding of shadow economy (or black market) activity is that it is wide-ranging and it includes, not only illicit activity such as tobacco smuggling, oil laundering and counterfeiting, but also practices (much of which are facilitated within the cash economy) carried out by businesses such as suppressing sales and purchases, keeping cash payments ‘off the books’ and paying employees under an ‘off the books’ arrangement. Also within the shadow economy are those who are working while at the same time claiming social welfare benefits.

Individuals and businesses that operate within the shadow economy gain an unfair competitive advantage compared to legitimate, tax compliant businesses and they deprive the Exchequer of much needed revenues. The Deputy will be aware that I have introduced a number of specific measures in recent years aimed at countering the effects of shadow economy activity. These include:

- the licensing regime for auto fuel traders which was strengthened with effect from September 2011 to limit the ability of criminals to get laundered fuel onto the market;
- a new licensing regime for marked fuel traders which was introduced in October 2012 and which is designed to limit the ability of criminals to source marked fuel for laundering;
- requirements in relation to fuel traders’ records of stock movements and fuel deliveries to ensure data is available to Revenue assist in supply chain analysis;
- a ‘reckless trading’ provision in Finance (No. 2) Act 2013 that makes a supplier who is reckless in supplying rebated fuel for a use connected with excise fraud liable for the duty evaded;
- strengthened provisions in the Finance Act 2014 to permit Revenue 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.

I am satisfied as regards Revenue’s commitment to tackling shadow economy activity. That commitment is evidenced by the following key statistics for 2014 that were recently published in the Commissioners’ Annual Report for that year:

- over 437,000 compliance interventions yielding over €610 million;
- 6,158 drug seizures and seizure of 201,140 litres of illicit fuel;
- Seizure of 53.4 million cigarettes and 9,824 kg of tobacco, valued at €25.47 million and €4.22 million respectively.

The Commissioners’ Annual Report also highlights the significant programme of work that is ongoing and aimed at specific aspects of the shadow economy including detection of fiscal fraud, smuggling and illegal drugs as well as targeting sectors of the economy that traditionally have been susceptible to shadow activity, specifically cash businesses such as the hospitality sector and white collar cash. I am satisfied that there is a high level of co-operation and joint working between the various State agencies who are charged with tackling the shadow economy and that the arrangements in place at an operational level are working effectively.

There is extensive co-operation between Revenue and An Garda Síochána in combating the illicit trades of tobacco and oil smuggling and the relevant agencies in the State also work closely with their counterparts in Northern Ireland, through cross-border groups to target the organised crime groups that are responsible for large proportions of these illicit markets. There is also strong collaboration between Revenue, the Department of Social Protection and the National Employment Rights Authority as evidenced by joint operations in relevant sectors focusing on compliance in relation to employment taxes. I am also informed that the Revenue website has recently been extended to include a shadow economy webpage where information to report such activity is provided. Any information as regards shadow economy activity can be reported to Revenue, either via the Revenue website or directly (including anonymously) to any Revenue office.

The Deputy may be aware that the British Irish Parliamentary Assembly recently published a report on Cross-border Police Cooperation and illicit trade. The report found that:

- the current level of cooperation between An Garda Síochána and the PSNI was excellent with evidence that both police forces worked closely together, formally and informally, on many issues.
- the joint Cross-border Policing Strategy, first launched in 2010, has contributed to the detection of criminal activity and better public safety across the island of Ireland by enhancing the policing capabilities of both police services.
- the Committee welcomed the development of the multi-agency Cross-border Fuel Fraud Enforcement Group and the Cross-border Tobacco Fraud Enforcement Group since its last inquiry.

Having regard to the legislative measures in place, the on-going work and focus of the Revenue Commissioners in tackling shadow economy activity in all its manifestations and the significant on-going cross-border cooperation between agencies, I do not propose to establish a special task force to tackle the shadow economy on the lines suggested by the Deputy.

Exchequer Deficit

67. **Deputy Pearse Doherty** asked the Minister for Finance the change in millions of euros in the Exchequer deficit in the period January 2015 and April 2015, compared to the same period in 2011; and the contribution to that change arising from the change in current receipts, and the change in current expenditure. [18770/15]

Minister for Finance (Deputy Michael Noonan): I would point out that the Exchequer returns containing the information requested by the Deputy are available on my Department's website at the following link:

<http://www.finance.gov.ie/what-we-do/public-finances/exchequer-returns/exchequer-statements>

However, the table below sets out the Exchequer Deficit, current receipts and current expenditure at end-April 2011 and at end-April 2015 respectively.

Current Receipts, Current Expenditure and Exchequer Deficit:

| | | | |
|---|----------------|----------------|--------|
| - | End-April 2011 | End-April 2015 | Change |
| - | €m | €m | €m |

| - | End-April 2011 | End-April 2015 | Change |
|---------------------|----------------|----------------|--------|
| Current Receipts | | | |
| Tax Revenue | 9,611 | 12,864 | +3,253 |
| Non-Tax Revenue | 411 | 395 | -16 |
| Total | | | |
| Current | | | |
| Receipts | 10,022 | 13,259 | +3,237 |
| Current Expenditure | | | |
| Voted Expenditure | 13,908 | 13,047 | -861 |
| Other | | | |
| Non-Voted | | | |
| Expenditure | 2,818 | 4,337 | +1519 |
| Total | | | |
| Current Expenditure | 16,725 | 17,384 | +659 |
| Current Balance | -6,703 | -4,125 | +2578 |
| Exchequer Deficit | -9,913 | -2,319 | +7594 |

Exchequer Deficit

68. **Deputy Pearse Doherty** asked the Minister for Finance the contribution in millions of euros to the change in the Exchequer deficit, in the period January 2015 to April 2015, compared to the same period in 2011, arising from the change in capital receipts and expenditure over that time. [18771/15]

Minister for Finance (Deputy Michael Noonan): I would point out that the Exchequer returns containing the information requested by the Deputy are available on my Department's website at the following link:

<http://www.finance.gov.ie/what-we-do/public-finances/exchequer-returns/exchequer-statements>

The following table sets out the Exchequer Deficit, capital receipts and capital expenditure at end-April 2011 and at end-April 2015 respectively.

Capital Receipts, Capital Expenditure and Exchequer Deficit:

| - | End-April 2011 | End-April 2015 | Change |
|-----------------------------|----------------|----------------|--------|
| - | €m | €m | €m |
| Capital Receipts | | | |
| Other capital receipts | 786 | 3,687 | +2,901 |
| Capital Expenditure | | | |
| Voted Expenditure | 934 | 672 | -262 |
| Other Non-Voted Expenditure | 3,062 | 1,209 | -1,853 |
| Total Capital Expenditure | 3,996 | 1,881 | -2,115 |
| Capital Balance | -3,210 | +1,806 | +5,016 |
| Exchequer Deficit | -9,913 | -2,319 | +7,514 |

Exchequer Deficit

69. **Deputy Pearse Doherty** asked the Minister for Finance the contribution in millions of euros to the change in the Exchequer deficit in the period January 2015 to April 2015, compared to the same period in 2011, arising from the change solely in tax revenues; and the principal contributors, in millions of euros from the various tax heads to that change in tax revenues. [18772/15]

Minister for Finance (Deputy Michael Noonan): I would point out that the Exchequer returns containing the information requested by the Deputy are available on my Department's website at the following link:

<http://www.finance.gov.ie/what-we-do/public-finances/exchequer-returns/exchequer-statements>

However, the tables below set out the position in terms of Exchequer Deficit and total tax revenues collected at end-April 2011 and at end-April 2015 respectively.

Exchequer Deficit and Total Tax Revenue:

| - | End-April 2011 | End-April 2015 | Change |
|-------------------|----------------|----------------|--------|
| - | €m | €m | €m |
| Total Tax Revenue | 9,611 | 12,864 | +3,253 |
| Exchequer Deficit | -9,913 | -2,319 | +7,594 |

Total tax revenue broken down by tax head:

| - | End-April 2011 | End-April 2015 | Change |
|------------------------------|----------------|----------------|--------|
| - | €m | €m | €m |
| Customs | 81 | 104 | +23 |
| Excise Duty | 1,412 | 1,620 | +208 |
| Capital Gains Tax | 76 | 76 | - |
| Capital Acquisition Tax | 30 | 38 | +8 |
| Stamps | 174 | 293 | +119 |
| Income Tax | 4,132 | 5,749 | +1,617 |
| Corporation Tax | 289 | 629 | +340 |
| Value Added Tax | 3,387 | 4,030 | +643 |
| Training and Employment Levy | 135 | 171 | +36 |
| Unallocated Tax Receipts | 30 | 61 | +31 |
| Local Property Tax | n/a | 264 | +264 |
| Total Tax Revenue | 9,611 | 12,864 | +3,253 |

Central Bank of Ireland Expenditure

70. **Deputy Pearse Doherty** asked the Minister for Finance the cost of printing each note of each denomination of euro notes, that is, the cost of printing the €5, €10 note and so on. [18773/15]

Minister for Finance (Deputy Michael Noonan): As per the recently published Central Bank Annual Report 2014, the Central Bank outlines that in 2014 a total of 326 million

banknotes were supplied by the Central Bank to the market, comprising 57 per cent new and 43 per cent re-issued banknotes. This was a 6 per cent reduction on the 345 million banknotes issued in 2013.

Under the ECB pooled production arrangements, the Central Bank was allocated the production of 163 million €5 banknotes in 2014. Other denominations of banknotes are received from other National Central Banks and issued by the Central Bank as required.

The Central Bank have advised that the information requested by the Deputy in relation to the cost of printing each note of each denomination is not currently available. However, this information is being collated and will be issued to the Deputy in due course.

IBRC Operations

71. **Deputy Lucinda Creighton** asked the Minister for Finance if he or his Department were ever informed of, or made aware of, any allegations concerning write-downs being provided on debt for personal borrowings in the Irish Bank Resolution Corporation; if he will provide the nature of these allegations, if they occurred, and the subsequent action that was taken by him or his Department; and if he will make a statement on the matter. [18780/15]

72. **Deputy Lucinda Creighton** asked the Minister for Finance further to Parliamentary Question No. 69 of 30 April 2015, if he will ensure that as part of the directions issued to the Special Liquidator to perform a review and produce a report concerning activities and management decisions, this will include a review into any write-downs on debt for personal borrowings; if he will confirm that, irrespective of the impact on ultimate returns to the taxpayer, any decision which resulted in a borrower receiving a write-down on personal borrowings will also be reviewed; if he accepts that all write-downs on personal borrowings by the Irish Bank Resolution Corporation would give rise to public concern; and if he will make a statement on the matter. [18782/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 71 and 72 together.

The relationship framework in place between IBRC and the Minister for Finance recognised the separation of the Minister and the bank and limited the Minister's intervention in the conduct of bank business to that necessary to protect the public interest.

The bank Board retained full responsibility and authority for all of the operations and business of the bank in accordance with its legal and fiduciary duties and retained the responsibility and authority for ensuring compliance with the regulatory and legal obligations of the bank. The bank also remained licensed and regulated by the Central Bank and was obligated to operate at all times in compliance with Regulatory Requirements, including any codes of conduct put in place by the Central Bank.

Taking into account this existing oversight, and while the Board retained responsibility for day to day operations, the relationship framework was put in place to which set out the instances in which the Bank were required to consult with the Minister for Finance on certain issues outside the ordinary course of business.

Any arrangement entered into between IBRC and an individual borrower, including the write down of debt, which did not trigger mandatory consultation with the Minister for Finance under the relationship framework remained a matter for the Board of the bank at that time. It was the fiduciary responsibility of the Board to ensure that all matters in IBRC were managed

in the best way possible to achieve the best result for the State.

This being the case, if the attention of my officials or myself was drawn to the specifics of an individual case outside of the scope of the relationship framework, it would have been made clear that this was a commercial matter for the bank. Of course if I or my officials became concerned around any such issues we would have explored any such issues further with management.

The scope of the transaction review which I have directed the Special Liquidators to undertake will cover transactions that resulted in a capital loss to IBRC of at least €10 million during the period between 21st January 2009, the date of the nationalisation of IBRC, and 7th February 2013, the date of the appointment of the Special Liquidators to IBRC; or are specifically identified by the Special Liquidator as likely to give rise to potential public concern, in respect of the ultimate returns to the taxpayer. Given this, any personal borrowings which resulted in a capital loss to IBRC of at least €10 million during the specified period will be reviewed.

If the Deputy happens to be in possession of any evidence of improper behaviour, I would encourage her to take such information to the appropriate authorities.

The following information was provided under Standing Order 40A

Please find a revised reply below. As per the original reply provided, this reply will also incorporate Parliamentary Question No. 72. Please note, given that certain parts of the original reply are no longer applicable following the establishment of the Commission of Investigation into certain decisions, transactions and activities entered into by IBRC, I have provided the revised answer as of today's date [26 June 2015].

Revised reply to Parliamentary Question No. 71 and Parliamentary Question No. 72

I propose to take Parliamentary Question No. 71 and Parliamentary Question No. 72 together.

The relationship framework in place between IBRC and the Minister for Finance recognised the separation of the Minister and the bank and limited the Minister's intervention in the conduct of bank business to that necessary to protect the public interest.

The bank Board retained full responsibility and authority for all of the operations and business of the bank in accordance with its legal and fiduciary duties and retained the responsibility and authority for ensuring compliance with the regulatory and legal obligations of the bank. The bank also remained licensed and regulated by the Central Bank and was obligated to operate at all times in compliance with Regulatory Requirements, including any codes of conduct put in place by the Central Bank.

Taking into account this existing oversight, and while the Board retained responsibility for day to day operations, the relationship framework was put in place which set out the instances in which the bank were required to consult with the Minister for Finance on certain issues outside the ordinary course of business.

Universal Social Charge Payments

73. **Deputy Michael McGrath** asked the Minister for Finance the number of persons who only pay universal social charge at the 1.5% rate; and if he will make a statement on the matter. [18787/15]

74. **Deputy Michael McGrath** asked the Minister for Finance the number of persons who pay universal social charge at no higher than the 3.5% rate; and if he will make a statement on the matter. [18788/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 73 and 74 together.

The 1.5% USC rate is applicable to the first €12,012 of an individual's income. Where an individual's total income for the year does not exceed €12,012, they are exempt from the Universal Social Charge (USC), thus there are no cases that only pay USC at the 1.5% rate.

I am advised by the Revenue Commissioners that the number of income earners who pay the USC at a top rate of 3.5% is estimated to be in the order of 223,700 in 2015. In addition, a further 57,000 income earners only pay a USC rate of 3.5% by virtue of being over 70 years of age and having aggregate income of less than €60,000. These figures are estimates for 2015, using the latest actual data for the year 2012 adjusted as necessary for income, self-employment and employment trends in the interim. They are provisional and may be revised. A married couple or civil partners who have elected or have been deemed to have elected for joint assessment are counted as one tax unit.

The Revenue Commissioners estimate that a further 222,000 income earners pay USC at a top rate of 3.5% by virtue of being a medical card holder and having aggregate income of less than €60,000. However, as there is no medical card 'marker' on Revenue records, this figure is a derived rather than an actual estimate.

Consumer Protection

75. **Deputy Michael McGrath** asked the Minister for Finance his plans to protect consumers whose loans are sold to third parties; when he expects legislation in this regard to be enacted and operational; and if he will make a statement on the matter. [18797/15]

Minister for Finance (Deputy Michael Noonan): Borrowers whose loans are sold to unregulated entities will be protected by the Consumer Protection (Regulation of Credit Servicing Firms) Bill 2015 which is currently being drafted. The purpose of the Bill is to ensure that consumers retain the protections they had prior to the sale of their loan. This Bill will require entities dealing with the consumer to be authorised by the Central Bank and subject to its Codes of Conduct. Dealing with the consumer is credit servicing and the definition of credit servicing is broad. Owners of loan books who deal directly with consumers, that is, who are servicing their own loan books, will be regulated. Otherwise they can have the loan book serviced by a regulated credit servicing firm.

The Bill 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. The Bill will continue its progress through the legislative process and I look forward to further discussion of the Bill at Committee Stage which has been set for 27 May.

Financial Services Regulation

76. **Deputy Pearse Doherty** asked the Minister for Finance the number of payment institutions regulated in the State; the names of same; the date each one was licensed; and if he will

make a statement on the matter. [18803/15]

79. Deputy Pearse Doherty asked the Minister for Finance the number of applications for licences to operate as payment institutions that have been received by the Central Bank of Ireland in the past two years; his views on the opinion expressed to the Irish Ambassador in Britain that companies were having difficulties in obtaining licences; and if he will make a statement on the matter. [18856/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 76 and 79 together.

I am advised by the Central Bank that there are currently eleven payment institutions regulated by the Central Bank of Ireland in accordance with the European Communities (Payment Services) Regulations 2009. Please see appendix 1 for further details. Furthermore, at the start of 2013 the Central Bank had three applications for authorisation in progress. During 2013, the Central Bank received a further two applications and during 2014 the Central Bank received a further three applications. Of these eight applications, three applications were returned to applicants due to dormancy (i.e. absence of response from the applicant for 6 months or more), one was withdrawn by the applicant, two were authorised and the remaining two continue to be processed.

As part of my role as Minister I meet with a wide range of members of the public and representatives of industry, some of which may outline regulatory issues which they have encountered. In the context of my responsibility to ensure an effective legislative framework for financial regulation I may from time to time raise certain issues in discussion with the Central Bank of Ireland or elsewhere. Furthermore, under Section 32L of the Central Bank Act 1942, as amended, the Central Bank is required to prepare an Annual Performance Statement relating to its performance in regulating financial services. In that context, my Department is currently working with the Central Bank in seeking to improve the parameters for reporting on performance contained in that Performance Statement.

I note that, as set out in 'IFS 2020: A strategy for Ireland's International Financial Services Sector', in an Irish context 'the Payments Industry is a highly successful sub-sector of the International Financial Services Industry which has seen considerable growth in recent years'. Officials within my Department strive to ensure that the regulations which are in place operate as envisaged and in this regard they continue to monitor the appropriate legislation.

Finally, I welcome the recent political agreement which was reached on the proposal for a revised Payment Services Directive with the conclusion of trilogue negotiations.

Appendix 1

List of Payment Institutions authorised in Ireland 1.

| Payment Institution | Trading as | Date of Authorisation |
|---------------------------------------|---------------------------------|-----------------------|
| CBN Ireland Remittance Centre Limited | CBN Remittance Centre | 29 Apr 2011 |
| Chase Paymentech Europe Limited | Chase Paymentech Europe Limited | 01 Nov 2009 |
| CurrencyFair Limited | CurrencyFair Limited | 08 Apr 2010 |
| CUSOP (Payments) Limited | CUSOP | 01 Nov 2013 |
| EU Money Transfer Limited | EU Money Transfer Limited | 01 Feb 2010 |
| FEXCO Corporate Payments | FEXCO Corporate Payments | 01 Nov 2009 |

| Payment Institution | Trading as | Date of Authorisation |
|--|---|-----------------------|
| Fire Financial Services Limited | Fire Financial Services | 04 Jun 2010 |
| First Merchant Processing (Ireland) Ltd | AIB Merchant Services | 01 Nov 2009 |
| InterPay Limited | Transfermate | 29 Apr 2011 |
| Primafinance Limited | PrimaFinance Debt Solutions | 11 Dec 2013 |
| Western Union Payment Services Ireland Limited | Western Union Payment ServicesIreland Limited | 01 Nov 2009 |

1. Data were extracted from the ‘Register of Payment Institutions who have been granted an authorisation pursuant to Regulation 18 of the European Communities (Payment Services) Regulations 2009 as at 06 May 2015’, which can be accessed at <http://registers.centralbank.ie/DownloadsPage.aspx>

Property Tax Exemptions

77. **Deputy Michael McGrath** asked the Minister for Finance the number of applications made for exemption from local property tax, in respect of pyrite damage in categories 2 and 1, the progress made and the number of successful applications in each category. [18828/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that they do not capture details in relation to the category of damage certified per each individual exemption application and they are not therefore in a position to provide the level of detail requested by the Deputy.

Since the introduction of LPT, over 2,000 applications for pyrite exemption have been received by Revenue. The exemption can only be allowed in circumstances where the residential property has been assessed by a suitably qualified person and where a certificate confirming “significant pyritic damage” has issued to the property owner.

Of the applications received by Revenue, almost 800 cases were found to be ineligible while the balance of over 1,200 cases was accepted on a self-assessed basis. The accepted cases are subject to review as part of Revenue’s overall compliance programme, which will require any property owners who have not already supplied a copy of the confirming certificate to do so as supporting documentation. Where the confirming certificate is not produced, Revenue has no alternative but to refuse the exemption.

Vehicle Registration

78. **Deputy Pearse Doherty** asked the Minister for Finance the reason the vehicle registration tax export repayment scheme charges eligible citizens €500 administration, deducted from repayable vehicle registration tax, when exporting a car; the amount of revenue this charge raised in 2014; and if he will make a statement on the matter. [18832/15]

Minister for Finance (Deputy Michael Noonan): As the Deputy is aware, section 135D(4) (b) of the Finance Act 1992 currently provides that an administration charge of €500 is deducted from the amount of Vehicle Registration Tax (VRT) refunded upon the export of a passenger motor car under the VRT Export Repayment Scheme.

The VRT Export Repayment Scheme was introduced in the Finance Act 2012 to provide for

a repayment of VRT upon the export of passenger motor car from the State. Up until the introduction of this Scheme individuals exporting vehicles had no way of recouping the residual VRT contained in the vehicle. An administration charge of €500 was initially necessary in order to recoup the significant investment necessary in setting up the technological platforms for operating the refund scheme and the interface with the third party to which the export examinations have been outsourced.

However, now that the necessary systems are in place and the scheme is operating effectively, I believe that there is an opportunity to reconsider the level of the charge with a view to a reduction in the context of this year's Finance Bill process. I will instruct my officials to examine the level at which the administration charge is set. Any new rate at which the administration charge may be set must continue to reflect the significant ongoing administrative and enforcement costs of the Scheme.

The administrative charge raised €728,000 in 2014.

Question No. 79 answered with Question No. 76.

Mortgage Interest Relief Expenditure

80. **Deputy Barry Cowen** asked the Minister for Finance if he will provide a breakdown of the estimated loss to the Exchequer of mortgage interest tax relief on rental income in 2014. [18857/15]

81. **Deputy Barry Cowen** asked the Minister for Finance if he will provide a breakdown of the estimated cost to the Exchequer of an increase of mortgage interest relief to 100% of rental income. [18858/15]

82. **Deputy Barry Cowen** asked the Minister for Finance the total tax intake on rental income in the years 2010 to 2014. [18859/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 80 to 82, inclusive, together.

In relation to Question 18857/15, I am informed by the Revenue Commissioners that landlords may deduct interest on money borrowed to purchase, improve or repair residential property from the gross rent when computing their rental profits for tax purposes on that property. Interest can only be deducted during the period in which the property is let and the deductibility of interest in computing taxable rental income from residential property (insofar as it would otherwise be allowable) is limited to 75% of such interest. Information on interest relief for rental property is based on all claims for such relief in tax returns: Form 11 or Form 12 for individual taxpayers. Interest relief associated with corporate landlords is not captured on the relevant corporation tax CT1 return and is therefore not available. Based on personal income tax returns filed for 2010 to 2012, the latest year available, the estimated amount of tax foregone by allowing a deduction for interest on borrowings to be offset against rental income is as shown in the following table. This includes the cost for both residential and commercial properties.

| Year | Cost € million |
|------|----------------|
| 2010 | 672 |
| 2011 | 691 |
| 2012 | 577 |

These estimates are based on assuming that tax relief was allowed at the top income tax rate of 41% (the applicable rate in the years in question) and the figures provided could, therefore, be regarded as the maximum Exchequer cost in respect of those taxpayers.

In respect of Question 18858/15, it is assumed the Deputy is proposing to increase the 75% limit to 100%. In that regard, the Deputy should be aware that the estimated full year saving arising from the restriction of the interest deduction to 75% when introduced in the April 2009 supplementary budget, was put at €95 million. It is likely, therefore, that the cost of restoration of the deduction to 100%, would be of the same broad order of magnitude.

In relation to Question 18859/15, I am informed by the Revenue Commissioners that the amount of gross domestic rental income declared on income tax returns was €4.3bn for 2010, €4.1bn for 2011 and €4.0bn for 2012 (returns for tax years 2013 or 2014 are not yet available). The rental income declared in respect of corporation tax was €548m for 2010, €520m for 2011 and €526m for 2012. However, as rental income is aggregated with all other incomes for the purposes of tax assessment calculation, it is not possible to specify the total tax intake on rental income alone.

Property Tax Yield

83. **Deputy Barry Cowen** asked the Minister for Finance the total property tax income from landlords in 2014. [18860/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that a breakdown of Local Property Tax collected from landlords as requested by the Deputy is not available.

The Deputy may be interested to note that general statistics on Local Property Tax are available on Revenue's website at <http://www.revenue.ie/en/about/statistics/lpt-compliance.html>.

Banking Sector

84. **Deputy Thomas P. Broughan** asked the Minister for Finance if a cost-benefit analysis has been carried out on the merits of retaining Allied Irish Banks in the State sector, in view of the failed record of the management of this bank while in private ownership. [18870/15]

85. **Deputy Thomas P. Broughan** asked the Minister for Finance if he will provide an update on the benefits of retaining Allied Irish Banks as a State asset, including the reported current value of the bank, and its important role in determining the net national debt of Ireland. [18871/15]

86. **Deputy Thomas P. Broughan** asked the Minister for Finance if he will consider retaining Allied Irish Banks in public ownership, with the bank's annual profits being used to defray the national debt, and to support Irish capital infrastructure, over the coming decades. [18872/15]

87. **Deputy Thomas P. Broughan** asked the Minister for Finance if he will consider retaining Allied Irish Banks in public ownership until a Government with a new mandate, after the coming general election, has had an opportunity to evaluate all aspects of the role and history of this bank in the Irish economy, and to avoid future controversies resulting from an early sell-off. [18873/15]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 84 to 87, inclusive, together.

I have stated on numerous occasions that it is Government policy that we will not remain a holder of our banking investments in the long term. Given our high debt to GDP ratio, we do not have the luxury of holding all of these investments indefinitely and I envisage receipts from the gradual sale of these investments helping to play their part in reducing the State's overall debt burden in the coming years.

The Irish banking system is now in a much stronger position than it has been in recent years. Profits are recovering, balance sheets have been restructured and we have started the process of returning cash to the taxpayer following the huge investments that were made over the 2009-11 period.

Much of the banking-related work in the Department of Finance this year will focus on AIB. Given the scale of the State's investment some €20.8 billion and the range of options available to recoup value from the bank, officials within my department are working with AIB on reconfiguring its capital structure. Goldman Sachs International has been appointed to provide financial advice to the Department in this regard.

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 to put a timeline on decisions.

Tax Collection

88. **Deputy Dan Neville** asked the Minister for Finance the position regarding a notice of tax liability in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [18882/15]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that they have ascertained the position regarding the source of income of the person concerned and have made arrangements to provide a letter to him confirming that he has no liability to tax.

Waterways Issues

89. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the position regarding the structural condition of a crossing at a canal (details supplied) in County Kerry; and if he will make a statement on the matter. [18864/15]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The channel mentioned by the Deputy is a tributary of the River Galea which in turn forms part of the River Feale Catchment Drainage Scheme maintained by the Office of Public Works. The OPW is currently making enquiries to determine who is responsible for this bridge.

Company Law

90. **Deputy Thomas P. Broughan** asked the Minister for Jobs, Enterprise and Innovation if there is any upcoming legislation to amend the rules whereby private companies, with a significant or large number of workers and a high level of commercial activity in important markets of the economy, must produce and disseminate public accounts; and if he will make a statement on the matter. [18877/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Government has given approval for the drafting of a Bill to transpose the provisions of the new Accounting Directive (Directive 2013/34/EU on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council repealing Council Directives 78/660/EEC and 83/349/EEC).

The principal effect of the Bill will be the amendment of Part 6 of the Companies Act 2014. The drafting of that Bill is advancing in the Office of the Parliamentary Counsel and it is my intention to bring it to the House at the earliest opportunity as the deadline for transposition is 20 July 2015.

The focus of the Directive is on small companies, so most of the changes in the Bill will affect small companies. Small companies qualify for audit exemption. As the thresholds for small and medium companies are considerably increased, the number of companies that will exceed those thresholds will be reduced. Therefore, the number of companies that qualify as large companies will be fewer. For the remaining large companies, the requirements for production and publication of accounts will remain largely unchanged and the Bill will reflect that.

However, the transposition of the Directive may have implications in this regard for unlimited companies. My Department and the Office of the Parliamentary Counsel are examining how best to give effect to those features of the Directive in the forthcoming Bill.

Employment Rights

91. **Deputy Thomas P. Broughan** asked the Minister for Jobs, Enterprise and Innovation his plans to amend the Protection of Employees (Part-Time) Work Act 2001, and any other relevant employment legislation, to enable part-time workers to request full-time work and contracts. [18876/15]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Gerald Nash): Ireland's robust suite of employment rights legislation contains strong safeguards for part-time workers.

The Protection of Employees (Part-Time Work) Act 2001 implemented EU Council Directive 97/81/EC into Irish law. The purpose of the Directive was to implement the Framework Agreement on part-time work concluded by the European cross-industry organisations UNICE, CEEP and the ETUC. The Act provides a wide degree of protection for part-time employees, including the general protection that a part-time employee shall not be treated in a less favourable manner in respect of his/her conditions of employment than a full time employee.

Section 13(5) of the 2001 Act contained provisions in relation to the preparation and publishing of a Code of Practice by the Labour Relations Commission in relation to the steps that could be taken by employers for the purposes of Clause 5.3 of the Framework Agreement. Clause 5.3 of the Framework Agreement provided that, as far as possible, an employer should give consideration to a request by workers to transfer from full-time work to part-time and vice-versa. The Labour Relations Commission prepared this Code of Practice, based on the

provisions in Section 13 of the 2001 Act, following consultation with the social partners. It was deemed to be a Code of Practice and implemented, in 2006, by the Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006 (S.I. No. 8 of 2006). Under Section 42(4) of the Industrial Relations Act 1990, the Code is admissible in evidence in any proceedings before a Court, the Labour Court, the Labour Relations Commission, the Employment Appeals Tribunal or the Equality Tribunal.

The Protection of Employees (Fixed-Term Work) Act 2003 provides that fixed-term employees may not be treated less favourably than comparable permanent employees, unless the employer can objectively justify the different treatment. Any justification offered cannot be connected with the fact that the employee is on a fixed-term contract.

The 2003 Act also establishes a framework to prevent abuses arising from the use of successive fixed-term employment contracts. The Act provides that where an employee has been on two or more continuous fixed-term contracts, the total duration of those contracts may not exceed four years. After this, if the employer wishes to renew the employee's contract, it must be an open-ended contract unless there are objective grounds justifying the renewal of the contract for a fixed term only.

The Unfair Dismissal Act 1977 as amended contains a provision aimed at ensuring that successive temporary contracts are not used in order to avoid that legislation. It provides that where a fixed-term or specified-purpose contract expires and the individual is re-employed within 3 months, the individual is deemed to have continuous service for the purposes of that Act.

I have no plans at this time to amend these provisions.

NSAI Inspections

92. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if he is aware of the delays in providing approval from the National Standards Authority of Ireland for products being produced; that these delays are resulting in Irish businesses losing contracts; and if he will make a statement on the matter. [18887/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The responsibility for the EU Directive 2007/46/EC governing motor vehicles type approvals lies with the Department of Transport, Tourism and Sport, and its Agency, the Road Safety Authority.

The National Standards Authority of Ireland (NSAI) is the Irish approval authority for this and related Directives.

The NSAI accepts that in the absence of the appropriate approval a business is unable to register a vehicle which impacts on the ability to place the vehicle on the market or complete contracts for delivery.

The optimum processing and approval time for motor vehicles is two weeks

The processing time reflects the technical nature of the approvals process, the requirement on industry to build in an adequate provision for the automotive approvals timescale and the increased registration of new vehicles at the start of the year and at the mid-year registration cycle also.

These conditions, coupled with resourcing constraints, have led to current approvals times

of approximately four weeks.

The timelines are dependent on submission of complete and accurate information accompanying the application. It may be prudent therefore, for companies to build in a contingency timescale to allow for clarifications and/or the provision of additional information.

NSAI recognises that the current lead times are the cause of concerns for the industry and has implemented actions to continue to reduce the processing time. NSAI went to tender for the provision of technical assessors, who commenced in January 2015. However, it is not possible to rapidly increase processing capacity as the sourcing and induction of engineers takes a period of approximately 6 months before they become competent in the approvals process. While new personnel have been engaged through these outsourcing arrangements this has yet to fully impact on the processing times.

Taking the additional resources into account, and subject to whatever surges in applications that may occur, the NSAI continues to work towards the optimal processing time.

NSAI Staff

93. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if he will provide, in tabular form, the number of employees in the National Standards Authority of Ireland, in each year from 2010 to 2015; and if he will make a statement on the matter. [18888/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The following are the whole time equivalent numbers of staff employed in NSAI annually from 2010 to 2015.

| Year | Amount |
|------------------|--------|
| 31 December 2010 | 168.55 |
| 31 December 2011 | 168.28 |
| 31 December 2012 | 148.37 |
| 31 December 2013 | 141.29 |
| 31 December 2014 | 140.69 |
| 31 March 2015 | 140.40 |

NSAI Inspections

94. **Deputy Micheál Martin** asked the Minister for Jobs, Enterprise and Innovation if he is aware of the difficulties faced by a company (details supplied) in County Carlow, as a result of the delay in approving products from the National Standards Authority of Ireland; and if he will make a statement on the matter. [18889/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The responsibility for the EU Directive 2007/46/EC governing motor vehicles type approvals lies with the Department of Transport, Tourism and Sport, and its Agency, the Road Safety Authority. The National Standards Authority of Ireland (NSAI) is the Irish approval authority for this and related Directives. The current processing times reflects the technical nature of the approvals process, the requirement on industry to build in an adequate provision for the automotive approvals timescale and the increased registration of new vehicles at the start of the year and at the mid-year registration cycle also.

These conditions coupled with resourcing constraints have exacerbated this situation with current approvals times of approximately 4 weeks. The optimum approval time target is 2 weeks.

NSAI recognises that the current lead times are the cause of concerns for the industry and has implemented actions to continue to reduce the processing time. NSAI went to tender for the provision of technical assessors, who commenced in January 2015. However, it is not possible to rapidly increase processing capacity as the sourcing and induction of engineers takes a period of approximately 6 months before they become competent in the approvals process. While new personnel have been engaged through these outsourcing arrangements this has yet to fully impact on the processing timelines.

In respect of Keltruck, there are currently 6 applications for certification with NSAI from this company, ranging from 1 week to 5 weeks. The NSAI are in constant contact with the company in order to prioritise their applications.

Job Creation Data

95. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation out of the total number of jobs created in the past four years, the proportion of those in manufacturing; and in the service sectors; the extent to which this country remains competitive in both sectors; and if he will make a statement on the matter. [18893/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Action Plan for Jobs is having a positive impact on employment in the economy, since the first Plan was launched in early 2012. The services sector is making the largest contribution to the achievement of the Government's target of 100,000 more at work by 2016. Following a number of years of decline in employment from 2007, I am pleased to report that the manufacturing sector has also recorded increases in job numbers since 2011.

According to the CSO Quarterly National Household Survey, as of the fourth quarter of 2014, seasonally adjusted, the number of people at work in industry and services increased by 73,400, and there are 13,400 more people at work in construction, since the launch of the Action Plan for Jobs in 2012.

In relation to agency assisted firms, the net increase in full-time employment since the launch of the Action Plan for Jobs to 2014 is 25,665, of which there was a net increase of 8,051 in manufacturing employment and a net increase of 17,614 in internationally traded services employment. This equates to just under one-third, or 31 per cent, of the net increase in full-time employment in agency assisted firms was in manufacturing and two-thirds of the net increase was in internationally traded services enterprises, since the launch of the Action Plan for Jobs.

Arising from the strategy for the manufacturing sector 'Making it in Ireland: Manufacturing 2020', prepared by Forfás and the report of the Expert Group on Future Skills Needs Skills Report on the skills needs for the sector, both of which I launched in 2013, there are now a range of initiatives in hand by my Department and relevant Agencies to drive the Government's jobs targets.

Manufacturing was a Disruptive Reform in the Action Plan for Jobs 2014, with a range of measures designed to support industry growth including encouraging entrepreneurship, further improving our skills base, improving access to finance by SMEs and supporting indigenous companies and foreign-owned manufacturing companies to transform their businesses as part

of a National Step Change Initiative. The Manufacturing Development Forum is helping to address the key issues arising from the Strategy recommendations. These initiatives are important to growing and sustaining the competitiveness of existing enterprises, to sustaining employment and to attracting new investment.

More broadly in terms of our competitiveness for manufacturing and services investment, as reminded recently by the National Competitiveness Council when they published the 2015 Cost of Doing Business Report, while we have made progress in improving our comparative position, there is still further progress required. Costs in Ireland have fallen across a range of business inputs since 2009, making Ireland more competitive internationally. This is reflected in our ongoing ability to successfully compete internationally for trade and investment and in our improving performance across a range of international competitiveness benchmarking reports – for example, we have moved from 24th to 15th in the IMD's World Competitiveness Yearbook.

In the longer term, improving our productivity performance must be the vehicle through which we must improve our competitiveness and grow the economy. Relentlessly pursuing productivity growth, driven by investment in talent and innovation, and improving our cost competitiveness remain vital to us as a small, export oriented economy so as to grow jobs and incomes in a sustainable way over the medium and longer term.

Job Creation

96. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which job creation, in both the manufacturing and services sectors, continues to be spread throughout the regions; and if he will make a statement on the matter. [18894/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Action Plan for Jobs since 2012 has set a comprehensive set of measures agreed by Government to promote job opportunities and employment growth in all regions. While every region and firm has yet to recover all the jobs lost in the downturn, the Action Plan for Jobs is having a positive impact with employment up in all eight regions of the country since the first Plan was launched in early 2012 (NUTS 3).

So as to ensure we recover all the jobs lost and establish sustainable platforms for growth for the future in the regions, as part of the 2015 Action Plan for Jobs I am leading the development of Regional Action Plans for Jobs. The development of Regional Action Plans, through a bottom-up process of stakeholder consultation, will identify those actions at regional level that can help achieve specific impacts in terms of jobs, sales and exports, entrepreneurship and startups, innovation and market penetration and access to talent. I have participated in stakeholder fora in every region over recent weeks and there is a consensus that to achieve these impacts there is a need to strengthen and deepen regional collaboration – that is through local authorities, regional bodies, and higher education institutions, the private sector and communities coming forward with innovative ideas to boost job creation in their area and working together to deliver on those actions. My Department is committed to working with stakeholders in the regions in identifying regional strengths, assets and areas of competitive advantage in order to support businesses to start-up, succeed, expand, and export so as to grow sustainable employment for the future.

The number of people at work in the mid-west is up by 2,400; in the west by 4,000; in the midlands by 8,900; in the south-west by 9,000; in the mid-east region by 9,100; in the border region by 11,300; in the south-east by 23,300 and in Dublin by 46,000. Over the same period there are 73,400 more people at work in industry and services, and 13,400 more people at work

in construction

With regard to employment in Enterprise Ireland, IDA Ireland and Údarás na Gaeltachta client companies between 2012 and 2014, the manufacturing sector recorded increases of 10% in the Midlands, 9% in the Mid-East, 8% in the West, 6% in the South West, 6% in the Mid-West and 4% in the Border region since 2012. Overall, employment in the manufacturing sector increased by 5% between 2012 and 2014 to reach 185,545 full time employees in agency-assisted firms.

In the internationally traded services sector between 2012 and 2014, all regions experienced employment growth. Employment increased by 28% in the Border region, 18% in the South East, 16% in the South West, 16% in Dublin, 13% in the Midlands, 10% in the Mid-West, 6% in the Mid-East and 6% in the West since 2012. Overall, employment in the services sector increased by 15% between 2012 and 2014 to 134,052 full time employees in agency-assisted firms.

Job Creation

97. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which innovation continues to play a major role in job creation, in both the manufacturing and services sectors; and if he will make a statement on the matter. [18895/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The importance of science, technology and innovation (STI) to Ireland is recognised by the Government as being crucial to growth in our indigenous and FDI sectors and plays a key role in job creation. Investment in STI is an essential component of supporting an innovative and enterprising economy. It assists in creating and maintaining high-value jobs and attracts, develops and nurtures business, scientists and talented people, ensuring Ireland is connected and respected internationally.

My Department and its agencies are focused on the development and support of internationally trading manufacturing and services firms in Ireland, and have a clear and steady focus on the potential and opportunities that exist and can be created by prioritising innovation and technology as a key driver of success. Enterprise Ireland, IDA Ireland and Science Foundation Ireland provide a spectrum of innovation and science/technology development programmes that deliver financial, technical and experiential support to help companies become more innovative, encourage and support competitiveness, and help them grow their sales and exports in order to create a climate in which sustainable employment will grow and expand.

Evidence, from both the EU and internationally, shows that the Government's strategy of accelerating the economic and societal return on our STI investment is paying off. Globally, Ireland is ranked:

- 1st in the world for the availability of skilled labour [Source: IMD World Competitiveness Yearbook];
- 11th in the Global Innovation Index 2014 out of 143 countries [Source: Cornell University, INSEAD and WIPO 2014]
- 13th in the world for university-industry collaboration on R&D [Source: Global Competitiveness Report 2013-2014]

In addition, Ireland has improved its position for 2 years in a row in the European Com-

mission Innovation Union Scoreboard according to the 2015 edition published just last week. We are now ranked 8th amongst the 28 EU Member States moving from 9th place in 2014 and 10th place in 2013. It is particularly encouraging to see that Ireland is the overall leader in two specific dimensions: Innovators – which measures how innovative firms are; and Economic Effects - which captures economic success stemming from innovation in terms of employment, revenue and exports.

Horizon 2020 Strategy Funding

98. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which he expects the Irish jobs market to benefit from European Union support, by way of direct grant aid, or otherwise, from the relevant Commissioner in charge of research, innovation and science; and if he will make a statement on the matter. [18897/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The current EU framework programme for research and innovation is Horizon 2020. It has a budget of close to €80bn. and runs over the period 2014-2020.

Horizon 2020 provides Ireland with valuable mechanisms for firms to further their innovativeness in products, services and processes. Irish companies who compete successfully for funding from this large research funding resource will boost their innovative capability and competitiveness which in turn this will deliver strong national economic impacts, including jobs.

The most recent data release from the European Commission shows that in the first 9 months of Horizon 2020, Ireland achieved success of €97 million. €19.1 million of this success was achieved by industry.

Ireland's 2014 target for success in Horizon 2020 is €100 million (Action Plan for Jobs). Based on the results for the first 9 months, I am confident that we will surpass this target.

Equality Issues

99. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which women and men have had equal opportunity to take up jobs in the workplace over the past four years; the extent to which this is in line with international trends throughout Europe, or globally; and if he will make a statement on the matter. [18898/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Action Plan for Jobs since 2012 has set a comprehensive set of measures agreed by Government to promote job opportunities and employment growth for all, males and females. The Action Plan for Jobs (APJ) 2015 is a whole of government approach to economic recovery, export growth and job creation. The Action Plan for Jobs set a target to increase employment by 100,000 by 2016 and we are well on track to achieve that figure this year, ahead of the target. Much work remains to be done however to replace all the jobs lost in the downturn, and we are determined as set out in the Action Plan for Jobs and the Spring Economic Statement to have 2.1 million at work by 2018 and to get the unemployment rate below 8 per cent. It is important to record that almost 90,000 more people are at work since the launch of the first *Action Plan for Jobs* in 2012. There was an annual increase in employment of 1.5% or 29,100 in the year to the fourth quarter of 2014, bringing total employment to 1,938,900. The increase in total employment of 29,100 in the year to Q4 2014 was represented by an increase in full-time employment of

39,600 (+2.7%) and a decrease in part-time employment of 10,500 (-2.3%). Unemployment decreased by 39,600 (-15.6%) in the year to Q4 2014 bringing the total number of persons unemployed to 213,600. This is the tenth quarter in succession where unemployment has declined on an annual basis. The long-term unemployment rate decreased from 7.2% to 5.7% over the year to Q4 2014.

Over the last four years, the number of males at work has grown by 59,000, while the number of females at work has increased by 22,700. Over the same period, unemployment amongst men has fallen by 75,600, and by 21,700 amongst women. Male unemployment decreased by 23,400 to 135,500 in 2014, while female unemployment decreased by 16,300 to 78,100 over the same period.

My Department, Enterprise Ireland, IDA Ireland and the Local Enterprise Offices work closely with the Department of Social Protection and its offices at local level to promote available employment opportunities to those seeking employment opportunities, male and female, and to ensure employers have the best available data on skills available to fill job openings.

Foreign Direct Investment

100. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which he continues to attract new investment to this jurisdiction from new locations globally; the degree to which this continues to benefit the economy; and if he will make a statement on the matter. [18899/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The US continues to be the largest single investor in Ireland accounting for over 70% of investments won since 2010. Europe is IDA Ireland's second largest market and accounts for 20% of investments won in the same period. While the market is challenging given uneven recovery from the downturn, significant opportunities remain. India, China, Singapore, the ASEAN countries, including Malaysia, Thailand, Philippines, Indonesia and Vietnam as well as South Korea, Japan, Australia, New Zealand, Russia, Brazil, Israel and South Africa, referred to as Growth Markets, have become central sources of and destinations for global FDI flows, with Asia in particular becoming a key player. IDA Ireland has put additional resources into this market place over the past five years and has seen good results with 'New Name' investments rising from 4% in 2010 to 20% in 2014 and accounting for an average of 10% of total investments.

Earlier this year IDA Ireland launched its new 5 year strategy entitled "Winning" which covers the period 2015 to 2019. The strategy sets out ambitious targets to boost FDI in Ireland by over 40%, creating 80,000 new jobs in the economy over the next five years. This will bring total direct employment by overseas companies in Ireland to 209,000 by 2019. This will be the highest level of employment from overseas firms in the history of the State and will deliver wide-ranging economic benefits for the people of Ireland.

Ireland's future FDI success will require continued support of existing sectors and exploiting new opportunities in new sectors. In relation to IDA's global strategy, North America will remain the key source market for FDI. The Agency will also target market share growth in Europe and increasing returns from regions such as Asia-Pacific. IDA Ireland will continue to target high growth companies in all three markets to bring first time investors to Ireland.

Small and Medium Enterprises Employment Data

101. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the number of new small or medium-sized enterprises, and the resultant number of jobs created, arising therefrom, in the past three years to date in 2015; and if he will make a statement on the matter. [18901/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Establishing the Local Enterprise Offices (LEOs) as a first stop shop for start-ups, micro-enterprises and small businesses means that entrepreneurs have one central place to go where they can get information and assistance in identifying and accessing all available supports, such as financial supports or “soft” supports, such as training and mentoring.

In 2014, a total of 4,012 extra jobs were created by companies supported by the LEOs. The results, which were compiled by the Enterprise Ireland Centre of Excellence on foot of the Annual Employment Survey of LEO clients, show that at the end of 2014, total direct employment among the 6,058 LEO client companies stood at 31,326. The results also show:

- A total of 7,305 new jobs created during 2014, in gross terms;
- Taking into account losses, a net increase of 4,012, or 14%, in the numbers of people at work in these companies;
- Jobs growth happened during 2014 in every county of the country in companies supported by LEOs.

The Deputy will be aware that the system for delivery of support to micro and small enterprises was reformed last year to make the operating environment for businesses more coherent, responsive and conducive to entrepreneurship at local level. As part of that process, the metrics previously being used by the County and City Enterprise Boards (CEBs) were revised and extended to make them more relevant as a means of reporting on the performance of the LEOs. Accordingly, comparative figures for previous years are not available.

Set out in the following table are Enterprise Ireland (EI) job creation figures for the period 2011 to 2014 taken from the Annual Employment Survey for each year. It should be noted that EI employment figures refer to the agency’s overall client base and include jobs created by SMEs.

Enterprise Ireland job creation figures including SME jobs:

| - | 2011 | 2012 | 2013 | 2014 |
|--------------------------------|---------|---------|---------|---------|
| Permanent Full Time Jobs | 141,228 | 145,460 | 149,718 | 156,202 |
| Permanent Full Time Gains | 9,076 | 12,861 | 12,532 | 14,873 |
| Permanent Full Time Losses | -9,070 | -9,523 | 8,912 | -7,659 |
| Permanent Full Time Net Change | 6 | 3,338 | 3,620 | 7,214 |
| Part Time Jobs | 21,464 | 23,991 | 26,032 | 23,870 |

Work Permits Applications

102. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation if he will indicate, arising from work permit applications in each of the past five years to date in 2015, the extent to which such applications were in respect of particular skills. [18902/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Since the early 2000s, Ireland has sought to meet labour and skills needs from within the European Economic

Area (EEA) as far as possible, while limiting non-EEA labour migration to that of the most highly skilled and hard to find workers.

In times of economic prosperity, the eligible occupation categories are usually broadened to provide for an expanding economy, labour market shortages and skills needs. During a period of economic decline, the eligible occupation categories are narrowed and other restrictions are applied in line with a decline in employment opportunities and an oversupply of labour. However, even during such periods, the need to meet certain skills requirements remains, and during such periods, employment permits will still issue to non-EEA nationals where it can be demonstrated that their expertise is required or would be beneficial.

In 2012 it was recognised that the growth of Ireland's economy was dependent on our ability to meet the skills needs of both our indigenous and multi-national enterprises and a key component of that rested on our ability to attract and retain these key skills through the employment permits regime pending the achievement of a sufficient supply of appropriately trained Irish and other EEA nationals via education and retraining. Thus improvements to the employment permit regime were designed to help us meet our objective of providing a system that could quickly respond to skills gaps, could quickly process applications and could be used by employers with confidence to acquire those skills they are unable to source in Ireland. The changes made included broadening and updating the Highly Skilled Eligible Occupations List (HSEOL) and the ineligible occupations list.

The Employment Permits (Amendment) Act 2014, which commenced in October 2014, provides the flexibility to deal with changing labour market, work patterns and economic development needs which often require rapid response. The Regulations, as provided for in the Act, are being reviewed and adapted on a biannual basis to reflect the exigencies of a changing enterprise environment. They, inter alia, stipulate two types of occupation for the purposes of the employment permits system:

- The HSEOL sets out the lists of eligible occupations deemed to be critically important to growing Ireland's economy, are highly demanded and highly skilled, and are in significant shortage of supply in our labour market. This list is an integral part of the *Critical Skills Employment Permit* which is designed to attract highly skilled people into the labour market with the aim of encouraging them to take up permanent residence in the State;

- The Ineligible Categories of Employment List includes those occupations for which there is a clear surplus of adequately skilled Irish and EEA nationals in the wider labour force. It is primarily focused on elementary occupations.

During 2013, my Department devised a process of reviewing and updating the HSEOL and Ineligible Categories of Employment List for employment permits bi-annually. This review is predicated on a formalised and evidence-based process. Such a process involves obtaining and considering advice from the Expert Group on Future Skills Needs (EGFSN) and Skills and Labour Market Research Unit (SMLRU - SOLAS). It also involves input from relevant Government Departments, Agencies, and industry as necessary.

The success of the employment permit system in helping to fill key ICT shortages in the Irish labour market is evident:

- Total number of permits issued to end Q1 2015 is up 19% on the same period in 2014;
- In all, 61% of the total permits issued in Q1 2015 were in respect of ICT professionals in critical short supply not only in Ireland but also in the EU and globally.

Detailed statistics are published on my Department's website which give a breakdown of

employment permits issued by sector, county, company and nationality. These may be accessed at <http://www.djei.ie/labour/workpermits/statistics.htm>.

The following revision was received from the Department on 20 May 2015

In all, 34% of the total permits issued in Q1 2015 were in respect of ICT professionals in critical short supply not only in Ireland but also in the EU and globally.

Job Creation

103. **Deputy Bernard J. Durkan** asked the Minister for Jobs, Enterprise and Innovation the extent to which he remains satisfied regarding the level of assistance and opportunities for job creation available to the indigenous sector in each of the past four years to date in 2015; if he continues to be satisfied that adequate opportunities are available to this sector; and if he will make a statement on the matter. [18903/15]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The 2015 Action Plan for Jobs sets out a comprehensive range of measures to support entrepreneurship, SMEs and the self-employed in the areas of education and research, business environment and supports, innovation and access to finance, networks and mentoring; and, access to markets. Increasing entrepreneurial activity is a Disruptive Reform in the Action Plan for Jobs for 2015. Our key priority is driving implementation of the actions in the National Entrepreneurship Statement, which was published in October last year and to achieve the ambitious targets set out for a 25% increase in the number of start-ups and in the scaling and sustainability of new enterprises.

The launch of the Local Enterprise Offices (LEOs) was a major reform delivered in 2014 and the clients of the LEOs increased employment by 4,012 last year to 31,326 jobs throughout the country. In 2015 the LEOs will have ambitious and robust county strategies and targets for start-ups, enterprise engagements and supports to be effective first-stop-shops for enterprise information and supports and launch an Entrepreneur Partnering Programme. My Department through its agencies will build on the 2014 success of the awards programmes such as Ireland's Best Young Entrepreneur with a renewed programme for 2015.

Businesses can also access the online search tool for SME business supports that was launched last year. The Supporting SMEs Online Tool is a cross-governmental initiative to help Irish start-ups and small businesses navigate the range of Government business supports for which they could be eligible. The Supporting SMEs Online Tool is available at: www.actionplanforjobs.ie.

When it comes to promoting prosperity through job creation, the role of new entrepreneurs can hardly be overstated, with two-thirds of new jobs created by firms in their first five years. Enterprise Ireland works to increase the number of companies starting-up, succeeding, expanding, exporting and ultimately creating jobs in Ireland. EI's support system for young companies includes help with business planning, mentoring and development advice, feasibility funding and finance, often in the form of equity investment, as appropriate to the founder's ambitions and the company's potential and stage of growth. The number of full-time and part-time jobs created by EI client companies can be seen in the table below.

Enterprise Ireland has set itself an ambitious target of 550 new and early start-ups supported by 2016. In addition, building on the success achieved to date on the Competitive Feasibility Funds, EI will launch four targeted funds during the year in the West, Midlands, MidEast, and one sectoral fund.

The launch of the simplified Startup Refunds for Entrepreneurs Scheme (SURE) in 2015 will provide additional finance for entrepreneurs. Other schemes like the Micro Finance Fund Ireland and the Credit Loan Guarantee Scheme were also established to make available further supports to a wider cohort of Irish companies.

In addition, a range of agricultural related measures are being implemented including steps to maximise available agricultural land with measures to encourage long term leasing. We are also continuing to supporting the tourism sector with retention of 9% VAT rate. More broadly, improvements in personal taxation will benefit the self-employed and entrepreneurs and support growth in demand across the economy.

Enterprise Ireland job creation figures including SME jobs:

| - | 2011 | 2012 | 2013 | 2014 |
|--------------------------------|---------|---------|---------|---------|
| Permanent Full Time Jobs | 141,228 | 145,460 | 149,718 | 156,202 |
| Permanent Full Time Gains | 9,076 | 12,861 | 12,532 | 14,873 |
| Permanent Full Time Losses | -9,070 | -9,523 | 8,912 | -7,659 |
| Permanent Full Time Net Change | 6 | 3,338 | 3,620 | 7,214 |
| Part Time Jobs | 21,464 | 23,991 | 26,032 | 23,870 |

Bord na gCon

104. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine his views that it is appropriate that the Irish Greyhound Board has been deemed suitable for inclusion in a Bord Fáilte campaign, when there are many more deserving organisations and institutions which could benefit from the advertising boost that a Bord Fáilte campaign could offer, and that this organisation is millions of euro in debt, receives substantial Exchequer support and is riddled with drug testing scandals; and if he will make a statement on the matter. [18804/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon is a commercial state body, established in 1958, under the Greyhound Industry Act, 1958, chiefly to control greyhound racing and to improve and develop the greyhound industry. Bord na gCon is a body corporate and a separate legal entity to the Department of Agriculture, Food and the Marine.

I am informed that Bord na gCon's marketing and commercial team work closely with Tourism Ireland to bring international visitors to greyhound stadia in Ireland. This is a very valuable source of income for BNG specifically and the industry generally and of course is entirely consistent with the policy of improving the contribution of greyhound racing to employment and the wider economy.

Bord na gCon will be devoting increased resources and time working with tour operators because clearly opportunities exist to increase the numbers of foreign visitors to greyhound stadia. A night at the dogs is a unique event for visitors to this country.

A night out in a greyhound stadium showcases the high levels of hospitality that Ireland is famous for, allowing the visitor to experience the best of Irish food produce, thereby supporting the broader indigenous food sector.

The greyhound industry clearly contributes significantly to tourism in Ireland and Bord na gCon is to be complimented for successfully identifying and developing this niche market among continental European visitors, in particular from Germany, France and the Netherlands.

Single Payment Scheme Appeals

105. **Deputy Michael McCarthy** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 391 of 21 April 2015, if a decision has been made; if so, when the decision was made; and the nature of the decision. [18710/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' scheme application on 14 May 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases on farm inspections be completed to confirm eligibility under the schemes.

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

The inspection identified discrepancies between the areas declared and the area found resulting in an over-declaration in area of between 3% and 20%. Under the Terms and Conditions of these schemes, this resulted in the 2014 payments being based on the found area having been reduced by double the difference between the area found and the area declared. The person named was notified of this decision on 8 September 2014.

The person named was contacted by the Department and has appealed this decision and this request is currently being examined. The person named will be notified of the outcome as soon as possible. In the event that the person named is dissatisfied with the outcome of this review, the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

Direct Payment Scheme

106. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a penalty applied to an area based payment in respect of a person (details supplied) in County Kerry will be reviewed. [18735/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): As you may be aware my Department is currently examining land parcels declared under the Single Payment Scheme and other area-based Direct Payment Schemes. As part of this review an ineligible area was identified and removed from a number of parcels declared by the person named. In order to clarify the position regarding the area of ineligible features my Department arranged for a ground verification check to be undertaken. This check confirmed the 2013 area over-declaration as 32.59 % in the case of both the Single Farm Payment and the Disadvantaged Area Schemes. As 32.59 % is greater than 20% of the newly established eligible area in respect of both Schemes, regrettably, no payment is due to the person named under the 2013 Single Payment and Disadvantaged Area Schemes. The person named received a payment on 16 October 2013 under the 2013 Single Farm Payment Scheme and also 20 September 2013 under the 2013 Disadvantaged Area Scheme, which are deemed overpaid and will be netted-off future payments made by my Department.

The person named was notified of the outcome of this review in writing on 21 May 2014 and informed of his right to submit an appeal to the LPIS Appeals Committee. By letter dated 23 June 2014, the person named opted to avail of his right to appeal to the independently chaired LPIS Appeal Committee. Following due consideration, the LPIS Appeal Committee rejected his appeal, and notified him of the decision on 30 October 2014, in which they outlined his right to appeal to the Office of the Ombudsman. Following consultation with the Office of the Ombudsman, my Department arranged for a further verification visit to be carried out, which did

not result in a positive outcome for the person named, as the overall area remained unchanged. The person named was notified in writing of the outcome of this review on 30 April 2015.

GLAS Administration

107. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine when farmers, who have applied for the new green low-carbon agri-environmental scheme, will be notified that they have been accepted or not; and if he will make a statement on the matter. [18737/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department will begin validating, ranking and selecting GLAS applications from the first tranche after the closing date for receipt of applications which is 22 May. As set out in the scheme Terms and Conditions, candidates from Tier 1 will receive priority access, followed by Tier 2, followed in turn by Tier 3 candidates (who undergo a separate selection process as required under the terms of the approved Rural Development Programme). However, as Commonage farmers have until end-August to submit their completed Commonage Management Plans, which are a prerequisite for approval into GLAS, notification of approvals from the first tranche will not take place until after that date. All applicants will be notified in writing of the outcome of their application.

Bord na gCon Funding

108. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine when the 2013 accounts for Bord na gCon will be published; if he will provide details of the way the additional €2.8 million allocated to Bord na gCon in the last budget will be spent; and if he will make a statement on the matter. [18749/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The 2013 audited annual report and accounts of Bord na gCon are at present with my Department for consideration and will shortly be presented to Government for noting. The annual report and accounts will then be laid before both Houses of the Oireachtas prior to their publication by Bord na gCon. In 2015 the allocation to Bord na gCon was increased by €2.8m to €13.6m, to restore funding to an important sector that makes a significant contribution to the economy in terms of employment, exports and tourism. This increase in funding is linked to the extension of the betting tax in 2015 to online betting and betting exchanges which is scheduled to take effect later this year.

The extra allocation to Bord na gCon may be expended on prizemoney, operational grants to private tracks, regulatory and administrative functions, and also to address its pension liability.

Bord na gCon Staff

109. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if the former internal auditor of the Irish Greyhound Board was made redundant in 2013; if he will provide details of the circumstances and arrangements surrounding the redundancy; if he will confirm that his redundancy was in line with Government guidelines; and if he will make a statement on the matter. [18750/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na

gCon is a commercial state body, established in 1958, under the Greyhound Industry Act, 1958, chiefly to control greyhound racing and to improve and develop the greyhound industry. Bord na gCon is a body corporate and a separate legal entity to the Department of Agriculture, Food and the Marine. Accordingly, the matter raised by the Deputy is the responsibility of Bord na gCon. It is an operational matter between Bord na gCon and the individual concerned and it would not be appropriate for me to comment on it.

Bord na gCon Remit

110. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he is satisfied that the equipment for the detection of prohibited substances in racing greyhounds, located in the National Greyhound Laboratory in County Limerick, is up to date and adequate in preventing doping; if he will provide details of when the latest drug testing equipment was purchased; and if he will make a statement on the matter. [18751/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon is the statutory body responsible for the regulation of greyhound racing under the Greyhound Industry Act 1958. It has specific powers conferred on it by the Greyhound Industry (Racing) Regulations 2007, S.I. 302 2007, which set out the detailed rules under which greyhound racing is conducted.

I understand that Bord na gCon has recently conducted a review of their integrity and regulatory systems under the guidance of Professor Tim Morris (School of Veterinary Medicine & Science, University of Nottingham) with particular emphasis on sampling and analysis for the presence of prohibited substances and medication control issues.

Bord na gCon are considering the recommendations contained in Professor Morris' report with a view to identifying any amendments that require to be made to legislation, practices and policies to ensure both the advancement of the Boards commitment to greyhound welfare, and to underpin the integrity of the Irish greyhound industry.

The scope of this report encompasses the capacity of the National Greyhound Testing Laboratory in Limerick, the general adequacy of the equipment used and the levels of testing for prohibited substances. The objective is to ensure that Bord na gCon will conform with the best international practice.

I understand from BNG that in addition to testing samples at the National Greyhound Testing Laboratory in Limerick, they also send samples for analysis to an appropriate laboratory in the UK as required from time to time.

The purchasing of laboratory equipment is an operational matter for BNG.

Bord na gCon Administration

111. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he is satisfied that the skills gap identified by the Indecon Report 2014, in relation to the Irish Greyhound Board, has been filled; the measures he has taken, or is taking, in this regard; and if he will make a statement on the matter. [18752/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Following on from the publication of the Indecon Report in July 2014, Bord na gCon submitted an action plan with timelines for implementing the 27 recommendation in the Indecon Report dealing

with governance, finance, regulation and welfare. This action plan has been published on the Bord na gCon website. Bord na gCon has informed me that they are continuing to address the skills gap referred to in the Indecon Report. In this regard, Bord na gCon has expanded its risk management committee to include the Chief Executive Officer and all of the senior executive management team. This executive risk management team is supported by a risk facilitator who is tasked with maintaining a risk register as identified by the risk management committee.

A new executive position of Director of Racing, Governance and Compliance was filled in June 2014. The function of the executive concerned is to ensure effective compliance by all stakeholders in the Irish greyhound industry with the current regulatory system and to further develop and implement a world class regulatory code to ensure the highest standard of integrity of greyhound racing in Ireland.

Furthermore, a Director of Tote and Wagering was appointed in November 2013 and a Director of Commercial Operations appointed in April 2013.

Also in May 2014 a person with veterinary and legal expertise was appointed to the Board.

Indecon's recommendation to further strengthen the skill set of the Board will be addressed as part of the new procedures for appointments to State Boards to be carried out by the Public Appointments Service when vacancies at Board level are filled.

Bord na gCon Remit

112. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he will provide details of the legal status of greyhounds registered and racing, whose registration was in breach of the Artificial Insemination of Greyhounds Regulations 2005, in view of the fact that they were conceived by frozen sperm more than two years after the death of the stud sire, and before the 2014 amendment to these regulations, which removes the two year time limit for the use of the frozen sperm; and if he will make a statement on the matter. [18753/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Irish Coursing Club (ICC) is responsible for the identification and registration of greyhounds in the Irish Greyhound Studbook. The ICC is subject to the general control and direction of Bord na gCon (BNG) under Section 26 (2) of the Greyhound Industry Act, 1958 (the Act). BNG is the statutory body with responsibility for the improvement and development of the greyhound industry, greyhound racing and coursing.

Detailed rules governing the practice of the artificial insemination of greyhounds were set down in the Artificial Insemination of Greyhounds Regulations, 2005, (S.I. No. 561 of 2005), which were made by BNG under Section 39 of the Act.

The Regulations included a two year limit on the use of semen for artificial insemination following the death of a stud dog, thereafter any unused semen had to be destroyed.

My Department was informed by Bord na gCon in early 2013 that procedural issues had arisen in relation to the registration of greyhounds conceived following artificial insemination which were at variance with the provisions set down in the 2005 regulations referred to above.

Having discussed the situation at a meeting on 18th September 2014, the Board of BNG after consultation with the ICC, decided to remove the two-year time limit on the use of semen for artificial insemination following the death of a stud dog.

Following that consultation and with my consent, as is required under section 39 of the 1958 Act, the Artificial Insemination of Greyhounds (Amendment) Regulations 2014 were introduced by BNG and came into effect on the 1st of November 2014, thus removing the two-year time limit on the use of semen for artificial insemination following the death of a stud dog.

I understand that the Board decided to commission a scientific study in order to inform any decision as to what time limit, if any, should be applied in the future to the use of semen in AI after the death of a stud sire. In this regard, BNG and the ICC have recently carried out preliminary research and discussions have taken place with various experts in quantitative genetics, animal & bioscience research and canine genetic on specific areas of interest for the proposed AI study.

I am informed by BNG that the scientific study referred to above will provide relevant information to assist the Board with regard to further development of policy in this area.

Bord na gCon Administration

113. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine the decision-making process regarding the loan of €250,000 that Bord na gCon provided to the Davis Road Greyhound Stadium; if Bord na gCon had an internal auditor at work at the time this loan was agreed; and if he will make a statement on the matter. [18754/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon has statutory responsibility under the Greyhound Industry Acts 1958 and 1993 for the control, development and improvement of the greyhound racing industry. The issue to which the Deputy refers is an operational matter for Bord na gCon. That organisation is specifically empowered under Section 16(1) of the Greyhound Industry Act, 1958, to provide loans for the *“improvement of greyhound race tracks, authorised coursing grounds and the amenities thereof”* and for *“any other purpose conducive to the improvement and development of the industry”*.

I am informed by BNG that financial support in the form of a trading facility in the amount of €250,000, was made available by it to the company referred to by the Deputy. This facility was provided to assist the company concerned with the completion of a project with the objective of furthering the development and promotion of greyhound racing.

I am advised that the proposal to provide this facility was submitted to the Board of Bord na gCon, and that following due consideration, it was approved by the Board, in the best interests of greyhound racing.

I understand that BNG had already appointed an audit firm to fulfil the role of internal audit, on an interim basis, when the decision referred to above was made by the Board.

Bord na gCon Administration

114. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he will provide details of the process of appointments to the Control Committee of Born na gCon; the measures in place to avoid any conflict of interest in this regard; and if he will make a statement on the matter. [18755/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon is a commercial State body, established under the Greyhound Industry Act 1958, charged

with the regulation and development of the greyhound racing industry. The Control Committee and the Control Appeals Committee of BNG are established under legislation (Greyhound Industry, Control Committee and Control Appeal Committee Regulations 2007, S.I. Number 301 of 2007).

The Control Committee consists of five members who are appointed by the Board of Bord na gCon. Under article 5 of the legislation establishing the Control Committee and Control Appeal Committee, at least one practicing solicitor or practicing barrister and at least one veterinarian shall be appointed to the Control Committee from time to time and the term of office of members of the Control Committee shall be three years but retiring members shall be eligible for reappointment.

The existing Control Committee was appointed by the Board on the 29th August, 2013, in accordance with Article 5 of the same legislation.

Article 9 of the above legislation provides for situations where a member of the Control Committee has (other than in that capacity) a pecuniary interest or other beneficial interest in, or material to, any matter to be considered by the Control Committee.

Bord na gCon Remit

115. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he will provide details on the enforcement of the Welfare of Greyhounds Act 2011, and in particular the provisions limiting the number of litters that may be registered from any one greyhound bitch; if he is aware of breaches of these particular provisions; and if he will make a statement on the matter. [18756/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Bord na gCon is a commercial State body, established under the Greyhound Industry Act 1958, charged with the regulation and development of the greyhound racing industry. The Welfare of Greyhounds Act 2011 specifies standards for greyhound welfare, establishes a register of Greyhound Breeding Establishments and regulates their operation. A Code of Practice in the care and welfare of the greyhound has been established and published by Bord na gCon as per the requirements of the Welfare of Greyhounds Act 2011. The primary objective of the Code of Practice is to set standards and clearly define what is expected of all individuals engaged in the care and management of registered greyhounds.

Greyhound welfare at Bord na gCon is managed by the Welfare Manager who can call upon three area stipendiary stewards and thirteen control stewards to conduct investigations of stray or mistreated greyhounds, conduct kennel inspections and investigate other welfare related incidents which have been reported to Bord na gCon. The Welfare Manager, all area stipendiary stewards and all control stewards have been appointed by Bord na gCon as Welfare Officers under the Welfare of Greyhounds Act 2011.

The Irish Coursing Club (ICC) has responsibility for the registration of greyhounds in the Stud Book. The limit on the number of litters a brood bitch may whelp is governed by Article 11 (3) of the Welfare of Greyhounds Act 2011. These provisions are enforced in the following manner: when a brood bitch is mated to produce a sixth litter, the breeder is informed at that time that they may only have a further two litters provided the brood is certified by a veterinary surgeon as being fit to be mated. Breeders are further advised when they have reached the seventh litter stage. The ICC does not register the result of a ninth mating and they have assured me they are in compliance with the provisions of the Act.

GLAS Administration

116. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine if he will extend the closing date for receipt of completed applications for the green low-carbon agri-environmental scheme by at least one month, in view of the fact that he has imposed new terms and conditions from 5 May 2015, just 12 days prior to the current closing date, which involves a change in the ranking system for tier 3 farmers, as a result of which farm planners will be obliged to recheck applications submitted previously, in addition to ongoing attempts to submit new applications into the system on time; if he will recognise that he has imposed additional work on both farmers and farm planners at the eleventh hour; if he will make allowance for this extra work by extending the application deadline appropriately; and if he will make a statement on the matter. [18758/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department has not issued new Terms and Conditions, it has amended the existing document, as it has done previously, to provide clarity to certain issues where this has been sought or where this was deemed necessary in the light of queries received.

The use of ranking for selection has always been a requirement of the GLAS Scheme and the basic ranking system has not changed – it remains the case that Tier 1 receives priority over Tier 2 and Tier 2 over Tier 3. The Terms and Conditions of the Scheme have always made specific reference to the use of selection criteria in the ranking process and the most recent communications, which were included in a circular to all advisors, simply makes it clear that their use will be confined to Tier 3 applications only. This is the minimum required under the terms of the agreed Rural Development Programme. The selection criteria in question are included in the RDP and were discussed with the RDP Monitoring Committee some weeks ago, which includes representatives of the various stakeholder interests.

My Department has also prepared a ‘ready-reckoner’ which has been provided to all advisors and this will allow them to predict the scores for the various applications they have prepared very quickly. This means that advisors now have a simple way of checking that each application exceeds the required pass-mark, while at the same time they can consider whether they should make any changes before submission. For example, the selection of key actions that guarantee promotion from Tier 3 to Tier 2 is an established and well-recognised feature of GLAS, and one which I have consistently encouraged as a means of significantly increasing the probability of selection in this Tranche.

In the circumstances, I have no intention of extending the closing date for GLAS any further. As we approach that closing date, it is important that farmers and their advisors critically review their applications to ensure that the best possible projects are presented to the Department.

Rural Environment Protection Scheme Payments

117. **Deputy Pat Breen** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Clare was not informed of a clawback from a payment under the rural environment protection scheme; and if he will make a statement on the matter. [18783/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named was notified of an SPS debt by letter from the Department on 20th April 2015, outlining a total debt of €8,699.85 on his 2014 Single Farm Payment. In that letter, he was advised that the debt mentioned, along with any interest charged, if not recouped from him directly, would

13 May 2015

be debited from any future payments that would fall due to him from the Department of Agriculture, Food and Marine. A further statement issued to him on 1st May 2015 advising him that the outstanding balance on his payment at that stage was €4,337.61. The full entitlement of the person named for 2014 REPS 4 payment is €8,883.30. REPS 4 payments are made in two instalments, 75% and 25%. His 75% instalment of €6,662.48 had penalties of €1,385.52 deducted in respect of non-compliance with the REPS Scheme. The person named was notified by way of Farmers Statement of this debt on 27th April 2015. This instalment was also subject to deductions amounting to €914.76 in respect of REPS clawbacks. This related to payments made to him in previous years for REPS, and was notified to him on 21st April 2015 by way of a letter from the Department's Local Office

After these deductions were applied, he was left with an outstanding balance on his 75% REPS4 payment of €4,362.24. However this full amount was consumed by the SPS debt of €8,699.85 and allowing for the payment of the 75% REPS4 amount, there is still a remaining debt of €4,337.61 to the Department by the person named.

The person named is still entitled to his 2014 REPS4 25% payment of €2,220.82 but as his remaining SPS debt is still €4,337.61, he will not receive this payment, as it will be used to offset his remaining debt to the Department.

I appreciate that the process of payment and deduction in this case may be quite difficult to follow, and so I am arranging for an officer of my Department to contact the person named to answer any further questions.

Beef Exports

118. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine when the agreement to export beef to the United States of America was signed; if he will provide details, and the amount of beef that has been exported to the United States of America under this agreement to date. [18846/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The re-opening of the US market to Irish beef which was announced in January 2015 was achieved following a step-by step process that involved considerable efforts at political, diplomatic and technical level over several years. A significant milestone was reached in June 2014 when the US side sent a team of inspectors to Ireland in order to carry out an equivalence re-instatement audit including visits to 2 Irish beef processing establishments which had applied for approval to export to the US. The final report of this audit was received at the end of December 2014. Since then, three plants have been approved by my Department to produce beef for export to the U.S. I am delighted to say that trade has commenced and Irish beef is available in restaurants and supermarkets there. Obviously it takes time to scale up in such a large market but we have significant first-mover advantage by virtue of being the first and only EU member state to have achieved access.

As part of the approval, a veterinary health certificate has been agreed with the U.S. authorities in respect of "beef meat, beef meat products and beef meat by-products". At present Irish processors have access to the U.S market for "intact beef", i.e. beef which is not subject to grinding or certain other types of processing which involve breaking the surface area of the meat after importation, before being marketed in the U.S. Such access allows Irish beef processors to target the high value retail and food service end of the US steak market.

Any beef which is subject to grinding or certain other types of processing in the U.S. before

being marketed must be treated under the USDA rules applying to “non-intact beef” in the country of origin. My Department is currently engaged in a detailed technical discussion with the U.S authorities in order to extend access to the US to include “non-intact beef” also. It is also working closely with the Irish beef plants as part of this process.

I am satisfied that we are making significant progress and am hopeful that access can be extended to these additional lower value beef products in the near future.

Farm Inspections

119. **Deputy Billy Timmins** asked the Minister for Agriculture, Food and the Marine when a charter for farm inspections was introduced; if he proposes any amendments to this; and if so, when. [18847/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There is no specific charter for farm inspections as farms inspections come under the umbrella of the Farmers’ Charter. The Farmers’ Charter is comprised of agreed standards and delivery targets for the schemes and services, including on-farm inspections, provided by my Department to all its clients including farmers. The relevant EU Regulations are the legal instruments governing farm inspections. The Charter is effectively an agreement drawn up between my Department and the main farming organizations, which must fully respect and operate within these legal requirements.

EU legislation governing the Direct Payment Schemes and Rural Development measures requires my Department to carry out on-the-spot checks covering such issues as eligibility under the Scheme, including the eligibility of the land being declared, and compliance with Cross Compliance requirements, as set down in EU legislation, and the standards for Good Agricultural and Environmental Condition (GAEC). The legislation sets down the minimum numbers and types of inspections that must take place annually. The legislation also prescribes, for example, the process for selecting cases for inspection, rules on the advance notification of inspections and the reductions/penalties to be applied in the event of non-compliances with scheme requirements being determined at inspections. In undertaking these inspections my Department must ensure that the legislative requirements are being met in full, to ensure that applicants under the schemes are being treated in a fair and equitable manner and that the EU funding being provided for the schemes is protected.

The current Farmers’ Charter was introduced in 2009. Negotiations on a new Farmers’ Charter are ongoing at present. My Department is endeavouring to achieve consensus with representatives of the main farmer representative organisations on some outstanding issues and will immediately move to publish the new Farmers’ Charter upon the achievement of consensus.

Suckler Welfare Scheme Applications

120. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if an application under the 2012 suckler welfare scheme in respect of a person (details supplied) in County Kerry will be reviewed; and if he will make a statement on the matter. [18884/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named registered seventeen animals under the 2012 Suckler Welfare Scheme. Payment issued in respect of two of these animals. Under the Terms and Conditions of the Scheme, data relat-

ing to the animals were to be submitted by the participant within twelve months of date of birth of the calves but data in respect of fifteen of the animals were not received until October 2014. Therefore, these animals are not eligible for payment under the Scheme.

Agriculture Scheme Payments

121. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when outstanding payments will issue under the 2014 single payment, the disadvantaged areas scheme and the rural environment protection scheme, in respect of a person (details supplied) in County Galway; if there are any appeals lodged in this person's name, with either his Department or the Agriculture Appeals Office, awaiting a decision; the current status of these appeals; when it is likely a decision will be made on same; and if he will make a statement on the matter. [18904/15]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2014 Single Farm Payment/Disadvantaged Areas' Scheme application on 10 April 2014. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases ground eligibility inspections, to be completed to confirm eligibility under the schemes. The application of the person named was selected for a ground eligibility inspection. This inspection identified discrepancies between the area declared and the area determined resulting in an over-declaration in area of greater than 50%. Based on the terms and conditions of these schemes this resulted in no payment in respect of the 2014 Single Payment Scheme and Disadvantaged Areas' Scheme and the application of an administrative fine to be offset against any future EU payments. The person named was notified of this decision on 10 November 2014.

The person named sought a review of this decision, the outcome of which was to uphold the original inspection decision. The person named was notified of this decision by letter dated 17 February 2015. The person named was also notified of their right to appeal this decision to the independent Agriculture Appeals Office.

The Agriculture Appeals Office has advised that the person named has lodged an appeal with that office in relation to an over-declaration of land on the 2014 Single Payment/ Disadvantaged Areas Scheme. The appeal has been assigned to an Appeals Officer. Following consideration of all of the facts of the case, a comprehensive decision letter will issue to the appellant.

The processing of the application for the 2014 REPS payment, based on the area farmed as determined by SPS, will be completed shortly and my Department's REPS Section will be in direct contact with the person named regarding this issue.

Garda Stations

122. **Deputy Martin Heydon** asked the Minister for Justice and Equality if she will provide an update on the status of a Garda station (details supplied) in County Kildare; if there have been inquiries or plans for its future use; and if she will make a statement on the matter. [18826/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Decisions in relation to the allocation of resources, including station opening hours and personnel, are a matter for the Garda Commissioner in the context of her operational requirements and I have no direct function in the matter.

In that context, I have been informed by the Garda authorities that the personnel strength of the Kildare Garda Division as of 31 March 2015, the latest date for which figures are readily available, is 299. Of this number 3 personnel are assigned to the station referred to by the Deputy. I am advised that the station is currently open Monday to Saturday from 9am-1pm, 2pm-4pm and 7pm-9pm and on Sunday from 10am-1pm.

I am further advised that there are currently no plans to close this station.

Citizenship Applications

123. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if she has any discretion in expediting citizenship applications, where the resident may not have reached the five-year minimum; and if so, the grounds on which this may take place. [18765/15]

124. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality her plans to include a portion of the time spent in Direct Provision in assessing eligibility for citizenship; and if she had no such plans, the reason for same. [18766/15]

126. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality her views that the five-year minimum requirement for a resident becoming a citizen is necessary, where a resident has already been in direct provision for five years, or more; and if a shorter period of two years, for example, might not be preferable. [18768/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 123, 124 and 126 together.

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

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

Section 16 of the Act provides that the Minister may, in her absolute discretion, waive some or all of the statutory conditions in certain circumstances i.e. where an applicant is of Irish descent or of Irish associations; where an applicant is a person who is a refugee within the meaning of the United Nations Convention relating to the Status of Refugees; or where an

applicant is a Stateless person within the meaning of the United Nations Convention relating to the Status of Stateless persons.

Section 16A(1) of the Act also provides that, for the purposes of calculating the period of residence in relation to an application for naturalisation, only those periods during which the applicant has the permission of the Minister to reside in the State - other than for the purposes of claiming asylum or engaging in a course of education or study - are reckonable. Accordingly, time spent in the asylum process is not reckonable for the purpose of satisfying the residency conditions for naturalisation.

There are no plans at present to amend the requirements for a certificate of naturalisation specified under the Irish Nationality and Citizenship Act 1956.

An Independent Working Group on the Protection Process was established in October 2014 to recommend to Government what improvements should be made to the protection process, including direct provision and supports to asylum seekers. The Working Group is due to finalise its report to Government by the end of the month and I will consider whatever recommendations are put forward by it when it completes its work.

Naturalisation Certificates

125. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality if it is possible for persons with residency status here to travel to the United Kingdom, or to work in the United Kingdom, without undermining their application for citizenship. [18767/15]

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

I make decisions on naturalisation applications in accordance with the provisions of the Act and based on all of the information available to me. If a person is resident outside of the State during the year prior to the date of application then the application would fall to be refused as the statutory conditions for naturalisation are not satisfied. Where an applicant moves to the UK or another country and resides for work or other purposes after having applied for naturalisation, then an assessment will be made as to whether the applicant intends to reside in the State following naturalisation. If it is deemed that the applicant has few tangible ties to the State and/or is unlikely to return to the State within a finite period then the application may be refused on the basis that the statutory conditions for naturalisation are not satisfied.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and I know the Deputy will appreciate that it is important that appropriate procedures are in place to preserve the integrity of the process.

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.

Question No. 126 answered with Question No. 123.

Witness Protection Programme

127. **Deputy Niall Collins** asked the Minister for Justice and Equality the total expenditure per annum on the witness protection programme in the years 2010 to 2014 and in 2015 to date; and if she will make a statement on the matter. [18798/15]

128. **Deputy Niall Collins** asked the Minister for Justice and Equality the operational oversight that is in place on the Witness Protection Programme; and if she will make a statement on the matter. [18799/15]

129. **Deputy Niall Collins** asked the Minister for Justice and Equality her plans to review the operation of the Witness Protection Programme; and if she will make a statement on the matter. [18800/15]

130. **Deputy Niall Collins** asked the Minister for Justice and Equality the total number of staff tasked with overseeing the operation of the Witness Protection Programme in each of the years 2010 to 2014 and in 2015 to date; and if she will make a statement on the matter. [18801/15]

131. **Deputy Niall Collins** asked the Minister for Justice and Equality the guidelines in place for hiring external supports for the Witness Protection Programme; and if she will make a statement on the matter. [18802/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 127 to 131, inclusive, together.

The Garda Síochána has operated a Witness Security Programme since 1997 to respond to attempts by criminal and other groups to prevent the normal functioning of the criminal justice system, including threats of violence and systematic intimidation of witnesses.

The expenditure from the Witness Security Programme subhead for the years 2010 - 2015 is set out in the following table.

| Year | Outturn |
|----------------|---------------------------------|
| 2010 | €0.700m |
| 2011 | €0.700m |
| 2012 | *Nil |
| 2013 | €1.150m |
| 2014 | **€1.198m - Provisional outturn |
| 2015 (to date) | €400,000 |

* Expenses in relation to 2012 are reflected in outturn for 2013.

** The final outturn for 2014 will only be available when the Comptroller and Auditor General has finalised the relevant Appropriation Accounts.

The Deputy will appreciate that by virtue of the highly confidential nature of the Witness

Security Programme and the need to maintain the protection of persons who receive support from that Programme, for obvious reasons it has not been the practice of successive Ministers to detail the specifics of its operation. I can say, however, that it has been operated in a significant number of cases and that over the course of its operation over many years it has proven its worth in helping to secure the conviction of very serious organised crime leaders.

The Witness Security Programme is operated by the Garda authorities, overseen by the Crime and Security Section at Garda Headquarters supported by the Special Detective Unit and other local Garda resources as necessary. The operation of the programme and the resources required for it are kept under continuous review by the Garda authorities.

The Programme for Government contains a commitment to provide statutory guidelines for the Witness Security Programme, which currently operates on an administrative basis. Consideration of legislative framework to give effect to this commitment is under active consideration in my Department.

Property Services Regulatory Authority Administration

132. **Deputy Pearse Doherty** asked the Minister for Justice and Equality if she will direct the Property Services Regulatory Authority to reply to a complaint (details supplied); and if she will make a statement on the matter. [18815/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I wish to inform the Deputy that I have no function or responsibility in relation to the matter raised.

The Property Services Regulatory Authority was established on 3 April 2012 pursuant to the Property Services (Regulation) Act 2011. Section 9(3) of the Act specifies that the Authority is independent in the performance of its functions. Accordingly, it would not be appropriate for me to intervene in relation to any individual case.

Sexual Offences Data

133. **Deputy Denis Naughten** asked the Minister for Justice and Equality the number of sex offenders on the sex offenders register; and if she will make a statement on the matter. [18819/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy will be aware Part 2 of the Sex Offenders Act 2001 makes persons convicted of a range of sexual offences subject to notification requirements. The provisions of the Act also extend to any offenders convicted abroad of the same range of sexual offences who enter the State.

I am informed by the Garda authorities that, as of 11 May 2015, there were 1,420 persons subject to the requirements of Part 2 of the Act.

All offenders subject to the notification requirements are monitored by the Sex Offender Management and Intelligence Unit (SOMIU) at the Garda National Bureau of Criminal Investigation. The Unit is supported by Garda Inspectors nominated in each Garda Division throughout the State. I am informed that the nominated Inspector in each Division has access to all necessary resources within his/her Division to assist him/her in carrying out his/her duties. Where An Garda Síochána becomes aware that an offender subject to the notification requirements has breached those requirements, appropriate action is taken. I am advised that the appropriate level of monitoring is carried out by An Garda Síochána and all breaches of the

requirements which come to notice are pursued.

I am also informed that when the Garda authorities become aware that a convicted sex offender has left or is intending to leave the State, the Sex Offender Management and Intelligence Unit ensures that the relevant law enforcement agency in the country of destination is advised via Interpol.

Petrol Stretching

134. **Deputy Michelle Mulherin** asked the Minister for Justice and Equality further to Parliamentary Question No. 308 of 10 March 2015, and in view of the fact that much of the information originally sought therein is still awaited, the number of complaints of petrol stretching the Garda Síochána in County Mayo divisions have received, for each month since the beginning of June 2014; the position regarding these complaints; the number that have been investigated and have resulted in a person being charged, or a file being forwarded to the Director of Public Prosecutions; and if she will make a statement on the matter. [18865/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have requested the Garda authorities to provide the more up to date information requested by the Deputy and I will arrange for all available information to be forwarded upon receipt.

As the Deputy will be aware, the practice of petrol stretching is an offence under section 102 of the Finance Act 1999. It is therefore the Revenue Commissioners who would primarily take the lead nationally in relation to the matter and further enforcement action would arise in the context of Revenue investigations.

An Garda Síochána is liaising with the Revenue Commissioners in respect of reported incidents of petrol stretching. Information is being shared between An Garda Síochána and the Revenue Commissioners and each occurrence is being assessed on its own merits.

Family Law Cases

135. **Deputy Brendan Smith** asked the Minister for Justice and Equality the position regarding a proposal to provide Family Law Court facilities (details supplied); and if she will make a statement on the matter. [18905/15]

Minister for Justice and Equality (Deputy Frances Fitzgerald): As the Deputy is aware, the Programme for Government commits the Government to significant reform of the courts, including the establishment of a separate family law court structure that is streamlined, more efficient, and less costly. Following consultations, my Department is preparing draft legislation in the matter and I intend to bring the relevant proposals to Government for its approval as soon as they are finalised. The draft General Scheme of the Bill will then be subject to the usual pre-legislative scrutiny by the Justice Committee.

With regard to the provision of a family law court in Cootehill, County Cavan the position is that under the provisions of the Courts Service Act 1998, management of the courts, including the provision of accommodation for court sittings, is the responsibility of the Courts Service which is independent in exercising its functions. The Courts Service has informed me that decisions relating to venues for the family court will not be decided until a later stage taking account, inter alia, of the suitability of available facilities for family law proceedings.

Child and Family Agency Funding

136. **Deputy Timmy Dooley** asked the Minister for Children and Youth Affairs the reason the Tusla – the Child and Family Agency national lottery grants scheme is not available this year; and if he will make a statement on the matter. [18786/15]

Minister for Children and Youth Affairs (Deputy James Reilly): The Deputy might wish to note that, since its establishment in January 2014, the Child and Family Agency has not administered any National Lottery Grant Scheme. In both 2014 and 2015 the Exchequer funding provided to the Agency is directed solely at the provision of services.

My own Department did administer a National Lottery scheme in 2014 but due to budgetary circumstances, and the need to support the Child and Family Agency to the greatest possible extent in providing front line services to vulnerable children and families it has not been possible to allocate funding to administer a National Lottery Grant Scheme this year.

Children Services Committees

137. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs if it is the case that children services committees have not been established in all 17 Tusla–Child and Family Agency areas; if he will provide a list of areas where a committee has been established; where a committee has not been established, and in areas where one has not been established, if he will provide a detailed update as to the reason why; and if work is under way in establishing one; and if he will make a statement on the matter. [18820/15]

Minister for Children and Youth Affairs (Deputy James Reilly): Children Services Committees were renamed in September 2014 as Children and Young People’s Services Committees (CYPSC) to take into account the extended age remit of the committees from 0 to 18 to 0 to 24 years of age. CYPSC were put in place to develop and implement a local planning model for interagency working to improve outcomes for children and young people, and are a key element of the Better Outcomes, Brighter Futures implementation structures.

At present there are 22 CYPSC established in Ireland across 22 counties and 25 local authority areas. Three CYPSC are yet to be established in Clare, Laois Offaly and Dún Laoghaire-Rathdown.

It is anticipated that there will be full coverage including these three areas by the end of 2015.

My Department is actively working with Tusla, the Child and Family Agency in preparation for the establishment of committees in these remaining areas.

Child Protection

138. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs further to revelations in County Laois and County Offaly, if there are other areas of the country where there are concerns regarding child protection notifications that have not been processed; if he will provide details of same; if he will specify whether reviews are under way to establish if there are cases that may have been missed; and if he will make a statement on the matter. [18821/15]

Minister for Children and Youth Affairs (Deputy James Reilly): Since I informed members of the issues that have arisen in the Laois/Offaly area, I have continued to receive updates from the CEO of Tusla, the Child and Family Agency. I have received an action plan that addresses both the short and medium term requirements to manage the referrals that were not processed as they should have been as well as the longer term local and national management actions needed to ensure this is not repeated.

I can take some assurance that this is not a more systemic issue as the child welfare and protection services are subject to the independent inspection regime of the Health Information and Quality Authority. Since 2013, HIQA has carried out inspections of the child protection and welfare services in 11 out of 17 of Tusla's administrative areas, of which 7 were carried out in 2014. The Midlands area has not yet been inspected. These inspections are on the basis of standards designed to follow a child's journey within the child protection system to ensure that his or her safety and welfare is being protected.

Inspections consider the full range of Tusla's child protection services, including the service planning, review and monitoring processes with the aim of ensuring that systematic approaches are in place involving good leadership, inter-agency cooperation, skilled and experienced staff, and the effective management and deployment of resources with children at the centre.

Inspection report findings to date show overall a good quality of social work service when cases are allocated. The issues of concern was the length of time some children were waiting to be allocated a social worker due to staffing issues, and in a small number of areas, concerns were outlined regarding the monitoring of risk of children waiting for an allocated social worker. As HIQA goes about its valuable work, I anticipate they may find other aspects of child protection services which require improvement. It is for that reason we have an independent inspectorate to identify issues and to apply an improving action plan on the area in question.

Tusla has also recently developed the first ever quality assurance programme for child protection services. This programme is identifying areas in need of improvement and is used to address resources and practice issues.

My Department has agreed a set of performance indicators with Tusla which are reported on monthly and quarterly and allow for a contemporary picture of how areas are managing the demands on their service. This information which is published on the Tusla website, informs both the HIQA inspection process and Tusla's quality assurance programme.

In respect of Laois/Offaly services, I welcome the speedy and appropriate response by Tusla to put in place resources to implement the action plan. I also appreciate the openness shown by the CEO of Tusla in his appearance at the Joint Oireachtas Committee on Health and Children. The first step has been to collate all the affected referrals and determine how best to move them forward. I have been informed that all of the referrals were known to the social work teams but only about half had recorded clearly follow up reviews or actions. I have also been informed that the number of referrals involved is much less than the 1,200 previously mentioned.

At this stage, I have not been informed of any children that were at immediate risk who did not receive an urgent response. I will refrain from giving figures until I have been informed that they have been validated. I will also give due regard to fair procedures for the individuals involved. Allowing for these restrictions, I will keep the House informed as to the progress of the action plan in the Tusla Laois/Offaly child welfare and protection services.

Child and Family Agency Expenditure

139. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs if he will provide an update as to the budget for information technology services within Tusla, the Child and Family Agency, and further to the health and children committee comments (details supplied) that information technology services are being shared with the Health Service Executive, if he will confirm that there is a plan and a budget to upgrade information technology across Tusla, the Child and Family Agency, so that the best programmes and software are available to staff to allow them to update files and maintain records in a way that complies with international best practice; and if he will make a statement on the matter. [18822/15]

Minister for Children and Youth Affairs (Deputy James Reilly): The total funding provision for the Child and Family Agency is €643.401m, an increase of 5.6% over the 2014 allocation. The funding provided for capital expenditure increased by 81% from €6.841m to €12.386m.

The Agency has also recently submitted to me its Estates and ICT Capital Plan for the period 2015 - 2017. The Plan is designed to support and build ICT capacity in line with business needs and ensure that total resources available to families are applied to improving outcomes for children and families in the most effective, efficient, equitable, proportionate and sustainable way. The objectives for the lifetime of the plan are to optimise performance and cost to support the Agency's business goals with a defines 3-step approach. This includes establishing the baseline position, developing a roadmap to ensure that ICT systems are adequate to support business requirements and the development of ICT strategic options. The plan also provides for the development of an ICT Strategy and centralised procurement and project management.. Central to the plan is the continued rollout of the National Child Care Information system (NCCIS).

My Department will be engaging with the Agency on the contents of its plan in the near future and will continue to monitor progress of its implementation.

Child and Family Agency Reports

140. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs if he will provide details of a contract that was awarded to a company (details supplied) to conduct a review of Tusla, the Child and Family Agency; the cost of the review; if it has been completed or the reason for the delay; when the report will be published; if it will be laid before Dáil Éireann; and if he will make a statement on the matter. [18823/15]

Minister for Children and Youth Affairs (Deputy James Reilly): As the report referred to by the Deputy was commissioned directly by the Child and Family Agency, I have requested the Agency to reply directly on this matter.

Residential Institutions

141. **Deputy Ciara Conway** asked the Minister for Children and Youth Affairs if he will provide an update on a report that was in preparation regarding Gleann Álainn in County Cork; when this review of services will be published; when it will be laid before Dáil Éireann; and if he will make a statement on the matter. [18824/15]

Minister for Children and Youth Affairs (Deputy James Reilly): As the Deputy may be aware Gleann Álainn is a special care unit for girls, based in Cork. Tusla, the Child and Family Agency, has advised that a review of the service, following the absence without authority of two children from the unit, was completed in 2012. However, this report was not subject of

final checks, including checks on confidentiality and fair procedures, that would allow its wider circulation. Consequently, Tusla has indicated that this report could not be published and it has no plans to do so. I can confirm that the conclusions were not favourable in respect of the culture, leadership and management of the service provided by the unit. While the option of closure was considered following the report in 2012, it was decided to implement an action plan to address the operational and management deficiencies and to ensure that the lessons from the incident were learned.

My predecessor, Minister Flanagan, received a copy of a report titled “Gleann Álainn Special Care Unit: Report of Deep Learning Process (Serious Incident Oct 2011)”. The CEO of Tusla commented in a covering letter that those involved with the service accepted that practice at the time of the event fell short of the standards expected of staff and the unit and noted that the subsequent implementation of the action plan had, in the end, proved a valuable learning experience.

Since the implementation of the action plan, the number of significant events recorded at Gleann Álainn has reduced markedly. Monitoring of the unit’s progress noted that the staff and management of the unit had enthusiastically addressed ongoing IR issues and attended to a significant number of recommendations for the service provided by the unit. Also, Gleann Álainn was inspected independently by the Health Information and Quality Authority a number of times, most recently in December 2014. The report of this inspection, which is available on the HIQA website, noted that the centre was well managed with national oversight. Staff practice in relation to child protection was good. The inspectors noted that there had been no children absent without authority or missing from care in the previous 12 months. This was attributed to the improved ethos and culture in the unit. The HIQA inspections have provided good evidence, following the implementation of the action plan, that the children are receiving a safe and effective service in the Gleann Álainn special care unit.

Child Care Services Provision

142. **Deputy Billy Kelleher** asked the Minister for Children and Youth Affairs if he will respond to correspondence (details supplied) and advise on the reason these children, who were referred by the public health nurse, did not receive B and A status, as expected. [18885/15]

Minister for Children and Youth Affairs (Deputy James Reilly): The Community Child-care Subvention (CCS) programme provides funding to community not-for-profit childcare services to enable them to provide childcare at reduced rates to disadvantaged and low income working parents. Parents qualify as disadvantaged or low income on the basis of means-tested entitlements. In the case of full day care, parents qualifying for the higher rate of subvention under the CCS programme can have up to €95 (Band A) per week, per child, provided towards the cost of the childcare place. The parent pays the balance of the weekly cost of the childcare place.

Parents whose children are enrolled in a participating childcare service before or during a ‘snap-shot’ week in October each year can apply for subvention support under the programme. Eligibility is verified by submitting application details for checking against the Department of Social Protection (DSP) and Health Service Executive (HSE) records.

Eligibility for subvention support can only be confirmed on the verification of the relevant parental application for eligibility. However, participating CCS services have been advised that, if they wish to grant a subvention rate to parents before the verification process has been completed, they should request the parent to provide up-to-date proof of eligibility from the

time the child commences in the service. The eligibility criteria is set out on the DCYA website but Tusla/PHN referrals are not included as this referral system is a specific arrangement based on significant circumstances for a child.

The purpose of Tusla/PHN referrals (previously known as HSE referrals) is to secure a childcare place for a child deemed by a Tusla/PHN Professional to be in significant need of a childcare place. To avoid any obstacles to accessing a childcare place (i.e. costs) the Tusla/PHN professional makes a referral to a childcare service under the agreement that as the 'referring agent' the balance of parental fees will be paid by the 'referrer' and the parent is not charged any childcare fees.

The 'referring agent' is therefore applying for the Band A subvention on the basis that the balance of the childcare costs will be funded by them and will not be charged to the parent. As part of the CCS verification/appeals process the 'referral letter' is reviewed to ensure that it is clear that the parent is not being charged any child care fees.

Tusla/PHN referrals must clearly name the child being 'referred' to the service and that the remainder of the childcare fee, following Band A subvention, will be covered by the referring agent. For the 2014/15 year, a letter from the service provider stating that the parent is not being charged any childcare fee, is being accepted if the Tusla/PHN referral does not clarify this.

In relation to Bunratty Community Childcare Centre, referred to by the Deputy, the initial CCS application indicated that this service had 5 children, referred by Tusla/PHN, seeking specific support under the programme.

In the case of the information attached to the 5 Tusla/PHN referrals, none had a confirmation either by the PHN or the service provider, that the parent would not be charged the balance of the parental fee should a Band A place be approved. In addition, one of the letters from a PHN only provides information as to the status of the child's welfare and does not clarify the need for support, under this provision of the programme, for this child. The applications were declined for Band A funding approval based on these assessments.

All of the 5 applications have been appealed by the service and further information submitted. The service will be notified of any further information required to support a Tusla/PHN referral. It must be noted that it appears from the initial assessment of the additional information that the parents are paying childcare fees which would, therefore, result in a decline of these appeals.

The other service referred to in the correspondence attached to the Deputy's question - Jigsaw, Darndale / Belcamp Integrated Childcare Service - indicated that 23 child registrations in the service are Tusla (HSE) referrals. These applications also had insufficient information attached to satisfy the Tusla/HSE referral requirement before the verification process was completed. The service, through the local City Childcare Committee, requested clarification of the information needed to progress their appeals and have since submitted documentation under the appeal process which will be examine in due course.

All of the appeals will be fully evaluated and the outcome will be communicated to the childcare providers in each case.

Hospital Appointments Status

143. **Deputy James Bannon** asked the Minister for Health when an operation will be provided by the ear, nose and throat department in the Midland Regional Hospital in Tullamore in

County Offaly, in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [18709/15]

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 the Deputy directly. If he has not received a reply from the HSE within 15 working days he should please contact my Private Office and my officials will follow the matter up.

Health Insurance

144. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health if he will provide the details of the proposed Health Insurance (Reform) Bill 2014; and if he will make a statement on the matter. [18743/15]

Minister for Health (Deputy Leo Varadkar): The Government is undertaking fundamental reform of the health service in order to ensure we deliver one that is more efficient, effective and of a higher quality.

A major costing exercise, involving my Department, the ESRI, the Health Insurance Authority and the HSE, is currently underway to establish the cost to the individual, household and to the State of the introduction of Universal Health Insurance (UHI). It is expected that initial costs from this exercise will be available in the near future. Following receipt of the results of the UHI costing exercise, it is my intention to revert to Government with a roadmap on the next steps for delivering universal healthcare.

As part of the reform programme there will be a need to improve structures and management systems within the health services. Legislative proposals will be brought forward, where necessary, to underpin these reforms. Given the complexity and breadth of the issues to be addressed, significant preparatory policy work must be, and is being, undertaken in advance of the development of the legislative proposals. The specifics in relation to the structures and related legislative changes to be pursued will be identified as part of this process.

Hospital Services

145. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the amount spent on installing a birthing pool in Waterford Regional Hospital; the date on which it was installed; the number of women who have used the pool since its installation; the reason it is not currently in use; the hospital's future plans for the pool; and if he will make a statement on the matter. [18744/15]

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

Medicinal Products Availability

146. **Deputy Michael Healy-Rae** asked the Minister for Health regarding the Health Products Regulatory Authority that has 289 adverse drug reaction reports in association with Roaccutane since 1983, if he will provide a chronological list of these reports; and if he will make a statement on the matter. [18759/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The information requested is not readily available and will be forwarded to the Deputy.

Health Products Regulatory Authority

147. **Deputy Michael Healy-Rae** asked the Minister for Health if Health Products Regulatory Authority employees held a position with a pharmaceutical company (details supplied) prior or since 1983; and if he will make a statement on the matter. [18761/15]

148. **Deputy Michael Healy-Rae** asked the Minister for Health if a pharmaceutical company (details supplied) financially supported the Health Products Regulatory Authority, or any of its employees, since 1983; and if he will make a statement on the matter. [18762/15]

149. **Deputy Michael Healy-Rae** asked the Minister for Health his views on correspondence (details supplied) regarding the incidence of adverse drug reactions; and if he will make a statement on the matter. [18763/15]

151. **Deputy Michael Healy-Rae** asked the Minister for Health the licence renewal obligatory process for the drug Roaccutane; and if he will make a statement on the matter. [18776/15]

152. **Deputy Michael Healy-Rae** asked the Minister for Health if the renewal of a licence for Roaccutane can be objected to; and if he will make a statement on the matter. [18777/15]

154. **Deputy Michael Healy-Rae** asked the Minister for Health the value of the modest gifts with regard to the Health Products Regulatory Authority that are acceptable; the names of the members of the Authority who have received gifts; and if he will make a statement on the matter. [18779/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 147 to 149, inclusive, 151, 152 and 154 together.

Employees of the Health Products Regulatory (HPRA) are prohibited from holding any position with a pharmaceutical company while employed by the HPRA. Employees are also prohibited from having a financial or other beneficial interest in any company or organisation operating in a sector that the HPRA regulates.

Any employee who previously worked in a regulated company is restricted from all activities relating to that company for a period of time of up to five years depending on their role in that company, seniority of their position, relationships with persons in the company or level of contact with persons in the company, and any other relevant factor. They are also prohibited

from ever taking part in any activity relating to a medicinal product, medical device or cosmetic that they helped develop in any previous employment or relating to any competitor products for the same active substance or class of substances.

HPRA policies and procedures govern the declaration of interests, when staff join, on an annual basis and at any time that interests may change (e.g. with respect to a household member). There is a structured evaluation of any declared interest and appropriate outcomes depending on the evaluation. Checking for any restrictions is an integral part of all procedures for assigning work.

All pharmaceutical companies pay fees for their licence applications. The fees are set out in Regulations approved by the Minister for Health. No company may provide financial support to any employee. This is clearly stated in the Conflict of Interest Policy on the HPRA website.

Roaccutane has been closely monitored at both national and European level since it was first authorised, with issues related to its safety highlighted and communicated to healthcare professionals as appropriate.

The HPRA, together with its EU counterparts has worked with the pharmaceutical company to facilitate availability of appropriate product information for Roaccutane, which includes detailed and comprehensive advice regarding the risks associated with its use and recommendations to minimise the occurrence of these risks. The product information has been reviewed and updated since Roaccutane was first authorised for use in Ireland in 1983, as required. The HPRA has also communicated the outcome of regulatory reviews and updated recommendations regarding Roaccutane to healthcare professionals through its Drug Safety Newsletter on a number of occasions, all of which are accessible from the HPRA website

The product information for Roaccutane highlights the requirement that it should only be prescribed by or under the supervision of physicians with expertise in the use of systemic retinoids for the treatment of severe acne and with a full understanding of the risks of therapy and the monitoring requirements associated with its use.

The product information also specifies the circumstances where Roaccutane is contraindicated (i.e. when it should not be used).

The requirements for specific monitoring of the patient to reduce the risk of adverse reactions and to facilitate their early detection and management are described in detail in the product information in relation to psychiatric disorders, severe skin reactions, allergic reactions, effects on liver enzymes, serum lipids and the pregnancy prevention programme. Monitoring in these circumstances is through on-going review of the patient by the prescribing doctor, as part of their clinical practice.

The HPRA and the company have legal obligations to share reports of serious, suspected adverse reactions associated with use of Roaccutane within 15 days of first notification. These reports are in turn submitted to the European Medicines Agency and the World Health Organisation to facilitate review in the context of global safety experience and to support early detection of new and emerging reporting trends.

The relevant renewal requirements have changed over time. When Roaccutane was first licensed, companies were required to apply for renewal of their marketing authorisations every five years. Marketing authorisations became subject to one further renewal, following which authorisations remain valid for an unlimited period, unless one additional five-year renewal was considered necessary on justified grounds relating to pharmacovigilance (drug safety). Roaccutane was last renewed on 10 July 2009 with an unlimited marketing authorisation.

Requirements for renewal application have changed over time. The current requirements are included in the European Commission's 'Guideline on the processing of renewals in the Mutual Recognition and Decentralised Procedure' and the accompanying 'EU Application form for renewal of a marketing authorisation.'

The HPRA prohibits the acceptance of money as cash, cash vouchers or cash equivalents from any industry or sector regulated by the HPRA. Gifts may not be solicited, directly or indirectly. Only gifts of very modest value are acceptable in limited circumstances or where it is the custom in the country concerned to give such gifts and where to decline may cause offence. The Conflict of Interest Policy on the HPRA website provides detailed guidance and requirements.

Autism Support Services

150. **Deputy Eoghan Murphy** asked the Minister for Health his plans for supporting children with autism spectrum disorder in extra-curricular activities that may improve their social skills and also contribute to their quality of life while young, but also as they grow in to their teenage years (details supplied). [18769/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government is committed under the National Disability Strategy (NDS) to ensuring that people with autism are empowered by policy and programmes to participate meaningfully as citizens in Irish society. The NDS is driven by this basic but fundamentally important objective and is the most effective combination of legislation, policies, institutional arrangements and services to support and reinforce equal participation for all people with disabilities.

The Cabinet Committee on Social Policy has been examining issues around autism across Government Departments in association with the National Disability Authority (NDA). This work by the NDA, which has included consultation with families, will be of significant assistance in informing how best to address the needs of people with ASD, so that we can be sure that they are appropriately reflected and included in policies and actions.

The National Disability Strategy Implementation Group has already discussed the findings of the NDA consultation and mapping of services to people with autism. Further to the recommendations of this exercise, the NDA has been engaging bilaterally with Departments and agencies to guide the development of actions under the umbrella of the National Disability Strategy Implementation Plan.

My Department has asked the Health Service Executive to respond to the Deputy in respect of the detailed operational aspects of the issue that he has raised in so far as it relates to the health service. If the Deputy has not received a reply from the HSE within 15 working days he should please contact my Private Office and it will follow up the matter with him.

Questions Nos. 151 and 152 answered with Question No. 147.

Medical Card Applications

153. **Deputy Brendan Griffin** asked the Minister for Health if a person (details supplied) in County Kerry will be awarded a discretionary medical card, following a significant deterioration in that person's health; and if he will make a statement on the matter. [18778/15]

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.

Question No. 154 answered with Question No. 147.

Treatment Benefit Scheme

155. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the reason there have been delays in approval of the optical benefit forms, up to two months or more currently, in areas (details supplied) in County Waterford; and if he will make a statement on the matter. [18781/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Minister for Social Protection is responsible for the Treatment Benefit Scheme, which provides dental, optical and aural services to qualified people.

Hospital Appointments Status

156. **Deputy Sean Fleming** asked the Minister for Health when a person (details supplied) in County Laois will receive a date for a heart bypass operation; and if he will make a statement on the matter. [18793/15]

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 the Deputy directly. If the Deputy has not received a reply from the HSE within 15 working days he should please contact my Private Office and it will follow the matter up.

National Cancer Strategy Implementation

157. **Deputy Michelle Mulherin** asked the Minister for Health the composition of the working group charged with the preparation of the new national cancer strategy; if he will consider including a patient representative on the working group; and if he will make a statement on the matter. [18843/15]

158. **Deputy Michelle Mulherin** asked the Minister for Health if he will provide an update on the progress for the development of a new national cancer strategy; and if he will make a statement on the matter. [18844/15]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 157 and 158 together.

A Cancer Strategy Steering Group is being established to provide guidance and advice to my Department in formulating a new Cancer Strategy for the period 2016-2025. It is envisaged that the Steering Group will submit a draft Cancer Strategy for consideration by me before the end of 2015 with a view to the new strategy being ready for implementation from 2016.

My Department has also established a Cancer Patient Forum to facilitate a patient input to the development of the National Cancer Strategy and to inform the work of the Steering Group. A representative of the Forum will sit as a member on the Steering Group.

As per my letter sent to the Deputy on the 8 May, the Cancer Patient Forum will comprise of the following representatives:

The Irish Cancer Society, Purple House Cancer Support, Cancer Care West, EuropaDonna Ireland, Marie Keating Foundation, ARC Cancer Support, a screening participant, Donegal Action for Cancer Care, Cooperating for Cancer Care North West, Men's Cancer Alliance, CanTeen Ireland, Barretstown and Patient Focus.

The intention is that one member of the Patient Forum will sit on the Steering Group, to facilitate direct patient input to the development of recommendations. The Patient Forum had a very well received first meeting on 29 April, at which they were asked to consider a nominee to sit on the Steering Group and revert to the Department.

All interested parties including members of the public will be invited to make submissions. I hope and expect that there will be dozens if not hundreds. Unfortunately, it will not be possible for me to meet any individuals or groups about their submissions as it would compromise the outcome of the process if I were to meet some but not others and it would be impossible for me to meet all.

Cancer Incidence

159. **Deputy Michelle Mulherin** asked the Minister for Health the number of persons diagnosed with cancer each year; diagnosed at early stage; diagnosed through screening programmes; the types of cancer involved; the number of cases; and if he will make a statement on the matter. [18845/15]

Minister for Health (Deputy Leo Varadkar): The National Cancer Registry is the statutory body with responsibility for, *inter alia*, the collection and analysis of information relating to the incidence of cancer and related tumours in Ireland. My Department has asked the Registry to respond directly to the Deputy in relation to the number and types of cancer diagnosed each year.

Medical Card Applications

160. **Deputy Tom Fleming** asked the Minister for Health if he will examine and expedite a medical card in respect of a person (details supplied) in County Kerry, as the person has submitted the necessary paperwork; and if he will make a statement on the matter. [18849/15]

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

161. **Deputy Seán Conlan** asked the Minister for Health the reason a child (details supplied) in County Monaghan has been waiting since June 2014 for further assessment for a possible diagnosis of development co-ordination disorder; and if he will make a statement on the matter. [18861/15]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the issue raised by the Deputy relates to an individual case, this is a service matter for the Health Service Executive. I have asked the HSE to look into the particular matter raised and to reply directly to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days he should please contact my Private Office and it will follow up on the matter.

Public Health Policy

162. **Deputy Anthony Lawlor** asked the Minister for Health further to Parliamentary Question No. 426 of 6 May 2015, if he will confirm with a “Yes” or “No” reply if his Department has undertaken any research to identify any possible negative effects of industrial wind turbines on human health. [18862/15]

Minister for Health (Deputy Leo Varadkar): As previously advised in my reply of 6 May 2015, policy responsibility with regard to planning and the legislative framework in relation to the siting of wind turbines rests with the Department of the Environment, Community and Local Government and my Department provides advice from time to time when requested by the above mentioned Department. My Department has not carried out any research into the effects of industrial wind turbines on human health.

HSE Investigations

163. **Deputy Anthony Lawlor** asked the Minister for Health following the internal Health Service Executive investigation of an independent midwife (details supplied), if further investi-

13 May 2015

gations of this midwife are taking place; if so, if he will provide details of the investigation; and if he will make a statement on the matter. [18879/15]

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

The case remains ongoing and therefore I am limited in my response, however, I have been informed by the HSE that the 2 investigations remain ongoing.

There are no other investigations at this time.

Registration of Nurses

164. **Deputy Michael McCarthy** asked the Minister for Health the position regarding an application for nursing registration in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [18891/15]

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

The most up-to-date information from the Nursing and Midwifery Board of Ireland is that the lady referred to in your correspondence applied for registration as a General Nurse, a Public Health Nurse and a Nurse Tutor in 2013.

She was granted registration as a General Nurse on 21 January 2014. Her application was assessed for Public Health Nursing and the decision was that she undertake a period of adaptation and assessment as a prerequisite to registration, and the letter was issued to her on 17 April 2014.

She was written to, with a request for further information with regard to her Nurse Tutor application, on 28 April 2014 and to date NMBI are awaiting receipt of this required information to progress this application.

I understand that she contacted NMBI on 24 February 2015 with regard to the period of adaptation and assessment for Public Health nursing and to ask if she could undertake the programme in West Cork. This request was acceded to and on 26 February 2015 she was advised of this.

In order for her to complete the period of adaptation and assessment she must apply for a Candidate Certificate and I am informed that to date NMBI have not received a request for the candidate certificate required to commence the period of adaptation and assessment.

Sovereign Debt

165. **Deputy Sean Fleming** asked the Minister for Foreign Affairs and Trade if he attended the second committee session in relation to the sovereign debt restructuring processes to be considered by the United Nations in New York in the United States of America, from 28 to 30 April 2015; and if he will make a statement on the matter. [18789/15]

Minister of State at the Department of Foreign Affairs and Trade (Deputy Sean Sherlock): In September 2014, the UN General Assembly was presented with a draft Resolution on the modalities for the implementation of General Assembly Resolution 68/304 on the establish-

ment of a multilateral legal framework for sovereign debt restructuring processes. The main focus of the resolution was the setting up of an ad hoc committee to elaborate a binding debt resolution mechanism. Following detailed consideration of the proposal and discussions with our EU partners and other UN members, Ireland, and our EU partners, were unable to support the Resolution. Ireland fully subscribed to the EU's statement clarifying the important considerations which informed the negotiating approach on the Resolution, as follows:

“The ad-hoc committee must be limited to the elaboration of a non-binding ‘set of principles’ which builds upon a market-based voluntary contractual approach to sovereign debt restructuring and aims at furthering its implementation and use. Neither the EU nor Member States will participate in discussions aiming at the establishment of a binding multilateral legal framework for sovereign debt restructuring processes.

The ad-hoc committee should reflect the recent and ongoing work on sovereign debt restructuring undertaken in the IMF, subject to the previous considerations, and should take place in close coordination with and with technical support from the Fund. Discussions should also make reference to the work in other fora on these issues, such as the Paris Club, which has a history of discussing sovereign debt restructuring issues.”

In the event, the Resolution continued to propose the elaboration of a new legal framework and, in these circumstances, Ireland, in common with EU partners, will not be participating in the work of the committee.

Ireland is actively engaged in ongoing global processes to address the issue of sovereign debt restructuring. Work being undertaken at other levels, including in the IMF and at the Third International Conference on Financing for Development to be held in Addis Ababa in July, offer appropriate, established and constructive means for meaningful dialogue on the matter. We are playing our full role, in partnership with our EU colleagues, in working for the success of the Financing for Development Conference in Addis, which is central to the ongoing negotiations on a new framework for global development to follow on from the Millennium Development Goals. These major international negotiations at the UN are being co-chaired by Ireland's Permanent Representative to the UN, with Kenya.

Data Collection

166. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade if he or his Department officials have discussed the recent judgement in the United States of America, regarding the data collection programme exposed by a person (details supplied) who was not authorised by the Patriot Act, the implications of this judgment on the United States of America's diplomatic relations; and if he will make a statement on the matter. [18880/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I am aware of the decision by the Second Circuit Court of Appeals in the United States last Thursday regarding the use of section 215 of the Patriot Act to justify bulk domestic telephone data collection. It is now a matter for the US administration and Congress to address the issues raised by that Court decision. To that end, I note that the question of bulk data collection is currently under consideration by the US Congress, which will provide public representatives with an opportunity to debate this important issue.

UK Referendum on EU Membership

167. **Deputy Micheál Martin** asked the Minister for Foreign Affairs and Trade the way he and his Department are preparing for the referendum on European Union membership that is proposed in the United Kingdom in 2017; and if he will make a statement on the matter. [18881/15]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): The debate in the United Kingdom regarding its relationship with the European Union is followed extremely closely by my Department, the Department of the Taoiseach and indeed all government departments. That focus will now only intensify following the recent general election in Britain and Prime Minister Cameron's commitment to holding a referendum on the country's EU membership by 2017. My Government colleagues and I have been clear in voicing our view that joint British-Irish membership has been hugely beneficial to our country and our relationship with the UK. The important role the EU has played in the context of Northern Ireland should also not be forgotten, as the Taoiseach emphasised recently in a speech in Belfast.

Our unique relationship with the UK – in economic, social, cultural and historical terms – means we have a deep interest in the outcome of this debate about that country's future in Europe. We also value the contribution the UK has made to the EU during the four decades we have been members together and we share a similar approach on many key policy areas. Given the importance we attach to their ongoing membership, a key priority will be ensuring that our UK partners remain fully aware of the potential consequences for Ireland of any fundamental change in the nature of their membership of the EU.

I have addressed many of these points directly with Foreign Secretary Philip Hammond. I have also written to him following his recent re-appointment and will remain in close contact with him in the time ahead.

Our Embassy in London is, of course, very active with regard to EU-UK relationship. Its input and reporting on this, together with the reports and analysis we receive from our other diplomatic missions across the EU, will continue to be of key importance. We will work closely in the coming period with both our British and EU partners the objective of ensuring continued UK membership of the European Union.

School Transport Applications

168. **Deputy Tom Fleming** asked the Minister for Education and Skills if she will examine and expedite a remote area grant in respect of a person (details supplied) in County Kerry, for the school year 2014-2015, in view of the fact the person has submitted all relevant documentation; and if she will make a statement on the matter. [18729/15]

Minister of State at the Department of Education and Skills (Deputy Damien English): Bus Éireann operates the school transport scheme on behalf of my Department and is responsible for the planning of routes and the designation of pick-up/set down points. Where practicable, and subject to considerations of cost and logistics, routes are planned to avoid an eligible child having to travel more than 3.2 kms to or from a pick up/set down point.

A Remote Area Grant is payable for eligible children who may have to travel 3.2 kilometres or more to, or from, a designated pick-up/set-down point. This grant is payable at the end of each school year and is based on a fixed daily rate and the attendance level at school.

As Bus Éireann has advised that this is the position in this case, my Department will be in contact directly with the family referred to by the Deputy regarding the payment of the grant.

Teachers' Remuneration

169. **Deputy Willie O'Dea** asked the Minister for Education and Skills if those who have been paid over the past two years, at a post-2011 entrant fee of €34 hourly, should in fact have been paid at the pre-2011 rate of €42, as currently advertised on her Department's website; and if she will make a statement on the matter. [18775/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): The Deputy will be aware that July Provision is available to all special schools and mainstream primary schools with special classes catering for children with autism that choose to extend their education services through the month of July. My Department also provides July Provision for pupils with a severe/profound general learning disability. Where school based provision is not feasible, home based provision may be grant aided.

Under the terms of the School Based July Programme, permanent teachers can opt to receive additional salary to include allowances where appropriate, or be paid at the relevant hourly rate. In keeping with general pay policy, the hourly rate to be paid is determined by when the teacher first commenced employment. Substitute or temporary teachers are also paid the relevant hourly rate having regard to service, qualifications and the sector in which they are employed.

Assuming the cohort of teachers to whom the Deputy refers participated in the school based scheme their rate of payment would have been calculated accordingly.

Skills Development

170. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which jobs have been created in the high skilled and medium skilled sectors in the past 12 months; the degree to which a pattern in skill requirements has emerged over the past five years; and if she will make a statement on the matter. [18892/15]

171. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if she will outline, from experience over the past four years, the most sought after skills in the jobs market; the extent to which such skills continue to be supplied indigenously; and if she will make a statement on the matter. [18896/15]

172. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which she expects the skills available to match requirements in the job market in the future; her plans for enhancement; and if she will make a statement on the matter. [18900/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): I propose to take Questions Nos. 170 to 172, inclusive, together.

An important part of my Department's remit is to ensure that structures and programmes are in place to give learners the opportunity to acquire relevant quality education and training that will provide them with the necessary skills to compete for jobs. According to the Annual Bulletins from the Expert Group on Future Skills Needs in the period 2010 to 2014, skills shortages have emerged in the some roles in the following sectors: ICT, Engineering, Science, Business and Finance, Health, Sales, Craft, Transport and Clerical.

Decisions on provision for labour market related education and training, including targeted programmes such as Momentum and Springboard, are informed by an existing skills identification infrastructure, which includes inputs from the Expert Group on Future Skills Needs and the Strategic Labour Market Research Unit, who use an economic model to forecast skills needs/

demands in particular sectors.

The Deputy will also be aware of the Apprenticeship Council's recent call for proposals for the development of new apprenticeships. 86 separate proposals were received in response. These proposals will be assessed by the Apprenticeship Council against a range of sustainability and deliverability criteria before recommendations are submitted before the end of June to my Department.

My Department is also undertaking a renewal of the National Skills Strategy, which will incorporate education and training policy at all levels of the system. It will include an examination of the skills identification infrastructure used to direct policy and provision. A project is being led by my Department to establish Regional Skills Fora. The objective of this proposal is to foster better engagement between DES providers (ETBs, Institutes of Technology, Universities, Skillnets) employers and other regional stakeholders in building the skills of their regions.

Emergency Works Scheme Applications

173. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills the status of an emergency works scheme application in respect of a school (details supplied) in County Limerick; and if she will make a statement on the matter. [18713/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): The school referred to by the Deputy submitted an application for funding under my Department's Emergency Works Scheme to replace a water tank and associated works at the school.

My Department's Planning and Building Unit has sought further clarification from the school authority and this information is currently awaited. As soon as the information is received, a final decision will be communicated to the school authority.

Language Schools Closures

174. **Deputy Andrew Doyle** asked the Minister for Education and Skills the measures that will be put in place to support students who have lost out substantially on the recent language school closures; the further measures that will be put in place to support teachers who have lost salaries; the implementation process, going forward, to regulate this sector, in order not to damage Ireland's reputation; and if she will make a statement on the matter. [18726/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): A number of measures have already been put in place to support students who have been affected by the English language school closures. A Task Force to assist students was established in 2014, and the report of the Taskforce was published on 2nd September 2014. On the basis of Marketing English in Ireland's (MEI) involvement with the Task Force, MEI schools have been assisting genuine displaced students in completing their studies by offering alternative courses at a significantly discounted rate.

MEI schools provide an additional support to displaced students in that they have arrangements in place for the protection of learners. Most of the private colleges which have closed did not have such learner protection arrangements in place. Other individual colleges and representative groups, such as the recently formed Private College Network, have also made offers to accommodate impacted students.

A dedicated website has also been established, and this provides useful information to af-

affected students and outlines the range of options available to them. The website continues to be updated regularly.

In relation to the issue of teacher salaries, this is a matter between the teachers and their employer, and my Department has no role in this.

Regarding the regulation process going forward, my Department and the Department of Justice and Equality have produced a package of reforms to the student immigration system for international education which will be brought to Government for its approval shortly. These reforms will drive a restructuring in the sector designed to improve the overall quality of offering to international students, improve protection for learners, enhance Ireland's reputation and diminish negative impacts on the Irish labour market and social protection costs, strongly in line with the goals of Ireland's international education strategy.

Special Educational Needs Data

175. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the number of children at primary school with a moderate learning disability; the total cost to her Department, if the July provision was extended to include children with a moderate learning disability; her plans to extend the July provision to include children with a moderate learning disability; and if she will make a statement on the matter. [18736/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): July Provision is available to all special schools and mainstream primary schools with special classes catering for children with autism that choose to extend their education services through the month of July. My Department also provides July Provision for pupils with a severe/profound general learning disability. Where school based provision is not feasible, home based provision may be grant aided.

In 2014 the July programme provided additional support to 6,731 eligible children at a cost of €10.3 million.

I have been advised by the National Council for Special Education (NCSE) that in 2014/2015 school year there were 1,814 children with a Moderate General Learning Disability enrolled in schools.

It is not possible to accurately estimate the total cost to the Department if July Provision was to be extended to this cohort of children. This is because it is not possible to determine the number of children who could avail of July Provision in their schools or the number of those children who would access July provision in the home. However, as an indicative figure, if all such children were to access July Provision the estimated cost of such would be approximately €2.4m. This figure also assumes an SNA allocation which would be equivalent to that provided currently for children with Autism.

The Deputy may be aware that the NCSE is at an advanced stage in preparing policy advice on the education of children with autism which will incorporate a review of current state-funded educational provision for children with autism including July Provision. I expect that the final report, which is to be delivered shortly, will consider the broadest possible range of views and provide recommendations which will assist the development of policy for future years. The July Provision Scheme will be considered in the context of the recommendations.

Special Educational Needs Service Provision

176. **Deputy Terence Flanagan** asked the Minister for Education and Skills the Government's policy in relation to the education of children with autism; and if she will make a statement on the matter. [18738/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): My Department's policy is focused on ensuring that all children, including those with autism, can have access to an education appropriate to their needs.

The policy is to provide for children with special educational needs, including autism, to be included in mainstream schools unless such a placement would not be in their best interests or the interests of the children with whom they are to be educated. Some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school.

The Deputy may be aware that the National Council for Special Education (NCSE) is currently at an advanced stage in the preparation of policy advice on the education of children with autism.

I expect that the NCSE final report, which is due to be delivered shortly, will reflect the broadest possible range of views, both National and International, and will provide recommendations which will assist the development of policy on the education of children with autism for future years.

Teacher Data

177. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if she will provide, in tabular form, on a per education and training board basis, the number of second level education and training board school principals who do not have either a higher diploma in education, a master's degree or a doctoral degree. [18740/15]

Minister for Education and Skills (Deputy Jan O'Sullivan): ETB school principals are appointed and employed by the 16 education and training boards and, accordingly, the information sought by the Deputy is not readily available in my Department.

My Department's Circular PPT 06/02 sets out the eligibility criteria for appointment to Principal posts in ETB schools. Candidates for appointment are required to have a minimum of five years' whole-time teaching service or its equivalent.

Special Educational Needs Service Provision

178. **Deputy Michael Fitzmaurice** asked the Minister for Education and Skills further to Parliamentary Question No. 505 of 6 May 2015, and notwithstanding the listing of numbers of teaching and teaching support staff and additional teaching posts in the said parliamentary question reply, if she will state, for the record of Dáil Éireann, whether or not she will immediately reverse the 15% cut in resource teaching hours imposed upon individual students with special education needs in 2012; if she will restore the resource teaching hours allocated to each individual student with special educational needs, to the levels pertaining in 2010, which are the levels recommended by the State Education Resource Centre report; her views on the resource teaching hours currently being allocated to students with special educational needs; and if she will make a statement on the matter. [18790/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that there are now more additional resource teachers/learning support teachers in our schools than at any time previously.

Over 11,000 resource and learning support teaching posts are currently allocated to schools, which is the highest level of resource teaching allocations that we have ever had. It will ensure that children with special educational needs can continue to participate in education and be supported in a manner appropriate to their needs.

The number of resource teachers that the National Council for Special Education (NCSE) may allocate to schools to support children with low incidence special educational needs has increased to 6705 for the coming 2015/16 school year, which is an increase on the 6225 posts which were available for allocation in 2014/15.

I have previously advised the Deputy that my Department is currently working to devise a pilot of a new model for delivering teaching resources to schools to support students with special needs, which has been recommended by the NCSE.

In taking the decision to conduct a pilot of the new model, I have been guided by the advice of the NCSE Working Group report, which recommended sufficient time be allowed for consultation before the new model is implemented.

I therefore do not propose to amend the existing allocation process, pending the completion of the pilot project and the introduction of a new allocation model.

State Examinations

179. **Deputy Sean Fleming** asked the Minister for Education and Skills if she will provide a list, for each of the past three years, of the number of applications made for readers for leaving certificate examinations; the number of readers that were granted to students; and if she will make a statement on the matter. [18792/15]

180. **Deputy Sean Fleming** asked the Minister for Education and Skills if she will provide a list, for each of the past three years, of the number of applications made for readers for junior certificate examinations; the number of readers that were granted to students; and if she will make a statement on the matter. [18794/15]

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

The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations. The State Examinations Commission operates a scheme of Reasonable Accommodations in the Certificate examinations. Applications for such accommodations are submitted by schools on behalf of their students. Full details of the scheme are available for downloading from their website: www.examinations.ie/candidates/reasonableaccommodations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

State Examinations

181. **Deputy Sean Fleming** asked the Minister for Education and Skills if a reader for the leaving certificate will be provided to a student (details supplied) in County Laois; and if she will make a statement on the matter. [18796/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

The State Examinations Commission operates a scheme of Reasonable Accommodations in the Certificate examinations. Applications for such accommodations are submitted by schools on behalf of their students. Full details of the scheme are available for downloading from their website: www.examinations.ie/candidates/reasonableaccommodations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

Schools Site Acquisitions

182. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a school building project (details supplied) in County Meath. [18829/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that officials in my Department have been working with officials from Meath County Council in relation to the identification and acquisition of a suitable permanent site for new school accommodation for the school to which he refers.

A number of site options have been appraised. While a site acquisition process is underway, given the commercial sensitivities associated with land acquisitions generally I am not in a position to comment further at this time.

Emergency Works Scheme

183. **Deputy Charlie McConalogue** asked the Minister for Education and Skills if she will provide funding for the science room of a school (details supplied) in County Kilkenny; if she will review emergency applications for funding for this science room; and if she will make a statement on the matter. [18890/15]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that my Department has no record of receiving an application for emergency funding from the school to which he refers.

Details of the Emergency Works Scheme can be accessed on my Department’s website at www.education.ie. The main purpose of the Scheme is to ensure the availability of funding for urgent works to those schools that are most in need of resources as a result of an emergency situation.

Water Services Provision

184. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government when the rural water programme will be announced. [18708/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Responsibility for the administration of my Department's Rural Water Programme, under which funding is provided for group water and group sewerage schemes, has been devolved to local authorities since 1997. The selection, prioritisation and approval of individual group scheme proposals for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocations provided, is therefore a matter for the local authorities. Details of the recently announced 2015 Rural Water Programme block grant allocations to local authorities are available on my Department's website www.environ.ie.

Living City Initiative

185. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local Government the grant assistance and-or tax relief available to owners of commercial buildings who wish to renovate their premises, particularly shop-fronts; if assistance exists for commercial buildings in excess of 100 years old; and if he will make a statement on the matter. [18712/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I am not aware of any grant assistance schemes operated by any Government Department for the renovation of commercial buildings. The operation of tax relief schemes are a matter for my colleague, the Minister for Finance.

In this regard, a new tax relief scheme entitled the Living City Initiative was launched by the Minister for Finance last week. This initiative is a targeted pilot tax incentive scheme which aims to:

- encourage people back to the centre of Irish cities to live in older buildings (residential element),
- encourage the regeneration of central business districts (commercial element).

The commercial tax relief is given in the form of an accelerated capital allowance for "qualifying expenditure" on the refurbishment or conversion of premises within the special regeneration areas of six cities (namely Cork, Dublin, Galway, Limerick, Kilkenny and Waterford). Unlike the residential element of the scheme, the commercial/retail element is not restricted to pre-1915 buildings. The capital allowance is given at the rate of 15% of qualifying expenditure for each of the first 6 years and 10% in year 7.

There are a number of conditions governing eligibility for the scheme:

- The premises must be located within the designated special regeneration area.
- The premises must be used, after refurbishment/conversion, for retail purposes or for the provision of services within the State.
- The expenditure incurred must relate to refurbishment or conversion only.
- The expenditure must be incurred within the qualifying period. This means a 5 year period commencing with the day the scheme is commenced by Order of the Minister for Finance.
- There are overall limits on the amount of capital expenditure on any project which is to be treated as qualifying expenditure, with the maximum relief available for any individual project being capped at €200,000.

This is the only tax relief scheme currently applicable for the renovation of commercial premises. Further details in relation to the scheme, and qualifying expenditure under the scheme, may be obtained from the Department of Finance.

Social and Affordable Housing Provision

186. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government if he will provide the list of the proposed social housing building programme projects submitted by Wicklow County Council; if these were in any order of priority, the way Dunlavin and Rathdrum in County Wicklow were selected; and if he will make a statement on the matter. [18716/15]

189. **Deputy Billy Timmins** asked the Minister for the Environment, Community and Local Government the reason sanction for only a proportion of the allocated funding for housing construction and acquisition was granted to Wicklow County Council; when the remainder of the €33 million will be released; and if he will make a statement on the matter. [18757/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 186 and 189 together.

I announced a major social housing construction programme on 5 May 2015, with €312 million to be invested nationally, covering all 31 local authorities and with over 1,700 social housing units to be built across more than 100 separate projects. That announcement included projects for Co. Wicklow covering the construction of 50 units at an estimated cost of €8.2 million. Details of that announcement are available on my Department's website at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41340,en.htm>.

The announcement followed the submission by all local authorities of proposals for their planned delivery of new social housing out to 2017. Local authorities had been requested to focus on projects that would -

- be suitable for early commencement and completion;
- meet social housing need in the area; and
- represent good value for money.

The projects announced on 5 May are those assessed at this stage as being suitable to proceed. However, the assessment of project proposals is continuing and proposals which were not among those announced including those submitted by Wicklow County Council, details of which are included in the following table, are still under active consideration in my Department. In line with the targets in the Social Housing Strategy, I will be making further announcements in due course of project approvals and funding allocations as the assessment process continues. In addition, local authorities may submit further proposals over the course of the Social Housing Strategy as they identify and prioritise the delivery of social housing units to meet the need in their areas.

The social housing targets out to 2017 that I announced on 1 April last provide for a target of 438 units in respect of Wicklow. I also announced a provisional funding allocation of €31 million which provides for units to be delivered by Wicklow County Council through a combination of building, buying and leasing schemes. Further funding will be allocated to specific projects as these are assessed and approved.

The proposed social housing projects submitted by Wicklow County Council are as follows:

| Proposed Project Name/Address (In order of Priority) | Number of units |
|---|-----------------|
| 1. Ballybeg, Rathnew | 48 |
| 2. Three Trouts, Greystones | 22 |
| 3. Farrankelly Phase 2, Greystones | 18 |
| 4. Brewery Bends Phase 2, Rathdrum | 20 |
| 5. Dunlavin Phase 1 | 30 |
| 6. Whitehall, Baltinglass Phase 2 | 30 |
| 7. Emoclew Rd, Arklow | 8 |
| 8. Murphy's Land, Bray – further info required re potential of this site | - |
| 9. Burgage, Blessington – further info required re potential of this site | - |

Building Regulations

187. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Community and Local Government in view of the problems with supplies of homes, his views that there is a need to abolish the building-design-and-assign inspection fees incurred at tremendous costs to persons wanting to add home extensions; his further views that by ending this cost, families may add extensions, and thus alleviate housing waiting lists in many cases; and if and when this charge will be abolished. [18722/15]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): My Department has given preliminary consideration to the arrangements in place for oversight of new single dwellings and extensions to existing dwellings in advance of the full review of the broader operation of the Building Control (Amendment) Regulations 2014 (S.I. No. 9 of 2014) which is currently open to public consultation until 15 May 2015.

While fees for professional services are determined by market forces and are therefore outside the scope of my regulatory powers, I recognise the importance of ensuring that the regulations do not impact unduly on one-off housing and extensions to dwellings, particularly in relation to cost. A number of options for addressing this issue have therefore been included in the documents released for public consultation on 2 April 2014, which are available on my Department's website at the following weblink:

<http://www.environ.ie/en/DevelopmentHousing/BuildingStandards/PublicConsultations/>.

On conclusion of the public consultation process my Department will produce an early report on the matter with a view to ensuring that any measures required can be put in place as a matter of priority.

Motor Tax Collection

188. **Deputy Noel Grealish** asked the Minister for the Environment, Community and Local Government his plans, or if consideration will be given to a proposal, to allow for motor tax to be paid in monthly instalments, by direct debit, which would make the charge more manageable for families with two cars; and if he will make a statement on the matter. [18742/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I have no plans currently to introduce a system of monthly direct debit payments for motor

tax.

Any such proposal would require to be underpinned by robust legislation to ensure that there is a system in place to recoup income lost to the taxpayer where there are insufficient funds in personal accounts to meet the payment or where a direct debit or standing order option is cancelled by the account holder once a disc is issued. It would also be necessary to introduce provisions to enable recovery of the disc where required. The resultant additional enforcement requirements would also be likely to increase the cost of operating the system.

Question No. 189 answered with Question No. 186.

Community Development Projects

190. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if he will consider allocating funding of €26,000 to allow a project (details supplied) in Dublin 12 to continue employing a co-ordinator; and if he will make a statement on the matter. [18764/15]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): Rathmines Pembroke Community Partnership provided funding to the project in question under my Department's Local and Community Development Programme (LCDP). The LCDP concluded on 31 March 2015 and the new Social Inclusion and Community Activation Programme (SICAP) was rolled out across communities on 1 April 2015.

In accordance with the Public Spending Code, legal advice, good practice internationally and in order to ensure the optimum delivery of services to clients, SICAP was subject to a public procurement process. Tenderers have now been informed of the outcome of their tender and Local and Community Development Committees (LCDCs) have finalised contracts with the winning tenderers. Rathmines Pembroke Community Partnership was unsuccessful in its tender to deliver the SICAP in the Canal/Rathmines/Pembroke Lot area, and I am advised that as a result the company is no longer in a position to continue managing the project referred to.

As SICAP will be overseen and managed by the new LCDCs in each Local Authority area, the configuration of delivery bodies/delivery arrangements for the Dublin City area for local and community programmes is a matter for the LCDC of Dublin City Council to consider in consultation with the relevant stakeholders, commensurate with service needs. Pobal, on behalf of my Department, is engaging with Dublin City Council and the relevant LCDC on service delivery issues arising in the Dublin City area.

Leader Programmes Administration

191. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he is aware of the concerns of island communities surrounding the delivery of the new Leader programme; his plans to designate the islands as a regional area under the new Leader programme; and if he will make a statement on the matter. [18774/15]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): I refer to the reply to Question 519 of 6 May 2015, which sets out the position in relation to this matter. The position remains unchanged.

Irish Water Administration

192. **Deputy Mary Lou McDonald** asked the Minister for the Environment, Community and Local Government the names of the public sector sources which are permitted to provide the personal details of persons to Irish Water, under section 26 of the Water Services Act 2013; and the number of persons whose information has been provided to Irish Water in this manner. [18816/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I refer to my reply to Question No. 593 of 12 May 2015 which sets out the position in this matter. The information provided to Irish Water under this provision is a matter for the utility. Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at oireachtasmembers@water.ie or by telephone on 1890 578 578.

Local Authority Housing Data

193. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he will provide, in tabular form, by local authority, the number of housing units which have been leased by local authorities, under the social housing leasing initiative, from 2009 to 2014. [18827/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): To the end of April 2015, over 6,000 housing units have been delivered under the Social Housing Current Expenditure Programme, previously referred to as the Social Housing Leasing Initiative, since the same began in 2009. The Social Housing Current Expenditure Programme comprises a range of methods for local authorities and approved housing bodies (AHB's) to deliver units for social housing. These include units sourced by local authorities under long term leases or rental arrangements and the use of unsold affordable units for social housing. Units sourced by AHB's can be through long term lease arrangements or by purchasing and constructing units. Units have also been sourced through NAMA's Special Purpose Vehicle units which are leased to AHBs or local authorities. A breakdown of units delivered to date by local authority is set out in the table below.

| Local Authority | SHCEP Delivered |
|-------------------------|-----------------|
| Carlow County Council | 95 |
| Cavan County Council | 12 |
| Clare County Council | 144 |
| Cork City Council | 144 |
| Cork County Council | 789 |
| DLR County Council | 165 |
| Donegal County Council | 221 |
| Dublin City Council | 795 |
| Fingal County Council | 392 |
| Galway City Council | 199 |
| Galway County Council | 56 |
| Kerry County Council | 85 |
| Kildare County Council | 227 |
| Kilkenny County Council | 79 |

| Local Authority | SHCEP Delivered |
|-----------------------------------|-----------------|
| Laois County Council | 171 |
| Leitrim County Council | 1 |
| Limerick City and County Council | 45 |
| Longford County Council | 24 |
| Louth County Council | 377 |
| Mayo County Council | 157 |
| Meath County Council | 144 |
| Monaghan County Council | 1 |
| Offaly County Council | 212 |
| Roscommon County Council | 10 |
| Sligo County Council | 38 |
| South Dublin County Council | 576 |
| Tipperary County Council | 313 |
| Waterford City and County Council | 136 |
| Westmeath County Council | 312 |
| Wexford County Council | 81 |
| Wicklow County Council | 28 |
| Total | 6,029 |

Social and Affordable Housing Data

194. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the number of applications for new builds made to his Department by Mayo County Council under the social housing strategy; the location of the proposed new builds; the total amount of money applied for; and if he will make a statement on the matter. [18838/15]

195. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the number of applications for the restoration of long-term voids made to his Department by Mayo County Council under the social housing strategy; the location of these long-term voids; the total amount of funding applied for; and if he will make a statement on the matter. [18839/15]

196. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the total number of new homes that are planned for County Mayo, under the social housing strategy; and if he will make a statement on the matter. [18840/15]

197. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the total number of long-term void renovations that are planned for County Mayo under the social housing strategy; and if he will make a statement on the matter. [18841/15]

198. **Deputy Michelle Mulherin** asked the Minister for the Environment, Community and Local Government the number of persons on Mayo County Council's social housing support list; the number who are in private rented accommodation, through the rental accommodation scheme; and if he will make a statement on the matter. [18842/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 194 to 198, inclusive, together.

I recently announced social housing targets for each local authority, including Mayo County Council, out to 2017, along with provisional funding allocations. Full details of this announcement are available on my Department's website at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41016,en.htm>.

I announced a major social housing construction programme on 5 May 2015, with €312 million to be invested nationally, covering all 31 local authorities and with over 1,700 social housing units to be built across some 100 separate projects. That announcement included projects for Mayo covering the construction of 22 new social housing units at an estimated cost of €5 million. Details of that announcement are available on my Department's website at the following link:

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41340,en.htm>.

This announcement followed from the assessment of local authority proposals for their planned delivery of new social housing units. Local authorities had been requested to focus on projects that would -

- be suitable for early commencement and completion;
- meet social housing need in the area; and
- represent good value for money.

The projects announced on 5 May are those assessed at this stage as being suitable to proceed. However, the assessment of project proposals is continuing and proposals that were not among those announced, including those submitted by Mayo County Council, details of which are included in the table below, are still under active consideration in my Department. In line with the targets announced in the Social Housing Strategy, I will be making further announcements in due course of project approvals and funding allocations as the assessment process continues. In addition, local authorities may submit further proposals over the course of the Social Housing Strategy as they identify and priorities the delivery of social housing units to meet the need in their areas.

The proposed social housing projects submitted by Mayo County Council are as follows:

| Proposed Project Name/Address | Number of units | Estimated costing as per local authority |
|---|-----------------|--|
| Return of vacant properties to use | 100 | €1,500,000 |
| Transfer of 'unsold affordable' housing stock to permanent social housing stock | 23 | €6,504,480 |
| Construction project at Tubberhill, Westport | 21 | €3,800,000 |
| Construction project at Marian Crescent, Ballina | 2 | €250,000 |
| Construction project at Knockmore, Ballina | 8 | €1,300,000 |
| Various New Builds for identification | 20 | €3,200,000 |
| Infills in various towns for identification | 40 | €6,400,000 |
| Single Rural Houses built to demand | 16 | €2,400,000 |

| Proposed Project Name/Address | Number of units | Estimated costing as per local authority |
|--|-----------------|--|
| Acquisitions in various towns for identification | 64 | €8,960,000 |

Applications from local authorities for funding support to return vacant social housing units to productive use are invited by my Department on an annual basis. Mayo County Council sought support in respect of 100 such properties for 2015. The exact locations of units to be remediated is a matter in the first instance for the Council. Nationally, the funding available under Budget 2015 will see a target of 1,000 vacant housing units returned to productive use and the requests from Mayo County Council and all other local authorities are now being assessed with funding to each Council to be allocated shortly.

The most recent Summary of Social Housing Assessments, carried out as at 7 May 2013, found that there were 1,479 households on the waiting lists in Mayo. The 2013 figures are the most up-to-date figures available on waiting list numbers, which are subject to on-going fluctuation due to households being allocated housing and new households applying for housing support. In order to get the most accurate data relating to the numbers applying for social housing support, the Social Housing Strategy includes a commitment to increase the regularity of the summary of social housing assessments by undertaking it on annual basis from 2016 onwards. The full results of the 2013 Summary are available on my Department's website at the following link:

<http://www.environ.ie/en/PublicationsDocuments/FileDownload,34857,en.pdf>.

The Rental Accommodation Scheme (RAS) commenced in 2005 and at the end of March 2015, local authorities had transferred a total of 52,529 households from Rent Supplement. Of these, 30,911 were housed directly under RAS and a further 21,618 were accommodated under other social housing options. In Mayo, up to the end of March 2015 some 1,420 households have been transferred from Rent Supplement directly to RAS and 501 to other social housing options.

Water Charges Administration

199. **Deputy Michael Fitzmaurice** asked the Minister for the Environment, Community and Local Government if he will confirm that in order to comply with the water framework directive it will, in future, be necessary to apply water charges to rainwater that has been harvested on the private property of persons and businesses, and stored in tanks below a certain depth underground; if he will indicate the underground depth below which water charges will be triggered, and the scale of the water charges to be applied in this scenario; and if he will make a statement on the matter. [18851/15]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I am fully supportive of all technologies which contribute to the conservation of water. Rainwater harvesting has the potential to contribute to reducing the cost of water services for certain uses as well as benefiting the environment. Article 9 of the Water Framework Directive of 2000 requires Member States to take account of the principle of recovery of the costs of water services, in accordance with the principle of "polluter pays". This Government's policy on water charges is fully consistent with the objectives of the Water Framework Directive and reflects the commitment entered into as part of the Programme of Financial Support for Ireland (2010-2013) agreed between the previous Government and the EU/ECB/ IMF. There are no

plans to introduce a charging regime for rainwater harvested for private use.

Broadband Service Provision

200. **Deputy Willie Penrose** asked the Minister for Communications, Energy and Natural Resources the steps he will take to ensure that appropriate high speed broadband is available to the residents of Ballynacargy in County Westmeath, and the surrounding areas; when progress will be made in this regard; and if he will make a statement on the matter. [18732/15]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The National Broadband Plan aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State led intervention in areas where commercial services will not be provided.

The commercial telecommunications sector is currently investing approximately €2.5 billion in network upgrades and enhanced services with approximately 1.6 million of the 2.3 million premises in Ireland expected to have access to commercial high speed broadband services over the next two years. These very significant investments represent a step-change in the quality of broadband services available.

Last November I published a national high speed coverage map for 2016. This map is available at www.broadband.gov.ie. The areas marked BLUE represent those areas that will have access to commercial high speed broadband services by end 2016.

The AMBER areas show the target areas for the State intervention and includes the townlands of Ballynacargy, Co Westmeath. All premises within the AMBER areas will be included in the State's intervention.

More generally I can confirm that next generation broadband services have been rolled out to over 20,000 premises to date in Co Westmeath with a further 6,500 expected to be served over the next 18 months. The remaining 17,800 premises in Co Westmeath are the target for the proposed State intervention under the National Broadband Plan.

Intensive design and planning work is underway in my Department to produce a detailed intervention strategy for the AMBER area. Following a public consultation process on the draft Intervention Strategy this summer, I hope to move to formal procurement phase towards the end of this year in order to select a preferred bidder or bidders.

I anticipate that the first homes and businesses will be connected in 2016 and connections will continue thereafter, with the intention of having all premises connected within a 5 year period.

This complex and ambitious project is a key priority for Government and aims to conclusively address current broadband connectivity issues in mainly rural parts of the country.

Pension Provisions

201. **Deputy Regina Doherty** asked the Minister for Communications, Energy and Natural Resources the reason the Electricity Supply Board has not incorporated the legislative provisions of the Energy (Miscellaneous Provisions) Act 1995 into its pension scheme rules; and if he will make a statement on the matter. [18805/15]

202. **Deputy Regina Doherty** asked the Minister for Communications, Energy and Natural Resources if the Energy (Miscellaneous Provisions) Act 1995 was concealed from Electricity Supply Board's management and pension fund trustees, until they became aware of it during a very public dispute in December 2013; and if he will make a statement on the matter. [18808/15]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): I propose to take Questions Nos. 201 and 202 together.

The ESB General Employees' Superannuation Defined Benefit Scheme is a contributory pension scheme through which pensions for the majority of employees in the electricity business are funded. The fund is vested in trustees nominated by ESB and its members for the sole benefit of employees, former employees and their dependents. The Scheme is a defined benefit scheme and is registered as such with the Pensions Authority (formerly the Pensions Board). The operation of the Scheme is a matter for the Trustees of the fund and not one in which I have a role or function.

My department has been advised by ESB that the company is satisfied that it is fully compliant with the provisions of the Energy (Miscellaneous Provisions) Act 1995 (No. 35 of 1995).

Aviation Industry Regulations

203. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will indicate any examination which his Department has made of the levels of stress on Irish pilots; his plans to introduce further legislation or regulations in relation to this matter, concerning necessary rest periods, length of pilot rosters, and general protection of pilots' health, and in view of recent public concerns in this matter. [18867/15]

207. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will indicate any examination which his Department has made of the levels of stress on Irish pilots; if he has liaised with the Department of Health, on whether they will be introducing further legislation or regulations in relation to this matter, concerning necessary rest periods, length of pilot rosters, and general protection of pilot's health, and in view of recent public concerns in this matter. [18866/15]

208. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport that all Irish health and safety legislation is being fully implemented, in relation to the working hours and conditions of Irish pilots. [18868/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I propose to take Questions Nos. 203, 207 and 208 together.

The matters referred to by the Deputy are regulated under European Law and the European Aviation Safety Agency (EASA) has competence for all areas of aviation safety including air operations encompassing areas such as pilot fatigue and rest periods.

Regulation (EU) 83/2014 provides for the flight time limitations regime, the oversight of which in Ireland is the responsibility of the Irish Aviation Authority (IAA) to whom I have forwarded your query for direct reply. If you do not receive a reply from the IAA within 10 working days please contact my Private Office.

Pension Provisions

204. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport the position regarding pensions (details supplied); and if he will make a statement on the matter. [18715/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): I would once again like to make it clear that resolution of the funding difficulties in the IASS and implementation of the agreed solution are primarily a matter for the Trustees, the companies participating in the scheme, the scheme members and the Pensions Authority.

I understand that the question relates to an Aer Lingus supplementary pension fund. I have no function in relation to that scheme.

Motor Insurance Coverage

205. **Deputy Martin Heydon** asked the Minister for Transport, Tourism and Sport if he is aware that motor insurance companies are charging excessive rates (details supplied) for persons who have been out of the country for a number of years and are now returning home; and if he will make a statement on the matter. [18825/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The purchase and sale of motor insurance is a private commercial transaction between the insured and the insurer. Motor insurance is provided by private companies in an open and competitive market and the setting of motor insurance prices is a matter for the industry. I have no role in the regulation of insurers.

The Declined Cases Committee of Insurance Ireland deal with cases of difficulty in obtaining motor insurance. A person who is unable to obtain a quotation for motor insurance or who feels that the premium proposed or the terms are so excessive that it amounts to a refusal to give them motor insurance should contact Insurance Ireland, Insurance House, 39 Molesworth Street, Dublin 2, Tel. 01.6761820.

Road Network

206. **Deputy Fergus O'Dowd** asked the Minister for Transport, Tourism and Sport the position regarding the proposed bypass at Ardee in County Louth; and if he will make a statement on the matter. [18837/15]

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

Noting this I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

Questions Nos. 207 and 208 answered with Question No. 203.

Driver Licence Renewals

209. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if a trailer licence, category BE, will be re-instated on a person's licence (details supplied) in County Kerry; and if he will make a statement on the matter. [18883/15]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The operation of the National Driver Licensing Service is the statutory responsibility of the Road Safety Authority and I have no role in individual cases. I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

Departmental Agencies Staff Recruitment

210. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht if she will address the issues raised in correspondence (details supplied) regarding public appointments; and if she will make a statement on the matter. [18734/15]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I have been informed by the agency concerned that the position in question was advertised on www.publicjobs.ie, in the newspaper referred to by the Deputy and on the agency's own website. The position was also advertised internally to all the staff of the agency. As the leading recruiter for public service jobs, the website of the Public Appointments Service, www.publicjobs.ie, is the main access route for candidates interested in joining the public service in this jurisdiction. This website provides a cost-effective online recruitment facility and widespread exposure for jobs in the public sector in this jurisdiction.

I understand from the agency that, while the Northern Ireland Civil Service (NICS) has a recruitment website, the normal practice of the NICS is to advertise only those posts for which it has direct recruitment responsibility. In that context, a decision was taken by the agency to advertise in the newspaper referred to.

Island Communities

211. **Deputy Pat Rabbitte** asked the Minister for Arts, Heritage and the Gaeltacht if Phase II of the restoration works, to be funded by her Department, will be carried out on an island (details supplied); and if she will make a statement on the matter. [18854/15]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Joe McHugh): I can confirm that my officials are currently examining an application for assistance towards further work on the project referred to by the Deputy. A decision will be made in due course.