

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Questions Nos. 1 to 23, inclusive, withdrawn.

Jobseeker's Allowance Eligibility

24. **Deputy Robert Troy** asked the Tánaiste and Minister for Social Protection if a person (details supplied) will qualify under the jobseeker's allowance scheme based on the person's Pay Related Social Insurance contributions from 2006 to 2015, given that the person has applied and is awaiting a result. [4482/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Jobseeker's Benefit (JB) is a weekly payment to people who are out of work and have paid Pay Related Social Insurance (PRSI) contributions at Classes A, H and P. The person concerned paid Class B contributions from 2006 to 2015 and is, therefore, not currently eligible for JB.

A client who does not qualify for JB may qualify for Jobseeker's Allowance (JA), which is a means tested payment. There is no record of a Jobseeker's application having been received for the person concerned.

Supplementary Welfare Allowance Payments

25. **Deputy Mattie McGrath** asked the Tánaiste and Minister for Social Protection if it is acceptable that extra allowances such as the supplementary welfare allowance diet supplement are being cut off or reduced for persons in receipt of the State pension as a result of the increase of €3 in the State pension; if this counteracts the increase announced in Budget 2016; if this was intended when the increase was announced; if she will ensure that reviews of such payments acknowledge the purpose of the increase in the State pension and make allowance for same; and if she will make a statement on the matter. [4514/16]

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

Following the outcome of a review of the costs of healthy eating and specialised diets by the Irish Nutrition and Dietetic Institute commissioned by the Department during 2013, the scheme has been closed to new applicants from 1 February 2014. The research showed that the average costs of the diets supplemented under the scheme could be met from within one third of the current rate of personal social welfare payments. A decision was taken to allow existing recipi-

ents to continue to receive the diet supplement at the current rate of payment for as long as they continue to have an entitlement to the scheme or until their circumstances change. This measure ensured that nobody was immediately worse off by the closure of the scheme. An increase in weekly means, including any increase in social welfare income including state pension, affects the rate of diet supplement payable.

Community Welfare Service (CWS) staff who administer the SWA scheme continue to have statutory powers to award a payment or supplement in cases of exceptional need. Customers experiencing financial hardship should contact their local CWS officer who may be able to offer assistance.

Community Employment Schemes Operation

26. **Deputy Clare Daly** asked the Tánaiste and Minister for Social Protection the steps she is taking and her oversight to ensure that persons on community employment schemes receive proper health and safety and manual handling training prior to starting a placement and that they are issued with proper protective clothing where appropriate. [4520/16]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): Community Employment (CE) sponsoring organisations, as the legal employers of CE participants, are responsible for ensuring that all relevant health and safety requirements under the Safety, Health and Welfare Act 2005, and any subsequent enactments are adhered to. Non-compliance with this legislation may be deemed non-compliance with the CE Agreement. The Health and Safety Authority are the statutory body with responsibility for ensuring that workers and those affected by work activities are protected from work-related injury and ill-health.

Furthermore, directors and senior managers carry particular responsibilities under the 2005 Act if it can be shown that an offence committed by their undertaking was attributable to neglect, connivance, consent or authorisation on their part. Penalties can include fines and/or prison sentences on conviction.

Certain types of training are considered mandatory for CE participants, including manual handling, and health & safety training. Many also complete courses in occupational first-aid and fire safety. Also, sponsors are responsible for supplying necessary tools, equipment and protective clothing for participants to undertake their work.

Where a project is involved in construction work, its activity is covered by the Safety, Health and Welfare at Work (Construction) Regulations 2001, as amended by the Safety, Health and Welfare at Work Regulations 2003. Project sponsors should ensure that they are aware of, and fully conversant with, their responsibilities under these regulations. Where construction work is involved, a Safepass card is also mandatory for each participant involved in site-related work.

An employer cannot penalise any employee for acting in accordance with safety and health laws, or for reporting complaints regarding safety and health matters at work.

Community Employment Schemes Operation

27. **Deputy Clare Daly** asked the Tánaiste and Minister for Social Protection how she monitors access to training for participants in community employment schemes; and why some persons are unable to access their required entitlements and choices. [4521/16]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys):

The delivery of training and development on Community Employment (CE) is in accordance with a tailored Individual Learning Plan. This is compiled by the CE Supervisor with the participant, having regard to the participant's training needs, career plan and employment goals. It is the responsibility of the scheme sponsor to ensure that all participants engage in training that is accredited on the National Framework of Qualifications (NFQ) or in industry-certified training that is quality assured and provides value for money to the Department. Training should be procured, in the first instance, from the local Education and Training Boards (ETBs) at low or no charge to the Scheme. It is recommended that this is planned in advance with the ETBs so that the learning needs of participants can be met.

Other training options must be procured through Departmental procurement procedures. Any proposed training that exceeds the training budget allocated is assessed based on the value of the training provided, having regard to furthering the overall employment prospects of the individual.

Training for participants is monitored through the programme and training monitoring visits carried out by the Department on an annual basis. In recent times, the Department has improved the programme and monitoring of schemes and the renewed focus on the training and development of individuals is leading to greater options and achievements for the learner. The role of the sponsoring organisation and the CE supervisor in the provision of training, guidance and support is also critical to achieving positive outcomes.

Carer's Allowance Applications

28. **Deputy John Perry** asked the Tánaiste and Minister for Social Protection to facilitate an application by a person (details supplied) under the carer's allowance scheme; and if she will make a statement on the matter. [4552/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Carer's Allowance (CA) is a means-tested social assistance payment, made to persons who are providing full-time care and attention to a person who has a disability such that they require that level of care.

The person concerned applied for CA on 5 March 2015. The application was refused by a deciding officer (DO) as she could not be considered to be providing full-time care and attention to the care recipient due to her working outside the home for in excess of 15 hours per week, contrary to the eligibility requirements.

The person appealed this decision to the independent Social Welfare Appeals Office but the appeal was disallowed. Under Social Welfare legislation, the decision of an AO is final and conclusive and may only be reviewed in the light of relevant additional evidence or new facts.

If the circumstances have changed and the person concerned wishes to make a new application, she should complete and return the application form (CR1) that I have arranged to issue to her. Once all documentation is received, a deciding officer will make a decision and the person concerned will be notified directly of the outcome.

Tax Code

29. **Deputy Pearse Doherty** asked the Minister for Finance the expected revenue from the imposition of a 25% special tobacco levy on tobacco companies as a proportion of the profits they generate in the Irish market. [4534/16]

Minister for Finance (Deputy Michael Noonan): I understand that the Deputy is proposing to apply a tax on the profits of tobacco companies. The Deputy may be aware that the Irish Heart Foundation proposed a similar levy in its pre-Budget 2016 submission. I take all proposals made as part of the Budget and Finance Bill process under consideration, and will continue to do so.

In Ireland profits of companies are taxed through corporation tax. Ireland's corporate tax rate of 12.5% on trading income is akin to a brand and is an important part of the Government's strategy of creating an enterprise friendly environment to attract jobs and investment to Ireland. One of the main features of the rate is its simplicity and the fact that it applies to a broad base.

The Deputy's suggested approach would involve complexity and could undermine the attractiveness of Ireland's corporate tax offering.

It is not possible to predict the effect such a levy would have on the behaviour and decisions of companies within the State. This uncertainty in relation to responses prevents a reliable estimate being made of any yield that might accrue to the Exchequer if such a levy were imposed on their profits. The proposal could also give rise to State Aid implications.

Mortgage Interest Relief Eligibility

30. **Deputy Catherine Murphy** asked the Minister for Finance the changes in eligibility for tax relief on mortgage interest in respect of first-time buyer home loans in 2009 and 2010; if first-time buyers who obtained their mortgages in those specific years are entitled to the same or to a higher benefit under the scheme; the reason for this measure; the amounts offered in mortgage interest relief for first-time buyers in each year from 2002 to 2015; and if he will make a statement on the matter. [4569/16]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that mortgage interest relief has been abolished for homes purchased since 1 January 2013. Up until 2018 however, tax relief continues to be available for interest paid on all qualifying home loans taken out on or after 1 January 2004 and on or before 31 December 2012, regardless of whether the individuals concerned are first-time buyers or non-first-time buyers.

Mortgage interest relief was restricted in Finance Act 2009 so that, with effect from 1 May 2009, the interest payable on a qualifying home loan qualified for tax relief only for the first 7 tax years of the life of that loan. This applied to the interest payable on existing and new qualifying home loans by both first-time buyers and by non first-time buyers.

There was no change in the rate at which tax relief was available to first-time buyers, which was as follows:

- 25 per cent of relievable interest for years 1 and 2;
- 22.5 per cent of relievable interest for years 3, 4 and 5; and -
- 20 per cent of relievable interest for years 6 and 7.

For non first-time buyers, the rate of relief was 15% of relievable interest. Relievable interest is the amount of interest paid, subject to a ceiling on the maximum amount that can be relieved, as follows:

- In the case of a first-time buyer in the first seven years of entitlement - €10,000 (€20,000

for a married individual/civil partner/widowed individual) and

- In other cases €3,000 (€6,000 for a married individual/civil partner/widowed individual).

Where mortgage interest relief would otherwise have ceased in 2010 or later, Finance Act 2010 extended the tax relief to 2017 at prevailing rates and ceilings. That Act also extended the tax relief to 2017 on interest paid on new qualifying home loans taken out on or before 31 December 2012. There was no subsequent change to the rates or ceilings in respect of first time buyers who took out a loan in 2009 or 2010.

Finance Act 2012 subsequently introduced a new rate of relief of 30% of relievable interest, again subject to the ceilings above, as respects qualifying interest paid on a qualifying loan taken out on or after 1 January 2004 and on or before 31 December 2008. This applied to the purchase of an individual's first qualifying residence or second or subsequent qualifying residence but only where the first qualifying residence was purchased on or after 1 January 2004. The rationale behind this change was to help address the particular problems faced by those who bought homes at the height of the property boom between 2004 and 2008, fulfilling the commitment in the Programme for Government.

Further detailed information in relation to mortgage interest relief is available from Tax and Duty Manual 08.03.08 which is available on the Revenue website - <http://www.revenue.ie/en/about/foi/s16/income-tax-capital-gains-tax-corporation-tax/part-08/08-03-08.pdf>.

Public Sector Staff Sick Leave

31. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform to support a matter regarding the case of a person (details supplied) in Dublin 3; and if he will make a statement on the matter. [4568/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): While I cannot comment on individual cases or circumstances the following sets out the position in relation to the Public Service Sick Leave Scheme and the Critical Illness Protocol.

The Public Service Sick Leave Scheme came into effect on 31 March 2014. The rationale for the Scheme is to provide support to public servants who become ill while at the same time reduce the unsustainable cost of sick leave in the public service, increase productivity and reduce absenteeism.

Although the new scheme did reduce access to sick pay overall it retained the previous access to sick pay for those public servants who suffer from a critical illness or injury. Where an individual is given access to the critical illness provisions the Scheme provides for:

- up to 365 days' paid sick leave in a four year period (comprising 183 days or 6 months on full pay in a rolling one year period, followed by 182 days a further 6 months on half pay). This is the same as the access that existed under the previous sick leave schemes in place across much of the public service.

- under a protective year provision, an individual who has taken sick leave because of a critical illness will continue to have access to the extended sick pay limits for 12 months following the first day of the critical illness.

- an extended period of temporary rehabilitation remuneration (TRR) of up to 730 days (2 years). This may be paid where it is a direct continuation of an illness under the Critical Illness

Protocol and further period of sick leave is required to rehabilitate from the critical illness/injury;

- an occupational health physician certifies that there is a reasonable prospect of the individual returning to work and giving regular and effective service; and
- the decision to award the additional period of temporary rehabilitation remuneration is reviewed every 6 months.

While I have outlined the general provisions of the Sick Leave Scheme that relate to critical illnesses it is the individual's circumstances, including their sick leave record and the nature of the illness, that are relevant in determining their access to paid sick leave.

Ministerial Staff

32. **Deputy Peter Fitzpatrick** asked the Minister for Public Expenditure and Reform if a parliamentary assistant to a Teachta Dála, who is a Minister, has the same entitlement to apply for voluntary early retirement as a parliamentary assistant to a Teachta Dála who is not a Minister; and if he will make a statement on the matter. [4497/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer the Deputy to my response to PQ 3324 of 27 January on the same matter.

Flood Relief Schemes Funding

33. **Deputy Colm Keaveney** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 89 of 26 November 2015, if he reconsidered the case and if he will expedite the granting of funding for these necessary flood relief measures; and if he will make a statement on the matter. [4504/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): As indicated in my reply to Parliamentary Question Number 89 of 26 November 2015, further information is required from Galway County Council (GCC) in relation to the determination of benefits attributable to the proposed works having regard to the complex nature of the cause of flooding at this location.

No further submission has been received to date from GCC but it remains open to the Council to provide clarification in support of a revised application for funding.

Office of the Ombudsman Investigations

34. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 16 of 14 October 2015, if he is aware that the judicial reviews against the ombudsman have been settled on terms favourable to the applicants; if he will examine changes to the in-house complaints procedure to ensure that needless and expensive court challenges are not required; and if he will make a statement on the matter. [4505/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am advised that the four Judicial Reviews against the Ombudsman alluded to were withdrawn by agreement between the parties and were not settled in either party's favour. The Office of the Om-

budsman is an independent Office accountable to the Houses of the Oireachtas. That said, I am aware that the Ombudsman does afford individuals an opportunity to review decisions reached on their complaints to his Office. I am also advised that the Ombudsman keeps his Office's complaint-handling processes and procedures under ongoing review.

Departmental Agencies Expenditure

35. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform the amount the Commission for Public Service Appointments incurred in independent psychologist fees in the years 2012 to 2016 to date; if he will sanction the employment of a psychologist to professionally assist the commission in discharging its important duties; and if he will make a statement on the matter. [4506/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am advised that the Commission for Public Service Appointments has not incurred fees in respect of engaging an independent psychologist in the years 2012 to 2015 or to date in 2016. Any requests for the employment of a Psychologist for the Commission would be considered in line with normal procedures for approving the recruitment of staff and on the merits of the case presented.

Commission for Public Service Appointments

36. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 17 of 14 October 2015, the date the legal tender was entered into; if it prevented the Commission for Public Service Appointments from having recourse to the taxing master process; why substantial fees were incurred in this case; if he is aware that the commission is liable for discharging the legal fees of the applicant who successfully argued that the commission was subject to judicial review; given this judgment, the changes he will introduce in the personnel, procedures and processes of the commission; and if he will make a statement on the matter. [4507/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I am advised that the legal service provider was engaged by the Office of the Commission for Public Service Appointments (CPSA) in December 2009. The arrangement with the providers did not prevent the CPSA from having recourse to the Taxing Master process. The CPSA incurred legal fees in successfully defending an application for a Judicial Review. A discrete argument in the proceeding was whether or not the CPSA was subject to Judicial Review in the circumstances before the Court. The Court ultimately found that the CPSA was subject to Judicial Review as argued by the applicant, who was awarded his costs in relation to that discrete argument. As the CPSA was successful in its defence of the substantive issue raised in the Judicial Review, I am satisfied that there is no need for actions and procedures employed by the CPSA arising from this case specifically to be scrutinised over and above the normal reviews undertaken on an ongoing basis by the Commission.

Departmental Staff Career Breaks

37. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform the options open to a civil servant on a six-month career break to extend it by a further two months; and if he will make a statement on the matter. [4508/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): As part of my responsibilities as Minister for Public Expenditure and Reform, I have responsibility for the terms and conditions of employment of civil servants, including career breaks.

Career breaks consist of special leave without pay for a period of not less than six months for the following reasons:

- family reasons
- other domestic reasons
- travel
- educational purposes
- taking up employment in the private sector
- becoming self employed

A civil servant may apply to extend the career break in six monthly periods, or in periods in excess of six months, provided the total period of continuous special leave without pay does not exceed five years, or three years in cases of self employment or employment in the private sector.

Departmental Staff Retirements

38. **Deputy Finian McGrath** asked the Minister for Public Expenditure and Reform if an existing contract is in place to provide retirement planning courses for civil servants; when the next tendering process will take place for such courses; and if he will make a statement on the matter. [4509/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): During 2015 a tender competition was run by the Office of Government Procurement on behalf of my Department for retirement planning courses. This resulted in a contract being awarded in September 2015. Unfortunately the service provider decided not to continue with the operation of the contract which concluded with courses being provided at the end of January. A new tender competition commenced on 18 January 2016.

Planning Issues

39. **Deputy Seán Kyne** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 232 of 11 November 2014, if the plans have been updated. [4517/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): OPW is progressing the plan for the development of an integrated traffic management system for the roadway leading to the Dun Aonghusa Visitor centre and hopes to lodge a Planning Application for the relevant physical works measures by end of March 2016.

Pension Provisions

40. **Deputy Róisín Shortall** asked the Minister for Public Expenditure and Reform why the employment status of a person (details supplied) in County Dublin in relation to a pension was changed from constable to labourer; the implications of this change on the rate of payment to

the person; and if this rate of payment is correct. [4537/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): I am advised by the Commissioners of Public Works that there has been no change made by them in the pensionable status of the person concerned.

Action Plan for Jobs

41. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation his targets to reduce long-term unemployment in terms of specific numbers and percentages in each of the years 2016 to 2020; and the measure that will be taken to achieve this. [4530/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The goal of this Government has been to replace all of the jobs lost during the economic crisis and deliver sustainable full employment by the end of 2018. This whole of Government effort has been integrated into the Action Plan for Jobs process which aims to strengthen the enterprise base, support entrepreneurship and start-ups, regain Ireland's lost competitiveness and ensure the potential of the regions for development and job creation through Action Plan for Jobs-Regional is fully realised, supported by competitive regional funds.

The Action Plan for Jobs complements the Government's new Pathways to Work which sets out actions to be taken in support of those that are currently unemployed in order to help them access the labour market and new job opportunities.

The Government's strategy is working. Since the first Action Plan for Jobs was launched in Q1 2012, 135,800 more people are at work. Action Plan for Jobs 2016, the fifth Plan, was launched in mid-January and marks the transition from an economy recovering from the most severe recession to a competitive, innovative, highly productive economy providing sustainable full employment for its people. It also marks the transition to the implementation of key Government policies that plan for medium term growth. *Enterprise 2025* is our ten year jobs and enterprise strategy, which sets out the roadmap to build a sustainable economy and have 2.18 million people at work by 2020, the highest in the history of the State.

Enterprise 2025 was launched in November 2015. It sets out the potential to reach 2.180 million in employment and an overall unemployment rate of 6 percent by 2020. *Enterprise 2025* envisages an additional 266,000 people in employment by 2020 starting from a 2014 baseline. Achieving this ambition is based on the premise of export led growth and the additional indirect jobs stimulated by the activities of exporting enterprises in the wider economy. Annualised targets have not been set out in the strategy for job creation or specifically for reducing long-term unemployment.

The ambition is predicated on taking the actions set out in *Enterprise 2025* which are focused on supporting the productive sector, enhancing our relative competitiveness, leveraging existing comparative advantage in key sectors, addressing structural issues in the economy, improving productivity and the capacity of enterprises to innovate. *Enterprise 2025* is complemented by the Pathways to Work (PtW) strategy 2016-2020 that that reflects a shift in focus from 'activation in a time of recession' to 'activation in a time of recovery and growth'. PtW involves maintaining a priority focus on addressing the young and long term unemployed and also aims to increase labour market participation and employment progression of people who are not currently active in the labour market.

In addition, the Action Plan for Jobs sets out a more detailed annualised programme of action aimed at achieving the 2020 ambition and is subject to ongoing monitoring in term of

delivery of actions and resulting impact.

Regional Action Plans for each of the eight regions in Ireland have been developed through a collaborative process, and launched over recent months. They aim to realise employment growth throughout the country, leveraging the assets and potential of each and every region in Ireland.

Through coordinated action across Government and strong alignment across relevant strategies we have ensured a commitment and strong focus on job creation, on reducing unemployment and on realising our ambition for sustainable growth over the coming decade.

Basic Payment Scheme Payments

42. **Deputy Billy Kelleher** asked the Minister for Agriculture, Food and the Marine the reason for the delay in a person (details supplied) in County Cork receiving a grant under the area aid scheme; when the application will be completed; and if he will make a statement on the matter. [4489/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): My Department received a 2015 Private Contract Clause application from the person named seeking the transfer of land and entitlements by lease as transferor. There was an issue with regard to one land parcel that was subject of this application which required to be resolved in order to process the application. Officials in my Department are resolving this issue to facilitate processing of the application. Payment under the Basic Payment Scheme will issue as soon as possible.

GLAS Eligibility

43. **Deputy Michael Fitzmaurice** asked the Minister for Agriculture, Food and the Marine if tier 3 farmers will be allowed into the second tranche of the green low-carbon agri-environment scheme; and if he will make a statement on the matter. [4495/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The unprecedented level of applications to the Scheme has meant that for GLAS 2, priority is being given to what are called Tier 1 and Tier 2 candidates, i.e. those who either manage key environmental assets like endangered birds, protected habitats or high-quality water courses, or who have committed to undertake particularly valuable environmental actions like growing feed-crops for wild birds, adopting low-impact tillage techniques or using low-emission slurry spreading methods.

Farmers had been urged to present the highest standard environmental plans under GLAS 2, and to adopt actions that would promote them from Tier 3 to a higher tier, thereby significantly increasing the chance of selection. I am delighted that over 80% of applicants in this second tranche of GLAS opted to do so, and with the funding available to me I have been able to approve all of these.

In addition all GLAS 2 applications from new entrants to farming in 2015, and from new farm partnerships, have been granted priority access under this round, because of difficulties they had in applying under GLAS 1. This includes applications by new entrants or partnerships from Tier 3.

A third tranche of GLAS will open later this year and any applicant who was unsuccessful this time round has the opportunity now to re-examine their proposed farm-plan in consultation

with their advisor and see how it might be improved to increase their chance of selection under GLAS 3.

Agriculture Scheme Payments

44. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Clare will receive farm payments; and if he will make a statement on the matter. [4496/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under Basic Payment/Areas of Natural Constraints Scheme was received from the person named on 5 April, 2015. Processing of the Areas of Natural Constraints Scheme application is complete and payment has issued to the nominated bank account of the person named. The person named also submitted a 2015 Transfer of Entitlement Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and values as transferee by gift of holding. My Department wrote to the person named on 13 January 2016 regarding issues in relation to land parcels that need to be resolved to further process this application. No reply has been received to date by my Department. Once a reply has been received the application can be further processed with a view to making payment under the Basic Payment Scheme as soon as possible thereafter.

The person named has also submitted an application under the Young Farmers Scheme. Once payment under the Basic Payment Scheme has been made the application under the Young Farmers Scheme will be finalised with a view to payment shortly thereafter.

Areas of Natural Constraint Scheme Eligibility

45. **Deputy Joe Carey** asked the Minister for Agriculture, Food and the Marine the steps whereby a person can retain payment under the areas of natural constraint scheme while entering a long-term leasing arrangement with another person; and if he will make a statement on the matter. [4527/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Areas of Natural Constraints Scheme provides for applicants where their holdings comprise of a minimum of three hectares of designated lands. Suitable lands may be owned, leased or rented, but must be under the control of the applicant for the scheme year in question.

Fishing Industry

46. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine the supports in place or to be put in place for a person (details supplied) in County Kerry who has been unable to fish for the past few months; and if he will make a statement on the matter. [4533/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): It is important that the fishing industry take every precaution to avoid risk of injury or worse during periods of stormy weather and have full regard to local weather warnings before venturing to sea. Fishermen who may be experiencing financial difficulties while ashore during periods of adverse weather should contact the Department of Social Protection which offers income support payments, subject to certain eligibility criteria. The new Seafood Development Operational

Programme under the European Maritime and Fisheries Fund was adopted by the European Commission in December 2015. That Programme provides a comprehensive range of supports for the seafood sector worth €241 million, including a dedicated scheme of supports for the inshore sector to address the various economic and sustainability challenges facing the sector.

In relation to specific measures to support fishermen affected by significant losses arising from adverse weather events, the EMFF and the Operational Programme provide for the establishment by fishermen of a Mutual Fund for Adverse Climatic events and Environmental Incidents, which when established can provide aid to fishermen affiliated to the Fund in line with pre-defined rules. The Operational Programme will co-fund the Mutual Fund, together with subscriptions from member fishermen. In that sense, the viability of such a Mutual Fund is dependent on the extent to which fishermen commit to membership of that Fund.

Following the December 2015 adoption of the Programme, I launched the initial tranche of schemes on 14 January 2016 at the Government Press Centre with the support of the European Commission. Further schemes will follow during 2016. I will be discussing with fishing representatives how they may establish this Mutual Fund over the course of 2016.

Basic Payment Scheme Payments

47. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) in County Wexford has not received a payment under the basic payment scheme; and if he will make a statement on the matter. [4539/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Applications for this herd number for the 2015 Basic Payment Scheme were received in the Department on 27 March 2015, 13 April 2015 and 28 May 2015. These applications were from different legal entities. The issues caused by these multiple applications have been resolved recently and payment will issue to the appropriate nominated bank account shortly. The person named submitted a 2015 Transfer of Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and reference values as transferor to a company. He also submitted a 2015 Private Contract Clause application to my Department. My Department was required to resolve a customer dual claim in this case in order to process the transfer application. This has now been resolved, the transfer application has been fully processed and payment under the Basic Payment Scheme will issue shortly.

GLAS Payments

48. **Deputy John Perry** asked the Minister for Agriculture, Food and the Marine to facilitate a payment to a person (details supplied) under the green low-carbon agri-environment scheme; and if he will make a statement on the matter. [4551/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named has been approved under Tranche 1 of GLAS with a contract start date of 1 October 2015. GLAS applicants with a start date of 1 October 2015 are entitled to a 2015 part-year payment in respect of certain actions, and covering the three month period 1 October 2015-31 December 2015.

During the prepayment validation checks on the application of the person named a query was identified. Department officials are examining this query with a view to resolving it and moving to process the application for the part-year payment as soon as possible.

Overseas Missions

49. **Deputy Gerry Adams** asked the Minister for Defence if he will provide details of the humanitarian work of the Defence Forces in Tibnin in Lebanon; and if he will make a statement on the matter. [3907/16]

Minister for Defence (Deputy Simon Coveney): The Defence Forces have been involved in humanitarian activities overseas in conjunction with their participation in peace support missions for many years. In the years prior to the withdrawal of the Irish Battalion from UNIFIL in November 2001, that ‘reaching-out’ was done in numerous practical ways such as the support given to the orphanage at Tibnin, the Irish Battalion Medical Clinics run for the local people, the aiding of the elderly and the annual helping with the harvests. The main source of funding towards this Humanitarian work comes in the form of a financial subvention from Irish Aid. Since the return of the Irish Contingent to UNIFIL in mid 2011, Irish Aid has funded the following projects which have been identified and supported by Irish Contingents:

- Installation of solar powered street lighting in Ayn Ibil (US\$24,000)
- Erection of a fence around the waterhole in Bayt Yahoun (US\$ 5,600)
- Purchase of physiotherapy equipment and wheelchairs for the Mosan Centre, Tyre (US\$10,983)
- Purchase of an electrical generator for the village of Yarun (US\$11,660)
- Purchase of a vegetable drying machine for a women’s agricultural cooperative in the municipality of Bint Jubayl (€6,000)
- Lebanese Association for Human Promotion and Literacy (€4,000)
- Generator to provide power to 200 houses without power in the municipality catchment area of Bayt Yahoun (\$25,000)
- Community Garden in the village of Aytarun (\$12,500) to provide a neutral area for locals and Syrian Refugees who have been relocated to the village.

Although Tibnin village lies outside of the Irish Contingent’s current area of operations, a project supported by the Defence Forces for the provision of a replacement minibus for Tibnin orphanage (\$15,000) has also recently been funded by Irish Aid.

Commemorative Events

50. **Deputy Gerry Adams** asked the Minister for Defence if relatives of 1916 veterans who did not accept a State pension are permitted for inclusion on the register to attend State centenary events; the procedure for inclusion on the register; and if he will make a statement on the matter. [4526/16]

Minister for Defence (Deputy Simon Coveney): Whilst responsibility for the Decade of Centenaries Programme rests with my colleague the Minister for Arts, Heritage and the Gael-tacht, one of the tasks assigned to my Department is that of custodian of the Register of Relatives of those who participated in the 1916 Easter Rising. Relatives of participants involved in the Rising, who had not previously attended annual events to commemorate it, or expressed their interest in such events in previous years, were invited to complete an application form to register their interest in attending a major State ceremony to commemorate the Centenary of

the 1916 Easter Rising at the GPO, O'Connell Street on Easter Sunday 2016. This was a preliminary process to gather relevant details and to assess the numbers of Relatives who wish to receive an invitation to an area reserved for Relatives at the commemoration.

As stated in the Application Form, submission of an application is not a guarantee of an invitation. This registration process commenced on 1 April 2015 and closed on 30 September 2015. This closing date was necessary to allow sufficient time required to plan for a State ceremonial event of this scale and to fully consider all of the logistical and operational challenges involved.

Applicants were required to provide details of their relationship to a participant in the 1916 Rising and, where possible, to briefly outline the part played by their Relative in the Rising. Information provided was verified by the Department of Defence, principally, but not solely, by reference to Department records held as part of the Military Service Pensions Collection. In the circumstances where the Department was unable to confirm the relationship to the 1916 service of the relative mentioned on the Application Form the applicants were contacted and invited to provide additional information in support of their application.

Those that were not included on the register can view the Parade all along the Parade route and it is intended that there will also be a public viewing area on O'Connell Street. Large screens will also be erected for maximum visibility.

Parole Boards

51. **Deputy Finian McGrath** asked the Minister for Justice and Equality the progress in giving effect to the 2011 decision to establish the Parole Board on a legally independent basis; the details of appointments made to the board in the past three years; if the vacancies were advertised; and if she will make a statement on the matter. [4511/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): In September 2014 I published the report of the Penal Policy Review Group which was tasked with carrying out a strategic review of penal policy. As an initial step, the Government agreed in principle in November 2014 to proceed with the implementation of a number of key recommendations, including the bringing forward of legislative proposals to establish the Parole Board on a statutory footing. Work is ongoing on the preparation of a general scheme.

I can inform the Deputy that I made the following appointments to the Parole Board in the last three years:

| YEAR | NAME |
|---------------|--|
| January 2013 | Mr. Mick Duff |
| February 2014 | Dr. Michael Mulcahy (re-appointed) |
| July 2014 | Mr. John Costello, Chairman (re-appointed) |
| | Ms. Ciairín de Buis (re-appointed) |
| January 2015 | Mr. Martin Smyth (ex officio) |
| July 2015 | Mr. Willie Connolly (re-appointed) |
| | Mr. Shane McCarthy (re-appointed) |
| | Ms. Nora McGarry (re-appointed) |
| | Mr. Eddie Rock (re-appointed) |

| YEAR | NAME |
|----------------|---|
| September 2015 | Mr. Noel Dowling (ex officio) |
| January, 2016 | Mr. Ray Kavanagh (appointed in January 2013 and re-appointed in January 2016) |

As I have stated previously, the members appointed by me represent a diverse range of experience and expertise which I believe is invaluable to the work of the Parole Board.

Irish Naturalisation and Immigration Service Data

52. **Deputy Clare Daly** asked the Minister for Justice and Equality further to Parliamentary Question No. 143 of 26 November 2015 and her statement that the statistics were being compiled and would be provided to the Deputy in due course, if she will forward same to this Deputy. [4532/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the information sought by the Deputy will be available very shortly and in that regard I will write to the Deputy directly on the matter.

Crime Levels

53. **Deputy Niall Collins** asked the Minister for Justice and Equality if she is aware of the continued concern of the local community at the increased crime levels in Tallaght in Dublin 24; her views on the need to provide additional resources to An Garda Síochána to deal with this situation; and if she will make a statement on the matter. [4543/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am of course very conscious of the impact of crime on communities and An Garda Síochána treat all incidents of crime extremely seriously. In this regard Gardai engage extensively with the community in Tallaght and elsewhere in a range of fora to take on board and respond to local community safety concerns.

It should be noted that the Recorded Crime Statistics published by the Central Statistics Office (CSO) for Quarter 3 of 2015 show some encouraging trends across a number of crime categories. In particular, the latest CSO figures show a notable decrease of 47.4% in the number of murders recorded as well as reductions in other important crime categories such as robbery and weapons offences which were down 9.1% and 7.3% respectively.

The Government is tackling crime in all areas of the country by investing heavily in policing resources. In particular, the Capital Plan 2016 - 2021 makes provision for the ongoing delivery of new Garda vehicles, as well as very significant investment in new technology and information systems for An Garda Síochána, amounting to an investment of €205m over the life of the Plan. In addition, the Government has ended the moratorium on Garda recruitment and Budget 2016 made provision for the recruitment of 600 new Gardaí this year bringing to 1,150 the number of new Gardaí who will have been recruited since the reopening of the Garda College in Templemore in September 2014. Early operational feedback from the Garda authorities indicates that the investments in policing are paying off. For example since its launch on 2 November 2015, Operation Thor has made a significant impact on crime, in particular burglary, with an estimated decrease in burglary of 34% when compared to the same period the previous year (these figures will be subject to further analysis and verification by the CSO in due course,

in advance of the publication of the full official crime figures for 2015). Operation Thor provides for intensive overt and covert patrols and maximises all available operational resources to prevent crime, disrupt criminal activity and apprehend criminals .

While the deployment of Garda resources in particular locations is a matter for local Garda management in the first instance, I am informed by the Garda authorities that the Tallaght Garda District is policed by regular uniformed units, community policing units as well as District Detective and District Drug Units. It is also supplemented by resources from Divisional units including the Divisional Traffic Unit and the Divisional Burglary Unit. I am confident that the greatly increased resources which the Government has made available will enable An Garda Síochána to make a significant impact on all forms of crime, to the benefit of communities in Tallaght, as elsewhere.

Home Schooling

54. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the number of children being home educated; and if he will make a statement on the matter. [4498/16]

55. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs the status of the review of the guidelines on home school tuition, including the next steps he will take in furthering the review; when it will be completed; and if he will make a statement on the matter. [4499/16]

Minister for Children and Youth Affairs (Deputy James Reilly): I propose to take Questions Nos. 54 and 55 together.

Tusla, the Child and Family Agency under the remit of my Department, has a statutory obligation under Section 14 (1) of the Education (Welfare) Act, 2000, to maintain a register of children being educated in a place other than a recognised school. This requirement exists in order to safeguard a child's constitutional and legal right to a certain minimum education.

The legislation states that where a parent chooses to educate his or her child in a place other than a recognised school he or she shall apply to the Agency to have the child placed on the register. This includes children whose parent chooses to educate them at home. I am advised by the Agency that 1,111 children were included on this register on 29 January 2016.

Following receipt of an application by a parent to have their child placed on the register, the Agency arranges for a preliminary assessment, and if necessary a further comprehensive assessment to be undertaken, to determine whether the child is in receipt of a certain minimum education. Assessments are carried out by authorised persons appointed by the Agency. When the Agency is satisfied that the child concerned is receiving a certain minimum education, the child is placed on the register.

Under the Education (Welfare) Act, 2000, the Minister for Education and Skills has a function to issue guidelines for the purposes of determining whether a child is receiving a certain minimum education. These guidelines were issued by the Minister for Education and Skills in 2003. In relation to the review referred to in the Deputy's question, I am advised that the Agency has initiated a consultation on the arrangements involved in carrying out the assessment process to determine whether a child is in receipt of a certain minimum education and how the Agency engages with families who are home schooling. The purpose is to inform the Agency's deliberations in relation to its delivery of services. The consultation commenced in November 2015 and has now concluded. It included on-line consultations and workshops with

home schooling families and private schools and others. I am advised that the Agency plans to publish the outcome of the consultations in the coming months.

After-School Support Services

56. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs the steps he has taken and when he will establish a group to agree a model for afterschool care, including a quality framework (details supplied); and if he will make a statement on the matter. [4559/16]

Minister for Children and Youth Affairs (Deputy James Reilly): The Inter-Departmental Working Group on Future Investment in Childcare, which reported in July 2015, recommended that my Department, with relevant partners, should develop a model for after-school care, including a quality standards framework.

My Department will shortly be establishing a Working Group to develop quality standards for after-school and out-of-school care. In preparation for this, and in accordance with the Working Group's recommendations, my Department considers it important to seek the views of children of primary school age in relation to what their concerns and priorities would be. The Department is currently planning consultations with children aged 5 to 12 years. The plan is to work separately with 5-7 year olds and 8-12 year olds. It is anticipated that this consultation will be completed by June 2016.

Action Plan on Bullying

57. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs if he will publish a national strategy on children's cyber safety and to ratify United Nations treaties to protect children online; and if he will make a statement on the matter. [4564/16]

Minister for Children and Youth Affairs (Deputy James Reilly): In relation to the first part of the question, I have no plans to publish a National Strategy on Children's Cyber Safety.

Responsibility for children's safety when accessing the internet and social media extends across a number of Government Departments. Areas of concern include cyber bullying, accessing illegal or inappropriate content, and the dangers of posting content online.

The Action Plan On Bullying, which was published in January 2013, clearly recognised the necessity to tackle the issue of bullying in a holistic way which saw schools as pivotal, but placed the issue within a much wider social context. Cyberbullying is just one aspect of bullying but one, given the rapid expansion of access to technology by young people, that has come much more sharply into focus. The implementation of the Action Plan on Bullying, which is being led by the Department of Education and Skills, provides the framework for the Government's absolute commitment to working with a broad base of interests to protect children and ensure a safer childhood.

The *Children First* National Guidance for the Protection and Welfare of Children is also an important resource in the identification, investigation, assessment, reporting, treatment and management of child abuse, including bullying. Tusla, the Child and Family Agency, has an important role in this regard.

My Department supports the National Youth Health Programme which is in partnership with the HSE and the National Youth Council of Ireland. The programme's aims are to provide a broad-based, flexible health promotion / education support and training service to youth

organisations and to all those working with young people in out-of-school settings. The 'Web Safety in Youth Work' resource, available on the National Youth Council's website, provides valuable advice to young people on reporting online behaviour and on passing on concerns about the protection and welfare of a child or young person.

In relation to illegal content and the posting of personal content online, the important role of parents in talking to their children and providing a space for them to explore issues and voice their concerns cannot be over-emphasised. Parents also have an important function in setting boundaries and implementing parental controls to ensure that their children are not accessing age-inappropriate material.

The Office for Internet Safety is an Executive Office of the Department of Justice and Equality and was established by the Government to take a lead responsibility for internet safety in Ireland, particularly as it relates to children. As part of its work it holds an annual Safer Internet Day. This year's Safer Internet Day will be held on 9th February and the focus of the day is to highlight the issues around explicit self-generated images of minors being posted on the Internet, and how any image or video posted on the Internet immediately ceases to be private.

The Office for Internet Safety supports the Hotline.ie service, which provides an anonymous facility for Internet Users to report suspected illegal content, particularly Child Sexual Abuse Material, accidentally encountered online, in a secure and confidential way. In addition to Hotline.ie, there are a number of other websites such as Childline, webwise, Facebook and Twitter, that have the capacity to facilitate anyone to report a concern that they have come across online.

The second part of the Deputy's question refers to the ratification of United Nations Treaties and I am answering on the basis that he is referring to Ireland's ratification of the United Nations Second Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. My Department has a co-ordinating responsibility for implementation of the Convention and its related Protocols.

The ratification of the Protocol is pending, to ensure that all arrangements are in place to fully comply with the related obligations. The substantive criminal law elements of the Optional Protocol have largely been implemented by the Child Trafficking and Pornography Act 1998 and the Criminal Law (Human Trafficking) Act 2008.

On 23rd September 2015 the Minister for Justice and Equality published the Criminal Law (Sexual Offences) Bill. The Bill is currently being considered by Dáil Éireann. It includes wide-ranging provisions to enhance the protection of children and vulnerable persons from sexual abuse and exploitation. These provisions include new measures to protect children from online predators.

When enacted, the Bill will comply with the criminal law provisions of a number of international legal instruments including the UN Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. Ireland will then be in a position to proceed with its commitment to ratify the Protocol.

Drug Treatment Programmes

58. **Deputy Finian McGrath** asked the Minister for Health why a drugs treatment centre (details supplied) in Dublin 17 is being forced to close due to threats and intimidation; to act on this matter; and if he will make a statement on the matter. [4567/16]

Minister of State at the Department of Health (Deputy Aodhán Ó Ríordáin): The issue

raised by the Deputy is a service matter for the Health Service Executive (HSE). Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Treatment Abroad Scheme

59. **Deputy Mary Mitchell O'Connor** asked the Minister for Health why surgery has been delayed for a person (details supplied) in Dublin 18; and if he will make a statement on the matter. [4490/16]

Minister for Health (Deputy Leo Varadkar): I am advised by the HSE Treatment Abroad Scheme office that this patient has been contacted and has been informed that he is approved for assessment, the surgery and one follow up treatment.

Hospital Staff Recruitment

60. **Deputy Thomas P. Broughan** asked the Minister for Health the urgent steps he is taking to fill the 120 vacant nursing posts at Beaumont Hospital in Dublin 9; and if he will make a statement on the matter. [4491/16]

Minister for Health (Deputy Leo Varadkar): The issue raised by the Deputy is a service matter for the Health Service Executive (HSE). Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Nursing Staff Recruitment

61. **Deputy Thomas P. Broughan** asked the Minister for Health the cost of recruiting an additional 1,000 nurses; and if he will make a statement on the matter. [4492/16]

Minister for Health (Deputy Leo Varadkar): The issue raised by the Deputy is a service matter for the Health Service Executive (HSE). Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Health and Social Care Professionals Registration Boards

62. **Deputy Mary Mitchell O'Connor** asked the Minister for Health the steps he is taking to ensure balance between the public interest and the interests of practitioners and service providers when appointments are made to the Registration Boards established for designated professions under the Health and Social Care Professionals Act 2005; and if he will make a statement on the matter. [4512/16]

Minister for Health (Deputy Leo Varadkar): Under the Health and Social Care Professionals Act 2005, registration boards established for the designated professions consist of 13 members, comprising 6 professional members and 7 other members. It has been the policy and practice to appoint lay people to these 7 positions thereby ensuring a lay majority on the boards.

These members include:

- 1 representative of the management of the public health sector, the social care sector or both sectors;

- 1 representative of the management of a voluntary or private sector organisation concerned with health or social care;
- 1 representative of third level educational establishments involved in the education and training of members of the profession nominated by the Minister for Education and Science; and
- 4 representatives of the public interest.

The nomination and appointment process for boards of bodies under the aegis of my Department is set out in legislation. In line with Government Decision S180/20/10/1617 of 2014, relating to the advertising for expressions of interest in vacancies on state boards, and Department of Public Expenditure and Reform Guidelines, my Department in conjunction with the Public Appointments Service website portal, Stateboards.ie, currently advertises for board vacancies as they arise, where I, as Minister for Health, have nominating rights under relevant legislation.

In a number of cases the Minister for Health may decide to re-appoint a board member for a second term, which is in keeping with the Department of Public Expenditure and Reform's Guidelines. I also appoint members on the nomination of various bodies in accordance with the relevant legislation. I have no function in these nominations other than the actual appointments.

Legislative Measures

63. Deputy Mary Mitchell O'Connor asked the Minister for Health how long it will take to complete by-laws under the Health and Social Care Professionals Act 2005; and if he will make a statement on the matter. [4513/16]

Minister for Health (Deputy Leo Varadkar): The making of by-laws is an on-going function of the registration boards that are being established on a phased basis under the Health and Social Care Professionals Act 2005. Currently 9 of the 14 designated professions have registration boards

Registration boards establish and maintain registers. They protect the public by promoting high standards of professional conduct and professional education, training and competence amongst registrants of the Act's designated health and social care professions.

The registration board of a designated profession may make by-laws relating to a range of matters. These include bye-laws relating to applications for registration in the register or for restoration to the register; approved qualifications; education, training and continuing professional development; the adoption and revision of the profession's code of professional conduct and ethics; and the conduct of elections for the appointment of professional members.

Respite Care Services

64. Deputy Willie O'Dea asked the Minister for Health the status of parents and guardians in regard to respite care facilities and the apparently new policy of transferring long-term residents into smaller unfamiliar venues and homes which causes upset and in some cases health problems to the person with disabilities; why parents and guardians have not been consulted on this, given the vulnerability of persons with a disability; why there is a need to transfer residents who have for many years been cared for safely in the same familiar setting; and if he will make a statement on the matter. [4515/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The issue raised by the Deputy is a service matter for the Health Service Executive (HSE). Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Medical Card Eligibility

65. **Deputy Michael Ring** asked the Minister for Health if a person who is ordinarily resident here but is currently a student in the United Kingdom can qualify for a Medical Card; how frequently must this person return home to Ireland to be considered as ordinarily resident by the Health Service Executive; if it is sufficient to return at end-of-term time; and if he will make a statement on the matter. [4524/16]

Minister for Health (Deputy Leo Varadkar): The Health Act 1970 (as amended) includes being “ordinarily resident in the State” among the criteria for eligibility for health services. Decisions on whether a person is ordinarily resident and whether an individual is eligible for a medical card are matters for the HSE and will be determined based on an individual’s particular circumstances. It is important to emphasise that the Irish medical card does not provide access to health services outside of Ireland.

Medical Card Eligibility

66. **Deputy Michael Creed** asked the Minister for Health his views on an automatic entitlement to a Medical Card for persons diagnosed with Prader-Willi Syndrome further to a meeting he had in late 2015 with an organisation (details supplied); and if he will make a statement on the matter. [4529/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Under the provisions of the Health Acts, medical cards are provided to persons who are, in the opinion of the HSE, unable without undue hardship to arrange GP services for themselves and their dependants. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family. Where deemed appropriate in particular circumstances, the HSE may exercise discretion and grant a medical card even though an applicant’s means exceed the prescribed threshold. Where a person does not qualify for a medical card, they may be provided with a GP Visit Card, appropriate therapy or other community supports or drugs.

The Deputy will be aware that the report of the Expert Panel on Medical Need for Medical Card Eligibility, known as the Keane Report, recommended that a person’s means should remain the main qualifier for a medical card and that it was not feasible, desirable, nor ethically justifiable to list medical conditions for medical card eligibility. Nonetheless, it is clear that there are people – including children - with medical needs and it is important that they should be able to access necessary assistance in a straight forward manner.

On foot of the Keane Report, the Clinical Advisory Group on medical card eligibility was established by the HSE to develop a framework for assessment and measurement of the burden of disease and appropriate operational guidelines for the medical card scheme. I can advise the Deputy that the Group is continuing its work on the development of guidance on assessing medical card applications involving significant medical conditions. Having regard to the approach of the Keane Report and in advance of the Clinical Advisory Group completing its work, I do not propose to issue automatic medical cards to one particular group.

As a result of a range of improvements of foot of the Keane Report the HSE is exercising

greater discretion which is evidenced in the 90% increase in the number of discretionary medical cards, from about 52,000 in mid-2014 to over 99,000 at 1 January this year.

Until we have universal health care and everyone has eligibility for health services, one will always have anomalies. There will always be somebody who is just above the means threshold, or who does not have the prescribed disease, or whose condition is not sufficiently severe and, as a result, these individuals will not meet the assessment criteria. Universal health care, to which I am committed, is the only solution to address this issue.

Patient Transfers

67. **Deputy Niall Collins** asked the Minister for Health his views on media reports that the HSE plans to close St. Brigid's nursing home in Crooksling, Brittas, County Dublin, and to transfer the 56 beds to the proposed new community care centre in Tymon North, Tallaght in Dublin 24 and on the concerns of the local community at this suggestion. [4540/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The capital investment programme which I and Minister Leo Varadkar recently announced includes a new 100-bed Community Nursing Unit at Tymon North, Tallaght, replacing the existing 56 long stay beds at St Brigid's, Crooksling and providing an additional 44 beds which are much needed in the area. The HSE is continuing its work on scheduling and developing all projects. No further information in relation to the future of other services currently is available at St Brigid's available at this stage.

Vaccination Programme

68. **Deputy John Browne** asked the Minister for Health to establish an independent investigation into the adverse affects of the Gardasil vaccination; and if he will make a statement on the matter. [4555/16]

69. **Deputy John Browne** asked the Minister for Health to put financial and educational supports in place to assist persons affected by the adverse affects of the Gardasil vaccination; and if he will make a statement on the matter. [4556/16]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 68 and 69 together.

The HPV vaccine, Gardasil which was introduced in 2010, protects girls from developing cervical cancer when they are adults. It is available free of charge from the HSE for all girls in the first year of secondary school.

Each year in Ireland around 300 women are diagnosed with cervical cancer. The HPV vaccine protects against two high risk types of HPV (16 & 18) that cause 73% of all cervical cancers. Vaccinated women and girls will still be at risk from other high risk types of HPV that can cause cervical cancer and will therefore need to continue to have regular cervical smear tests.

The Health Products Regulatory Authority (HPRA) is the regulatory authority for medicines in Ireland. There are 2 licensed HPV vaccines available in Ireland (Gardasil and Cervarix). Gardasil is the vaccine used by the HSE in the School Immunisation Programme and over 100,000 girls have received this vaccine since its introduction.

No medicine, including vaccines, is entirely without risk, there is therefore on-going phar-

macovigilance and monitoring of medicinal products once they are authorised for use. The safety profile of Gardasil has been continuously monitored since it was first authorised.

As part of its monitoring of the safety of medicines, the HPRA operates an adverse reaction reporting system, where healthcare professionals and patients are encouraged to report adverse reactions they consider may be associated with their treatment, through the range of options in place for reporting. All reports received are evaluated and considered in the context of the safety profile of the product concerned, with reports followed up as necessary for further information, that may assist in the assessment of the case.

I am aware of claims of an association between HPV vaccination and a number of conditions experienced by a group of young women. It appears that some girls first suffered symptoms around the time they received the HPV vaccine, and understandably some parents have connected the vaccine to their daughter's condition.

I want to make it quite clear that anyone who is suffering ill health is eligible to seek medical attention, and to access appropriate health and social care services, irrespective of the cause of their symptoms. The individual nature of the needs of some children may require access to specialist services.

In November 2015 the European Medicines Agency completed a detailed scientific review of the HPV vaccine. The review, in which the HPRA participated, found no evidence of a causal link between the vaccine and the two conditions examined.

On 12 January 2016 the European Commission endorsed the conclusion of the European Medicines Agency stating that there is no need to change the way HPV vaccines are used or to amend the product information. This final outcome by the Commission is now binding in all member states.

Treatment Abroad Scheme

70. **Deputy Noel Harrington** asked the Minister for Health why a person (details supplied) was denied scheduled surgery under the treatment abroad scheme while on the public waiting list; and if he will make a statement on the matter. [4557/16]

Minister for Health (Deputy Leo Varadkar): I am advised by the HSE Treatment Abroad Scheme office that this patient was approved via a specific mechanism authorised to address the waiting list for spinal surgery in Our Lady's Children's Hospital. Furthermore it has been confirmed that the approval of funding in respect of the patient's treatment in the UK has already been notified to the patient's parents and the treating hospital in the UK.

Mental Health Services Provision

71. **Deputy Finian McGrath** asked the Minister for Health if he is aware of the huge distress for psychiatric patients at an institution (details supplied) which prohibits smoking; and if he will make a statement on the matter. [4565/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The issue raised by the Deputy is a service matter for the Health Service Executive (HSE). Accordingly, I have arranged for the question to be referred to the HSE for direct reply to the Deputy.

Northern Ireland Issues

72. **Deputy Gerry Adams** asked the Minister for Foreign Affairs and Trade if he asked the British Government whether the recent proposals to block legal action against British soldiers in Iraq will be extended to the actions of the British Army in the north of Ireland; and if he will make a statement on the matter. [3901/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I am aware of the issue regarding the treatment of allegations against British soldiers who have served in Iraq. I have no information to suggest that there are any proposals to extend the same approach to British soldiers who are alleged to have been involved in criminal acts while on duty in Northern Ireland.

The Stormont House Agreement provides a comprehensive institutional framework for dealing with the legacy of the past. Irrespective of which group is alleged to have been responsible, these institutions will, when established, facilitate the pursuit of justice and information recovery for the victims and survivors of the Troubles and their families.

I remain convinced that the establishment of these new legacy institutions offers the best way to bring whatever healing is possible to victims and survivors and their families. Efforts are continuing to reach an agreement on the outstanding issues currently blocking their establishment and I am determined that they are resolved as quickly as possible so that the new legacy institutions can begin their important work.

International Election Monitoring

73. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade if and on what basis additional persons have been added to the Election Observation Roster since it was established in May 2013; how the assessors involved in the Roster selection were selected and appointed; the number of days they worked for his Department and the daily fee they were paid; if he sought the views of the European Commission on whether this selection process met the high standards expected by the Commission; if the current model of selection will stand up to review such as in a case where an original Roster member who was not selected but who has significantly better qualifications and experience than those who were; if he will arrange for an independent review of the Roster system, including the selection processes; if he will conduct a fresh selection process in 2016 that will include professional interviews to ensure that the Roster is based on merit alone; and if he will make a statement on the matter. [4510/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): International election monitoring missions play an important role in the promotion of democracy and human rights. The Department of Foreign Affairs and Trade administers a roster of election observers so that Ireland can be represented at an appropriate level in international election observation missions organised in the main by the OSCE and the EU. The current roster was established in May 2013 for a period of five years.

In 2013, two assessors external to the Department of Foreign Affairs and Trade with a knowledge of election processes and experience of public service, undertook the independent appraisal and scoring of applications for inclusion in the new roster against the four criteria. These were: experience of election observation; knowledge of human rights and /or governance issues; language skills; and experience of challenging environments. In the cases where the assessors declared a potential conflict of interest and recused themselves from the assessment of the application in question, two officials of the Department of Foreign Affairs and Trade jointly

scored the applications in place of the assessor. The assessors were paid fees of €200 per day, over ten days in total, in accordance with the relevant Department of Public Expenditure and Reform Circular, E12/1/70.

Following the appraisal of all 263 eligible applications, the 200 individuals who achieved the highest scores were selected to serve on the new election observation roster. A reserve panel of the next ten highest scoring individuals was also established, from which replacements would be drawn should any members leave the roster. Since its formation, ten members have left the roster with four replacements appointed to date from the reserve panel. The process of appointing additional replacements is currently underway.

Ireland actively participates in the European Commission and European External Action Service - led European Observation network, which brings together election observation focal points from all EU Member States, together with Norway, Switzerland and Canada. The network facilitates the exchange of information and international best practice on all aspects of election rosters, and helps to ensure that the operation of national rosters conforms to the highest standards. At the most recent meeting of the focal points, last month, the EU confirmed that Ireland continues to have a high success rate in having its nominees placed on EU Missions.

I am satisfied that all applicants have been treated fairly and impartially and all unsuccessful applicants were invited to request feedback on their applications. Furthermore, the independent review process which was established has facilitated two applicant reviews. In both cases, the reviewer judged that the scoring of both applications was fair and impartial across all four published criteria. In light of these considerations, no legal opinion has been sought on the selection process.

I am confident that the current roster is well equipped to deal with the requirements of the EU. The Department will keep the process under review taking into account developments at EU and OSCE level.

Special Educational Needs Service Provision

74. Deputy Aengus Ó Snodaigh asked the Minister for Education and Skills the status of an application by a person (details supplied) in Dublin 12 for an appliance; and when can they expect a decision on their case. [4483/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that the National Council for Special Education (NCSE) through its network of local Special Educational Needs Organisers (SENOS) is responsible for processing applications from schools for special educational needs supports. SENOs also make recommendations to my Department where assistive technology is required. The NCSE operates within my Department’s criteria in making recommendations for support, which is set out in my Department’s Circular 0010/2013.

In order to qualify for equipment under the assistive technology scheme, a child must have been diagnosed with a physical or communicative disability and must also have a recommendation in a professional assessment that the equipment is essential in order to allow the child to access the curriculum. It must also be clear that the existing I.T. equipment in the school is insufficient to meet the child’s needs.

I can confirm that following receipt of an application for assistive technology support for the child referred to in this question, a letter issued to the school on 10th March, 2015, seeking further information to support the application. As the application was incomplete, pending receipt of the requested information, it was not completed. My Department now understands that

the pupil has in the interim changed school.

Should the school to which the pupil is now enrolled wish to apply for Assistive Technology support, the school should make such an application to the NCSE. The scheme requires that considerations of applications take account of the school environment and existing equipment in the school.

Schools Building Projects Administration

75. Deputy Shane Ross asked the Minister for Education and Skills the criteria she has used to decide on the location of the proposed new secondary school in Firhouse Old Bawn in Dublin 24; the proposed catchment area for this new school; if it will be an Educate Together secondary school; and if she will make a statement on the matter. [4494/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): For planning purposes my Department divides the country into geographic areas each with several primary schools feeding into a post-primary centre, consisting of one or more post-primary schools. These defined areas facilitate the orderly planning of school provision and accommodation needs. Since 2011 new schools are established where the current and future demographics of an area require it.

My Department uses a Geographical Information System (GIS) to identify where the pressure for additional school places will arise. The GIS uses data from the Central Statistics Office, Ordnance Survey Ireland and the Department of Social Protection in addition to information from the Department’s own databases. It also uses data from the local authorities. With all of this information, my Department carries out nationwide demographic exercises to determine where additional school accommodation is needed at primary and post-primary level.

On 17 November last, I announced that 4 primary schools and 9 post-primary schools will open in 2017 and 2018, as a result of the outcome of the latest demographic exercises. This includes a post-primary school to be established in 2018 to serve the Firhouse, Dublin 24 area.

The patronage determination process for new schools is a separate process, which is run after it is decided that, based on the demographic data, a new school is required. Parental preferences are central to this process and prospective patrons are required to provide evidence of demand for their particular type of school. It is open to all patrons and prospective patrons, including Educate Together, to apply for patronage of a new school under this process. It is envisaged that the patronage determination process for the new post-primary school to serve Firhouse will commence before the end of this year.

Home Tuition Scheme Administration

76. Deputy Charlie McConalogue asked the Minister for Education and Skills the Departments and agencies which have a role in the oversight of home school tuition; if she will consolidate oversight of home school tuition within her Department; and if she will make a statement on the matter. [4500/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): The Deputy has clarified to my Department that his question refers to the matter of home schooling.

In accordance with the National Education Welfare Board (Transfer of Departmental Administration and Ministerial Functions) Order 2011 – No. 215 of 2011, responsibility for the regulation of home schooling of children lies with my colleague the Minister for Children and

Youth Affairs. Section 14 of the Education Welfare Act 2000 requires Tusla to maintain a register of all children in receipt of an education in a place other than a recognised school, including the home. This transfer of Ministerial functions was effected as part of an overall realignment of Ministerial functions to facilitate the establishment of the Child and Family Agency in January 2014.

I, as Minister for Education and Skills, retain a function under the Education Welfare Act 2000 to issue guidelines for the purpose of assisting Tusla in determining whether a child is receiving a certain minimum education. Such guidelines were issued in 2003 and are currently the subject of a review by Tusla to update them in the light of the experience of their implementation over more than 10 years.

European Globalisation Fund

77. Deputy Caoimhghín Ó Caoláin asked the Minister for Education and Skills if she will submit an application under the European Globalisation Fund following the liquidation of Xtravision and the resulting 580 job losses; and if she will make a statement on the matter. [4518/16]

Minister of State at the Department of Education and Skills (Deputy Damien English): I am aware of recent media reports regarding the appointment of a provisional liquidator to Xtra-vision, which employs over 550 staff. This follows an earlier statutory collective redundancy notification submitted by the company to my colleague the Minister for Jobs, Enterprise and Innovation in November 2015, which related to approximately 161 proposed redundancies, the majority of which were part-time positions.

In the absence of full details regarding the circumstances and extent of the redundancies, it is not possible to fully determine whether an application could be made to the European Globalisation Adjustment Fund (EGF). However, an initial assessment by my Department suggests that it would be very challenging to sustain a viable application in accordance with the requirements of Regulation (EU) No. 1309/2013 which governs the Fund, in this case. My officials will continue to monitor this situation.

Schools Building Projects Status

78. Deputy Joe Carey asked the Minister for Education and Skills her views on a case regarding a school (details supplied) in County Clare; and if she will make a statement on the matter. [4522/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): My Department's Planning and Building Unit has no record of receiving an application for funding from the school to which the Deputy refers.

It is open to the school to use its Minor Works Grant, which was paid to the school last November, to carry out the most urgently needed works at the school in full or in part as that grant permits.

Schools Building Projects Status

79. Deputy Michael Creed asked the Minister for Education and Skills when she will issue

approval for new buildings for a school (details supplied) in County Cork; and if she will make a statement on the matter. [4528/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): I wish to advise the Deputy that the school in question has submitted an application for additional accommodation to my Department. The application is being assessed and a decision will be conveyed to the school authorities as soon as this process has been completed.

Residential Institutions Statutory Fund

80. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills to provide a financial statement for Caranua for the year 2015 including a breakdown of the moneys spent in 2015. [4535/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): Caranua, the Residential Institutions Statutory Fund, is an independent statutory body established pursuant to the Residential Institutions Statutory Fund Act 2012. Caranua provides regular updates on its website (www.caranua.ie) in regard to the number of applications received, the amounts expended by it and related matters. The most recent update, which provides figures to 30 November 2015, may be accessed on that website. I understand from enquiries made by my officials that in the year ended 31 December 2015 Caranua had, subject to confirmation on audit, expended some €32.36 million in support of former residents.

Full details regarding Caranua’s expenditure will be set out in the organisation’s accounts which are subject to audit by the Comptroller and Auditor General. In accordance with the relevant legislative provisions, the audited annual accounts will be laid before both Houses of the Oireachtas in the normal manner.

Residential Institutions Statutory Fund

81. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the amount that remains in Caranua’s fund. [4536/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): Caranua, the Residential Institutions Statutory Fund Board, is an independent statutory body established pursuant to the Residential Institutions Statutory Fund Act 2012 to oversee the use of the cash contributions of up to €110 million, pledged by the religious congregations, to support the needs of survivors of institutional child abuse. To date a total of €85.92 million, including €84.54 million in contributions and €1.38 million in associated interest has been lodged to the special Investment Account managed by the National Treasury Management Agency (NTMA).

I understand that in the period from its establishment in 2013 to end 2015 Caranua had, subject to confirmation on audit, expended some €44 million of the funds available on meeting the needs of survivors and on associated administration costs.

On the basis that the full €110 million in cash committed by congregations will be received, my officials estimate that Caranua will have a further amount of some €66 million available to it.

Caranua’s annual accounts for 2015 will set out details regarding the Statutory Fund account. In accordance with the relevant legislative provisions, the audited annual accounts will be laid before both Houses of the Oireachtas in the normal manner.

Departmental Properties

82. **Deputy Niall Collins** asked the Minister for Education and Skills her plans for the former site of a school (details supplied) in Dublin 12; her views on the interest of the local community in this issue; and if she will make a statement on the matter. [4541/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): My Department officials and representatives of the Dublin Archdiocese and of the local parish have agreed that the property to which the Deputy refers will be made available to the Department for educational use. My officials are continuing to work closely with the Archdiocesan authorities on the practicalities of the property issues involved and work is well advanced in this regard.

Schools Building Projects Status

83. **Deputy Niall Collins** asked the Minister for Education and Skills if she has made contact with South Dublin County Council regarding the proposed Kingswood Community College in Dublin 24; the progress made in respect of condition No. 3 attached to the planning permission granted, which dealt with the detailed design elements of access and pedestrian crossings; if she will issue a compliance submission to the Council; and if she will make a statement on the matter. [4542/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): A submission has been made to the Local Authority regarding condition number 3 of the Planning Permission granted for Kingswood Community College.

The Design Team are in on-going discussions with the Local Authority regarding the details of the submission.

When those discussions are concluded the Design Team will then make a further submission to the Local Authority seeking formal notification of compliance.

Schools Refurbishment

84. **Deputy Gerry Adams** asked the Minister for Education and Skills if she is aware of the situation regarding the 35 year old roof at a school (details supplied) in County Longford, that an application for funding to replace it was refused and an Emergency Works Grant awarded instead in November 2015, and that new leaks have been identified since then; if she will review her decision not to replace the roof; and if she will make a statement on the matter. [4553/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): The school to which the Deputy refers submitted three applications under the Emergency Works Scheme in the past year or so. Two of these were received on 22 December 2014. The first of these sought funding to replace leaking pipes and carry out electrical repairs. This application was approved and the grant has been paid in full.

The second application sought funding to replace the fire alarm system but this application was refused as it was outside the scope of works that would qualify for funding under the terms of the Emergency Works Grant Scheme.

The third application was received on 9 June, 2015 seeking funding to replace the roof of the school building. This application was refused as it was also outside the scope of the Emer-

gency Works Scheme.

Following an appeal by the school in November, a grant was allocated to carry out repairs to the roof and the school was advised to apply under the Summer Works Scheme for a replacement roof as this is the appropriate Scheme under which funding could be available for this type of work. It is a condition of the Summer Works Scheme that schools apply for the most urgently needed works at their school. Under the current Summer Works Scheme, the school in question applied for an electrical upgrade.

It is not intended that the Emergency Works Scheme, which is for sudden and unforeseen emergencies, will be used to supplement applications under other schemes or to replace any other schemes provided by my Department. The current offer of funding to the school to carry out repair works to its roof is consistent with this position and the fact that the replacement of a roof is outside the scope of the Emergency Works Grant Scheme.

Third Level Participation

85. **Deputy Finian McGrath** asked the Minister for Education and Skills to support Aontas in its efforts to build further on adult learning in third level education; and if she will make a statement on the matter. [4561/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): I am pleased to inform the Deputy that it has been national policy since 2005 to target support for those mature students (defined as those aged 23 or over on 1 January of the year of their entry to higher education) who have not previously benefitted from higher education and who enter college to complete a full time course. Since 2011 the Higher Education Authority has incentivised higher education institutions to enrol mature students.

The number of mature entrants to higher education, as a percentage of full-time undergraduate new entrants, has risen from 2% in 1986 to 12% in 2014. The new National Plan for Equity of Access to Higher Education has targeted an increase to 16% of full-time undergraduate new entrants. In addition, and reflecting the increasing importance of part-time and flexible learning opportunities for mature students, a target of 24% of has been set for combined full-time and part-time/flexible participation of mature students in higher education.

School Accommodation

86. **Deputy Finian McGrath** asked the Minister for Education and Skills to support a school (details supplied) in County Dublin; and if she will make a statement on the matter. [4562/16]

Minister for Education and Skills (Deputy Jan O’Sullivan): I can confirm that the school referred to by the Deputy has submitted an application to my Department for capital funding for the provision of temporary school accommodation.

Further details relevant to the application were requested from the school. On receipt of that information the application can be considered further with a decision conveyed to the school authority in due course.

Social and Affordable Housing Provision

87. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 147 of 13 January 2016, how many persons are awaiting social housing in the Lanesboro, County Longford area, and how he decided on 16 new units only. [4519/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): Information in relation to the number of qualified households on the waiting lists of each individual local authority, including Longford County Council, is available on my Department's website as part of the 2013 Summary of Social Housing Assessments at the following link: <http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,34857,en.pdf>.

Under the Social Housing Strategy 2020, I have set substantial targets and allocated matching funding resources for the delivery of social housing by local authorities. These targets for the period out to 2017 were set for each local authority area last April and can be seen at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41016,en.htm>.

In issuing these targets, I stated that all local authorities are to kickstart a building programme for social housing. Since then, I have announced new social housing construction and acquisition projects to the value of approximately €680 million. These approvals are based on proposals submitted by all local authorities, including proposals for 16 new units which were submitted by Longford County Council across two separate developments in the Lanesboro area. Details of the projects approved are available on my Department's website at the following links:

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41340,en.htm>

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,42225,en.htm>

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,44104,en.htm>.

As the housing authorities for their areas, local authorities are responsible for the detailed planning of social housing provision based on local need. The precise projects that are proposed to my Department, including the number of units, are therefore matters for the local authority in line with the targets and funding provision issued to them in April 2015. I will continue to work with Longford County Council as they develop more social housing proposals in line with the targets and funding available to them.

Rental Accommodation Standards

88. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government to support certification of all rented accommodation; to support legislation to make landlords responsible for certification; and to support the view that in order to register with the Private Residential Tenancies Board landlords must prove they have complied with the minimum standards and have a certificate to prove this. [4501/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): Minimum standards for rental accommodation are prescribed in the Housing (Standards for Rented Houses) Regulations 2008, as amended by the Housing (Standards for Rented Houses) (Amendment) Regulations 2009, made under section 18 of the Housing (Miscellaneous Provisions) Act 1992.

The Regulations specify requirements in relation to a range of matters, such as structural repair, sanitary facilities, heating, ventilation, natural light and safety of gas and electrical supply. With very limited exemptions, these regulations apply to local authority and voluntary housing units as well as private rented residential accommodation.

All landlords have a legal obligation to ensure that their rented properties comply with these regulations and responsibility for the enforcement of the regulations rests with the relevant local authority supported by a dedicated stream of funding provided from part of the proceeds of tenancy registration fees collected by the Private Residential Tenancies Board (PRTB).

Since the establishment of the PRTB, over €30 million has been paid to local authorities to assist them in the performance of their functions under the Housing Acts, including the inspection of rented accommodation. Over 167,000 inspections have been carried out in this period. Following the enactment of the Housing (Miscellaneous Provisions) Act 2009, local authorities have a strengthened legislative framework available to them which provides for the issuing of Improvement Notices and Prohibition Notices where landlords are in breach of their obligations. Fines for non-compliance with the regulations were also increased; the maximum fine increased from €3,000 to €5,000 and the fine for each day of a continuing offence increased from €250 to €400.

The idea of certification has been proposed before and there is merit in the proposal. A 2014 report from DKM Economic Consultants, 'The Future of the Private Rented Sector' (commissioned by the PRTB), put forward a number of options in relation to improving the quality of the rental stock. These include:

- improving the enforcement of standards by local authorities by prioritising those properties more likely to be in breach of the required standards, and
- in time, moving to a model where there would be a responsibility on the landlord to produce a certificate of compliance every three years.

In the short term it is my intention to promote best practice in implementing the regulations across the local authorities. The possibility of shared services across local authority areas is also to be explored. The regulations will be reviewed this year and the potential role of certification will be considered as part of the review.

Social and Affordable Housing Expenditure

89. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if he has reviewed the offer of €2 billion from the Irish League of Credit Unions to facilitate the building of social housing; the status of the process to date; and if he will make a statement on the matter. [4503/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): I and my colleague, Minister Alan Kelly, met with the Irish League of Credit Unions (ILCU) on 1 December 2015 to discuss a submission containing a proposal setting out a means by which funding could be provided to Approved Housing Bodies, by credit unions, for the development of social housing. My Department has since had a further meeting with the ILCU to address technical aspects of its proposal.

Conscious of the independence of the Central Bank in its regulatory role in respect of credit unions, bilateral engagement has taken place between my Department and the Department of Finance to consider the potential regulatory and legislative implications of credit union involve-

ment in the social housing sector.

The Central Bank commenced a number of new regulations for credit unions on 1 January 2016. Prior to their commencement, following careful consideration, the Central Bank made a number of modifications including to Regulation 25(2) which makes reference to the fact that the Central Bank may prescribe, in accordance with section 43 of the Credit Union Act 1997, further classes of investments for credit unions which may include investments in projects of a public nature. The effect of these modifications is that regulation 25(2) now provides that investment in projects of a public nature can include, but are not limited to, investments in social housing projects.

I acknowledge the recent modifications made by the Central Bank and the willingness of credit unions to actively seek a role in financing the delivery of social housing. I look forward to the ILCU's further engagement with the Central Bank on foot of the regulatory changes made and my Department will continue to engage constructively with the ILCU in relation to their proposal.

Water Services Provision

90. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government the progress to date in his negotiations with the local authorities and Irish Water on the takeover of estates where there are problems with pumping stations and treatment plants and where the developer is no longer in business; and if he will make a statement on the matter. [4516/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): My Department, as part of a wider overhaul of the taking in charge process, has sought to determine the number of residential developments with developer-provided stand-alone wastewater treatment plants and/or water treatment systems which are not connected to public water or waste water networks. Many of the developments in question have not yet been taken in charge by the relevant local authority because they are unfinished. In some cases the developments may be completed but not to the standards required under the planning permissions granted.

I announced today a new national initiative and pilot scheme funding of €10m to speed up the taking in charge process of residential developments, including those with developer-provided water services infrastructure, across the country through demonstration projects to improve co-ordination between local authorities, Irish Water and other stakeholders, address infrastructural deficits and bring in additional funding from bonds and other sources. My Department will be briefing local authorities on the initiative in order that funds will be drawn down in 2016. Further details will be available on my Department's website, www.envron.ie, shortly.

Architectural Qualifications

91. **Deputy Áine Collins** asked the Minister for the Environment, Community and Local Government to establish a board to examine the credentials of architects and if established practitioners would qualify under a new regulation of the special entry route, given that Architects Alliance of Ireland has made an updated submission. [4538/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): The statutory arrangements for the registration of architects

are set out under Part 3 of the Building Control Act 2007. The examination of the credentials of applicants seeking inclusion on the register of architects is a matter for the Royal Institute of Architects of Ireland which is the designated registration body for the purposes of Part 3 of the Act. I have no role in relation to this particular aspect of the matter. I also refer to the reply to Questions Nos. 510, 511, 516 and 545 of 2 February 2016 which sets out the context and the up to date position on this matter generally.

Local Authority Expenditure

92. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government if he has had contact with South Dublin County Council on the need for additional funding for the Council Housing Programme; if he appreciates the need in this regard; and if he will make a statement on the matter. [4544/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Social Housing Strategy 2020 sets out this Government's vision and ambition to work in tandem with local government and other stakeholders to bring a real response to the delivery of new social housing.

Under the Strategy, I have set substantial targets and allocated matching funding resources for the delivery of social housing by local authorities, including by South Dublin County Council. These targets for the period out to 2017 were set for each local authority area last April and can be seen at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41016,en.htm>.

Since issuing these targets, I have announced new social housing construction and acquisition projects to the value of approximately €680 million so far, including projects proposed by South Dublin County Council. Details of these projects are available on my Department's website at the following links:

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41340,en.htm>

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,42225,en.htm>

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,44104,en.htm>.

My Department is in ongoing contact with representatives of South Dublin County Council, including through their participation in the Dublin Social Housing Delivery Taskforce, which was one of the core elements of the governance structures I established under the Social Housing Strategy. This contact will continue in pursuit of the delivery of the targets and funding provision for the local authority under the Strategy.

Litter Pollution

93. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government to provide additional assistance and funding to South Dublin County Council to allow it to take further effective action in respect of the scourge of litter, graffiti and illegal posterage throughout the county; if he appreciates the concerns of the wider community on the matter; and if he will make a statement on the matter. [4545/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I appreciate the concerns of the wider community in relation to these matters. The Litter

Pollution Acts, 1997 to 2009, provide the statutory framework to combat the litter problem. Under the Acts, the primary management and enforcement response to littering is, in the first instance, a matter for local authorities.

It is a matter for each local authority to determine the most appropriate course of action to tackle litter pollution locally, within the legislation provided, including the most appropriate public awareness, enforcement and clean-up actions in relation to litter, taking account of its own local circumstances and priorities.

Penalties available under the Litter Pollution Acts for litter offences range from an on-the-spot fine of €150, to a maximum fine of €3,000 on summary conviction, and a maximum fine of €130,000 on conviction on indictment. The fines for continuing offences are €600 per day for summary offences and €10,000 per day for indictable offences. A person convicted of a litter offence may also be required by the Court to pay the local authority's costs and expenses in investigating the offence and bringing the prosecution. The latest figures available from my Department's National Litter Pollution Monitoring System, a system designed to monitor the extent, severity and composition of litter nationally, demonstrate that the litter situation is continuing to improve across the country.

However, I believe that there is no room for complacency. Accordingly, as the Minister with responsibility for this area, I encourage a multifaceted approach to tackling the litter problem, incorporating enforcement, public awareness and education. As such, through the Environment Fund, my Department supports several anti-litter initiatives to combat litter across the country, including:

- The National Spring Clean,
- The Green Schools Program,
- Irish Business Against Litter (IBAL) - Litter League,
- Tidy Towns,
- The Local Authority Anti-Litter & Anti-Graffiti Awareness Grant Scheme, and
- Negotiated Agreement with the Banking and Chewing Gum industries.

Under the Anti-Litter and Anti-Graffiti Awareness Grant Scheme (ALAGS), which my Department has co-funded for local authorities since 1997, local authorities are responsible for selecting suitable projects for funding and deciding on individual grant allocations. The scheme requires that projects selected should promote greater public awareness and education in relation to litter, including the issue of dog fouling, and since 2008, graffiti. Under ALAGS, they should also, where possible, focus on voluntary initiatives by community and environmental groups and involve schools and young people in anti-litter and anti-graffiti action. Typically, eligible projects include local media campaigns, clean-ups, primary/secondary school competitions, exhibitions and the production of videos, posters and leaflets. The maximum grant for a project may be up to 70% of the cost, with the balance being met by local contributions. A total of €690,000 was made available to fund suitable projects under the scheme in 2015 and I have already made provision for similar funding in 2016.

In addition, due to specific issues in the South Dublin and Wicklow uplands, my Department has provided support for the Protecting Urban and Rural Environments (PURE) project in that area. I made funding of €90,000 available for the PURE initiative in 2015.

I believe that raising awareness of the litter problem, particularly through demonstrating by

our own actions a more responsible attitude to littering, is pivotal to educating our young people in order to effect a change in society's attitudes towards litter disposal in future generations.

Broadband Service Provision

94. **Deputy Billy Kelleher** asked the Minister for Communications, Energy and Natural Resources the date for the roll-out of high speed broadband for the Hermitage, Glanmire, County Cork; and if he will make a statement on the matter. [4484/16]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The Government's National Broadband Plan (NBP) aims to ensure that every citizen and business, regardless of location, has access to a high quality, high speed broadband service. This will be achieved through a combination of commercial investments and a State led intervention in areas where commercial services will not be provided.

The commercial telecommunications sector is currently investing approximately €2.5 billion in network upgrades and enhanced services. These very significant investments represent a step change in the quality of broadband services available.

On 22 December 2015, I formally launched the procurement process for the State Intervention to provide high quality, high speed broadband to all premises in Ireland that may not be served through commercial investment. The formal procurement commenced with the publication of the Project Information Memorandum and the Pre-Qualification Questionnaire. In addition, my Department also published:

- the National Intervention Strategy – updated in December 2015, which takes account of responses to the public consultation which took place in July 2015 and subsequent expert analysis; and
- the High Speed Broadband Map 2020 which follows ongoing engagement with industry and public consultation.

The Intervention strategy sets out a detailed service specification including a requirement that the State-funded network must be capable of delivering high-quality, high speed broadband of at least 30mbps download and 6mbps upload. It must also be capable of catering for higher performance in the future so as to keep pace with consumer demand. It is therefore a matter for bidders to select the technology which will show how they propose to meet these contractual requirements.

Given the quality of the services we wish to see delivered, and based on the current absence of significant fibre networks in many parts of Ireland, it is likely that fibre will play a major role in any proposed solution. However, the technology platforms that will provide the final connectivity to the premises will be a matter for commercial operators to decide on in line with EU State Aid guidelines.

The 2020 map is available at www.broadband.gov.ie. The map shows Ireland with two colours, BLUE and AMBER.

The areas marked BLUE represent those areas where commercial providers are either currently delivering or have plans to deliver high speed broadband services by the end of 2016 and includes Glanmire, County Cork. Where parts of the town or its environs are not covered by commercial high speed services, these will be the target for the State intervention.

The areas marked AMBER represent the target areas for the proposed State intervention. Members of the public can see whether their individual premise is in the BLUE or AMBER area by inserting their Eircode, and/ or address, or scrolling through the map.

The Government is determined to ensure that the network in the AMBER area is built out as quickly as possible and engagement with industry stakeholders has indicated that this could be achieved within 3-5 years of the contract award.

In this context, the NBP proposes that through the combination of commercial investment and State intervention, 85% of addresses in Ireland will have access to high speed services by 2018, with all addresses passed by 2020.

More generally, I am informed by the commercial operators that next generation broadband services have been rolled out to over 126,000 premises to date in County Cork with over 55,000 more expected to be serviced by commercial investment. Almost 86,000 remaining premises in County Cork will be covered either by further commercial investment or the proposed State intervention.

Renewable Energy Generation

95. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources to support a matter (details supplied) regarding geothermal energy; and if he will make a statement on the matter. [4560/16]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): My Department launched two public consultations in 2015 on the development of a new renewable heat incentive (RHI) and a renewable electricity support scheme (RESS). The initial phase of the consultation closed on 18 September 2015 and was designed to review the technology options that may be supported by the new incentive schemes. There will be two additional public consultation phases in 2016, before any decision is taken on the final design of the new schemes, which will give all interested parties another opportunity to participate in the development of the support schemes. A key component in the design of the schemes will be the consideration of available technologies, including geothermal energy, and will include an assessment of the their cost effectiveness and viability.

The Energy White Paper - Ireland's Transition to a Low Carbon Energy Future 2015-2030, which I published in December last, commits to the establishment of a regulatory framework to facilitate the exploration for, and development of, geothermal energy resources.

The question of the timing of future legislation in relation to Geothermal Energy will, at this stage, be a matter for the next Government to decide in the context of its overall legislative priorities.

Road Projects Status

96. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the status of the east-west link road from Dundalk, County Louth to Cavan town; why progress on this section of road is solely the preserve of the local authorities; and the amount spent on the road to date. [4554/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): Cavan County Council was provided with over €2m in the period 2007-2014 by my Department in connection

with this project under the Strategic Non National Road Grants Scheme in order to bring this 75 km route to preliminary design stage.

Due to budgetary constraints it is not possible to progress the project further at this point as the priority for available funding remains the repair and maintenance of regional and local roads. The construction cost for a scheme of this magnitude would be in excess of €150 million.

Hedge Cutting Season

97. **Deputy Finian McGrath** asked the Minister for Arts, Heritage and the Gaeltacht to support a matter on Birdwatch Ireland (details supplied); and if she will make a statement on the matter. [4558/16]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I understand that the Deputy is referring to my recent announcement relating to burning and hedge cutting. Section 40 of the Wildlife Acts 1976, as amended, prohibits the cutting, grubbing, burning or destruction of vegetation, with certain strict exemptions, from 1 March to 31 August during the nesting and breeding season for birds and wildlife.

Following a review of Section 40, which involved, *inter alia*, consideration of submissions from interested parties, including from the organisation referred to in the Deputy's Question, I recently announced proposals to introduce legislation to allow for managed hedge cutting and burning at certain times within the existing closed period on a pilot two year basis. The legislation required to allow for these pilot measures has been included in the Heritage Bill 2016, which has recently been published.

I am keenly aware that we must ensure that this should not impact adversely upon our populations of wild birds. For that reason, any such cutting will be subject to conditions and restrictions, which will be specified in regulations in relation to hedgerow husbandry, management or maintenance to protect fauna or flora.

The existing provisions relating to Section 40 of the Wildlife Acts are still in operation and any changes to the closed period are dependent on the passage of the Heritage Bill 2016 through the Oireachtas.