

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].

The following Ministers/Ministers of State were not elected as Members of the Dáil but under their ministerial portfolios are styled Deputy for indexing and search purposes:

Minister for Children and Youth Affairs—James Reilly

Minister for Communications, Energy and Natural Resources—Alex White

Minister of State at the Department of Jobs, Enterprise and Innovation—Gerald Nash

Minister of State at the Departments of the Taoiseach and Foreign Affairs and Trade—Jimmy Deenihan

Minister of State at the Department of Health—Kathleen Lynch

Minister of State at the Department of Agriculture, Food and the Marine—Tom Hayes

Minister of State at the Department of the Environment, Community and Local Government—Paudie Coffey

Minister of State at the Department of Social Protection—Kevin Humphreys

Minister of State at the Departments of Agriculture, Food and the Marine, Transport, Tourism and Sport and the Environment, Community and Local Government—Ann Phelan

Minister of State at the Departments of Justice and Equality, Arts, Heritage and the Gaeltacht and Health—Aodhán Ó Ríordáin

Rent Supplement Scheme Administration

1. **Deputy John Brassil** asked the Tánaiste and Minister for Social Protection why the rent caps for counties Cork and Limerick are 25% higher than those for County Kerry when there is the same demand, especially in Killarney, Tralee and Daingean Uí Chúis; if she will adjust the figures in County Kerry to match these higher rates with immediate effect; and if she will make a statement on the matter. [8642/16]

Minister of State at the Department of Social Protection (Deputy Kevin Humphreys): Rent supplement plays a vital role in housing families and individuals, with the scheme supporting approximately 57,600 people for which the Government has provided approximately €267 million for 2016. There are currently over 1,600 rent supplement recipients in county Kerry. Properties are being secured under the scheme with over 20,100 rent supplement tenancies awarded during 2015, of which almost 800 were in the Kerry area.

Revised rent limits under the rent supplement scheme came into effect from June 2013. These rent limits were determined following an extensive review of the private rental market based on the most up-to-date data available at that time. The Department used information from rental tenancies registered with the Private Residential Tenancies Board and other data sources to inform the review process, including the Central Statistics Office Rental Indices, leading property websites and views of stakeholders. Major population centres in each county were examined as part of this review process.

In view of the supply difficulties in the private rented market a key finding of the Department's most recent rent limit review was that rent supplement policy must continue to allow for flexibility where landlords seek rents in excess of current limits. Copies of the Department's rent review reports are available on www.welfare.ie.

The Department has implemented a policy approach that allows for flexibility where landlords seek rents in excess of the limits for both existing customers and new applicants to the rent supplement scheme. The circumstances of tenants are considered on a case-by-case basis and rents are being increased above prescribed limits, as appropriate. This targeted approach has assisted over 7,600 rent supplement households nationwide to retain or acquire rented accommodation through increased rent payments, of which 57 households are in Kerry. A county breakdown of these cases is provided in the following tabular statement. It should be noted that there is very limited availability of advertised properties for the private residential market in the areas referred to by the Deputy, notably Killarney and Daingean Uí Chúis.

I believe the targeted approach of the Department and the recent legislative reforms announced to the private rental sector provide a level of stability for those who require rent supplement support in what has become a highly volatile rental market. The matter remains under close review.

Total Increased Rental Payments by County as at 25/04/2016

County	Awards under National Tenancy Sustainment Framework	Awards under protocol with Threshold	Total no. of increased payments by County
CARLOW	35		35
CAVAN	24		24
CLARE	60		60
CORK	359	76	435
DONEGAL	-		-
DUBLIN	3,060	1,954	5,014
GALWAY	166		166
KERRY	57		57
KILDARE	353		353
KILKENNY	127		127
LAOIS	113		113
LEITRIM	64		64
LIMERICK	7		7
LONGFORD	128		128
LOUTH	122		122
MAYO	3		3
MEATH	301		301

County	Awards under National Tenancy Sustainment Framework	Awards under protocol with Threshold	Total no. of increased payments by County
MONAGHAN	1		1
OFFALY	61		61
ROSCOMMON	25		25
SLIGO	-		-
TIPPERARY	165		165
WATERFORD	39		39
WESTMEATH	178		178
WEXFORD	15		15
WICKLOW	177		177
Overall Total	5,640	2,030	7,670

Domiciliary Care Allowance Appeals

2. **Deputy Charlie McConalogue** asked the Tánaiste and Minister for Social Protection when she will forward a file to the Social Welfare Appeals Office in respect of an appeal by a person (details supplied) under the domiciliary care allowance scheme; and if she will make a statement on the matter. [8643/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received from the person concerned on the 22nd October 2015. This application was not allowed as the child was not considered to satisfy the qualifying conditions for the allowance. A letter issued on the 19th January 2016 outlining the decision of the deciding officer to refuse the allowance.

An appeal of this decision was registered on 10th February 2016 and additional information on this child's condition/care needs has been supplied. The application together with the new information supplied has been forwarded to a Medical Assessor for their professional opinion. Upon receipt of the Medical Assessor's opinion, the case will be further examined by a deciding officer, who will revise the original decision if warranted or alternatively, forward the case for consideration by the Appeals Office. Such reviews can take up to 12 weeks to complete at present.

Carer's Allowance Applications

3. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the status of an application by a person (details supplied) under the carer's allowance scheme; and if she will make a statement on the matter. [8647/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): It is a condition for receipt of a carer's allowance (CA) that the persons being cared for must have a disability whose effect is that they require full-time care and attention. The assessment is based on the requirement for care arising from the disability(ies) and not on the diagnosis(es) of the person being cared for. The requirement for full-time care is further defined as requiring from another person, continual supervision and frequent assistance throughout the day in connection with normal bodily functions or continuous supervision in order to avoid danger to him or herself and likely to require that level of care for at least twelve months.

28 April 2016

The person concerned is in receipt of CA in respect of her son since 11 September 2008. She applied for CA in respect of her daughter on 14 February 2014.

This application was refused on the grounds that the disability of the care recipient was not such there was a requirement for full-time care and attention as prescribed in regulations.

The person concerned was notified on 29 September 2014 of this decision, the reason for it and of her right of review and appeal.

The person concerned appealed this decision and the case was submitted to the Social Welfare Appeals office for determination. An Appeals Officer (AO), having fully considered all of the available evidence, disallowed the appeal.

The person concerned was notified on 16 June 2015 of the AO's decision and was provided at that time with an explanation of the basis for this decision to disallow the appeal.

The person concerned re-applied for CA in respect of her daughter on 13 October 2015.

All the evidence submitted in support of this application was examined and the deciding officer decided that this evidence did not indicate that the requirement for full-time care was satisfied.

The person concerned was notified on 11 January 2016 of this decision, the reason for it and of her right of review and appeal.

Disability Allowance Payments

4. **Deputy Finian McGrath** asked the Tánaiste and Minister for Social Protection to support the case of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [8651/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person in question is in receipt of the maximum rate of disability allowance for his circumstances. The person in question owes a debt to the department which he is currently repaying at the rate of €10.00 per week. If he wishes to vary the amount that is currently being repaid, he should contact the department setting out his weekly income and expenditure. On receipt of this report, his rate of repayment will be reviewed. However, it should be noted that if the weekly rate of repayment is reduced, it will take longer for the debt to be repaid.

Jobseeker's Allowance Eligibility

5. **Deputy Catherine Murphy** asked the Tánaiste and Minister for Social Protection where she has found that a jobseeker who is one of a couple has no entitlement following an assessment of household means, if it is unfair that this person is not entitled to a basic income similar to that of a dependent jobseeker who is under 25 years of age, where legislation allows that young persons dependent on their parents are allowed a minimum of €40 per week; if she will allow for a basic minimum income for adults in households to allow them some level of financial independence; and if she will make a statement on the matter. [8656/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Jobseeker's allowance is a means tested social protection scheme. In the case of a couple, account is taken of the means of both members of the couple and this reflects the fact that married couples, civil

partners and cohabitants are financially interdependent on each other.

The jobseeker's allowance scheme features a range of disregards and tapering arrangements where one or both members of the couple are working. Where, for example, the spouse, civil partner or cohabitee is in employment, the employed person can earn up to €31,410 per annum (gross) before entitlement is fully withdrawn from the jobseeker's allowance claimant (assuming no other means). In the case of a couple with two children, the equivalent figure is €36,815 per annum. The introduction of a minimum level of entitlement where, ordinarily, there is no entitlement because of the level of means of one or both of the parties would represent a significant change to the provision of means-tested payments in Ireland and would target additional resources at households not currently entitled including some higher income households.

Where a jobseeker's allowance claimant is aged under 25, the value of the benefit and privilege derived from living with a parent or step-parent is assessed for means test purposes. In practice, benefit and privilege is taken to mean the value of board and lodging to applicants residing in the home of parents and the value of same is assessed by reference to a formula (with a wide range of income disregards). The purpose of the assessment is to achieve a degree of equity as between applicants who have this benefit and those who have not, and between people living in relatively better-off households and those whose circumstances are less well off.

Where the claimant's means are in excess of the statutory rate of jobseeker's allowance, no payment is made. Where the claimant's means result in an entitlement to jobseeker's allowance of a rate of €1 per week or less than €40 per week, a minimum payment of €40 per week is paid. Accordingly, the current arrangements guarantee a minimum rate of payment where there is an underlying entitlement to jobseeker's allowance in the first instance and does not apply where this is not the case. It should be noted, in this regard, that the assessment of the value of benefit and privilege does not imply that there is a direct financial transfer from a parent to the adult child and the current arrangements ensure that the jobseeker has access to some direct cash support. Such arrangements are not available to jobseekers who do not have an underlying entitlement to a payment because they reside in higher income parental households.

Changes to the means testing arrangements for jobseeker's allowance will be a matter for the incoming Government.

Carer's Allowance Waiting Times

6. Deputy Pearse Doherty asked the Tánaiste and Minister for Social Protection the measures she is taking to reduce the 19-week processing time for new applications under the carer's allowance scheme; and if she will make a statement on the matter. [8698/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Department is committed to providing a quality service to all its customers. This includes ensuring that applications are processed and that decisions on entitlement are made as quickly as possible.

The average waiting time for new carer's allowance (CA) applications at the end of March was 19 weeks. At the end of March, there were 5,851 CA applications awaiting decision. The volume of CA claims on hand are a consequence of continued strong claim intake and the delays in processing are frequently caused or exacerbated by the customer failing to fully complete the claim form or failing to attach the supporting documentation that is requested on the application form.

A business process improvement (BPI) review has recently been completed for the CA scheme. This project focused on optimising output, improving customer service and the elimi-

nation of backlogs.

The recommendations arising from this BPI recently have been implemented. The Department has introduced a number of measures to address the efficiency of claim processing for CA in light of the current waiting times, including the assignment of temporary and full-time staff and the facility to assign overtime working where appropriate.

These measures will, lead to a reduction in the average waiting time. The position is being closely monitored and kept under review by the Department.

Rural Transport Services

7. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the status of rural isolation schemes (details supplied); and if she will make a statement on the matter. [8699/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Free Travel Scheme permits customers to travel for free on most CIE public transport services, LUAS and a range of services offered by up to 80 private operators in various parts of the country. Free travel is also available on cross border journeys to and from Northern Ireland. Additionally, customers aged 66 years and over can travel for free on journeys within Northern Ireland. There are currently approximately 848,000 customers with direct eligibility for Free Travel.

The Free Travel scheme is open to operators both in rural and urban areas who wish to apply to join it. Payments are calculated on the basis of estimated fares foregone, at a reduced rate to take account of travel generated by the free travel scheme. Operators are not reimbursed for individual journeys.

I have no plans to make any changes to the free travel scheme at this time. Any decision to extend the scheme to allow free travel pass holders to avail of local taxi services would have budgetary and operational consequences and would have to be considered in the context of budget negotiations.

Carer's Allowance Applications

8. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the status of an application by a person (details supplied) under the carer's allowance scheme; and if she will make a statement on the matter. [8702/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the department received applications for carer's allowance (CA) from the person concerned on 29 September 2015 in respect of two care recipients.

In order to qualify for CA the applicant, inter-alia, must be habitually resident in the State.

The person concerned was refused CA on the grounds that this condition was not satisfied. He was notified on 22 March 2016 of this decision, the reasons for it and of his right of review and appeal.

The person concerned has appealed this decision to the Social Welfare Appeals Office (SWAO) on 21 April 2016. The department will prepare a submission, as required by the SWAO, as soon as possible and the file will be sent to the SWAO for determination.

Pension Provisions

9. **Deputy Ruth Coppinger** asked the Tánaiste and Minister for Social Protection why she applied a negative re-evaluation of deferred defined pensions; if she has assessed the impact this will have on pensions paid to deferred defined benefit pensioners; and if she will make a statement on the matter. [8709/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Pensions Act 1990 provides for all matters relating to occupational pensions, including the protection of members of pension schemes and providing for balance between the paying members, deferred members and drawing members (pensioners) of a pension scheme.

Under the provisions of the Pensions Act, the Minister for Social Protection must make Regulations specifying the percentage which will determine the amount by which preserved pension benefit is to be increased or decreased in the revaluation year. Making these Regulations is a legislative requirement and an obligation on the Minister and there is no discretion not to set the percentage where there has been a change in the level of consumer prices during the year. Under these provisions, the Occupational Pension Schemes (Revaluation) Regulations, 2016 were laid before the Houses of the Oireachtas on the 8th of this month.

A person who leaves employment, and who has been a member of their former employer's defined benefit pension scheme, may choose to either leave their accrued pension rights in the scheme of their former employer or transfer their rights to another vehicle which can accrue pension rights. Where the person chooses to leave their pension rights in the scheme of their former employer, they are regarded as "deferred" members of the scheme and legislation safeguards their rights in the scheme. Part of this protection is ensuring that their pension value is 'preserved' and revalued annually to keep pace with changes in the annual rate of Consumer Price Inflation. This maintains the spending power of these pension entitlements to a reasonable level. Deferred members are no longer contributing to the scheme and are not working for the employer. They may be in other employment and contributing to the scheme of the new employer.

The Social Welfare and Pensions Act 2012 provided for a change to amend the imbalanced situation where static or decreasing wage rates impacted on employees' potential pension benefits but not on the value of deferred members' pensions. The anomaly had arisen because the annual revaluation for deferred scheme members was limited to a lower floor of 0%. This floor was removed, and the revaluation of deferred members' benefits now tracks both negative and positive changes in the annual rate of the Consumer Price Index. 2015 is the first time the revaluation percentage has been negative, resulting in an adjustment of -0.3% to deferred member's prospective pension benefits. However, it is worth noting that since 2009, the overall change in the revaluation percentage for deferred members has been positive at 4.5%.

The revaluation percentage does not remove funding from pension schemes but rather provides for a fair distribution of available resources. It is not a levy and no income is received by the State as a result of the revaluation percentage changing.

It may be noted that the regulations cater for minimum standards. Scheme trustees, should the scheme rules allow it, are not precluded from applying revaluation rates that would be more beneficial to members where the scheme has the capacity to do so. For example, trustees may decide not to apply the negative revaluation for 2015.

It should also be noted that these measures will not have any impact on former scheme members where the scheme has already wound up.

Carer's Allowance Applications

10. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Social Protection when she will issue a decision on an application by a person (details supplied) under the carer's allowance scheme; and if she will make a statement on the matter. [8721/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the department received an application for carer's allowance (CA) from the person concerned on 4 November 2015.

The application is currently being examined by the department to assess the level of care being provided, assess means and confirm that all the conditions for receipt of carer's allowance are satisfied. A decision on the application will be made as quickly as possible and the person concerned will be notified directly of the outcome.

Jobseeker's Allowance Applications

11. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Social Protection the options for a person (details supplied) in having an application processed without delay under the jobseeker's allowance scheme; and if she will make a statement on the matter. [8738/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Where a person is engaged in casual or part-time employment, the days worked each week can vary. Accordingly, to ensure that the correct weekly payment issues, customers are required to complete a form on a weekly basis setting out the days on which they worked and the days on which they were unemployed and have this form verified by their employer. This is normally a very quick process with the submitted dockets scanned onto the Department's computer system and the relevant payment calculated and issued.

These arrangements can cause difficulties in a small number of cases and, in these circumstances, alternative arrangements can be put in place such as the acceptance of a signature from the employer's local representative (e.g. a local supervisor or manager). Any customer experiencing such difficulties should contact their local Intreo centre where alternative arrangements can be discussed.

Carer's Allowance Payments

12. **Deputy Michael Healy-Rae** asked the Tánaiste and Minister for Social Protection the status of arrears on a payment to a person (details supplied); and if she will make a statement on the matter. [8745/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The application for carer's allowance in respect of the person concerned was awarded on 22 December 2015. Arrears of allowance due from 23 July 2015 to 16 December 2015 were issued by cheque on 23 December 2015.

That cheque was cashed so the department has obtained a copy of the cashed cheque in order to examine the signature. Having examined the cashed cheque and compared it to the samples of the signature of the person concerned, the department is satisfied that the signature is highly likely to be the signature of the person concerned.

On 26 April 2016, a copy of the cashed cheque was sent to the person concerned. If, having received and examined the copy and checking his/her bank statements etc, the person concerned still maintains that s/he did not cash the cheque, s/he should get back in touch with the department immediately.

Carer's Allowance Appeals

13. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection to facilitate an oral hearing to determine an entitlement of a person (details supplied) under the carer's allowance scheme; if she will issue a basic payment in the interim; and if she will make a statement on the matter. [8764/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): Carer's allowance (CA) was in payment to the person concerned from 15 April 2010 to 27 January 2016. The person concerned was notified on 24 March 2016 that her payment had been terminated as she had failed to co-operate, as she is required to, with a social welfare inspector (SWI) during the course of an investigation.

The person concerned has recently appealed this decision to the social welfare appeals office (SWAO). The SWAO are an independent body and whether the appeal outcome is dealt with summarily or by oral hearing is a matter for the chief appeals officer (CAO). The person concerned may write to the CAO to request an oral hearing if s/he wishes.

Once all the necessary investigations have been carried out in relation to this appeal, the SWAO will be in contact with the person in question directly.

In the meantime, if the means of the person concerned are insufficient to meet her needs she should apply for a means-tested supplementary welfare allowance from her local community welfare service.

Rent Supplement Scheme Applications

14. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if and when she will issue rent support to a person (details supplied); and if she will make a statement on the matter. [8766/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The client concerned made application for Rent Supplement in December 2015 and was found to be ineligible. As the client is living in an area designated for the Housing Assistance Payment (HAP), he was advised at that time, to make application to Kildare County Council. Kildare County Council has confirmed to us that the client made a HAP application to them at the end of March 2016 and that they will issue a decision in due course.

Water Conservation Grant Applications

15. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection to issue a water conservation grant towards the Irish Water costs of a person (details supplied); and if she will make a statement on the matter. [8770/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The eligibility cri-

teria for the Water Conservation Grant are set out in the Water Services Act 2014 (Water Conservation Grant) Regulations 2015. Under regulation 5(1) a person who registers with Irish Water, as required under section 5(2)(a) of the Water Services Act 2014, on or before 30 June 2015 shall be eligible to receive the grant in 2015 if they were normally resident at the principal private residence on that date.

To date Irish Water has transferred details of over 1.3 million registered households to this Department including the details of the person concerned. A letter issued to the person concerned inviting them to apply for the grant before the deadline of 8th October 2015 and advising them that they could make this application either online or with the assistance of the Water Grant Support Team by telephone. Statutory Instrument 434 of 2015 provided for the extension of the deadline for the submission of a completed application for the Water Conservation Grant to the Department of Social Protection from 8th October 2015 to 22nd October 2015. However, there is no record of the person having applied for the grant prior to the closing date.

Rent Supplement Scheme Eligibility

16. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection to award rent support to a person (details supplied); and if she will make a statement on the matter. [8772/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): As detailed to the Deputy in reply to Parliamentary Question No 43420-15 and several related Parliamentary Questions, the client concerned has been requested on numerous occasions to provide the Department with details of all capital accrued from the sale of the family home. This documentation has not, to date, been received by the Department. A final reminder was issued to the client on 3rd December, 2015. This claim for Rent Supplement was closed on the 21st December, 2015.

Family Income Supplement Applications

17. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection to take the family circumstances of a person (details supplied) into account in determining the maximum payment on family income supplement in the event of the spouse forgoing the job-seeker's allowance; and if she will make a statement on the matter. [8773/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I can confirm that the spouse/partner of the person concerned is claiming an increase on his Jobseekers Allowance (JA) for a qualified adult (IQA). FIS is not payable to a person who is either on JA or is being claimed as an IQA on JA.

It is more beneficial for the family in question to claim FIS than for the person concerned to remain as an IQA on her spouse/partner's (JA) payment.

FIS section wrote to the person in question on 01 December 2015 explaining this and they were asked to contact their Intreo office requesting the JA claim to be revised and IQA removed. To date, the customer has not responded to this letter.

Based on the information available to the department, if the person concerned decides to forgo the IQA on JA and proceed with this FIS claim, they will be entitled to €77.00 FIS per week which represents an additional €6.40 in excess of the current weekly family income.

Social Welfare Overpayments

18. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the circumstances in which a person (details supplied) received an overpayment under the rent support scheme; and if she will make a statement on the matter. [8774/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Department has written to the client in question to discuss the issue of her outstanding debt and future repayment schedule, having regard to the family circumstances you raise.

Family Income Supplement Payments

19. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection if a person (details supplied) is entitled to an increase under the family income supplement scheme; and if she will make a statement on the matter. [8775/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The person concerned has been awarded a family income supplement (FIS) from 03 March 2016 to 01 March 2017 at a weekly rate of €98.00. This payment is based on the person's income and circumstances at the time of application for FIS. In accordance with legislation, rate changes during the 52 week payment period can happen only in certain specified circumstances i.e. where the family has an additional child or where there is a loss of one parent family payment due to the revised age thresholds.

Disability Allowance Applications

20. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection when she will approve a payment for a person (details supplied) under the disability allowance scheme, given that the person's eligibility under the domiciliary care allowance scheme ceased on the person reaching 16 years of age; and if she will make a statement on the matter. [8776/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): I confirm that the department is in receipt of an application for disability allowance (DA) from the above named person on 13 April 2016. On completion of the necessary investigations on all aspects of the claim a decision will be made and the person concerned will be notified directly of the outcome.

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

Carer's Allowance Applications

21. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Social Protection the status of an application by a person (details supplied) under the carer's allowance scheme; and if she will make a statement on the matter. [8777/16]

Tánaiste and Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 7th January 2016. It is a statutory requirement of the appeals process that the rel-

evant papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought from the Department of Social Protection. These papers have been received in the Social Welfare Appeals Office on 25th April 2016 and the case will be referred to an Appeals Officer who will make a summary decision on the appeal based on documentary evidence presented or, if required, hold an oral hearing.

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

Tax Code

22. **Deputy Brendan Griffin** asked the Minister for Finance the tax incentives and other incentives available to Irish emigrants hoping to return home to take up employment; and if he will make a statement on the matter. [8646/16]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that, as a member of the European Union, Ireland must comply with the freedom of movement principles of the European Treaties. It is likely that any tax incentive which would only be available to returning Irish emigrants, would be in breach of these freedoms.

The provision of a tax reduction to such individuals could also have the potential to distort the labour market. It could allow employers to offer reduced gross salaries to returning emigrants, which could put existing Irish resident individuals at a disadvantage when competing for employment opportunities.

Notwithstanding the above, there are some tax incentives which could be availed of by individuals entering the State to take up employment, including returning Irish emigrants.

Such an individual could elect for “split year” treatment in the year of arrival, which involves the discounting of any non-Irish employment income for tax purposes where it was earned before an individual permanently moves to Ireland. In broad terms, an individual is entitled to split year treatment where they enter the State and become resident at some time during a tax year, with the intention of remaining and being resident in the following tax year also.

Under split year treatment, an individual is entitled to full personal tax credits and allowances for the year of arrival, notwithstanding the fact that employment income earned in the year of arrival, prior to the date of arrival, is not subject to Irish tax. Such individuals are chargeable to tax on the full amount of any non-employment income, such as investment income, for the year of arrival.

A separate relief which may be available to returning Irish emigrants who meet the necessary conditions is the Special Assignee Relief Programme (SARP), an income tax incentive that allows relief on a proportion of income earned by an employee who is assigned by his or her relevant employer to work in Ireland for that employer, or for an associated company of that relevant employer. For 2015 and subsequent years, this relief is available to qualifying individuals on 30% of an employee’s income over €75,000.

In order to avail of the SARP incentive, an employee arriving in Ireland must have worked for the relevant employer for a minimum period of 6 months prior to arrival in Ireland and must not have been resident in the State for the 5 tax years immediately preceding the tax year in which he or she arrives in the State. A relevant employer is a company that is incorporated and tax resident in a country with which Ireland has a double taxation agreement or a tax informa-

tion exchange agreement.

The Deputy will also be aware of the income tax and Universal Social Charge reductions included in the last two Budgets, which have reduced the lowest three rates of USC, and the marginal rate of income tax payable by those on incomes of up to €70,044 per annum. As stated previously, I believe that these changes make Ireland a more attractive proposition, from an income tax perspective, for those Irish emigrants that may wish to return home.

Corporation Tax

23. **Deputy Sean Fleming** asked the Minister for Finance why there is a professional service surcharge effective rate of approximately 7% on top of the corporation tax rate of 12.5% in relation to businesses which are exporting such professional services when, at the same time, IDA Ireland is selling Ireland as an area where the maximum corporation tax rate is 12.5% given that some companies coming in under this belief are now discovering that they are caught for the additional surcharge and given that section 441 of the Taxes Consolidation Act defines what is covered by this, but some firms which are working in this area earn large amounts of their income from activities carried out in other areas by field workers on the ground who do not necessarily have professional qualifications, yet the companies' income can be surcharged additionally on this matter, and in this situation we are referring to internationally traded services companies, where they deliver their professional services abroad; and if he will make a statement on the matter. [8706/16]

Minister for Finance (Deputy Michael Noonan): Broadly speaking, a close company is a company under the control of 5 or fewer participators (including their associates), or of participators who are directors. The vast majority of companies registered for corporation tax in Ireland are "close companies".

There are specific rules in Irish tax law that are applicable to close companies. These rules are designed to ensure that persons who conduct certain activities and transactions through corporate structures do not receive an unfair tax advantage over persons who conduct similar activities and transactions without incorporating. The provisions seek to level the playing field between corporation tax, on the one hand, and personal income tax (where rates are generally higher) on the other. The close company surcharge of 20% applies in respect of investment income earned by a company, such as interest, dividend or rental income, which is not distributed to the company shareholders within 18 months of the company's year-end. The surcharge does not apply to the retained trading income of a close company. With investment and rental income of a company subject to tax at a 25% rate, there would be a strong incentive in the absence of a surcharge for persons to accumulate and retain such income within a company and thereby avoid marginal rate income tax and USC.

With regard to service companies (i.e. those that are engaged in professional services) that are close companies, the surcharge is extended to include a surcharge of 15% on 50% of trading profits which are not distributed within 18 months of the end of the accounting period. The activities of service companies are those that are typically carried on by an individual or partnership. Tax legislation does not define profession so it is given its ordinary meaning, taking into account relevant case law.

The service company surcharge was introduced in order to counteract an abuse whereby these activities were diverted to a company, being a company controlled by individuals who are actually providing the relevant services, and the income is withheld from distribution. In the absence of the service company surcharge, the profits would be taxed at the corporation tax rate

and, if not distributed, would avoid the higher personal income tax charge. This would result in a loss of tax revenue and would give an unfair tax advantage to persons who structure their affairs through corporations. As the surcharge only applies to 50% of undistributed trading income, provision is made for retention and re-investment of profits within professional services companies.

Non-resident companies are not within the close company provisions.

Economic Statements

24. **Deputy Pearse Doherty** asked the Minister for Finance when he will publish the spring economic statement; and if he will make a statement on the matter. [8740/16]

Minister for Finance (Deputy Michael Noonan): In accordance with the requirements of Regulation 1466/97, each Member State is required to present an annual update of its Stability Programme to the European Commission no later than the end of April. A draft Stability Programme Update was laid before the Oireachtas and debated in the Dáil on April 27th and will be formally submitted to Brussels by Friday 29th April.

Last year, Ireland's SPU was accompanied by a Spring Economic Statement (SES) for the first time. The SES set out in broad terms the Government's economic priorities and fiscal strategy over the medium term and represented an important stage in the reform of the Budgetary process.

In view of the ongoing discussions on Government formation at present, any decision to publish such a statement would be for the incoming Government but I believe it is a worthwhile initiative which should be continued.

UK Referendum on EU Membership

25. **Deputy Peter Fitzpatrick** asked the Minister for Finance if he is monitoring the potential economic fallout from the possible exit of the United Kingdom from the European Union, in particular the consequences for the Border counties, including County Louth; and if he will make a statement on the matter. [8780/16]

Minister for Finance (Deputy Michael Noonan): The Government's position on developments in relation to British membership of the EU has been clearly articulated, in particular by the Taoiseach and the Minister of Foreign Affairs and Trade: we very much want the UK to remain an integral member of the Union.

This is important for our economy, for the ongoing development of the excellent bilateral relations between Ireland and the UK and of course for stability and prosperity in Northern Ireland; independent research indicates that Ireland is the EU Member State which would be most affected by any change in the EU/UK relationship.

In addition to the important bilateral considerations, we also believe that the EU itself is stronger and more effective with the UK as a member.

The UK's continued membership of the Union is therefore a matter of strategic importance for the Government. In this regard, Government Departments, including my own, have been working on this matter for some time. Under the Department of Finance/Economic and Social Research Institute (ESRI) research programme agreement, my Department commissioned re-

search to be undertaken on scoping the potential economic implications on Ireland of a change in the EU/UK relationship. The research was published on 5 November 2015 and is an important contribution to understanding the potential issues arising, including the impacts across sectors and regions.

My Department, and other Government Departments, are working together to continue our assessment of all the issues involved in protecting Ireland's interests which include but are not limited to the counties mentioned - and we are continuing to explore the potential risks and to plan accordingly in the period up to 23 June 2016.

Housing Data

26. **Deputy Peter Fitzpatrick** asked the Minister for Finance the number of vacant houses in the possession of banks that receive State assistance; if he will provide this list to local authorities; and if he will make a statement on the matter. [8783/16]

Minister for Finance (Deputy Michael Noonan): I am advised that the banks disclose information on their residential mortgage portfolios in various sections in their Annual Reports.

All relevant disclosures in relation to AIB's Republic of Ireland residential mortgages properties in possession and repossessions disposed of - are contained on page 109 of AIB's 2015 Annual Financial Report. AIB state that "AIB seeks to avoid repossession through working with customers, but where agreement cannot be reached, AIB proceeds to repossession of the property or the appointment of a receiver, using external agents to realise the maximum value as soon as is practicable." The annual report is available in the following link:

<https://investorrelations.aib.ie/content/dam/aib/investorrelations/docs/resultscentre/annual-report/aib-annual-financial-report-2015.pdf>.

Bank of Ireland disclose information on properties in possession and repossessions disposed of for their Retail Ireland Mortgage portfolio on page 370 of their annual report. A link to the 2015 Bank of Ireland report is available here:

<https://investorrelations.bankofireland.com/wp-content/assets/BOI-Annual-Report-2015.pdf>.

Permanent TSB ("PTSB") have informed me that all information in relation to properties in possession and repossessions is available on page 177 of the 2015 Annual Report. PTSB state that "Repossessed assets are sold as soon as practicable, with proceeds offset directly against outstanding indebtedness." PTSB's Annual Report is available at the following link:

http://www.permanenttsbgroup.ie/~/_media/Files/I/Irish-Life-And-Permanent/Attachments/pdf/2015/ptsb-full-year-report-09-03-2016.pdf?

However for the benefit of the Deputy I include a table summarising some of these details:

Properties in possession at end 2015 (ROI)

-	Owner Occupied	Buy-to-Let	Total
AIB	623	91	714
BOI	120	47	167
PTSB	211	196	407
Total	954	334	1,288

Source: Annual Reports

As the Deputy may be aware the Relationship Framework agreements define the arm's-length nature of the relationship between the State and the banks in which the State has an investment, and as such each bank is individually responsible for managing their stock of repossessed properties. As noted in the annual reports cited repossessed properties are offered for sale by the banks using external agents as soon as practicable.

NAMA Debtor Agreements

27. **Deputy Michael McGrath** asked the Minister for Finance the total amount the National Asset Management Agency has written off for debtors on its books, the number of debtors involved, the number of arrangements it has reached with debtors in respect of their personal exposure on company borrowings; and if he will make a statement on the matter. [8800/16]

Minister for Finance (Deputy Michael Noonan): I am advised that, as at 31 December 2015, NAMA had agreed debt write-offs of a total of €1.5bn of Par Debt. This equates to 2% of the original par debt acquired by NAMA from the Participating Institutions. I am also advised that the total number of debtors who received par debt write-offs is 80. Debt is only written off where all of the underlying assets have been realised, there are no further assets to be realised nor any additional recourse available to NAMA to recovery borrowings from the debtor. This information is to be disclosed in NAMA's 2015 Annual Report, which is to be published towards the end of May 2016.

The Deputy will note that NAMA enters into such arrangements with debtors where it is expected that the exit arrangement will maximise the return to the State. I am advised that this may include debt compromise, as noted above, or settlement arrangements for a fixed number of years post exit.

I am further advised that, in certain cases, where the debtor has met certain stringent or 'stretch' targets set by NAMA, an arrangement may be entered into with that debtor to release them from their personal exposure, where there is no further prospect of recovery of borrowings from that debtor. Such arrangements have no impact on the return to NAMA in cases where no value can be recovered through the personal guarantees. That notwithstanding, the Deputy will note that NAMA has leveraged personal guarantees to obtain more than €900m in additional security for its loans, primarily by obtaining charges over previously unencumbered assets and through the reversal of prior asset transfers.

Financial Transactions Tax

28. **Deputy Finian McGrath** asked the Minister for Finance his views on correspondence (details supplied) regarding the financial transactions tax including if this tax will raise an extra €360 million per year; and if he will make a statement on the matter. [8803/16]

Minister for Finance (Deputy Michael Noonan): The document referred to in the correspondence mentioned by the Deputy is a Nevin Economic Research Institute (NERI) working paper which I note is work-in-progress.

Ireland already has a tax on financial transactions, a Stamp Duty on transfers of shares in Irish incorporated companies, which currently stands at 1%. I am informed by the Revenue Commissioners that the yield from this charge in 2015 was €424.13 million which is over €100

million higher than the estimated yield figure used in the NERI working paper referred to by the Deputy.

The Financial Institutions Levy I announced as part of Budget 2014 is a revenue raising measure which provides for a contribution from the banking sector to Ireland's economic recovery. The levy is in place for the years 2014 to 2016 inclusive with an anticipated annual yield of €150 million. As the levy is a percentage of an institution's DIRT liability in 2011, liability to the levy relates to the size of an institution's Irish operation. The entire banking system has been underpinned by the strong Government support provided both here and abroad and I believe it is appropriate therefore that the banking sector should make a contribution to the State's economic recovery. Accordingly, I announced in my Budget 2016 statement that I propose to extend the levy out to 2021, subject to a review taking place of the methodology used to calculate the levy. This will bring in an additional €750 million over the period, which is a very significant additional contribution to the Exchequer.

In relation to discussions at EU level, the Government's position is that a Financial Transactions Tax would be best applied on a wide international basis to include the major financial centres to prevent the danger of activities gravitating to jurisdictions where taxes are not levied on financial transactions. Notwithstanding this, the Government is not prepared to stand in the way of EU Member States that wish to work together to implement a Financial Transactions Tax and in this regard adoption of a decision formally authorising enhanced cooperation took place during the Irish Presidency of the EU in January 2013.

The proposal for a Directive from the European Commission in the area of financial transaction tax was published in February 2013. Ireland had many concerns about the proposal as drafted, not least of which were the potential impacts on, and the trading of, Irish Sovereign debt in the secondary market and in total, the potential negative impact on the liquidity of the financial sector as a whole. Members of the Economic and Financial Sub-Committee on EU Sovereign Debt Markets have stated that the introduction of the FTT would have a significantly negative effect on Sovereign Debt Markets and may impair the good-functioning of secondary markets for sovereign debt resulting in reduced liquidity, reduced investor demand and therefore higher financing costs for States.

Our concerns are widely shared amongst the Member States, including some of the participating countries. These concerns have led to the issuing of a communique by the participating Member States, announcing that they have agreed to implement a financial transaction tax in a progressive manner, with the first step being a charge on shares and some derivatives. More recently on 8th December 2015 the ECOFIN Council discussed the current state of play with regard to the proposal of a number of Member States to introduce a financial transaction tax. In the context of this discussion, ten of the original eleven Member States (Estonia has indicated that it no longer supports the proposal) issued a statement setting out their agreement on some principles and parameters for an FTT, as well as the areas that were still open for discussion. The statement indicates that a decision on the open issues should be made by end of June 2016.

The statement of the ten Member States indicates that further work will take place regarding the applicable tax rates. The ten Member States also agreed on the need to further analyse the impact of the tax on the real economy and pension schemes. They also state that the financial viability of the tax for each country is required i.e., whether or not the costs of implementing the tax are adequately covered by its revenue.

There is still uncertainty therefore as to the form the FTT might take and more detail would be needed on the final shape of the tax before a definitive conclusion could be reached about its impact on Irish taxation revenue.

28 April 2016

Pension Levy

29. **Deputy Patrick O'Donovan** asked the Minister for Public Expenditure and Reform his plans to reverse the imposition of the levy on the pensions of members of An Garda Síochána; the cost in one year of implementing this change; and if he will make a statement on the matter. [8668/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I refer to my answer to Parliamentary Question No. 13 on 27 April 2016.

Coastal Erosion

30. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the status of a case (details supplied) where land is being eroded by the sea; and if he will make a statement on the matter. [8712/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): It is a matter in the first instance, for each local authority to identify, investigate and address priority areas of their coastlines considered to be under significant threat from erosion. It is open to Kerry County Council to undertake coastal erosion remedial works using its own resources. If necessary, it may also put forward proposals to the relevant central Government Departments for funding of appropriate measures depending on the infrastructure or assets under threat. The Office of Public Works (OPW) operates the Minor Flood Mitigation Works and Coastal Protection Scheme, under which applications from local authorities are considered for measures costing not more than €500,000 in each instance. Funding for coastal erosion risk management studies may also be applied for under this scheme. Funding of up to 90% of the cost is available for projects which meet the eligibility criteria including a requirement that the proposed measures are cost beneficial.

Full details are available on the OPW's website at: <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>.

No application has been received to date by the OPW for the location referred to in this question. I believe the earlier works at this location referred to by the Deputy were carried out by Kerry County Council.

Flood Relief Schemes Status

31. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the status of a person (details supplied) whose land has been damaged due to flooding; and if he will make a statement on the matter. [8731/16]

Minister of State at the Department of Public Expenditure and Reform (Deputy Simon Harris): The Office of Public Works (OPW) has not received a report of the damage mentioned. In the context of the OPW's legal responsibilities it is making enquiries into the matter and will make contact with the person mentioned.

Pension Provisions

32. **Deputy Mary Butler** asked the Minister for Public Expenditure and Reform his plans

to provide a pension scheme for community employment scheme supervisors; and if he will make a statement on the matter. [8665/16]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Unions representing CE Supervisors and Assistant Supervisors have sought the provision of Exchequer funding to implement a Labour Court recommendation relating to the provision of a pension scheme dating back to 2008. In this regard the position has remained that it is not possible for the State to provide funding for such a scheme to employees of private companies even if those companies are or were reliant on State funding.

Notwithstanding this the matter has remained under review and I held a constructive meeting with SIPTU and IMPACT trade unions in relation to this matter. Having listened to their respective positions I reconvened the Community Sector High Level Forum which ceased operation some years ago in order that this matter is fully examined, having regard to costs and precedent.

The Forum commenced its work on 27 November 2015 and a further meeting of the Forum took place on 11 April 2016.

Action Plan for Jobs

33. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the status of the action plan for jobs (details supplied) for counties Kerry and Cork; and if he will make a statement on the matter. [8683/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Supporting enterprise development in all regions of the country in order to support job creation is a key objective of the Government, with initiatives such as the Regional Action Plans for Jobs seeking to build on the capabilities and strengths of each region to maximise enterprise growth and job creation.

The objective of the 8 Regional Action Plans is to strengthen and develop regional collaboration by encouraging local authorities, regional bodies, higher education institutions, the private sector and communities to come forward with innovative ideas to boost job creation in their respective regions. While all 8 regions vary in size (from one county in the case of the Dublin region to 6 in the case of the North East/North West region), the geographical remit of each region is defined at NUTS III level, the standard developed and regulated by the European Union for statistical purposes.

The South West Action Plan for Jobs, launched in July 2015, aims to deliver 40,000 extra jobs in the counties of Cork and Kerry by 2020. Key targets in service of this overall goal are to achieve an increase of 40-50% in the number of start-ups in the region; a 20% increase in employment in exporting companies which will be delivered by increasing in the number of IDA investments in the region by 30-40% to 2019; and an increase of 33% in tourist numbers and 40% increase in overseas revenue from the sector.

Sectors targeted as part of the plan include agri-food, tourism, manufacturing and ICT, including high-potential emerging sectors like multimedia/content and the green economy, energy and marine.

Key actions in the Plan to be delivered over the coming period include measures to achieve an increase of 40-50% in the number of businesses starting-up, scaling and surviving, to achieve a 20% increase in employment in exporting companies, delivered by winning 139 IDA invest-

ments, building an IDA advance facility in Tralee and a 50% increase in enterprise-research collaborations and other measures to support growth in Irish exporting companies and establishing an Employer and Education Skills Forum.

Actions are also set out to increase by 40% agri-food output to 2020 and to achieve a 33% increase in overseas tourist numbers, in addition to developing new sectors, including the content/multimedia sector, innovative energy technology and the green economy and rolling out “smart region” infrastructure.

Since the Plan was launched, focus has moved to putting in place a comprehensive implementation structure. A Regional Implementation Committee has been established, chaired by Mr Bob Savage, Managing Director of EMC. The Committee is composed of key stakeholders in the region who work in concert with Enterprise Champions - nominated senior private sector representatives - to oversee and monitor progress. The Committee held its second meeting in Tralee on 8th March last to review progress on the delivery of the Plan’s actions. The first Progress Report on the implementation of the Plan, covering the period to end-June 2016, will be completed and published in Q3 2016.

All regional Action Plans will be supported by investment of up to €250 million over the next five years, including €150 million for a property investment programme by IDA Ireland. A further sum of up to €100 million will be made available over the next five years through three competitive calls to be administered by Enterprise Ireland. These competitive calls are being targeted at innovative and collaborative approaches to support job creation across the regions.

On 22nd January, a €3m Regional Accelerator Scheme was launched, which aims ultimately to create more accelerator spaces in the regions where start-ups can locate their businesses and access supports. It is targeted that a further €3m will be leveraged with additional private sector investment to support this entrepreneurship initiative. This Regional Accelerator Scheme was the first competitive initiative to be launched under the €40m competitive regional jobs fund announced by the Government on 15th January.

Other elements of this fund to be rolled out over the coming months include:

- Opportunities to drive greater company/sector collaboration/clustering in the regions
- Driving procurement opportunities for start-ups and established small businesses
- Strengthening Third-level as a driver of regional enterprise
- Strengthening the start-up ecosystem locally.

Consumer Protection

34. **Deputy Clare Daly** asked the Minister for Jobs, Enterprise and Innovation if he is aware that a company (details supplied) is insisting that customers pay upfront for the collection of wheelie bins which are electronically tagged, despite not having made the fee structure pertaining to this available to customers or to the public; and his views on this practice. [8700/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The European Union (Consumer Information, Cancellation and Other Rights) Regulations 2013 (S.I. No. 484 of 2013) require traders to provide a range of information to consumers in a clear and comprehensible manner before the consumer is bound by the contract. That information includes the total price of the goods or services inclusive of taxes, or where the nature of the goods or

services is such that the price cannot reasonably be calculated in advance, the manner in which the price is to be calculated. If the contract is an off-premises or distance contract as defined in the Regulations, the information which the trader must provide forms part of the contract and cannot be altered without the express agreement of the consumer and the trader.

Investigation of possible breaches of the Regulations is the function of the Competition and Consumer Protection Commission. I have accordingly referred the Deputy's question to the Commission for consideration.

Tax Avoidance

35. **Deputy Sean Fleming** asked the Minister for Jobs, Enterprise and Innovation his views on a professional service surcharge that can be charged to companies on top of their corporation tax rate, where clients of the IDA Ireland, IDAI, or Enterprise Ireland, are trading internationally with professional services, and these services are delivered abroad, the general message appears to be that the corporation tax rate is 12.5% but some clients may have to pay the additional rate; if this matter is highlighted by IDAI, given its level of knowledge on this; if he considers it reasonable that the IDAI is pushing the 12.5% rate whereby the Revenue Commissioners are looking for a surcharge on top of that; and if he will make a statement on the matter. [8707/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The professional services surcharge to which the Deputy refers is one of a number of longstanding anti-tax avoidance rules relating to close companies. According to the Revenue Commissioners, a close company is a company that is under the control of five or fewer participators or is controlled by any number of participators who are directors.

I understand that the close company surcharge applies in respect of investment income – such as interest, dividend or rental income – which is not distributed to the company shareholders within 18 months of its year-end. Its primary purpose is to counter attempts to avail of lower company taxation rates on personal income.

IDA Ireland supported companies do not generally fall into the category of closed companies. The close company surcharge is therefore not an issue that is frequently raised by the Agency's clients.

With regard to Ireland's competitive rate of corporation tax of 12.5%, this has been an important part of our industrial policy since the 1950s. It remains a cornerstone of the Government's strategy to sustain an enterprise friendly environment that will foster further economic growth and job creation.

In terms of foreign direct investment (FDI), it is important to note that tax is only one of many reasons why companies choose to locate themselves here. Ireland has many other attributes that make it so attractive to FDI, including a highly educated workforce, the ease of doing business and the fact that we are the only English-speaking country in the Eurozone.

Work Permits Applications

36. **Deputy John Curran** asked the Minister for Jobs, Enterprise and Innovation to review the case of a person (details supplied) who was refused a work permit on the grounds that 50% of the employees need to be European Union nationals. [8748/16]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Sport and

Cultural Employment Permit Application as detailed above was refused on 15th April 2016. This refusal was made on the basis that it appeared from the information submitted, that the foreign national in respect of whom the employment permit was being sought, was at the time of application the sole employee of the employer. This being the case, the application did not pass the 50:50 Rule, whereby at least 50% of an employer's employees must be EEA nationals at time of application. Section 10(2B) of the Employment Permits Act 2006 (as amended) provides exemptions to the 50:50 rule for certain employment permit types, including the Sport and Cultural permit. These exemptions are as set out below:

- a) at the time of application the employer has no employees
- b) the foreign national in respect of whom the employment permit is being sought will be the sole employee of the employer and
- c) the Minister is satisfied that the foreign national in respect of whom the employment permit is being sought will be the sole employee of the employer concerned.

The exemption at S10(2B)(a) above does not apply to the current application, since the application states that the foreign national in question is currently employed on foot of a working permission from the Minister for Justice and Equality, known as a Stamp 2 permission. In relation to the exemption provision set out at S10(2B)(b), the application provided no evidence that satisfied the Minister that the foreign national concerned would remain the sole employee of the employer, thus this exemption from the 50:50 Rule could not be applied to the applicant.

The decision to refuse this application was communicated in writing to the applicant dated 15th April. The applicant was also provided with information on how to seek a review of the decision but thus far has not exercised this right.

The employer in question is also free to re-apply for an employment permit at a point in the future when the EEA / non-EEA employee ratio may reach a ratio that satisfies the 50:50 Rule.

Basic Payment Scheme Payments

37. **Deputy Timmy Dooley** asked the Minister for Agriculture, Food and the Marine when he will issue the remainder of farm payments to a person (details supplied); and if he will make a statement on the matter. [8757/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under the 2015 Basic Payment Scheme was received from the person named on 28 February 2015. The advance and balancing payments due under the BPS have already issued to the nominated bank account of the person named. A final balancing payment will issue over the coming weeks when the definitive value of entitlements has been established.

Fishery Harbour Centres

38. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of the dredging of a harbour (details supplied); and if he will make a statement on the matter. [8690/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Dingle Fishery Harbour Centre is one of the six designated Fishery Harbour Centres which are owned, managed and maintained by my Department under Statute.

My Department carried out investigations in relation to deepening the main navigation channel into Dingle Harbour some time ago. These investigation works involved a Dredging Study Report, incorporating Hydrodynamic Modelling, Benthic Studies and Chemical and Radiological Analysis of the sediments.

The Department has now completed a tender competition to procure the services of a consultancy firm with expertise in civil and marine engineering to prepare a preliminary report, detailed design and tender documentation for the Dredging of Navigation Channel Project at Dingle Fishery Harbour Centre, Co. Kerry.

On 11th of January, I announced funding of €1.225 million for new capital works and the maintenance of Dingle Fishery Harbour Centre during 2016. Of importance in the context of a possible future dredging project at Dingle is the allocation of €500,000 for the preparation of a Dumping at Sea Licence which will be required before any dredging project could commence.

As with all other developments in the six Fishery Harbour Centres, a dredging project at Dingle Fishery Harbour Centre will be considered under future Capital Programmes on the basis of available exchequer funding and competing priorities.

Fish Quotas

39. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of the fishing industry (details supplied) in County Kerry; and if he will make a statement on the matter. [8692/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Each month I receive recommendations from industry representatives at the Quota Management Advisory Committee in relation to the monthly allocations to fishing vessels of demersal stocks. The Whitefish Quota Management Advisory Committee, involving fishing industry representatives, meets each month and, as far as possible, I follow the recommendations for monthly regimes for particular stocks. Additional meetings are organised as required to discuss specific issues in particular fisheries that may arise, including in relation to pelagic stocks. The Committee is comprised of representatives from the four Fish Producer Organisations, National Inshore Fishery Forum, Fishing Co-Operatives, the Irish Fish Producers and Exporters Association and meetings are attended by the Sea Fisheries Protection Authority and officials from my Department.

I will ask my officials to bring your request to the attention of the Quota Management Advisory Committee at the next meeting which will discuss proposals for the fishing regimes for June. I will determine the regimes for June having considered the recommendations of the Quota Management Advisory Committee.

Fishing Industry Development

40. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of new schemes to be introduced for the fishing industry (details supplied); and if he will make a statement on the matter. [8693/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I was pleased to announce on 14 January 2016 the launch of Ireland's new €240 million EMFF Seafood Development Operational Programme. The implementing schemes under the Programme are broad

ranging, and a number of schemes are concerned with promoting sustainability in the fishing sector, similar to GLAS. These include a Sustainable Fisheries Scheme, an Inshore Fisheries Conservation Scheme, a Marine Biodiversity Scheme, an Engine Replacement Scheme, a Fisheries Local Area Development Scheme, a New Fishermen Scheme and an industry-led Mutual Fund for Adverse Climatic Events and Environmental Incidents. Overall, some €67 million is being made available to support fishermen through these schemes. Further details of these Schemes are available from Board Iascaigh Mhara's local officers or on BIM website www.bim.ie/grants.

These schemes are intended to assist fishermen in adapting to the requirements and opportunities of the Common Fisheries Policy and helping fishermen secure the future sustainability of their industry for their families and their communities.

Fishing Industry Data

41. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of the traceability of fish catches (details supplied); and if he will make a statement on the matter. [8694/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The Fisheries Control Regulation (EU) 1224/2009 establishing a control system for ensuring compliance with the Common Fisheries Policy and Regulation (EU) 404/2011 provides detailed rules for implementation of the Control regulation. Article 58 of the Control Regulation which applies to fisheries and aquaculture products provides that certain catch data must be 'available' throughout the supply chain. Products may be combined in lots and each lot must be labelled with supply chain traceability information. Each 'lot' is a quantity of fishery products or aquaculture products of the same species coming from the same area and fishing vessel or fishing vessels or fish farm. The traceability information associated with a 'lot' is required to remain available at all stages of production.

The information to be supplied with each lot is:

- Lot ID
- Quantity
- Supplier
- Commercial name
- Scientific name
- Catch area
- Production method
- FAO alpha 3 code
- Name of fishing vessel or vessels
- Date of capture (landing)
- Whether previously frozen.

Under the Common Market Organisation Regulation (EU) 1379/2013, the Area identifiable

in a lot is more specific than was provided for in the Control regulation. The CMO regulation requires the identifier of a fishing area to be expressed at the level of FAO sub-area, division, sub-division, fishing effort zone etc., in terms understandable to the consumer.

The Competent Authority in Ireland for the implementation of Article 58 of the Control regulation on traceability is the Sea Fisheries Protection Authority. The Authority in conjunction with Bord Iascaigh Mhara is carrying out a project called e-LOCATE.

e-LOCATE is designed to promote the efficient and secure collection, management and sharing of product information, through the adoption of global standards and best practices for weighing, labelling and data exchange.

BIM and the SFPA launched the EU funded e-LOCATE scheme in 2013 to provide financial assistance to Irish seafood enterprises for the implementation of new hardware and software for weighing, labelling and traceability. Key to the project was enabling the industry's transition away from paper-based documentation to adopting modern automatic identification and data capture (AIDC) technologies such as bar code scanning, that could facilitate the storing and sharing of information in a standardised, electronic way.

Food Industry Development

42. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of Irish farm produce (details supplied); and if he will make a statement on the matter. [8695/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Food Wise 2025, the new ten year strategy for the agri-food sector published in July last year, identifies the opportunities and challenges facing the sector and provides an enabling strategy that will allow the sector to grow and prosper. Food Wise includes more than 400 specific recommendations, spread across the cross-cutting themes of sustainability, innovation, human capital, market development and competitiveness; as well as specific sectoral recommendations. It identifies ambitious and challenging growth projections for the industry over the next ten years.

It is central to the Food Wise strategy that Irish agriculture and food production is produced to the highest international standards of quality and food safety, for both organic and non-organic production, and that Irish food safety and traceability systems are recognised as among the very best in the world. Food Wise 2025 acknowledges that this status is fundamental to the continued growth of international markets for Irish goods and will need to be maintained and enhanced if the 2025 growth forecasts are to be achieved.

GLAS Payments

43. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when he will issue payment for 2016 to a person (details supplied) under the green low-carbon agri-environment scheme; if he will issue it in stages; and if he will make a statement on the matter. [8713/16]

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 eligible for a 2015 part-year payment in respect of 2015 eligible actions, for the three month period 1 October 2015-31 De-

cember 2015.

The first instalment of the payment issued to the person named on 23 December 2015. The balancing payment will issue after all required regulatory checks are fully completed. Payments for the 2016 scheme year will commence in the final quarter of the year and will issue in line with governing Regulations in two payment tranches, a 75% payment and a 25% payment.

Agriculture Scheme Applications

44. **Deputy Aindrias Moynihan** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the low emissions slurry spreading equipment scheme, including when he will finalise it. [8715/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The applicant named has applied in the second tranche of the Low Emissions Slurry Spreading Equipment Scheme for a slurry tanker with trailing shoe. The application in this case has passed the initial administrative checks. All applications received are examined, validated and then have to be ranked and selected. Approvals will commence when this process is complete.

Agriculture Scheme Applications

45. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine when he will make a decision on an application by a person (details supplied) under the Scottish derogation scheme; and if he will make a statement on the matter. [8718/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application for allocation of entitlements under the 'Scottish Derogation' measure of the Basic Payment Scheme. Under EU Regulations governing the Basic Payment scheme, processing of applications involves administrative and on farm checks and verification of land details submitted. The checks are now complete and the application has now been finalised. A letter will issue to the applicant in the coming days to advise him the acceptance of his application and payment will follow shortly.

Targeted Agricultural Modernisation Scheme

46. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine when he will issue the appropriate forms to a person (details supplied) to allow the progression of a grant under the targeted agriculture modernisation scheme 2; and if he will make a statement on the matter. [8724/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The applicant named applied under the Dairy Equipment Scheme of TAMS II for an in-parlour meal feeding system and milk storage and cooling equipment in the first tranche. Part approval issued on 18 December. The outstanding full approval will issue in a matter of weeks. It is envisaged that the payment system will be in place in June to enable the claim for payment to be submitted and processed.

Agriculture Scheme Administration

47. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Food and the Marine to consider providing access to young trained farmers every 12 months under the national reserve funding scheme. [8725/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): In 2015 the National Reserve fund was based on a 3% cut to the Basic Payment Scheme financial ceiling and provided some €24 million in funding which was the maximum financing rate available under the relevant EU Regulations. When finalised there will be some 6,000 successful applicants under the 2015 National Reserve. Due to the high level of successful applicants under the scheme in 2015, all of the available National Reserve Funding will likely have been utilised.

For 2016 the only source of funding available to the National Reserve will be from ‘claw-back’ on the sale of entitlements without land and indications are that the level of funds that will arise from ‘clawback’ during the 2016 Scheme Year will be minimal. The Regulations also provide that Member States may apply a linear cut to the value of all farmers’ entitlements in order to provide funding for the National Reserve.

From 2017 onwards the National Reserve will be replenished from unused entitlements, as EU Regulations governing the scheme provide that entitlements that are unused for two consecutive years are surrendered to the National Reserve.

My Department has recently been in consultation with the Direct Payments Advisory Committee, which includes members of the main farming bodies and advisory services, in relation to the 2016 National Reserve. No final decision has been made at this time.

Targeted Agricultural Modernisation Scheme

48. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the targeted agricultural modernisation scheme 2; and if he will make a statement on the matter. [8734/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The applicant named applied in the first tranche of the Young Farmer Capital Investment Scheme for a mass concrete tank. The application has passed the administrative checks and will be examined by the local office shortly with a view to issuing approval.

Agri-Environment Options Scheme Payments

49. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the agri-environment options scheme; and if he will make a statement on the matter. [8741/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced their AEOS contract on 1 September 2010. Payment issued for the 2010-2014 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The application of the person named was also selected for an on-farm inspection which took place on 7 August 2015. During this inspection non-compliances with the Terms and Conditions of the Scheme were noted in relation to the Broad Leaf Tree Planting and Species Rich Grassland actions which resulted in

a penalty being incurred. The application will now be processed on the basis of the inspection findings and payment in respect of the 2015 Scheme year, less penalty, will issue shortly.

Areas of Natural Constraint Scheme Applications

50. **Deputy Seán Kyne** asked the Minister for Agriculture, Food and the Marine the reason a person (details supplied) did not receive a payment for 2015 under the areas of natural constraint scheme; the minimum livestock units required to qualify; the number of horse passports submitted as proof of stocking; the number of passports accepted and rejected; the reasons for the rejection of some; and if he will make a statement on the matter. [8742/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): An application under Areas of Natural Constraints (ANC) 2015 was received from the person named on 28 May 2015. Initial examination of the application indicated that the holding had not met the required minimum stocking density per the Terms and Conditions of the scheme. The holding is required to meet a minimum stocking density of 12 livestock units.

Documentation in respect of eleven equines was submitted to the department, of which only four equines were found to be meeting the eligibility criteria of the scheme. Of the remaining seven equines – three were found to be above the age of five with no foals registered in the previous two years, an additional two are confirmed as no longer on the holding, with the remaining two only registered to the person named in February 2016 and therefore ineligible for consideration under 2015 scheme year.

Young Farmers Scheme

51. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a young farmers scheme top-up for 2015 for a person (details supplied); and if he will make a statement on the matter. [8758/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted applications to my Department under the ‘young farmer’ category of the 2015 National Reserve and the Young Farmers Scheme. The processing of these applications involves administrative checks and verification of land details submitted under the 2015 Basic Payment Scheme application. These checks are required under the EU Regulations pertaining to the scheme. All such checks are currently being finalised and payment under the National Reserve and Young farmer scheme will issue to the person named very shortly.

Basic Payment Scheme Eligibility

52. **Deputy Brendan Smith** asked the Minister for Agriculture, Food and the Marine for clarification of entitlements under the basic payment scheme, with particular reference to the administration of estates, as outlined in correspondence (details supplied); to provide clarity in respect of this issue to enable persons to prepare applications under the 2016 scheme; and if he will make a statement on the matter. [8778/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): Basic Payment scheme entitlements which were allocated and activated in 2015 may be transferred in 2016 by a variety of methods including inheritance, sale and lease. Where entitlements are the subject of inheritance they must be inherited by the rightful beneficiary in the first instance prior

to transferring them by lease. Entitlements may not be leased out by the Repts of a deceased farmer. In the event that a Grant of Representation is not available at the time of application to inherit the entitlements, an Indemnity on the Transfer of Entitlements will be accepted in lieu. The Indemnity Form is available on my Department's website. Basic Payment Scheme entitlements may be used by the Repts of a deceased farmer in 2016 by submitting a Basic Payment scheme application form on behalf of the estate.

A person inheriting Basic Payment Scheme entitlements, who does not intend to farm, may apply for a BPS Transfer Number by contacting the Inheritance Enquiry Unit of my Department at lo-call 0761 064428. This number can be used for the purpose of inheriting the entitlements and either leasing or selling them to an active farmer who will be in a position to use the entitlements.

The Single Payment Scheme was introduced to Ireland in 2005 and operated until 31 December 2014. Payment entitlements allocated under that scheme were not attached to land and formed a separate proprietary asset in the estate of a deceased farmer. As such, where payment entitlements were not specifically mentioned in the will, they formed part of the residue of the estate. In 2015 the Basic Payment Scheme was introduced to Ireland and Regulation 1307/2013 provided for the allocation of payment entitlements. The relevant Division within my Department is currently in consultation with my Department's Legal Services Division in relation to situations where a will is silent on payment entitlements.

My Department's Inheritance Enquiry Unit provides advice and expertise on all issues relating to inheritance and administration of estates as relevant to all Department schemes and services and may be contacted at 0761 064 428.

GLAS Applications

53. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) under the green low-carbon agri-environment scheme; and if he will make a statement on the matter. [8787/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): There are a number of applications remaining, including that of the person named, which have not passed all of the Department's pre-payment validation checks for the 2015 part-year payment. The Department is continuing to investigate these issues including the correction of any IT or data issues with a view to all these remaining cases meeting the payment validation checks so that they will be paid the full amount of their 2015 part-year payment when the 2015 GLAS balancing payment issues.

Single Payment Scheme Applications

54. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an overclaim on a payment to a person (details supplied); and if he will make a statement on the matter. [8789/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application for the Single Payments Scheme on 24 April 2014. He was notified of an over claim and incurred a 3– 20% penalty. The person named submitted further evidence for review. On completion of that review, the reduction in the found area was less than 3% and no penalty was applied. A recalculation of the payment was undertaken and a refund

was paid to the nominated bank account of the person named on 20 April 2016.

Agriculture Scheme Payments

55. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a payment to a person (details supplied) under the basic payment scheme; and if he will make a statement on the matter. [8791/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application under the Basic Payments (BPS) and Areas of Natural Constraints Schemes (ANC) on 13 May, 2015. The advance and balancing payments due under the BPS have already issued to the nominated bank account of the person named. A final balancing payment will issue over the coming weeks when the definitive value of entitlements has been established.

Agriculture Scheme Payments

56. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a payment to a person (details supplied); and if he will make a statement on the matter. [8793/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a Transfer of Entitlements Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and values by Change of Registration Details of Herdnumber following the addition of his daughter to his herdnumber. This application was fully processed and payment under the Basic Payment Scheme issued on 8th March 2016.

The person named also submitted an application under the 2015 Young Farmers' Scheme to my Department, with his daughter as the young farmer. Officials from my Department have been in direct contact with the person named in relation to outstanding documentation required to finalise the processing of this application. Once the relevant documents have been received the applications will be finalised, with a view to payment issuing as soon as possible thereafter.

Agriculture Scheme Payments

57. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal of a decision on entitlements by a person (details supplied); and if he will make a statement on the matter. [8795/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a Transfer of Entitlements Allocation Right and Reference Value application to my Department seeking the transfer of allocation rights and values by Gift of Holding as transferee. This application was fully processed and payment under the Basic Payment Scheme issued on 18th April 2016.

The person named also submitted applications under the 'young farmer' category of the National Reserve and also the Young Farmers Scheme. These applications were fully processed and payment issued on 26th April 2016.

My Department has no record of having received an appeal from the person named in respect of a decision on entitlements.

Agriculture Scheme Appeals

58. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal of a decision on a farm payment by a person (details supplied); and if he will make a statement on the matter. [8796/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted a 2015 Basic Payment Scheme/Areas of Natural Constraint scheme application on 29 April 2015. EU Regulations governing the administration of these schemes require that full and comprehensive administrative checks, including in some cases Ground Eligibility inspections, be completed before any payments issue.

The application of the person named was selected for a Ground Eligibility inspection. This inspection resulted in findings of an over-declaration in area of between 3% and 20%. Payments due on this basis, under the 2015 Basic Payment Scheme, issued to the nominated bank account of the person named on 23 November 2015 and 1 December 2015.

The person named was notified of the inspection decision on 16 November 2015. The person named has appealed this decision and this request is currently being examined. The person named will be notified of the outcome as soon as possible. In the event that the person named is dissatisfied with the outcome of this review the decision can be appealed to the independent Agriculture Appeals Office, within 3 months.

Agriculture Scheme Payments

59. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of a payment to a person (details supplied) under the agri-environment options scheme; and if he will make a statement on the matter. [8797/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named commenced their AEOS contract on 1 September 2011. Payment issued for the 2010-2014 Scheme years.

Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. The application of the person named was also selected for an on-farm inspection which took place on the 9 October 2015. During this inspection non-compliance with the Terms and Conditions of the Scheme were noted in relation to the Traditional Hay Meadow, Natura and Species Rich Grassland actions which resulted in a penalty being incurred. The application has been processed on the basis of the inspection findings and payment in respect of the 2015 Scheme year, less penalty, issued in two parts: 85% on 18 April 2016; and the remaining 15% on 22 April 2016.

Young Farmers Scheme Eligibility

60. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal of a decision by a person (details supplied); and if he will make a state-

ment on the matter. [8804/16]

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): The person named submitted an application under the 'Old Young Farmer' category of the 2015 National Reserve to my Department. This application was not successful as the applicant was deemed to have commenced farming prior to 2008. On this basis the person named does not meet the eligibility criteria under the National Reserve 'Old Young Farmer' category. The person named was notified of this decision in writing and was offered the opportunity to submit an appeal.

My Department has now received an appeal from the person named in relation to their National Reserve application. This appeal has been considered by my Department based on the information set out by the applicant regarding the date of commencement of his farming activity and a decision will be notified in writing to the applicant within the coming days.

Garda Transport Data

61. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of patrol cars available to members of An Garda Síochána within each of the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts in each year since 2011; the current number of patrol cars attached to each of the Garda Síochána stations; and the number attached to each on 1 January 2011. [8671/16]

62. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of patrol cars available to members of An Garda Síochána for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts by year of entering service. [8672/16]

63. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of patrol cars unavailable owing to the need for repairs for each Garda Síochána station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts. [8673/16]

64. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of motorcycles available to members of An Garda Síochána undertaking policing within each of the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts in each year since 2011; the current number of motorcycles attached to each of the relevant Garda stations; and the number attached to each on 1 January 2011. [8674/16]

65. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of motorcycles available to members of An Garda Síochána for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts by the year of entering the service. [8675/16]

66. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of motorcycles unavailable owing to the need for repairs for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts. [8676/16]

67. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of vans available to members of An Garda Síochána undertaking policing within each of the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts in each year since 2011; the current number of vans attached to each of the relevant Garda stations; and the number attached to each on 1 January 2011. [8677/16]

68. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of vans available to members of An Garda Síochána for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts by year of entering the service. [8678/16]

69. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of vans unavailable owing to the need for repairs for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts. [8679/16]

70. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of four-by-four vehicles available to members of An Garda Síochána within each of the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts in each year since 2011; and the number of four-by-four vehicles attached to each of the relevant Garda stations currently and on 1 January 2011. [8680/16]

71. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of four-by-four vehicles available to members of An Garda Síochána for each Garda Síochána station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts by year of entering the service. [8681/16]

72. **Deputy Lisa Chambers** asked the Minister for Justice and Equality to set out in tabular form the number of four-by-four vehicles unavailable owing to the need for repairs for each Garda station in the Ballina, Belmullet, Castlebar, Claremorris and Westport Garda Síochána districts. [8682/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 61 to 72, inclusive, together.

As the Deputy will appreciate decisions in relation to the provision and allocation of Garda vehicles are a matter for the Garda Commissioner in the light of her identified operational demands and the availability of resources and I, as Minister, have no direct role in the matter.

Since 2012, some €34 million has been invested in the Garda fleet, with over 640 new vehicles coming on stream since the start of 2015. This significant investment provides the Gardaí with additional high-powered vehicles, marked and unmarked patrol cars, and motorcycles for high-visibility road policing. Investment in a modern, effective and fit-for-purpose Garda fleet will continue under the Government's Capital Plan 2016-2021 which provides €46 million for new Garda vehicles, ensuring that Gardaí can be mobile, visible and responsive on the roads and in the community to prevent and tackle crime.

I am informed by the Garda Authorities that the allocation of Garda vehicles is monitored and reviewed on a continual basis and vehicles are allocated between districts as required by operational circumstances including, for example, when vehicles are required in other districts to substitute for vehicles under repair.

In that context I am advised by the Garda Authorities that the information requested by the Deputy is set out as follows:

Vehicles assigned on 25/04/2016

-	Cars	Cars	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	4	3	2	0	0	0	9
Belmullet	2	1	1	0	1	0	5

28 April 2016

-	Cars	Cars	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Castlebar	7	4	3	1	1	0	16
Claremorris	10	5	3	0	1	1	20
Westport	2	2	2	0	0	0	6
Mayo Division Total	25	15	11	1	3	1	56

Vehicles assigned on 01/01/2016

-	Cars	Cars	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	6	3	1	0	0	0	10
Belmullet	2	1	1	0	1	0	5
Castlebar	7	4	2	1	1	0	15
Claremorris	11	4	3	0	0	1	19
Westport	3	1	2	0	0	0	6
TOTAL	29	13	9	1	2	1	55

Vehicles assigned on 01/01/2015

-	CARS	CARS	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	5	2	3	0	0	0	10
Belmullet	1	1	1	0	1	1	5
Castlebar	6	4	3	2	1	0	16
Claremorris	9	3	3	0	0	1	16
Westport	4	0	1	0	0	0	5
Total	25	10	11	2	2	2	52

Vehicles assigned on 01/01/2014

-	CARS	CARS	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	MBIKES	4X4	Others	Total
Ballina	5	2	3	1	0	0	11
Belmullet	0	0	1	0	1	2	4
Castlebar	5	4	3	1	1	2	16
Claremorris	6	4	3	0	0	0	13
Westport	3	1	2	0	0	0	6
Total	19	11	12	2	2	4	50

Vehicles assigned on 01/01/2013

-	CARS	CARS	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	5	2	3	1	0	0	11
Belmullet	0	0	1	0	1	4	6
Castlebar	4	3	3	1	2	1	14
Claremorris	12	4	1	0	0	0	17
Westport	4	1	0	0	0	0	5
TOTAL	25	10	8	2	3	5	53

Vehicles assigned on 01/01/2012

-	CARS	CARS	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	5	2	2	1	0	0	10
Belmullet	2	1	0	0	1	4	8
Castlebar	6	3	3	1	2	1	16
Claremorris	13	4	1	0	0	0	18
Westport	4	1	0	0	0	0	5
TOTAL	30	11	6	2	3	5	57

Vehicles assigned on 01/01/2011

-	CARS	CARS	-	-	-	-	-
-	MARKED	UN-MARKED	VANS	M-BIKES	4X4	Others	Total
Ballina	5	2	2	1	0	0	10
Belmullet	3	1	0	0	1	4	9
Castlebar	5	4	3	1	2	1	16
Claremorris	13	4	1	0	0	0	18
Westport	4	1	0	0	0	0	5
TOTAL	30	12	6	2	3	5	58

I am also advised that the Deputy's request for the year each type of vehicle came into service in the specified area would involve a disproportionate amount of Garda time and resources. However, the following table sets out the number of vehicles assigned to the area in question and the year they were commissioned.

Year Vehicle Commissioned	No. of Vehicles
2000	1
2005	1
2006	2
2007	5

Year Vehicle Commissioned	No. of Vehicles
2008	6
2010	3
2011	4
2012	2
2013	9
2014	10
2015	9
2016	4
Total	56

Gambling Sector

73. **Deputy Imelda Munster** asked the Minister for Justice and Equality the provisions in place to restrict the advertising of gambling outlets. [8691/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I wish to inform the Deputy that I currently have no regulatory role in regulating the advertising of gambling outlets. However, the Deputy may be aware that the Government, in July 2013, approved the General Scheme of the Gambling Control Bill. The General Scheme is available on my Department's website.

The Bill will confer responsibility for all regulatory matters on the Minister for Justice and Equality. The Minister's functions will include licensing, inspections and prosecutions, and it is envisaged that these functions will be carried out by a body located within my Department.

The proposed legislation will have consumer protection generally as one of its core principles, and it is envisaged that it will include several measures aimed at the protection of vulnerable persons, including children, from risks to their well-being arising from gambling. The Scheme includes measures that will require licence holders to act in a socially responsible way. These measures will include controls on advertising, promotions and sponsorship.

The Deputy may wish to note that the Advertising Standards Authority, in its most recent code published in 2015, included specific provisions relating to the advertising of gambling products.

Road Traffic Accidents Data

74. **Deputy Clare Daly** asked the Minister for Justice and Equality what criteria An Garda Síochána uses in classifying a fatality as a road fatality, including but not restricted to the maximum period after a road accident within which a death must take place in order for it to be classified as a road fatality; if another vehicle must be involved in an accident leading to death in order for a death to be classified as a road fatality; if it is a requirement for An Garda Síochána to have attended the scene of an accident in order for it to be classified as a road fatality; the agents and agencies which supply data on road fatalities for collation; and if there is a statutory obligation on An Garda Síochána, the Road Safety Authority or any other body to record a fatality as a road fatality if informed that a death has occurred on a public road. [8710/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Garda authorities that, in line with counting rules adopted by the Road Safety Authority, a colli-

sion is recorded as a fatal collision where at least one person is killed as a result of the collision and death occurs within 30 days of the incident. I am further advised that another vehicle does not have to be involved in the collision and that An Garda Síochána record single vehicle traffic collisions. All fatal collisions, and collisions where available information indicates that there is a likelihood of a fatality, are investigated by An Garda Síochána. Where a road traffic collision is initially believed to be of a minor nature, Gardaí may not have attended the scene at the time of the incident's occurrence. Where a fatality subsequently results, Gardaí will attend the scene during the course of their investigation. All road traffic collisions reported to An Garda Síochána are recorded on PULSE and An Garda Síochána provides electronic data to the RSA in respect of all such collisions, in keeping with a requirement to provide the RSA with relevant information and statistics under the Road Safety Act 2006. I further understand that the recording of traffic fatalities by the RSA is not the subject of specific statutory obligations.

Prisoner Complaints Procedures

75. **Deputy Clare Daly** asked the Minister for Justice and Equality the progress on the review of the prison complaints procedure initiated by the Inspector of Prisons, with particular reference to publishing the number of prison complaints, the number of complaints that were upheld, and how they were resolved. [8729/16]

76. **Deputy Clare Daly** asked the Minister for Justice and Equality to introduce a fully independent prisoner ombudsman to deal with prisoner complaints. [8730/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I propose to take Questions Nos. 75 and 76 together.

The Inspector of Prisons, who is independent of Government, has carried out a review of the prisoner complaints procedure currently in operation in the Irish Prison Service and has made a number of recommendations, including one relating to a possible role for an Ombudsman. My officials and I are currently examining those recommendations

The current prisoner complaints system was introduced in the Irish Prison Service in November 2012 based on a model recommended by the Inspector of Prisons who has independent oversight of the process. The intention was to have robust procedures in place which would give prisoners access to a credible complaints system that deals with genuine complaints in an open, transparent and independent way.

The system is categorised depending on the nature of the complaint. Category A complaints concern the most serious level of complaint (assault, serious intimidation by staff etc.). Category B complaints include allegations of discrimination, verbal abuse by officers and inappropriate searches. Category C complaints are essentially service complaints where a prisoner is unhappy with the level of service in a particular prison. Category D complaints are those alleging misconduct or mistreatment by professionals providing services to prisoners such as doctors, dentists etc.

In January 2013 the then Minister announced amendments to the Prison Rules to support and give effect to the new procedures for the investigation of prisoner complaints. In the main, the amendments to the Prison Rules provide that prisoner complaints under Category A will be examined by investigators from outside the Prison Service to ensure an effective and impartial investigation. The complainant was to be kept informed and the reports by outside investigators are automatically submitted to the Governor in question, the Director General and the Inspector of Prisons. The Inspector has had oversight of the process from the very beginning which was

also strengthened by extra resources assigned to his office. A panel of 22 external investigators were recruited and since the introduction of the complaints procedure in November 2012 to date there have been 348 Category A complaints received under the new system.

In addition, there are fourteen Prison Visiting Committees in existence - one for each institution. The function of Visiting Committees is to visit the prison to which they are appointed and hear any complaints which may be made to them by any prisoner. The Committees play a vital role in ensuring the quality of accommodation and catering, medical, educational and welfare services and recreational facilities.

Below are tables showing details of Category A complaints made in the period from November, 2012 - when the new comprehensive prisoner complaints system was introduced - to date. Tables 3 and 4 show for the period November 2012 to 2015 the type of complaints made, the outcomes of the complaints procedures and the number of complaints by prison. Tables 1 and 2 provide this data for 2016 to date. Overall, for the period November 2012 to date, 384 Category A complaints have been received. Of these, 18 were upheld, 249 were not upheld, 1 was not proved, 23 were terminated under section 57B(5)(C) of the Prison Rules, 2007 and 57 are currently incomplete.

Rule 57B (5)(c) of the Prison Rules 2007 provides that “If the complaint is withdrawn, the Governor, or the Designated Officer where the Governor is the subject of the complaint, shall inquire as to why the complaint was withdrawn, document the reasons given and forward a report to the Director General. If there is any evidence of any threat or inducement for the complainant to withdraw the complaint, the initiation of disciplinary proceedings shall be considered. On receipt of the Governor’s or the Designated Officer’s report, the Director General may decide that the investigation should be terminated (and if so document the reasons for doing so and advise the Inspector of Prisons) or direct that the investigative process should continue.”

Table 1: Category A Complaints received by prison 2016

Prison	Category A Complaints by Prison
Mountjoy	0
Dochas	1
St. Patricks	0
Cloverhill	6
Wheatfield	1
Arbour Hill	0
Portlaoise	0
Midlands	7
Cork	2
Castlerea	13
Limerick	0
Training Unit	0
Total	30

Table 2: Outcome of Category A Complaints received 2016

Category A Complaint by Outcome		Category A Complaint by Type	
Upheld	0	Assault	19
Not Upheld	2	Mistreatment etc	0

Not Proved	0	Racial	7
Terminated 57B(5) (c)	1	Sexual	1
Incomplete	27	Threats/Intimidation	3
Total	30	Total	30

Table 3: Category A Complaints received by prison 2012-2015

Prison	Category A Complaints by Prison
Mountjoy	56
Dochas	15
St. Patricks	24
Cloverhill	79
Wheatfield	27
Arbour Hill	5
Portlaoise	16
Midlands	36
Cork	10
Castlerea	37
Limerick	12
Training Unit	1
Total	318

Table 4: Outcome of Category A Complaints received 2012-2015

Category A Complaint by Outcome		Category A Complaint by Type	
Upheld	18	Assault	164
Not Upheld	247	Mistreatment etc	42
Not Proved	1	Racial	62
Terminated 57B(5) (c)	22	Sexual	26
Incomplete	30	Threats/Intimidation	24
Total	318	Total	318

Criminal Injuries Compensation Tribunal

77. **Deputy Pearse Doherty** asked the Minister for Justice and Equality the average waiting time for cases to be determined by the criminal injuries compensation tribunal in respect of applications for compensation under the scheme of compensation for personal injuries criminally inflicted; the measures she is taking to expedite the processing of applications; and if she will make a statement on the matter. [8732/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I wish to advise the Deputy that under the terms of the Scheme of Compensation for Personal Injuries Criminally Inflicted, the Criminal Injuries Compensation Tribunal is entirely independent in the matter of individual applications for compensation under the Scheme and is also responsible for the administration of the Scheme.

I understand that information in relation to the average length of time taken to process ap-

plications is not available as the time taken to process an application can vary widely from case to case. For instance, if there is a delay in receiving the Garda report or if Tribunal queries arise which result in applicants taking time to respond or if there is a dispute between dependants or family members an application may take some time to finalise. In addition, I understand that in cases of serious injury to the victim it can take a considerable amount of time (in some cases a number of years) before their treating consultant is in a position to give a final prognosis.

There is no time limit for the submission of an application in a fatal case. However, under the terms of the Scheme it is a matter for the claimant to establish his/her case, that is, to provide the Tribunal with the necessary documentation to support the claim.

Applications are processed as quickly as possible subject to some of the constraints mentioned above.

Naturalisation Applications

78. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality her progress in determining eligibility for naturalisation for a person (details supplied); and if she will make a statement on the matter. [8759/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing and will be submitted to me for decision as expeditiously as possible.

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

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most cases are now generally processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

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

Residency Permits

79. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the options available to persons (details supplied) in upgrading residency status to stamp 4; and if she will make a statement on the matter. [8760/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the persons in question entered the State under student conditions in 2006 and as such they are subject to the Student

pathway.

I understand from INIS that as an exceptional measure, on 17 February 2016, the persons mentioned were granted permission to remain in the State as timed out students for a period of 18 months on the same conditions as student vacation periods. This permission allows them to source employment for which a work permit is required.

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

Naturalisation Eligibility

80. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if she can waive the requirement for a passport from a person's homeland (details supplied) in the context of determining eligibility for naturalisation; and if she will make a statement on the matter. [8761/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): Persons making an application for a certificate of naturalisation are required to provide satisfactory evidence of their identity and nationality. This is usually in the form of a currently valid passport and may include other original supporting documents, such as a birth certificate and marriage certificate. In rare circumstances where an applicant cannot produce their passport or other supporting documents the applicant will be required to provide a full explanation. Such explanation should be supported by satisfactory evidence that they have attempted to obtain such documentation and correspondence from the relevant authorities responsible for the issuing of passports in their country, clearly stating the reasons the documentation cannot be provided. INIS will consider the reasons given and, if satisfied it is for reasons genuinely beyond the applicant's control, may suggest alternative means to the person to assist in establishing their identity and nationality.

In this particular case, correspondence issued to the person concerned on 27 January 2016 and reminders on 2 February 2016 and 29 February 2016, requesting her national passport or satisfactory explanation from the relevant authorities stating a reason why a passport is unobtainable. Upon receipt of the requested information, or in the event that the person does not respond, the case will be further processed and will be submitted to me for decision as expeditiously as possible.

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

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

Visa Applications

81. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when she will facilitate a family reunification for a person (details supplied). [8762/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the applications referred to by the Deputy were received by the Visa Office in Dublin on 8/12/2015 and are currently awaiting examination. This office is currently processing applications of this type received on 2/11/2015. Officials will be in contact with the applicants and sponsor as soon as a decision is made.

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

In addition, applicants may themselves e-mail queries directly to INIS (*visamail@justice.ie*).

Residency Permits

82. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedure a person (details supplied) must follow to regularise residency; and if she will make a statement on the matter. [8765/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order made on 3 October 2011 and therefore has no entitlement to residency in the State.

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

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

Immigration Status

83. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality to renew stamp 4 for a person (details supplied); and if she will make a statement on the matter. [8767/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I am informed by the

Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned held an immigration permission which expired on 4 March, 2016.

I am generally aware that foreign nationals living in the State can encounter difficulties in the area of obtaining or renewing passports particularly when there is no embassy or consulate here to assist. As you will appreciate, the conditions under which a national passport is issued or renewed are essentially a matter between the citizen and the national government.

As the current immigration permission of the person referred to by the Deputy has expired, they should apply for renewal of this permission with the Garda National Immigration Bureau and provide evidence that they have been in contact with their embassy for consular assistance. I understand from INIS that the individual in question may be able to obtain a consular identification card, from the nearest embassy, which they can present to their local immigration office to enable them to be registered for a further period.

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

Residency Permits

84. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 278 of 14 April 2016, to facilitate the provision of stamp 4 residency for a person (details supplied); and if she will make a statement on the matter. [8768/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that, as previously advised, the person in question currently holds an immigration permission (Stamp 2) until 5th December 2016. No application nor information has been received by my Department regarding any change of status.

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

Residency Permits

85. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality to award stamp 4 status to a person (details supplied); and if she will make a statement on the matter. [8771/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that this person was granted Stamp 2A in line with their spouse who holds a Stamp 2: both permissions expire on 7 October 2017.

It should be noted that both applicants would be regarded as timed out students. In that

regard I wish to draw your attention to the document '*Guidelines for non-EEA national students registered in Ireland before 1 January, 2011*' which is available on the INIS website at www.inis.gov.ie. This notice clarifies the position in relation to a non-EEA student registered in Ireland. As well as the above document, a series of guideline notes outlining how the new immigration regime operates are also available on the INIS website, including information on maximum time limits for students who wish to study at Language Non-Degree Level and Degree Level. As such, Stamp 4 is not an option available to the couple in this case.

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

Coroners Service

86. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality the status of the recruitment process of county coroners and for deputy county coroners (details supplied); and if she will make a statement on the matter. [8779/16]

Minister for Justice and Equality (Deputy Frances Fitzgerald): The legislation governing Coroners is the Coroners Act, 1962, as amended. Section 8 of the Act provides that there shall be a Coroner for every Coroner's district who shall be appointed by the Local Authority in whose area the district is situated. The recruitment process is therefore a matter for each County's Local Authority. However, Section 32 of the Civil Law (Miscellaneous Provisions) Act, 2011 provides for the amalgamation of Coroner districts within a Local Authority area by the Minister for Justice and Equality in consultation with the Local Authority concerned. In respect of the districts of Kerry North, Kerry West and Kerry South East these three districts stand to be amalgamated when the Coroner for Kerry South East retires.

Section 13(1) of the Act provides that each coroner shall appoint a Deputy Coroner. A Coroner may, if he or she so wishes, appoint a sitting Coroner in another district to deputise for him or her. I understand for instance that the Coroner for Kerry North-Kerry West and the Coroner for Kerry South East currently deputise for one another. Upon the amalgamation of the Kerry districts it will be a matter for the sitting Coroner to appoint a Deputy having obtained the prior approval of the Minister for Justice and Equality.

Early Childhood Care and Education

87. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs the criteria he uses to assess the eligibility of qualifications for inclusion on his Department's early years recognised qualifications, the early years qualifications he recognises for the purposes of meeting the requirements of the regulations and his Department's child care programme contracts. [8641/16]

Minister for Children and Youth Affairs (Deputy James Reilly): The Early Childhood Care and Education (ECCE) programme introduced the first-ever requirement for minimum qualifications for staff working in the childcare sector. Prior to the introduction of the programme there was no requirement for staff working directly with children in pre-school services to hold any educational qualification.

New qualification requirements for childcare workers are also being introduced as part of the Early Years Quality Agenda. All staff caring for children in an early years service will be subject to a minimum qualification requirement, from the end of this year, of FETAC Level 5 or equivalent under the new Child Care Regulations to be made shortly. Pre-school leaders delivering the ECCE programme will require a FETAC Level 6 qualification or equivalent under the ECCE contract from the end of this year.

It is the responsibility of childcare providers and their staff to ensure that they hold the required or equivalent qualification. A list of recognised qualifications for the purpose of meeting the contractual requirements of the ECCE programme and in the Regulations is published on the Department's website at www.dcy.gov.ie.

The DCYA Early Years Recognised Qualifications list identifies qualifications which are acceptable for the purposes of meeting the requirements of the forthcoming regulations and DCYA Childcare Programmes Contracts. This list has been derived from two sources: advice from the Higher Capitation Advisory Board in 2011, and ongoing reviews of qualifications submitted to the DCYA. Applications for recognition are reviewed by a board with expertise in qualifications, early childhood care and education and early years policy, in association with the Department of Education and Skills.

In preparing the list of DCYA Early Years Recognised Qualifications, all decisions on the acceptability of these qualifications have been reviewed against a set of criteria including core knowledge and skills identified as essential for practice in Early Years settings, being:

- Child Development 0-6;
- Early Childhood Education - Theory and Practice;
- Child Health and Welfare 0-6 years.

The Department of Education and Skills is carrying out a comprehensive review of the education and training qualifications in early childhood education and care during 2016 and 2017 in consultation with the DCYA, education partners and the wider sector. The findings of the review may inform future decisions in relation to determining whether qualifications are suitable for professional practice in the ECCE sector and the Department reserves the right to review the recognition of any qualification on the published list.

Where a qualification is not published on the list of National Framework of Qualifications on the DCYA website, but the holder considers it to be an appropriate major award or the equivalent, they should apply to this Department through the Qualification Recognition process. If it is approved for recognition the details of the qualification will be added to the list of qualifications on the Department's web page.

Early Childhood Care and Education

88. **Deputy Robert Troy** asked the Minister for Children and Youth Affairs why a person (details supplied) is not entitled to an additional free year of preschool under the early childhood care and education scheme; and if he will exercise discretion or allow an exemption for persons whose birthday falls close to the cut-off point for the additional year under the expanded scheme. [8669/16]

Minister for Children and Youth Affairs (Deputy James Reilly): In Budget 2016 it was announced that, from September 2016, children will be eligible to start free pre-school when

they reach the age of 3, and can continue in free pre-school until they start primary school (once the child is not older than 5½ years at the end of the pre-school year i.e. end June). The age range for eligibility for children enrolling for the Early Childhood Care and Education (ECCE) programme in September 2016 is 1 January 2012 to the 31 August 2013.

It is my understanding that the child in question will be eligible to apply for an ECCE place this coming September and can avail of 38 weeks of free pre-schooling under the ECCE programme up to the end of June 2017.

The eligibility criteria for national schemes must be strictly adhered to. Exceptions to these criteria can only currently be made in the event that a child has been diagnosed as having a special-additional need. Any request for an exemption from ECCE eligibility criteria must be supported by a medical assessment report from the HSE-medical specialist, specifying the child's special need and diagnosis. In such a case, an application should be made to the Early Years Policies and Programmes Unit of my Department, attaching a supporting medical report.

Maternity Services

89. **Deputy Willie O'Dea** asked the Minister for Health when he will establish a baby loss unit for parents who suffer the loss of a child at the University Maternity Hospital in County Limerick; and if he will make a statement on the matter. [8644/16]

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

Hospital Appointments Status

90. **Deputy Peter Burke** asked the Minister for Health to expedite an appointment for a person (details supplied). [8645/16]

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

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

Suicide Prevention

91. **Deputy Gerry Adams** asked the Minister for Health the Health Service Executive funding available to community and voluntary suicide prevention groups and the application process to access it. [8648/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Funding for suicide prevention is provided to the National Office for Suicide Prevention (NOSP) by the HSE from its overall budget for mental health. The role of the NOSP is to oversee the implementation of our suicide prevention strategy *Connecting for Life*, and to coordinate suicide prevention efforts around the country. The NOSP, in partnership with the voluntary sector, helps to support a wide array of work in communities across the county that focus on promoting positive mental health and reducing suicide and self-harm by providing significant grant funding each year as well as by assisting in coordinating and giving a strategic direction to the work undertaken. Funding for NOSP has increased from €3.7 million in 2010 to the current level of €11.55 million.

I have referred the Deputy's question to the HSE for direct reply in respect of detailed information sought relating to the NOSP, or any other funding source used by the Executive for the purposes indicated by the Deputy.

Autism Support Services

92. **Deputy Finian McGrath** asked the Minister for Health to support a matter (details supplied) regarding services for young adults with autism spectrum disorder; and if he will make a statement on the matter. [8650/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Cross-Border Health Services Provision

93. **Deputy Finian McGrath** asked the Minister for Health to support a matter regarding medical treatment in another European Union state (details supplied); and if he will make a statement on the matter. [8652/16]

Minister for Health (Deputy Leo Varadkar): The Health Service Executive operates the EU Directive on Patients' Rights in Cross Border Healthcare in Ireland. It is within the professional/patient relationship that the options for treatment are most appropriately discussed and advice as to where services might be sought is given, including availing of this Directive for overseas treatment within the EU/EEA. In order to inform health professionals about the Directive, the HSE has met and communicated with a number of professional bodies and organisations, such the ICGP, the Independent Hospital Association, and various voluntary hospitals and hospital groups, to inform them how their patients can access healthcare under the terms of the Directive.

The HSE also wrote to the Hospital Groups CEOs and each Hospital Chief Officer in January 2016 reminding them of the Directive and its operation. In the letter the HSE provided sample text informing patients of their rights under the Directive. The letter suggested that, as they deem appropriate, the CEOs/Chief Officers might include this information in any relevant communication to patients, e.g., waiting list letters. The HSE continues to be available to meet Groups regarding the Directive.

Under the Directive insured patients are entitled to have costs of cross-border healthcare

services reimbursed if the healthcare service in question is among the benefits to which they are entitled in their Member State of affiliation. The HSE endeavours to reimburse the cost of treatment incurred or the cost of providing such healthcare in the State, whichever is the lesser, to the applicant within 30 days of receipt of a claim for reimbursement, in line with Prompt Payment legislation.

Each Member State is free to set its own payment policy for cross-border healthcare services; by means of reimbursement to the patient or by direct payment to the healthcare provider. That policy decision is a matter for each Member State under the Directive and, similar to the majority of Member States, Ireland has no plan to introduce a policy of direct payment to each healthcare service provider, both public and private, in all EU/EEA Member States for healthcare services provided by them.

Mental Health Services

94. **Deputy Finian McGrath** asked the Minister for Health to support a matter (details supplied) regarding mental health services; and if he will make a statement on the matter. [8653/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Ireland's national Mental Health policy, A Vision for Change, provides a framework for the development of more accessible, community-based or specialist services for people with mental illness. This policy has been supported by the provision of €160 million since 2012. Over this period, in the region of 1,550 new Mental Health posts have been approved.

In 2015, the Government launched 'Connecting for Life', our new strategy to reduce suicide for the period 2015 – 2020. The Strategy sets out a vision where fewer lives are lost through suicide, and where communities and individuals are empowered to improve their mental health and wellbeing. This includes a greater focus on the important area of support for families and communities in suicide prevention, and will include providing community-based organisations with guidelines, protocols and training on effective suicide prevention.

Dealing with the current levels of suicide and deliberate self-harm is a national priority. Funding for suicide prevention, provided to the National Office for Suicide Prevention by the HSE, has increased from €3.7 million in 2010 to €8.8 million in 2015, an increase of almost 140% in just five years. In addition, €1.2 million has been made available annually since 2014 to fund HSE Resource Officers for Suicide Prevention, Self-Harm Liaison Nurses in Hospital Emergency Departments and other regional suicide prevention initiatives.

Services for People with Disabilities

95. **Deputy Catherine Murphy** asked the Minister for Health the number of children who have a diagnosis of autism spectrum disorder and who are issued with the long-term illness card; the services this inclusion affords them; the areas where children have such a diagnosis but are not awarded a long-term illness card; and if he will make a statement on the matter. [8659/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is an operational matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Services for People with Disabilities

96. **Deputy Gerry Adams** asked the Minister for Health where the 15 residents of the residential centre for persons with disabilities in Drumcar, County Louth, have been placed following the recent decision of the Health Information and Quality Authority to close the centre. [8660/16]

97. **Deputy Gerry Adams** asked the Minister for Health the number of residential places for persons with disabilities in County Louth; and if the closure of the residential centre at Drumcar has resulted in a reduction in provision. [8661/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): I propose to take Questions Nos. 96 and 97 together.

As the Deputy's concerns relate to service matters, I have arranged for the questions to be referred to the HSE for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

Home Help Service Expenditure

98. **Deputy Mary Butler** asked the Minister for Health if he has curtailed finance for home care packages and home help assistance since January 2016, resulting in a cut of hours from 24 to 14; and if he will make a statement on the matter. [8666/16]

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

Hospital Waiting Lists

99. **Deputy Aengus Ó Snodaigh** asked the Minister for Health why a person (details supplied) has had to wait for over a year for surgery; and if he will urgently provide a date for the surgery. [8670/16]

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

Hospital Services

100. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a community hospital (details supplied); and if he will make a statement on the matter. [8689/16]

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

Hospital Equipment

101. **Deputy Michael Healy-Rae** asked the Minister for Health the status of the magnetic resonance imaging machine in Kerry General Hospital (details supplied); and if he will make a statement on the matter. [8697/16]

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

Departmental Information

102. **Deputy Clare Daly** asked the Minister for Health the countries for which the Health Service Executive recommends the use of Lariam or mefloquine, as the only medication to be taken as an anti-malarial; and the countries for which it recommends Lariam or mefloquine, as the first-line anti-malarial. [8701/16]

Minister for Health (Deputy Leo Varadkar): Information for travellers concerning health matters, including Malaria can be found on the Department of Foreign Affairs and Trade website and also on the Health Protection Surveillance Centre website. The websites are updated regularly taking into account the latest information available.

Malaria is prevalent in a number of countries. Before travelling people are advised to get up-to-date medical advice as to whether they will need anti-malarial medication, avoid being bitten by mosquitoes, use appropriate bed nets and repellents, and wear closed shoes, long sleeves and trousers.

As well as effective treatments for patients who contract malaria, there are effective prophylactic medications that can be taken to prevent the development of malaria. The type of prophylaxis depends on the area, local species of malaria, local pattern of anti-malarial drug resistance (which is increasing) and personal characteristics such as allergies and contraindications, including (for some drugs) pregnancy. Doctors can recommend which is the most suitable.

Unfortunately, no anti-malarial prophylaxis medication gives complete protection. Malaria may be contracted despite taking anti-malarial prophylaxis. If it is taken exactly as prescribed by your doctor, without missing doses, there is a high likelihood of avoiding malaria. The Health Products Regulatory Authority (HPRA) is the regulatory authority for medicines in Ireland. As part of its monitoring of the safety of medicines, the HPRA operates an adverse reaction reporting system, where healthcare professionals and people are encouraged to report adverse reactions they consider may be associated with their medication.

Hospital Appointments Administration

103. **Deputy John McGuinness** asked the Minister for Health to set an early date for an appointment for a person (details supplied) at Waterford University Hospital. [8719/16]

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

individual or to confer eligibility on any individual.

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

Hospital Appointments Status

104. **Deputy Peter Burke** asked the Minister for Health to expedite a hospital appointment for a person (details supplied). [8720/16]

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

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

Hospital Appointments Status

105. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8722/16]

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

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

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

Medical Card Applications

106. **Deputy John McGuinness** asked the Minister for Health to issue a medical card as a matter of urgency to persons (details supplied). [8727/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members.

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

Hospital Charges

107. **Deputy Pearse Doherty** asked the Minister for Health further to Parliamentary Question No. 314 of 20 April 2016, in which he stated the Health Service Executive was assisting the family to which that question referred and that written correspondence had been issued to the pertinent private medical facility, the nature of this aforementioned correspondence; if assistance is currently being provided to this person and the family; and if he will make a statement on the matter. [8733/16]

Minister for Health (Deputy Leo Varadkar): Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual. As the specific questions raised by the Deputy are matters for the Health Service Executive, I have therefore asked the HSE to respond to the Deputy directly. If he has not received a reply from the HSE within 15 working days he should contact my Private Office and my officials will follow the matter up.

Hospital Appointments Status

108. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8736/16]

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

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

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

Primary Care Centres

109. **Deputy John McGuinness** asked the Minister for Health if the Health Service Executive will grant permission for an extension to the medical centre at Ballyragget, County Kilkenny to accommodate a practice nurse and if he will expedite the matter. [8737/16]

Minister for Health (Deputy Leo Varadkar): The development of primary care is central to the Government's objective to deliver a high quality, integrated and cost effective health care system. Primary care centres procured through a combination of public and private investment, will facilitate the delivery of multi-disciplinary primary health care. The mechanism and timescale for delivery of primary care infrastructure is dependent on a number of factors. Regardless of the delivery mechanism, all potential primary care infrastructure is subject to suitable locations being offered / provided / available, to successful planning processes and GP commitment to sharing accommodation and delivering health care services with HSE staff.

There will always be more projects than can be funded by the Exchequer. As with all capital projects, the further development of the primary care infrastructure, including facilities in County Kilkenny, must be prioritised and considered within the context of the overall capital envelope available to the health service. The HSE will continue to apply the available funding for infrastructure development in the most effective way possible to meet current and future needs.

As the HSE is responsible for the delivery of health care infrastructure the Executive has been requested to reply directly to you on the matter. If you have not received a reply from the HSE within 15 working days please contact my Private Office who will follow up.

Hospital Services

110. **Deputy Brendan Smith** asked the Minister for Health his proposals to restore orthopaedic services in Cavan General Hospital in County Cavan, at least to the level of service that was provided in the past; and if he will make a statement on the matter. [8743/16]

115. **Deputy Brendan Smith** asked the Minister for Health his proposals to provide new accommodation and additional facilities for the emergency department at Cavan General Hospital in County Cavan, given the large number of patients attending; and if he will make a statement on the matter. [8752/16]

Minister for Health (Deputy Leo Varadkar): I propose to take Questions Nos. 110 and 115 together.

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

Hospital Waiting Lists

28 April 2016

111. **Deputy Robert Troy** asked the Minister for Health further to Parliamentary Question No. 378 of 22 March 2016, to schedule an appointment for surgery for a person (details supplied). [8744/16]

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

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

Mental Health Services

112. **Deputy Mary Lou McDonald** asked the Minister for Health when a person (details supplied) will receive a date for assessment with the child and adolescent mental health services. [8746/16]

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

Hospital Waiting Lists

113. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [8747/16]

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

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

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

Hospital Transfers

114. **Deputy Michael Healy-Rae** asked the Minister for Health the status of the transfer of

a community hospital (details supplied) in County Kerry; and if he will make a statement on the matter. [8749/16]

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

Question No. 115 answered with Question No. 110.

Hospitals Funding

116. **Deputy Róisín Shortall** asked the Minister for Health his progress in disentangling St. Vincent's University Hospital, a publicly funded hospital, from the St. Vincent's Healthcare Group; if the Health Service Executive proceeded with its proposal to employ forensic accountants for this purpose; the outcome of this exercise; and the steps he is taking to ensure full transparency and accountability in the operation and governance of this public hospital. [8753/16]

Minister for Health (Deputy Leo Varadkar): The Health Service Executive has responsibility for the stewardship and proper management of public funds granted to it for the provision of health and personal social services. Under Section 38 of the Health Act, 2004, the HSE may enter into agreements with provider organisations to deliver services on its behalf. In discharging its statutory duties and public accountabilities, the HSE has in place a Governance Framework covering corporate, clinical and financial governance. The accountability relationship between the HSE and the voluntary hospitals under its remit, including St Vincent's Hospital, is governed primarily through the Service Level Arrangement entered into between the HSE and each voluntary hospital and compliance requirements for providers are set out in the Section 38 Service Arrangements.

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

National Maternity Hospital

117. **Deputy Róisín Shortall** asked the Minister for Health the main elements of the 2012 agreement reached with St. Vincent's Healthcare Group in respect of relocating the National Maternity Hospital to the Elm Park campus in County Dublin; if he will provide a clear undertaking on behalf of the taxpayer that the publicly funded National Maternity Hospital will retain its independent governance structure in its new location; and if he will make a statement on the matter. [8754/16]

Minister for Health (Deputy Leo Varadkar): The proposal to redevelop the National Maternity Hospital (NMH) on the St Vincent's University Hospital (SVUH) campus has been under consideration and discussion for many years. In 2008, the KPMG, *Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area* report, noted that Dublin's model of stand-alone maternity hospitals did not align with the considered norm internationally, and acknowledged that for optimal clinical outcomes, maternity services should be co-located

with adult acute services. The report recommended, *inter alia*, that the NMH should be relocated to the SVUH campus. In 2013, my predecessor, with the agreement of both hospitals, formally announced the Government's intention to relocate the NMH to Elm Park, and that funding had been approved in the HSE's Capital Plan to allow the project to proceed.

I am aware of the current difficulties in relation to the project and my Department has attempted to mediate a resolution. However, I am not in a position to give the Deputy the undertaking she requests. As both hospitals are voluntary independent hospitals, a solution cannot be imposed upon them. Ultimately, both hospitals will have to reach an agreement in relation to the outstanding governance issues if the project, as envisaged, is to proceed.

Medical Card Eligibility

118. **Deputy Bernard J. Durkan** asked the Minister for Health the status of the eligibility of a person (details supplied) for a medical card; and if he will make a statement on the matter. [8763/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

Health Services Provision

119. **Deputy Bernard J. Durkan** asked the Minister for Health to facilitate treatment for a person (details supplied); and if he will make a statement on the matter. [8769/16]

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

Cross-Border Health Initiatives

120. **Deputy Peter Fitzpatrick** asked the Minister for Health the number of persons in County Louth who availed of the cross-border healthcare directive in 2015; and if he will make a statement on the matter. [8781/16]

Minister for Health (Deputy Leo Varadkar): The EU Directive 2011/24/EU on Patients' Rights in Cross Border Healthcare aims to ensure EU citizens may access safe and good quality healthcare services across EU borders. I am advised by the HSE that sixteen people from Co. Louth accessed care abroad under the Cross-Border Healthcare Directive in 2015.

Accident and Emergency Departments

121. **Deputy Peter Fitzpatrick** asked the Minister for Health the measures he is taking to reduce the overcrowding in the accident and emergency department in Our Lady of Lourdes Hospital in Drogheda, County Louth; and if he will make a statement on the matter. [8782/16]

Minister for Health (Deputy Leo Varadkar): The ED Taskforce Implementation Group is overseeing the implementation of a range of initiatives to tackle ED overcrowding. These include:

A number of measures have been introduced to reduce the numbers of patients attending hospital, by improving access to primary and community care services.

The second category of measures to alleviate ED overcrowding has focussed on expanding hospital capacity. In June 2015, €18m additional funding was made available to the HSE under the Winter Additional Capacity Initiative to increase hospital bed capacity. This initiative has facilitated the opening of 246 new hospital beds and the reopening of 116 previously closed beds, giving a total of 364 additional beds in our hospital system. Measures are also being implemented to expand hospital capacity, through the recruitment of additional hospital staff.

Measures to facilitate timely discharge of patients from hospitals are also in place. The Nursing Homes Support Scheme has been a key measure in reducing delayed discharges. To further achieve improvements in the number of delayed discharges from hospitals, the HSE is in the process of establishing a Bed Bureau for the greater Dublin area.

The final category of measures to alleviate ED overcrowding are those which seek to improve hospital processes and responsiveness to increased demand for emergency care. In November 2015, with the HSE Director General, a National Emergency Department Escalation Framework was issued to provide direction to hospitals on how best to manage capacity and patient flow at times when there is a surge in demand for emergency care.

In respect of specific overcrowding issues in Our Lady of Lourdes Hospital in Drogheda, as this is a service matter I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

Respite Care Services Provision

122. **Deputy Brendan Smith** asked the Minister for Health the number of respite beds in Counties Cavan and Monaghan in 2010, and at present; if he will provide additional beds in these counties; and if he will make a statement on the matter. [8784/16]

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

Hospital Appointments Status

123. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appoint-

ment for a person (details supplied) in Kerry University Hospital; and if he will make a statement on the matter. [8794/16]

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

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

Hospital Appointments Status

124. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an appointment for a person (details supplied) in University Hospital Kerry; and if he will make a statement on the matter. [8799/16]

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

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

Services for People with Disabilities

125. **Deputy Finian McGrath** asked the Minister for Health his views on correspondence regarding cutbacks in services for young adults with a disability; why State funds allocated for these services have been channelled to other services; whether he considers persons with disabilities not worthy of adequate health services to allow them to be treated as equal members of society (details supplied); and if he will make a statement on the matter. [8801/16]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Government continues to be committed to facilitating the full inclusion of people with disabilities in the life of the community through access to individualised personal social supports and services. This year the Government will provide €1.56 billion for health-funded services and supports to enable each individual with a disability to achieve their full potential and maximise their independence. The quantum of service to be provided, together with key deliverables and priorities, are outlined in the Health Service Executive's (HSE's) *National Service Plan for 2016*. The HSE is committed to protecting front-line services for people with disabilities, with

targeted improvement in priority areas, including:

- the reconfiguration of children's therapy services, for which an additional €4 million has been provided;
- the provision of services for 1,500 young people on leaving school and rehabilitative training, which has been allocated an additional €7.25 million;
- the development of alternative respite models, with €1 million targeted funding;
- the reconfiguration of residential services, supported by €20 million in capital funding; and
- quality improvements to increase compliance with *National Standards for Residential Centres for Children and Adults with Disabilities*.

As the Deputy's concern outlined in the details supplied with the question relates to service matters, I have arranged for the question to be referred to the HSE for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

EU Agreements

126. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade to support a matter (details supplied) regarding the European Union-Turkey deal; and if he will make a statement on the matter. [8654/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Turkey has a key role to play in resolving the Migration crisis, as most of the migrants and refugees who have entered the EU since early 2015 have travelled via Turkey. The EU and Turkey have engaged deeply on developing joint approaches and the EU's engagement with Turkey was the focus of the most recent European Council on 17 and 18 March 2016.

The core intention of the EU-Turkey agreement which emerged from the Council is to break the business model of the people smugglers who are profiting from the suffering of the vulnerable. Critically, it should stop people getting into unsafe boats and risking their lives.

The need to comply with international law was at the heart of the March European Council discussions. The legal advice of the EU institutions was that there is such compliance.

All migrants will be protected in accordance with the relevant international standards and in respect of the principle of *non-refoulement*. The EU and Turkey have agreed that there will be no blanket returns and no automatic returns of asylum seekers. In addition, the €3 billion Facility for refugees in Turkey is aimed at supporting Syrians and other refugees by providing access to food, shelter, education, and healthcare. This funding has been accelerated and, as of 19 April, €187 million has been committed to the Facility.

Steps to address the migration challenge are also continuing outside of the EU-Turkey framework. In addition to the humanitarian aid provided by Ireland, we agreed last year to accept up to 4,000 migrants, despite our opt-out from EU legislation in the area of freedom, security and justice. Last year the Irish Naval service rescued 8,592 migrants from the Mediterranean Sea.

Aviation Issues

127. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade if drones operated by the military of the United States of America that are overflying any jurisdiction anywhere in the world are controlled or operated from any location in Ireland; if permits for such activities have been sought or issued; and if he will make a statement on the matter. [8714/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): My role in relation to foreign military aircraft, as defined in the Air Navigation (Foreign Military Aircraft) Order of 1952, is confined to whether or not to grant permission to such aircraft to fly over or land in the State. I have no statutory function in relation to overflights or landings by foreign military aircraft in other jurisdictions.

Aviation Issues

128. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade further to Parliamentary Question No. 149 of 21 April 2016, the protocol and criteria he uses in assessing applications for permits to carry munitions through Irish airspace, including whether he seeks opinions for every permit, and if not, the reason he seeks advice in some instances, but not in others; and the basis on which he refuses an application for a permit to carry munitions through Irish airspace. [8716/16]

129. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade the evaluations and investigations he has undertaken, when consulted by the Department of Transport, Tourism and Sport, as part of the munitions permit application process, that lead to conclusions regarding the likelihood that munitions being carried through Irish airspace will or will not be used to commit war crimes or human rights abuses. [8717/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I propose to take Questions Nos. 128 and 129 together.

The Minister for Transport, Tourism and Sport has primary responsibility for the regulation of foreign civil aircraft in Ireland. Under the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Order of 1973 the carriage of munitions of war is prohibited on civil aircraft through Irish airspace or airports unless an exemption has been obtained in advance from the Minister for Tourism, Transport and Sport. Questions concerning the operation of the application process are a matter for that Department.

When the operator of a civil aircraft makes an application to the Minister for such an exemption the Minister seeks the advice of relevant Government Departments and agencies. My Department is consulted in relation to any foreign policy issues that may arise and may provide observations to the Department of Tourism, Transport and Sport which takes the final decision on all applications.

In considering applications circulated by the Department of Tourism, Transport and Sport, my Department examines the nature of the munitions that it is proposed to carry. My Department will recommend against granting an exemption where the munitions in question are non-discriminatory in their effects. This policy stems from Ireland's clear objection to "indiscriminate weapons" and is consistent with international humanitarian law (IHL) which regulates the conduct of armed conflict. A basic rule of IHL is that, in military operations, parties to an armed conflict must distinguish between combatants and civilians, and the use of a weapon which is inherently indiscriminate is prohibited.

Thus, as a matter of policy, my Department would recommend against granting an exemption for the carriage of items such as cluster munitions, anti-personnel landmines, chemical,

biological, radiological and nuclear weapons. Additionally, my Department will generally recommend against granting an exemption for the carriage of grenades, bombs, missiles or rockets.

Ireland has been a strong advocate for the Arms Trade Treaty and was one of the first countries to sign and ratify the Treaty which entered into force on 24 December 2014. As a State Party Ireland will continue to advocate for implementation of the Treaty to reduce the risk of diversion, improve transparency and protect civilians by reducing the risks of weapons contributing to breaches in international humanitarian and human rights law, including the risk of weapons contributing to gender based violence.

Good Friday Agreement

130. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade the status of the proposal to introduce a bill of rights in Northern Ireland as provided for in the Good Friday Agreement; the outcome of recent discussions with the British Secretary of State for Northern Ireland, Ms Theresa Villiers, the First Minister, Ms Arlene Foster, and the Deputy First Minister, Mr. Martin McGuinness in the Northern Ireland Executive in relation to this issue; and if he will make a statement on the matter. [8786/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): Ireland's commitment to the promotion and protection of human rights is an underlying principle of our foreign policy and is a priority for the Government. Placing human rights at the heart of the peace process in Northern Ireland has helped to ensure the participation and trust of all communities. As co-guarantor of the Good Friday Agreement, the Government takes very seriously its responsibility to safeguard its institutions and principles.

During the course of the Stormont House talks in late 2014, the Government advanced the view that a Bill of Rights could set out precisely and formally the rights upon which a shared society for Northern Ireland could be based. Sufficient consensus amongst the Northern Ireland Executive Parties did not exist to take this forward within the context of the Stormont House Agreement. However, the final Agreement provided that the Parties commit to serving the people of Northern Ireland equally, and to act in accordance with the obligations on government to promote equality and respect and to prevent discrimination.

The Government's firm position is that the Good Friday Agreement and its successor Agreements must be implemented in full. The Agreements, as well as the principles and values underpinning them, are at the core of the Government's approach to peace, reconciliation and prosperity on this island. The Government will continue to work closely with the UK Government and with the power-sharing Executive in Belfast to ensure that the protection of human rights remains at the heart of civic life, politics and ongoing societal change in Northern Ireland.

Foreign Policy

131. **Deputy Finian McGrath** asked the Minister for Foreign Affairs and Trade to take action regarding the blockade by the United States of America against Cuba (details supplied); and if he will make a statement on the matter. [8802/16]

Minister for Foreign Affairs and Trade (Deputy Charles Flanagan): I warmly welcome the easing of US banking restrictions in relation to Cuba, which should address the banking difficulties to which the Deputy refers. On 15 March 2016 the US Department of the Treasury's Office of Foreign Assets Control announced significant amendments to the United States' Cu-

ban Assets Control Regulations, which took effect on March 16 2016. These amendments expand Cuban access to foreign financial institutions and allow for increased access to the Cuban banking system for institutions which had previously been at risk of sanctions imposed by the US government. These changes have come about as part of the re-establishment of diplomatic relations between the two countries in 2015 after a hiatus of 53 years. If the Deputy is aware of ongoing difficulties involving Irish banks, my Department will be happy to provide any assistance as may be helpful. I am not in a position to comment on the actions of UK banks.

The historic events of the past 18 months have seen immense progress in US-Cuba relations, enhanced by the visit of President Obama to Havana in March 2016. In addition to the full restoration of diplomatic relations, recent months have seen the two sides achieve significant agreements with regard to communications and travel between the US and Cuba.

Our concerns about economic, commercial and financial measures against Cuba are long-standing and clear. We do not support unilaterally imposed measures that impede the economic and commercial relations of EU member states with Cuba.

On 27th October 2015, Ireland joined with all other member states of the European Union in voting in favour of Cuba's resolution at the UN General Assembly in New York, which called for the ending of the US embargo on Cuba. Ireland, along with its EU partners, is firmly of the view that the lifting of the embargo, which would require approval by the US Congress, would facilitate an opening of the Cuban economy to the benefit of the Cuban people.

Psychological Assessments

132. **Deputy Darragh O'Brien** asked the Minister for Education and Skills if she is aware that a person (details supplied) is being prevented from accessing education due to a prolonged delay in the completion of a psychological educational assessment; and when an assessment will be completed for the person and a full-time place in an appropriate secondary school made available to the person. [8657/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): I can inform the Deputy having had enquiries made in regard to his question that I find the person, the subject of the question, is enrolled in Larkin Community College, Dublin 1 a school under the auspices of City of Dublin Education and Training Board (CDETB). This ETB provides a dedicated psychological service to students in its schools, colleges and centres. If the deputy requires any more information on the matter he might address his enquiry to the authorities in the City of Dublin Education and Training Board.

Special Educational Needs Service Provision

133. **Deputy Pat Breen** asked the Minister for Education and Skills to facilitate extra special needs assistant hours for a person (details supplied); and if she will make a statement on the matter. [8658/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): I wish to advise the Deputy that The National Council for Special Education (NCSE) is responsible, through its network of Special Needs Organisers (SENOS) for allocating a quantum of Special Needs Assistants (SNAs) support to mainstream Primary, Post Primary and Special Schools to assist children with special educational needs who also have additional and significant care needs. Such support is provided in order to facilitate the attendance of those pupils at school and also to mini-

mize disruption to class or teaching time for the pupils concerned, or for their peers, and with a view to developing their independent living skills.

Circular 0030/2014, which is available on my Department's website www.education.ie, sets out my Department's policy in relation to the Special Needs Assistant (SNA) scheme. The Circular explains that SNA support is not provided to pre-school services which operate outside of the primary or special school provision, other than in early intervention classes in recognised primary schools, or special schools, where support is provided for as part of the schools total quantum of SNA support.

The vast majority of supports for childcare, including pre-school education, are provided by the Department of Children and Youth Affairs. The principal vehicle for the delivery of pre-school education is the free Pre-School Year in Early Childhood Care and Education (ECCE) programme which was introduced in January 2010 and provides for early learning in a formal setting to children in the year before they commence primary school.

Questions relating to provision of such services should be addressed my colleague, the Minister for Children & Youth Affairs.

School Transport Data

134. **Deputy Billy Kelleher** asked the Minister for Education and Skills if a value for money review on school transport found that Bus Éireann's costs are 21% higher than the equivalent costs of the private school bus contractors per kilometre on large buses for school routes when the inspection costs are excluded and approximately 19% higher when the inspection costs are included; the total kilometres travelled by Bus Éireann's large buses and the total kilometres travelled by equivalent private bus operators' buses of the same size in each of the years 2008 to 2015, in tabular form; and if she will make a statement on the matter. [8662/16]

Minister of State at the Department of Education and Skills (Deputy Damien English): As previously advised, the specific figures referred to by the Deputy are contained in the Report of the Value for Money Review of the School Transport Scheme. The full report is available on my Department's website at www.education.ie.

Bus Éireann has advised that the approximate mileage for the large bus cohort only, rounded to the nearest half million kilometres, is as follows:

	2008	2009	2010	2011	2012	2013	2014	2015
Bus Éireann	13.0	13.0	11.5	12.0	12.0	11.5	11.5	10.5
Contractor	15.5	15.0	15.0	15.5	15.5	17.0	13.5	14.0

Schools Building Projects Status

135. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of a school (details supplied); and if she will make a statement on the matter. [8705/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): The Deputy will be aware that a building project for the school to which he refers was included in my Department's 6 Year Capital Programme which I announced last November.

28 April 2016

My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. In this regard, my Department is currently reviewing the demographic demand in the area serviced by the school referred to. This review will advise on the appropriate level of accommodation required for the proposed building project.

Special Educational Needs Service Provision

136. **Deputy Martin Heydon** asked the Minister for Education and Skills the status of the provision of a reader for a person (details supplied); if she will review this case; and if she will make a statement on the matter. [8708/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

The State Examinations Commission operates a scheme of Reasonable Accommodations in the Certificate Examinations. Full details of the scheme are available from their website: www.examinations.ie/candidates/reasonableaccommodations.

In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

Schools Building Projects Status

137. **Deputy Sean Fleming** asked the Minister for Education and Skills the status of a school project (details supplied) in County Laois; and if she will make a statement on the matter. [8711/16]

Minister for Education and Skills (Deputy Jan O'Sullivan): I am please to advise the Deputy that my Department has recently conveyed a decision in principle to the school in question for the approval of additional accommodation.

Question No. 138 withdrawn.

Departmental Schemes

139. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of payments to persons for the use of walkways (details supplied) on their lands; and if he will make a statement on the matter. [8696/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): My Department administers a Walks Scheme, which provides modest payments to landowners to maintain sections of walking trails that traverse their lands. It does not affect their property rights and is not a payment for access purposes. It should be noted that all landowners and occupiers whose property or land is traversed or adjoins a recreational trail that has been inspected and approved by the National Trails Office are indemnified by a commercial company.

Due to budgetary constraints it has not been possible to expand the existing Walks Scheme in recent years. However, there continue to be 39 trails covered by my Department's Walks

Scheme and in 2015 payments to participants exceeded €1.8m. The number of participants currently on the Scheme stands at approximately 1,900.

Social and Affordable Housing Funding

140. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government if he has met with the League of Credit Unions to discuss the construction of social housing; the progress made; if he has put a time scale for progress in place; and if he will make a statement on the matter. [8649/16]

148. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government to respond positively to a proposal (details supplied); and if he will make a statement on the matter. [8751/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I propose to take Questions Nos. 140 and 148 together.

I and my colleague, Minister Paudie Coffey, met with the Irish League of Credit Unions (ILCU) on 1 December 2015 to discuss a submission setting out a proposed 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 two further meetings with the ILCU to address technical aspects of its proposal. The most recent meeting was on 13 April 2016.

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.

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 involvement in the social housing sector.

My Department and the Department of Finance met with the Central Bank on 21 April 2016 to provide information of a technical nature in relation to social housing funding arrangements. This was with a view to assisting the Central Bank in understanding how these arrangements operate, as it deals with issues arising from proposals put forward for credit union investment in social housing.

Ultimately, the funding mechanisms will have to be put in place in the first instance by the ILCU with the support of its members, and with the agreement of the Central Bank. I and my Department are happy to continue to contribute to this process by providing necessary technical advice and support.

Local Authority Funding

141. **Deputy Pat Deering** asked the Minister for the Environment, Community and Local Government to reintroduce the block grant to provide extra funding to local authorities which originally had a town council. [8663/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): I assume that the Question refers to general purpose grants from the Local Government Fund. Up to 2014, general purpose grants (GPG) were a contribution, from my Department, towards meeting the cost to local authorities of providing a reasonable level of services to their customers. The general purpose grant allocations to local authorities in 2014 were in respect of the local authority area as a whole and took into account any former borough or town councils within the area. The 2014 GPG allocations recognised the move of water related costs from local authorities to Irish Water in 2014. 2015 saw the introduction of Local Property Tax (LPT) allocations being paid to local authorities through the Local Government Fund.

Given that local authorities vary significantly in terms of size, population, public service demands, infrastructure and income sources, the Government decided that no local authority would receive less income from LPT in 2015 and 2016 than they received from their GPG allocation in 2014. Accordingly, the LPT allocations for 2015 and 2016 take account of the historical GPG funding provided to any former borough or town councils within the local authority area.

Community Development Projects

142. **Deputy Mary Butler** asked the Minister for the Environment, Community and Local Government to fund the reinstatement of an administrator, even on a part-time basis, for the Ballybeg community development project in Waterford city. [8667/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): While my Department operates a range of community schemes and programmes, which are governed by eligibility criteria and rules, it does not provide funding to Ballybeg Community Development Project nor does it have any contractual arrangements with that organisation.

Social and Affordable Housing

143. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of social housing in County Kerry and in Daingean Uí Chúis (details supplied) in particular; and if he will make a statement on the matter. [8684/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): In April last year, I announced over €1.5 billion in funding allocations in respect of social housing to be provided by all local authorities via a combination of building, buying and leasing schemes. Those allocations and associated targets for each local authority, including Limerick, are available on my Department's website at the following link:

<http://www.environ.ie/housing/social-housing/minsters-kelly-coffey-announce-eu15-billion-social-housing-targets-local>.

Following this notification of targets, I made announcements for substantial new social housing projects in May 2015, in July 2015 and in January 2016. Between these three announcements, almost €680 million has been allocated for over 3,900 social housing new builds,

turnkey developments and acquisitions. Details of these project approvals, including those for Kerry, 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/housing/social-housing/ministers-kelly-coffey-announce-further-1000-social-housing-units>.

I am keen that all local authorities, including Kerry County Council, advance these projects as soon as possible and I have assured them that funding is available to fully support their efforts in this regard. While social housing construction projects are being advanced, acquisitions of new and second-hand houses and apartments remain an effective means of meeting immediate social housing need. In 2015, Kerry County Council secured the purchase of 29 housing units. In addition, under the Social Housing Current Expenditure Programme, approved housing bodies can purchase, lease or construct housing units and make them available for social housing - 51 new units became operational for Kerry under this programme in 2015. I understand also that six social housing units in Daingean Uí Chúis, to be managed by Camphill Communities of Ireland, will be tenanted soon.

The development of further social housing proposals in all areas of need in Co. Kerry is a matter for the local authority in the first place and under the Social Housing Strategy, my Department remains keen to see further projects advanced.

Social and Affordable Housing

144. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of social housing and the ownership scheme (details supplied); and if he will make a statement on the matter. [8685/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The Government announced in 2011 the standing down of all affordable housing schemes, including the Shared Ownership Scheme, given the changes in the property and lending markets. There are no plans at this time to develop a new shared ownership scheme.

Traveller Accommodation

145. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of an application by a person (details supplied) for an extension to a house; and if he will make a statement on the matter. [8703/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): In accordance with the Housing (Traveller Accommodation) Act 1998, housing authorities have statutory responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller accommodation programmes in their areas. My Department's role is to ensure that there are adequate structures and supports in place to assist the authorities in providing such accommodation, including a national framework of policy, legislation and funding. My Department, therefore, has no function in relation to individual cases, such as that set out in the Question, which is a matter for the relevant housing authority, in this case Kerry County Council.

Social and Affordable Housing Funding

146. **Deputy Tom Neville** asked the Minister for the Environment, Community and Local Government when he will make a decision on the allocation of funding to Limerick City and County Council under the 2016 social housing capital investment acquisition of properties for social housing; and if he will make a statement on the matter. [8704/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): In April last year, I announced over €1.5 billion in funding allocations in respect of social housing to be provided by all local authorities via a combination of building, buying and leasing schemes. Those allocations and associated targets for each local authority, including Limerick, are available on my Department's website at the following link: <http://www.environ.ie/housing/social-housing/minsters-kelly-coffey-announce-eu15-billion-social-housing-targets-local>.

Following this notification of targets, I made announcements for substantial new social housing projects in May 2015, in July 2015 and in January 2016. Between these three announcements, almost €680 million has been allocated for over 3,900 social housing new builds, turnkey developments and acquisitions. Details of these project approvals, including those for Limerick, 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/housing/social-housing/ministers-kelly-coffey-announce-further-1000-social-housing-units>.

I am keen that local authorities advance these projects as soon as possible and have assured them that funding is available to fully support their efforts in this regard. While social housing construction projects are being advanced, acquisitions of new and second-hand houses and apartments remains an effective means of meeting immediate social housing need. In 2015, Limerick City and County Council secured the purchase of 33 housing units. The Council has been assured of funding support in 2016 for an ambitious programme of acquisitions and I understand that this programme is currently underway. The level of funding to be provided to the Council in 2016 will therefore depend on their advancement of acquisitions, construction and other projects.

Leader Programmes

147. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of restoring Leader funding (details supplied) in County Kerry; and if he will make a statement on the matter. [8750/16]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Ann Phelan): Some €250m will be provided to support the development of sustainable rural communities under the new LEADER Programme 2014-2020. The Programme will complement other supports being provided by my Department to support rural Ireland including, for example, the new REDZ and village renewal schemes. I am satisfied that these supports, targeted in a co-ordinated and integrated way, will help us meet the challenges currently facing our rural areas.

Under the LEADER Programme, funding will be distributed to communities by local action groups in line with approved LEADER local development strategies. These strategies are

currently being evaluated and selected by an Independent Selection Committee established for this purpose.

As the value of the new Programme is less than the 2007-2013 LEADER Programme, allocations under the new Programme have inevitably reduced. Three objective criteria were used to determine allocations, namely, minimum allocation, population density and a Resource Allocation Model (RAM). The methodology was designed to ensure that funding was weighted appropriately towards the most rural populations and those experiencing most rural disadvantage. I believe the methodology was fair and consistent, and secured a fair and proportionate share of the funding available for all LEADER areas. In this context, €10.2m has been allocated to Kerry under the Programme, some 30% higher than the average allocation.

I have no plans to revisit LEADER allocations at this stage.

Question No. 148 answered with Question No. 140.

Local Authority Housing Applications

149. **Deputy Peter Fitzpatrick** asked the Minister for the Environment, Community and Local Government how he is monitoring new applicants on the local authority housing list in County Louth who are in this position as a result of house repossessions and notice to quit from landlords; the action he is taking to address this; and if he will make a statement on the matter. [8785/16]

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The assessment of applications for social housing support, and the management of the lists of qualified households, is the responsibility of the relevant local authority in accordance with the Housing (Miscellaneous Provisions) Act 2009 and associated regulations. The prescribed application form for such support requires applicants to provide certain information on their current and previous accommodation, including whether they received a notice to quit or an eviction notice in respect of their current accommodation and the reasons for leaving previous accommodation. My Department does not collate day-to-day information on the number of applications made to each local authority nor the specific contents thereof.

Statutory Summaries of Social Housing Assessments are carried out at regular intervals and they provide information on the number of households on local authority housing waiting lists. Only those households which have been assessed as being eligible and in need of such support following the carrying out of the prescribed application process by the relevant housing authority are placed on the list.

The most recent summary, carried out as at 7 May 2013, provided details on the number of households categorised as having a housing need due to an unsustainable mortgage; details of the 2013 Housing Needs Assessment are available on my Department's website at the following link: <http://www.housing.ie/News/Current-News/18-12-13-Summary-of-Social-Housing-Assessments-201.pdf>.

Further summaries of social housing assessments will be carried out on an annual basis from this year and will provide up-to-date and comprehensive data on the numbers of households qualified for social housing support on an on-going basis, including the level of households which have a housing need arising from unsustainable mortgages.

Communications Market Regulation

150. **Deputy John Brassil** asked the Minister for Communications, Energy and Natural Resources to investigate an issue (details supplied) in relation to a fixed line service; and if he will make a statement on the matter. [8726/16]

Minister for Communications, Energy and Natural Resources (Deputy Alex White): The Commission for Communications Regulations (ComReg), the independent market regulator, has imposed a universal service obligation (USO) on eircom Limited (trading as “eir”) to provide a connection to its network, which is capable of providing basic telephony services, including voice, fax and basic data access, if requested, at any fixed address in Ireland.

Any complaint that eir has not complied with its universal service obligation in any particular case should be addressed directly to ComReg, which is independent in the exercise of its function in accordance with a requirement of section 11 of the Communications Regulations Act 2002.

I have no statutory authority to participate in ComReg’s investigation of any complaint that eir has failed to perform its USO in any particular case or in any subsequent prosecution by ComReg of any related offence. I will however bring this matter to the attention of ComReg.

Roads Maintenance Funding

151. **Deputy John Brassil** asked the Minister for Transport, Tourism and Sport to provide more funding for road improvements to local authorities, as minor roads are deteriorating to a very poor standard; and if he will make a statement on the matter. [8739/16]

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

I announced the 2016 regional and local road allocations in January 2016, of which Kerry County Council was allocated €12.9m. In February, the Council was allocated a further €4m in funding to remedy damage from recent severe weather.

Local authorities have until the 29th April 2016 to submit a second return in relation to additional works on regional and local roads following the severe weather. Following the second submission, the Department will again assess the proposals received from Councils across the country and follow up as appropriate with a top-up severe weather allocation. The total amount available for allocation in the 2nd tranche is of the order of €5m.

Industrial Relations

152. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport to support a matter (details supplied) regarding Iarnród Éireann; and if he will make a statement on the matter. [8655/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): The Deputy is aware that industrial relations issues are a matter for the relevant employer and its employees and it is not an area in which I have a direct function.

I received similar representations to those to which the Deputy refers. By way of background, the Deputy may be aware that Iarnród Éireann has been in correspondence with two unions about alleged unofficial industrial action.

I am sure the Deputy will agree with me that industrial relations should always be conducted within the framework of the Industrial Relations legislation. It is my view that industrial relations issues are best resolved through ongoing dialogue and the State's industrial relations bodies are available to the parties if required.

Tourism Project Funding

153. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of funding for local tourism initiatives (details supplied); and if he will make a statement on the matter. [8687/16]

Minister for Transport, Tourism and Sport (Deputy Paschal Donohoe): My Department's role in relation to tourism lies primarily in the area of national policy and it is not involved in the development of tourism in individual regions. The development of community and regional tourism is an operational matter for the Board and management of Fáilte Ireland. Accordingly, I have referred the question to the agency for direct reply. Please contact my private office if a response is not received within ten working days.

In relation to national policy, the Government's Tourism Policy Statement "*People, Place and Policy – Growing Tourism to 2025*", which was launched in March 2015, sets out key tourism policy objectives under a range of headings and highlights the central role of local authorities and communities in developing tourism in their areas. The subsequent Tourism Action Plan 2016-2018, which I launched in January of this year, contains several measures to be undertaken in the period to 2018 that will enhance the capacity of Local Authorities to support tourism and work has already commenced to progress these actions.

Údarás na Gaeltachta Funding

154. **Deputy Michael Healy-Rae** asked the Minister for Arts, Heritage and the Gaeltacht the status of funding for Údarás na Gaeltachta; and if she will make a statement on the matter. [8686/16]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Joe McHugh): Annual funding is provided to Údarás na Gaeltachta from my Department's Vote. This amounts to a total allocation of €18.51m from the Exchequer in 2016, which Údarás na Gaeltachta supplements with income generated from investments and from the sale of assets. Within this budget, the capital allocation amounts to €6.687m for 2016. In this regard, I should point out that I was successful in securing €1m in additional capital funding for Údarás na Gaeltachta during the Revised Estimates process in 2015 and again in 2016.

With regard to the capital budget for Údarás na Gaeltachta, I wish to again reiterate that, as Minister of State with responsibility for the Gaeltacht, I very much appreciate the importance of job creation in helping to retain sustainable communities in Gaeltacht areas. My Department is also engaging with Údarás na Gaeltachta to ensure increased efficiencies and improved delivery of Irish language services in the Gaeltacht, language planning in particular. I am, of course, aware of Údarás na Gaeltachta's proposal to increase its capital budget over time to €12m per annum. I am also very aware and supportive of the case advanced by the organisation that such

an increase in funding would enable it to create an additional 300 jobs per annum.

The Deputy will, of course, be aware that funding for the various Departments, including my own, are decided through the Budgetary and Estimates process annually. Accordingly, the Deputy will appreciate that the capital allocation for Údarás na Gaeltachta for 2017 will be considered within the framework of the Budgetary and Estimates processes later this year.

Inland Waterways Development

155. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht the stage of the proposal to make the River Erne navigable from Belturbet to Killykeen and Killeshandra, County Cavan; when this project will proceed to the next stage; and if she will make a statement on the matter. [8755/16]

156. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht the status of the proposal to extend the River Shannon navigation from Lough Allen in County Leitrim northwards to Dowra in County Cavan; when this project will proceed to the next stage; and if she will make a statement on the matter. [8756/16]

Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys): I propose to take Questions Nos. 155 and 156 together.

I have been informed by Waterways Ireland that it commissioned a Strategic Environmental Assessment for the proposed extension of the Erne Navigation from Belturbet to Killeshandra and Killykeen in Co. Cavan. Based on the environmental information obtained from this process, Waterways Ireland considers that the environmental designations of this lake complex make the feasibility of the proposed navigation extension unviable at this time.

Waterways Ireland has also advised me that, following the refusal of An Bord Pleanála to award planning permission for the extension of the Shannon Navigation towards Dowra, the various issues raised in the planning process have been reviewed and reassessed. Having regard to this review, Waterways Ireland considers that any proposed extension to Dowra is not feasible at this time.