

## Written Answers.

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

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*Questions Nos. 1 and 2 answered orally.*

### **Tax Avoidance**

3. **Deputy Joan Burton** asked the Minister for Finance his views on the issues that have come to light arising from publication of the Panama papers, in particular the use by certain parties of tax havens as a means of avoiding paying tax; and if he will make a statement on the matter. [10831/16]

**Minister for Finance (Deputy Michael Noonan):** A significant volume of information has recently come into the public domain relating to Panama. As is the case when any such information comes to their attention, it is a matter for the Revenue Commissioners to examine this information.

It would be a matter for the Revenue Commissioners to decide whether Irish tax has been avoided and, if so, whether the arrangements should be challenged either under specific sections in the tax code or by using the general anti-avoidance legislation. If it is found that the Irish tax base has been eroded, then action would be taken as appropriate. The Chairman of the Revenue Commissioners has assured me that Revenue will make the fullest possible use of any relevant information in pursuing any cases where it appears that tax liabilities have not been addressed. I have written to the Chairman assuring him of my support for any legislative measures that may be needed to tackle any issues which are identified by this work.

International tax evasion is a worldwide problem which can only be tackled effectively when countries work together. Ireland continues to support the OECD “Base Erosion and Profit Shifting” process and supports the work at EU level to increase fiscal transparency through initiatives like Country by Country Reporting to tax authorities. In this regard, I am delighted that Ireland was one of the first countries to legislate for Country by Country reporting in the most recent Finance Act.

The Panama Papers has also led to an increased focus on the beneficial ownership of companies. Ireland, along with the majority of EU Member States, has committed to a pilot project for the automatic exchange of information on the ultimate beneficial owners of companies. The G20 has also mandated the Global Forum on Transparency and Exchange of Information for Tax Purposes to make initial proposals by October 2016 on ways to improve the availability, and exchange, of information about the beneficial ownership of entities. As a member of the Global Forum, Ireland will be actively involved in this work.

Ireland is also working on transposing the latest Anti-Money Laundering Directive which

includes a requirement for Member States to establish a register of beneficial owners. The Directive is currently being transposed by the Department of Justice and Equality with the assistance of my Department.

*Questions Nos. 4 to 12, inclusive, answered orally.*

### **Programme for Government Initiatives**

13. **Deputy Thomas P. Broughan** asked the Minister for Finance when he will make a presentation to Dáil Éireann on the establishment of a rainy day fund for Ireland; and if he will make a statement on the matter. [10201/16]

**Minister for Finance (Deputy Michael Noonan):** Officials in my Department are currently reviewing the content of the Programme for Government and, in this case, the matter of the establishment of a rainy day fund. This commitment forms part of the stated aim of this and the previous Government to maintain sound public finances.

In considering this commitment, my officials are examining the necessary key features of such a fund, including that the fund should:

- be resourced sustainably so as not to result in undue stress elsewhere in the public finances;
- be of a critical size so that it can actually have impact if ever deployed;
- have clear criteria to facilitate its deployment effectively when required;
- have a clear investment strategy so as to ensure the resources yield a return while they are held in the fund and that they are not placed at excessive levels of risk; and
- consider the fiscal rules and budgetary implications of the fund's establishment and potential deployment.

In considering the rainy day fund, my officials will also examine how it interacts with the existing Irish Strategic Investment Fund (ISIF) and its unique mandate to invest on a commercial basis earning an economic return while creating jobs and economic growth.

I will revert to the House when all of these matters have been properly examined and the proposal has been considered by Government.

### **Programme for Government Initiatives**

14. **Deputy Mary Lou McDonald** asked the Minister for Finance the details of the quantum of the fund referred to in the commitment in the programme for Government to establish a rainy day fund; and the way in which it will operate. [10545/16]

**Minister for Finance (Deputy Michael Noonan):** Officials in my Department are currently reviewing the content of the Programme for Government and, in this case, the matter of the establishment of a rainy day fund. This commitment forms part of the stated aim of this and the previous Government to maintain sound public finances.

In considering the quantum of the rainy day fund, my officials are taking account of how the fund can be resourced sustainably so as not to result in undue stress elsewhere in the public finances and also that it is of sufficient critical size to have an impact if deployed. My officials

will also consider the fiscal rules and budgetary implications of the fund's establishment in relation to the quantum of the fund.

The operations of the rainy day fund will also be part of my officials' consideration, including the need to have clear criteria to facilitate the Fund's deployment effectively when required, and the need to have a clear investment strategy so as to ensure the fund's resources yield a return while they are in the fund and that they are not placed at excessive levels of risk. Other issues for consideration by my officials will emerge as the work progresses.

I will revert to the House when all of these matters have been properly examined and the proposal has been considered by Government.

### **NAMA Assets Sale**

15. **Deputy Clare Daly** asked the Minister for Finance to clarify his statement to the Committee on Housing and Homelessness that it is true that the Real Estate Investments Trusts bought at the bottom of the market but the same buildings were available to everybody else given that in August 2014 a company (details supplied) bought 761 apartments from the National Asset Management Agency for €211 million, a price beyond the reach of most; and his views on the wisdom of the agency selling residential property in large lots that are, equally, beyond the reach of most, if not all, potential purchasers. [10473/16]

**Minister for Finance (Deputy Michael Noonan):** I would clarify, for the Deputy, that my statement at the Housing and Homelessness Committee, was stating the fact that such sales, regardless of the ultimate purchaser, are conducted on the open market, thus allowing all interested parties to bid.

It should also be noted that it is a decision for NAMA, in line with its independent statutory commercial mandate, to determine the value maximising sales strategy for each of its assets. It is also NAMA's established policy to sell assets, be they individual units or property portfolios, on the open market. So, while a transaction such as the one referred to by the Deputy would, naturally, attract investors who wish to purchase a certain class of asset, this does not impact the capacity for similar market participants to bid for those assets.

I would also wish to refer the Deputy to the NAMA Chairman and CEO's appearance at the Housing and Homelessness Committee on 11th May 2016. NAMA's opening statements and presentation to the Committee are available on NAMA's website. During his opening statement, the NAMA Chairman pointed out that 88% (or 11,219) of the 12,781 residential property units sold from NAMA's portfolio were sold on the open market by NAMA debtors and receivers in individual sales transactions to individual house buyers.

The relatively small number of remaining units, 1,562 units, (12% of the total) were sold on the open market by NAMA debtors and receivers as part of larger group or portfolio sales. The properties that were sold in groups or portfolios were typically already tenanted and vacant possession was not sought prior to the sale.

I am advised by NAMA that the property referenced by the Deputy is in keeping with this trend as it was fully occupied by rental tenants at the time of the sale and vacant possession of the units was not sought. It is not surprising that the sale of these rental units would be attractive to institutional landlords rather than aspiring owner occupiers. Portfolios like this are generally acquired by investors, such as REITs, who are seeking long-term stable rental income rather than seeking to sell the properties in the short-term. Existing tenancy arrangements tend not to be impacted by such sales. Contrary to the Deputy's contention, a sale of these units

on an individual basis to owner occupiers could be more likely to lead to the displacement of existing tenants.

With this in mind, I am firmly of the belief that REITs participation in Irish market is a positive step for many reasons. This is why I, through the Finance Act 2013, established the REIT framework which allows for modern collective investment ownership structure of real estate that provides benefits to both small and large real estate investors, provides benefits to the Irish property market and to the broader economy.

In particular, REITs support the rental sector through the professional management of both commercial and residential property. The long term return expectations of REIT investment capital ensures a proper focus on investment, enhancement, maintenance and efficiency of rental properties. Over the long term investment capital from REITs is expected to provide a greater and much improved stock of professionally managed rental accommodation in the Irish market ultimately contributing to greater security of supply and tenure for tenants.

### **Economic Growth Rate**

**16. Deputy Bernard J. Durkan** asked the Minister for Finance if he is confident that the fundamental economic indicators remain positive and that economic growth will remain in line with expectations in 2016 and for the foreseeable future; if corrections or improvements are necessary to ensure economic performance in the short, medium and long term; and if he will make a statement on the matter. [10202/16]

**Minister for Finance (Deputy Michael Noonan):** In general, recent indicators have been very positive, indicating the economic recovery is strengthening in a sustainable manner. In the Stability Programme Update, published at the end of April, my Department forecast that the economy would grow by 4.9 per cent in 2016, by 3.9 per cent in 2017, and by 3.25 per cent on average over the remainder of the forecast horizon out to 2021.

Importantly, domestic demand made a strong positive contribution to growth in 2015 with consumption increasing by 3.5 per cent in 2015 and investment up by 28 per cent. This is crucial as domestic sectors are both jobs-rich and tax-rich. The external sector is also showing continuing signs of growth, with exports increasing by 13.8 per cent in 2015.

The economic recovery is also clearly evident in the labour market where we have now had thirteen successive quarters of employment growth. Last year, employment increased by 2.6 per cent, equivalent to 50,000 new jobs. The seasonally adjusted unemployment rate fell to 8.4 per cent in April, down from almost 10 per cent a year earlier. This is the lowest rate of unemployment since December 2008.

However, there are several sources of uncertainty. Weaker than expected trading partner growth would negatively impact on Irish growth through reduced exports. Growth in Emerging Market Economies disappointed in 2015, and while Ireland's direct trade exposure remains relatively small, we would be exposed to a more generalised slowdown in the world economy. Brexit is another downside risk facing the Irish economy with Ireland potentially more exposed than most to a UK exit.

Domestically, the high level of private debt, while falling, remains a concern, and any deterioration in the external environment could prompt households and firms to raise the pace of deleveraging, with adverse implications for domestic demand.

This uncertainty highlights the importance of prudent management of the public finances

and of competitiveness-oriented policies that would help the Irish economy to weather any global economic downturn that may emerge.

In summary, I am confident that significant economic progress can be made in the years ahead. However, this is critically contingent upon implementing appropriate policies and that is what the Government intends to do.

### **Central Bank of Ireland**

17. **Deputy Mattie McGrath** asked the Minister for Finance the efforts to place the Central Bank's code of conduct on a statutory footing; and if he will make a statement on the matter. [10200/16]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank's Code of Conduct on Mortgage Arrears (CCMA) provides a strong consumer protection framework to ensure that each borrower who is experiencing genuine difficulty in meeting the repayments on a mortgage secured on a primary home is treated in a timely, transparent and fair manner by lenders. The CCMA recognises that it is in the interests of borrowers and lenders to address financial difficulties as speedily, effectively and sympathetically as circumstances allow.

The CCMA applies to all regulated mortgage lenders operating in the State when dealing with borrowers facing, or in, arrears on a mortgage which is secured on a primary residence. Furthermore, the Consumer Protection (Regulation of Credit Servicing Firms) Act 2015 now provides for the regulation of credit servicing firms and accordingly the CCMA also applies to such firms who are servicing primary home mortgages held by non-regulated entities. An addendum to the CCMA was published during 2015 to reflect this fact.

The CCMA was issued by the Central Bank pursuant to the provisions of Section 117 of the Central Bank Act 1989 and regulated entities are required to comply with the provisions of the Code as a matter of law. The CCMA is therefore issued under statute and, as stated by the Supreme Court, it forms part of the law. The Central Bank has the power to administer sanctions for a contravention of this Code, under Part IIIC of the Central Bank Act 1942.

As recognised by the Programme for Government it is important to keep the provisions of the Code, and indeed the wider statutory framework for the protection of consumers of financial services, under review to ensure they remain appropriate to the evolving position of the mortgage market. As the Deputy is aware the Code has already been reviewed and updated over time and the Government will continue to liaise and work with the Central Bank to ensure that the CCMA continues to be monitored and further updated as necessary in a way that is fair to the legitimate interests of debtors and creditors and, taking account also of appropriate wider public policy considerations, that sustainable solutions will be available to address genuine mortgage difficulty.

### **Pyrite Issues**

18. **Deputy Clare Daly** asked the Minister for Finance the number of residential property owners whose properties have been shown to have pyritic damage and who have received an exemption from local property tax since the regulations were changed under the Finance (Local Property Tax) (Amendment) Act 2015; and if he will make a statement on the matter. [10474/16]

**Minister for Finance (Deputy Michael Noonan):** The qualifying criteria in respect of



exemption from Local Property Tax (LPT) for properties with 'significant pyritic damage' were modified by the Finance (Local Property Tax) (Amendment) Act 2015. The Act modified the qualifying criteria to include properties where:

1. a certificate of damage has been completed by a competent person as set down in the relevant Regulations or,
2. the property has been accepted into the pyrite remediation scheme operated by the Pyrite Resolution Board or,
3. an insurance company has remediated the property or provided sufficient funds to carry out the remediation or,
4. the person who built the property has remediated it or provided sufficient funds to carry out the remediation.

The relaxation of the certification requirement was one of the recommendations made by Dr. Don Thornhill in his review of the operation of the Local Property Tax on behalf of the Government in 2015. The changes are significant in that where a property has been included in the pyrite remediation scheme by the Pyrite Resolution Board (PRB) without testing, or a property has been remediated by a guarantee company or by a builder or developer or where a party is compensated in lieu of remediation, without testing, Revenue will now accept confirmation of remediation or compensation from either the PRB or the relevant party for the purposes of exemption without testing or NSAI certification.

I am advised by Revenue that since the Finance (Local Property Tax) (Amendment) Act 2015 changed the LPT exemption criteria in respect of properties with significant pyritic damage, in excess of 1,300 cases have been identified that may now qualify for the relief.

Of these, 104 properties have already received the exemption while more than 500 property owners have been contacted by Revenue and are in the process of providing the necessary supporting documentation. Revenue expects to complete the reviews of the remaining 700 properties in the coming weeks and will make direct contact with property owners as required.

### **Credit Unions**

19. **Deputy Thomas Byrne** asked the Minister for Finance his plans to give effect to the commitment to bring forward a plan for the growth and development of the credit union sector; and if he will make a statement on the matter. [10518/16]

**Minister for Finance (Deputy Michael Noonan):** Credit unions have a key role to play in providing access to credit and other important services in local communities throughout the country. As Minister for Finance I recognise this and have put in place a number of measures to ensure that credit unions can continue to provide these vital services to their members and to ensure the stability of the sector into the future. These measures include:

- the establishment of the Commission on Credit Unions;- the publication of the Credit Union and Co-operation with Overseas Regulators Act 2012;- the establishment of the Credit Union Restructuring Board ReBo;- the establishment of a stabilisation levy to support credit unions that are undercapitalised but are otherwise viable;- the availability of €250 million for voluntary restructuring of credit unions facilitated by ReBo; and- the availability of €250 million for resolution purposes.

These measures stemmed from recommendations made by the Commission on Credit

Unions in its final Report and have been implemented over the last five years to acknowledge the increasing role for a strengthened and revitalised credit union sector, thus putting credit unions in a position to play an increasing role in the retail financial landscape of the future in this country.

Following on from this, in December 2015 I invited the Credit Union Advisory Committee (CUAC) to carry out a review of the Implementation of the Recommendations set out in the Report of the Commission on Credit Unions.

Work on the review has commenced. I have been informed that as part of the review the CUAC has had discussions with all credit union stakeholders to date. Those discussions will inform the final report, the findings of which, including any recommendations is expected to be presented to me as Minister for Finance by 30 June 2016 for publication thereafter.

The Government recognises the important role of credit unions as a volunteer co-operative movement in this country. The Government's priorities remain the protection of members' savings, the financial stability of credit unions and the sector overall and it is determined to support a strengthened and growing credit union movement.

### **Loan Books Purchasers**

20. **Deputy Bernard J. Durkan** asked the Minister for Finance how he will provide regulatory conditions in the case of unregulated third parties acquiring loan books from the banking sector, with particular reference to the need to protect borrowers who continue in their endeavours to meet their commitments to the best of their ability, given that the loosely regulated banking sector was a contributory factor in the economic downturn; and if he will make a statement on the matter. [10203/16]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that the Consumer Protection (Regulation of Credit Servicing Firms) Act, 2015 was enacted on 8 July 2015. It was introduced to fill the consumer protection gap where loans were sold by the original lender to an unregulated firm. The 2015 Act introduced a regulatory regime for a new type of entity called a 'credit servicing firm'. Credit Servicing Firms are now subject to the provisions of Irish financial services law that apply to 'regulated financial service providers'. This ensures that relevant borrowers, whose loans are sold to third parties, maintain the same regulatory protections they had prior to the sale, including under the various statutory codes (such as the Consumer Protection Code, Code of Conduct on Mortgage Arrears, Code of Conduct for Business Lending to Small and Medium Enterprises and the Minimum Competency Code) issued by the Central Bank of Ireland and the Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Medium-Sized Enterprises) Regulations 2015 which comes into operation on 1 July 2016.

The Code of Conduct for Mortgage Arrears provides protections for borrowers who endeavour to meet their commitments in relation to their mortgages and the 2015 Act ensures that these protections apply when a loan has been sold.

Our commitment on this issue is underlined by the Programme for a Partnership Government provides that "To reflect the growing public concern regarding credit servicing firms and other property firms we will ask the Central Bank and the Oireachtas Committee on Housing to examine the legislation introduced last year that ensured that borrowers, whose loans are sold to third parties, maintain the same regulatory protections they had prior to the sale. We will provide greater protection for mortgage holders and tenants and SMEs whose loans have

been transferred to non-regulated entities ( vulture funds ).” This is a Year 1 Action in the programme. The Government is very conscious of the difficulties faced by borrowers and the efforts that they are making to meet their commitments.

### **Mortgage Interest Rates**

21. **Deputy Pearse Doherty** asked the Minister for Finance his views on the expected time-line as to when Irish variable mortgage rates will move in line with the European average, in view of the statement in the programme for Government regarding the Government’s intention to take all necessary action to tackle high variable rates. [10542/16]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the Programme for Government makes it clear that it is not ethically acceptable for Irish banks to charge excessive interest rates on standard variable rate customers. The Government has committed to take all necessary action to tackle high variable interest rates; including through establishing a new code of conduct for switching mortgage provider, administered by the Central Bank and the development of a new, easy-to-use standardised and dedicated switching form. We will also request the Competition and Consumer Protection Commission to work with the Central Bank to set out the options for the Government in terms of market structure, legislation and regulation to lower the cost of secured mortgage lending and improve the degree of competition and consumer protection. These are Year 1 Actions in the programme.

I do accept that variable rates remain above Euro area norms and I think that it clear that there is broad agreement in this House that we would like to see rates reduced. Central Bank research on the influences on standard Variable Mortgage Pricing in Ireland published last year identified three main reasons for higher rates in Ireland. First, the pricing of loans needs to reflect credit risks. In Ireland these risks are elevated due to high levels of non-performing loans and the lengthy and uncertain process around collateral recovery. Second, competition is weak. This is not unrelated to credit risks since high credit risk deters new players from entering the market. Third, bank profitability is still constrained by legacy issues. Profitability is essential to ensure banks build up adequate capital buffers to meet increasing regulatory requirements and to withstand future adverse shocks.

I think that it is fair to say that there have been considerable movements in the mortgage offerings of the Irish banks in the last twelve months since my meetings with the banks. As recently as last week, two banks made additional reductions to their mortgage offerings. There has also been media speculation on the entry of another new mortgage provider into the market and the additional competition should help to put further pressure on the existing banks to reduce their rates. This is a vivid illustration of the effectiveness of the Government’s policy, that competition is the best way to put pressure on the banks to reduce rates.

### **Fiscal Policy**

22. **Deputy Mick Wallace** asked the Minister for Finance his plans to seek a break from the European Union regarding the fiscal rules in order to secure finance to address the emergency in housing and homelessness; and if he will make a statement on the matter. [10514/16]

**Minister for Finance (Deputy Michael Noonan):** I do not intend to seek a break in the fiscal rules, which are designed to ensure stable public finances that underpin sustainable economic growth.



There are provisions in the fiscal rules that are designed to promote public investment. Within the expenditure benchmark pillar of the fiscal rules, capital investment in respect of capital formation is granted favourable treatment. Thanks to capital smoothing, only one quarter of the increase in public capital formation investment must be funded in the first year from within the fiscal space permitted by the expenditure benchmark. This provision means capital spending for housing and other purposes can be leveraged within the EU rules.

As the Deputy will also be aware, Ireland's medium-term budgetary objective or MTO was loosened in the Stability Programme Update to 0.5% of GDP in structural terms. As I have already communicated, this loosening will result in an additional €1½ billion in fiscal space becoming available under the EU rules once the MTO is reached. Taking account of this development and capital smoothing, we will, as set out in the Programme for Government, be bringing forward proposals for an additional cumulative €4 billion in Exchequer capital in the context of the mid-term capital review in 2017.

Having said that the Government is very conscious of the housing crisis and in this context Ireland's Strategic Investment Fund (ISIF) have established a joint venture fund Activate Capital which will invest in the development and construction of housing. The venture will provide approximately €500 million in financing for the housing sector. By recycling this funding, the joint venture aims to develop 11,000 units over the medium term.

Similarly NAMA has stated that in accordance with its independent commercial mandate it will target the delivery of 20,000 additional residential units before the end of 2020. 90% of these residential units will be in the greater Dublin Area, where the demand for housing is greatest. Approximately 75% of these units will be houses, primarily starter homes. The overall cost of the programme will be approximately €4.5 Billion. NAMA will utilise its own cash resources to fund this necessary expenditure.

The Government has also outlined its commitment in the Programme for Government to accelerate the delivery of the €3.8 billion Social Housing Strategy. There will be a mid-term review of the Capital Programme in mid-2017 where the allocation of additional exchequer capital investment to priorities will be determined. In addition, the Minister for Housing, Planning and Local Government will set out the new Government Action Plan for Housing within the first 100 days. Once complete the action plan will be subject to target actions and specific deadlines.

In summary, I wish to assure the Deputy that ending the Housing shortage and Homelessness is a priority for this Government.

### **Official Engagements**

**23. Deputy Joan Burton** asked the Taoiseach if he has held any discussions with the Prime Minister of the United Kingdom, Mr David Cameron on its possible exit from the European Union; the effect this would have on the Irish economy, the United Kingdom economy and relations between the two jurisdictions; and if he will make a statement on the matter. [10918/16]

**The Taoiseach:** I recently spoke with Prime Minister Cameron by telephone on 6 May 2016, during which we discussed a number of matters, including the UK Referendum on EU Membership. We agreed to meet soon and I intend to visit Britain, perhaps on a number of occasions as my schedule permits, before the Referendum on 23rd June.

I meet with Prime Minister Cameron regularly in the normal course of events on a bilateral basis and at European Council meetings. The question of the UK's membership of the EU has

featured prominently in all of our recent discussions, particularly since 2013 when the likelihood of a referendum became clear.

On each occasion our discussions have centred on the importance of the UK remaining as a member of the EU and the particular importance of this for Ireland, given that our relationship with the UK is closer than with any other EU Member State. The Prime Minister fully recognises our mutual interest in matters relating to Northern Ireland, the importance of a reformed, more effective European Union, the Common Travel Area and our strong economic ties.

The Irish Government has been very active in our engagement with the UK Government, and with our EU partners, in outlining our concerns and our interests in this matter.

Irish citizens in the UK have a vote in the Referendum and it will be important that the Irish government's position is clearly understood. In this context, a number of Government Ministers will make visits to Britain in the coming weeks, in cities such as Manchester, Liverpool, Birmingham and Glasgow where there are strong Irish communities.

### **Census of Population Publication**

24. **Deputy Joan Burton** asked the Taoiseach when the Central Statistics Office will publish the initial findings and the entire findings of Census 2016. [10919/16]

**The Taoiseach:** The Census Preliminary Results are scheduled for publication on Thursday the 14th of July 2016. This report will contain a preliminary count of males and females by electoral division and data on occupied and vacant dwellings. The first set of definitive results will be published in April 2017. This will be followed throughout 2017 with a series of census releases covering a range of topics with the final release in December 2017. Small Area Population Statistics for some 3,400 electoral divisions and 18,500 small areas are scheduled for publication in July 2017.

### **Naturalisation Applications**

25. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for residency status and eligibility for naturalisation of a person (details supplied); and if she will make a statement on the matter. [10743/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has made an application for a certificate of naturalisation. The processing of the application is ongoing with a view to establishing whether the conditions for naturalisation, such as good character and lawful residence are satisfied. All non-EEA nationals are required to keep their permission to remain in the State up to date at all times and failure to do so may adversely affect an application for a certificate of naturalisation.

The person concerned was granted a 3 month temporary permission to remain in the State on 5 May 2016 to facilitate him in order to update his passport. He should contact his Embassy in London regarding the process to apply for and collect his passport, after which he can apply to renew his registration and have a GNIB Card issued.

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.

### **Immigration Status**

**26. Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for residency status by persons; and if she will make a statement on the matter. [10752/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), dated 20th November, 2014, the persons concerned have not submitted written representations.

The position in the State of the persons concerned will now be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. If any representations are submitted before a final decision is made, they will be fully considered.

I am also advised that the three adult children of the persons concerned have been granted permission to remain in the State based on work permit conditions in one case and and education conditions for two others.

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**

**27. Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for residency status and eligibility for naturalisation by persons (details supplied); and if she will make a statement on the matter. [10754/16]

**Tánaiste and 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 16 May, 2016. The person concerned was advised by correspondence which issued on 7 April, 2016 from INIS to register directly with the Garda National Immigration Bureau for a further renewal period.

I am further informed by the INIS of my Department that the processing of the application for a certificate of naturalisation from the person concerned is ongoing and will be submitted to me for decision as expeditiously as possible.

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

### **Naturalisation Applications**

28. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the current and expected residency status and eligibility for naturalisation in the case a person (details supplied) who was working for eight years in this jurisdiction; and if she will make a statement on the matter. [10755/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has had their permission to remain in the State renewed for a further three year period following the consideration of their case under Section 3 (6) of the Immigration Act 1999 (as amended). This decision was conveyed in writing to them by letter dated 11th May, 2015.

I am advised by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that an application for a certificate of naturalisation was received from the person referred to by the Deputy in February, 2016.

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**

29. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for residency status by a person (details supplied); and if she will make a statement on the matter. [10769/16]

**Tánaiste and 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 currently holds an immigration permission which expires on 5 November, 2016. I understand that the person concerned has recently contacted the INIS, arising from a change in their personal circumstances and that INIS will be writing to them shortly to seek clarification on the issues raised.

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

## **Immigration Status**

30. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the residency position and options available to persons (details supplied), including if she can waive the need for an original passport given the situation in the person's home country; and if she will make a statement on the matter. [10776/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, in response to a notification pursuant to the provisions of Section 3 of the Immigration Act 1999 (as amended), the persons concerned have submitted written representations. These representations, together with all other information and documentation on file, will be fully considered, under Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement, in advance of a final decision being made.

I am advised also in the context of the persons concerned, they would have to show that they have made reasonable and formal efforts to obtain a national passport, that it has been formally and unreasonably refused and that their own consular authorities are unable to offer consular assistance to them whilst resident in the State.

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.

## **Criminal Injuries Compensation Tribunal**

31. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Justice and Equality if a tribunal is currently in place to consider individual applications in relation to the Criminal Injuries Compensation Tribunal; the last date on which the tribunal formally convened; if a dedicated tribunal is not currently in place, the reason; and if she will make a statement on the matter. [10806/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I can inform the Deputy that the Criminal Injuries Compensation Tribunal comprises a Chairperson and six ordinary members. The seven members of the Tribunal do not formally convene as a group to carry out the work of the Tribunal. Individual applications at first instance are considered by a single member of the Tribunal. Consequently, in this regard, the Chairperson can consider individual applications at first instance.

There are currently six ordinary member vacancies, due to the term of office of the previous members having expired on 30 April 2016. To address this situation, I recently sought expressions of interest from suitably-qualified persons who wish to be considered for appointment as members of the Tribunal. I am currently considering these applications and expect to be in a position to make appointments in the coming weeks.

With regard to appeal hearings I wish to inform the Deputy that the Tribunal last held appeal hearings on 5 and 6 April, 2016. Further appeal hearings will be scheduled as new members are appointed. Tribunal members, who are practising barristers and practising solicitors in the Courts system, provide their services on a part-time basis to the Tribunal. Appeal hearings are



conducted by three Tribunal members. The member who gave the initial decision will not be one of the Tribunal members present at the appeal hearing. Dates for appeal hearings are set on the basis of availability of Tribunal members, appellants and/or their legal representatives.

### **Departmental Correspondence**

32. **Deputy John Curran** asked the Tánaiste and Minister for Justice and Equality if she has received correspondence from the Taoiseach's Office for direct reply in relation to a person (details supplied) who raised a matter in 2015; and if she will make a statement on the matter. [10856/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The matter raised by the Deputy has been the subject of correspondence both directly with my Department and through the Office of the Taoiseach. I also had an opportunity to discuss the situation in broad terms with the person concerned as one of my constituents in 2015. As far as I am aware, it concerns complex legal issues around a long-running dispute in relation to a probate matter. I understand that these are matters which have also given rise to allegations of misconduct by solicitors that have been the subject of complaints by the person concerned to the Law Society. Moreover, and while it is desirable that such situations be resolved effectively, I also have to respect the fact that any unresolved matters arising could give rise to future legal proceedings.

Under current law, and as previously conveyed to the person concerned, including in an e-mail reply from my Private Secretary in April 2014, it is not open to me as Minister, nor indeed to any member of the Government, to determine or to otherwise intervene in disputes or difficulties between practising solicitors and their clients or in relation to matters which are properly for determination by the Courts. Rather, these are matters to be dealt with by the designated statutory bodies or, as may be the case, through the courts. Pending the planned commencement this Autumn of the relevant provisions of the Legal Services Regulation Act 2015, it remains a matter of law that the Law Society of Ireland, the Solicitors Disciplinary Tribunal (to which an aggrieved client may complain directly) and the Office of the Independent Adjudicator remain the statutory bodies charged with investigating or resolving complaints against solicitors under the Solicitors Acts.

In addition to the remedies available under the current statutory complaints framework that I have just outlined, aggrieved clients of solicitors may also choose to seek redress through the courts. As with any court proceedings, it would be considered prudent that persons considering taking such legal action seek independent legal advice on the strength or otherwise of their case and its possible cost implications. It will then be a matter for the aggrieved client concerned to decide which course of action might be best suited to their particular case.

The Deputy will also wish to be aware that, under the Legal Services Regulation Act 2015, preparations are already underway for the establishment of the new and independent Legal Services Regulatory Authority which will have responsibility for the oversight of both solicitors and barristers. There will be a new framework to deal with complaints about alleged professional misconduct independent of both the Law Society and the Bar Council that will apply from the date of its commencement. This, in turn, will be backed up by the establishment of a new and independent Legal Practitioners' Disciplinary Tribunal dealing with both legal professions. Members of the public who wish to make complaints will, therefore, no longer do so through the Law Society or the Bar Council as they do at present, but through the new and independent Legal Services Regulatory Authority. This and other reforms being made under the 2015 Act will continue to be rolled out on a phased basis between now and the end of this year.

### **Visa Applications**

33. **Deputy Thomas Byrne** asked the Tánaiste and Minister for Justice and Equality the status of an application by a person (details supplied) for a D type long stay visa. [10881/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by officials in the Irish Naturalisation and Immigration Service (INIS) of my Department that an application for a 'join family' visa from the person referred to by the Deputy was received in the Visa Office, Dublin on 19 April, 2016. I am further advised that 'join family' visa applications, where the sponsor is an Irish national, can be expected to be dealt with within 6 months of receipt of all the required documentation as set out in the Family Reunification Policy Document published on 1 January, 2014. This business target reflects the detailed assessment that is required to be carried out in relation to applications for family reunification. Applications are processed in order of date received in the Dublin Visa Office.

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).

### **Deportation Orders**

34. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality to revoke a deportation order in the case of a person (details supplied); and if she will make a statement on the matter. [10885/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order made on 25 May 2011.

Representations were received from the person's legal representative, to request the Minister to use her discretion, 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.

### **Judicial Council Legislation**

35. **Deputy Michael McGrath** asked the Tánaiste and Minister for Justice and Equality if she will establish a judicial council with lay representation; if she will provide an effective mechanism for dealing with complaints against judges; and if she will make a statement on the matter. [10889/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** Legislation is being drafted to provide for the establishment of a Judicial Council. It is intended that the key functions of that Council would encompass the maintenance and promotion of excellence in the exercise by judges of their judicial function and of high standards of conduct among judges.

The model, which will of course be subject to consideration and approval by Government in the context of the publication of the Bill in due course, provides for lay membership on the Judicial Conduct Committee which is a key component being established under the Bill and which will be responsible for facilitating the investigation of allegations of judicial misconduct. The proposed legislation also envisages the creation of a number of Committees to support the Judicial Council in areas, for example, such as continuing education and professional development and these Committees may provide an opportunity for participation by persons who are not judges but who do have appropriate expertise and experience in the relevant subject matter.

Work on the drafting of the Bill continues in conjunction with the Office of the Attorney General, and my Department is working closely with that Office to bring that work to a timely conclusion.

### **Residency Permits**

36. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application by a person (details supplied) for residency status and eligibility for naturalisation; and if she will make a statement on the matter. [10904/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has been granted permission to remain in the State for a three year period following the consideration of their case under Section 3 (6) of the Immigration Act 1999 (as amended). This decision was conveyed in writing to them by letter dated 15th March, 2016.

It will be open to the person concerned to apply to the Citizenship Section of my Department for a Certificate of Naturalisation when they are in a position to meet the lawful residency criteria applicable to the lodgement of such applications. Details on the criteria to be met by persons lodging such applications are available from my Department's Website ([www.justice.ie](http://www.justice.ie)).

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

## Tax Credits

37. **Deputy Dara Calleary** asked the Minister for Finance if an unmarried but co-habiting father or mother who is returning to the workforce can claim tax credit allowances in respect of their children; and if he will make a statement on the matter. [10820/16]

**Minister for Finance (Deputy Michael Noonan):** There is no general tax credit in respect of the care of a child available to cohabiting parents, whether married or unmarried, returning to the workforce.

The Deputy will be aware that childcare is often a consideration for a parent returning to work, particularly in the case of the second parent. The Early Childhood Care and Education Programme, which is operated by my colleague, the Minister for Children and Youth Affairs, Dr. Katherine Zappone T.D., provides a free pre-school programme for children. This programme was extended in Budget 2016 to apply to children from the age of 3. In addition to the learning and development opportunities for the children, this scheme also reduces childcare costs for parents, facilitating greater workforce participation.

In the Programme for a Partnership Government there are a number of measures aimed to support parents and children. These include supporting the introduction of a robust model for subsidised high quality childcare for children aged 9-36 months in order for children and families to truly reap the benefits of greater investment, in line with the OECD recommendation that the best way to achieve affordability and quality at the same time is through subsidised childcare places.

The Government is committed to developing targeted supports to reduce childcare costs, broaden parental choice and increase supports for stay at home parents.

## Mortgage Interest Rates

38. **Deputy Catherine Murphy** asked the Minister for Finance in view of recent cuts to mortgage interest rates, the steps he intends to take to ensure equitable treatment of customers of majority State owned banks such as a bank (details supplied); how he proposes to address excessive standard variable rates; and if he will make a statement on the matter. [10717/16]

42. **Deputy Seán Haughey** asked the Minister for Finance to ensure that persons on existing variable interest rate mortgages can receive reductions in their interest rates; and if he will make a statement on the matter. [10789/16]

51. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which banking charges and interest rates here are in accord with those applicable throughout the eurozone; and if he will make a statement on the matter. [10845/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 38, 42 and 51 together.

In relation to mortgage interest rates, the Programme for Government makes it clear that it is not ethically acceptable for Irish banks to charge excessive interest rates on standard variable rate customers. The Government has committed to take all necessary action to tackle high variable interest rates; including through establishing a new code of conduct for switching mortgage provider, administered by the Central Bank and the development of a new, easy-to-use standardised and dedicated switching form. We will also request the Competition and Consumer Protection Commission to work with the Central Bank to set out the options for the

Government in terms of market structure, legislation and regulation to lower the cost of secured mortgage lending and improve the degree of competition and consumer protection. These are Year 1 Actions in the programme.

I do accept that variable mortgage rates remain above Euro area norms and I think that it clear that there is broad agreement in this House that we would like to see these rates reduced. Central Bank research on the influences on Standard Variable Mortgage Pricing in Ireland published last year identified three main reasons for higher rates in Ireland. First, the pricing of loans needs to reflect credit risks. In Ireland these risks are elevated due to high levels of non-performing loans and the lengthy and uncertain process around collateral recovery. Second, competition is weak. This is not unrelated to credit risks since high credit risk deters new players from entering the market. Third, bank profitability is still constrained by legacy issues. Profitability is essential to ensure banks build up adequate capital buffers to meet increasing regulatory requirements and to withstand future adverse shocks.

I think that it is fair to say that there have been considerable movements in the mortgage offerings of the Irish banks in the last twelve months since my meetings with the banks. As recently as last week, two banks made additional reductions to their mortgage offerings. There has also been media speculation on the entry of another new mortgage provider into the market and the additional competition should help to put further pressure on the existing banks to reduce their rates. This is a vivid illustration of the effectiveness of the Government's policy, that competition is the best way to put pressure on the banks to reduce rates.

In relation to other charges, under Section 149 of the Consumer Credit Act, 1995 (as amended), credit institutions must submit a notification to the Central Bank for approval if they wish to introduce any new customer charge or increase any existing customer charge, for certain services. A notification made under Section 149 may include multiple charges and, having considered and robustly challenged the proposed charge(s) under the assessment criteria, the proposed charges may be rejected, approved at lower levels than requested by the credit institution or approved in full. Credit institutions are legally bound to comply with Letters of Direction, which set out the maximum amount the credit institution is allowed to charge for the relevant service. Credit institutions are free to impose any pricing differentials for the service up to the permitted maximum and are free to waive fees at their discretion.

My Department published a report on the review of the regulation of bank fees and charges in December 2013. This contains a detailed description of the process by which the Central Bank makes decisions on whether or not to approve proposed charges. It is available on my Department's website at [www.finance.gov.ie](http://www.finance.gov.ie). Among the key findings of the review was that while fee and commission income has become a more important source of income to the banks in recent years, net fee and commission income in Irish banks was well below the average of their European peers.

### **Tobacco Smuggling**

**39. Deputy Thomas P. Broughan** asked the Minister for Finance the number of persons the Revenue Commissioners prosecuted for the offence of tobacco and cigarette smuggling in the years 2015 and 2016 to-date; the number of prosecutions currently ongoing; and if he will make a statement on the matter. [10723/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that there were 40 convictions in respect of tobacco and cigarette smuggling in 2015. There were 8 convictions during the first 4 months of 2016. Currently, there are 81 tobacco and cigarette smug-



gling prosecution cases ongoing, at various stages in the prosecution process.

Fines of €65,150 were imposed in 2015 for tobacco and cigarette smuggling, and €11,000 for the period to end of April 2016.

### **Tax Reliefs Application**

40. **Deputy Michael McGrath** asked the Minister for Finance if he will apply proposed changes to capital gains tax entrepreneurship relief, as outlined in the programme for Government, to newly established businesses only or also to existing businesses; if it is important to provide clarity in this regard to entrepreneurs who are considering establishing businesses; and if he will make a statement on the matter. [10751/16]

**Minister for Finance (Deputy Michael Noonan):** The details of proposals for changes to this relief have not been finalised. They will be developed as part of the Budget and Finance Bill process and will be subject to Dáil scrutiny. It may be worth noting, however, that the relief as introduced in Finance Act 2015 is not restricted to new businesses.

### **Fuel Traders Licences**

41. **Deputy Brendan Griffin** asked the Minister for Finance to link the petrol excise licence fees to the quantity of fuel sold thereby protecting the viability of smaller rural filling stations; and if he will make a statement on the matter. [10784/16]

**Minister for Finance (Deputy Michael Noonan):** I am informed by Revenue that the requirement that traders dealing in road fuels hold a licence has been in place many years and that an additional requirement for a licence for traders dealing in marked mineral oil was introduced in 2012. This new marked mineral oil licensing requirement was introduced in response to the threat posed to the exchequer and to legitimate business by fuel laundering and is part of a range of supply-chain control measures designed to address this problem. At the time of their introduction there was extensive consultation with industry representatives and they remain very supportive of the measures implemented to tackle fraud and protect compliant business from unfair competition from illicit operators. The measures that I introduced and the action taken by Revenue have been very successful in limiting the availability of marked fuel for laundering and in limiting access to the market for laundered fuel.

The licence fee for an auto-fuel trader's licence and for a marked fuel trader's licence is a flat rate excise duty of €250 in each case. This licence fee is not excessive and is comparable to other excise licence fees. I don't propose to change the licence fee to link it to the quantity of fuel sold.

*Question No. 42 answered with Question No. 38.*

### **Tax Forms**

43. **Deputy Michael McGrath** asked the Minister for Finance the years for which the Revenue Commissioners holds P60s for a person (details supplied) and which could be supplied to that person. [10802/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that they do

not issue or hold P60s for anyone. A P60 is issued by a person's employer at the end of each year.

While Revenue does hold details of pay and tax as returned to them on the P35 Return from employers, I am advised that, in the case of the person concerned, Revenue has no such details as it appears the person concerned was self-employed.

If the person wishes to discuss this further or has evidence of any employment, he can contact Mr Eugene Larkin, at (021) 6027262 who will assist him in the matter.

### **Pension Provisions**

44. **Deputy Michael McGrath** asked the Minister for Finance to clarify the circumstances a person can access funds in an approved minimum retirement fund prior to reaching 75 years of age; if he will clarify the application of the Revenue Commissioner's triviality clause in this regard; and if he will make a statement on the matter. [10803/16]

**Minister for Finance (Deputy Michael Noonan):** By way of background, an individual in a defined contribution pension savings arrangement (whether an occupational pension scheme or a personal pension) has the option of putting the funds accumulated under this arrangement into an Approved Retirement Fund (ARF) on retirement. Where such an individual is under the age of 75 at the time of exercising this option and does not meet the condition of having a minimum guaranteed pension income for life of €12,700 per annum, he or she is required to set aside an amount of €63,500 (or the remainder of the pension fund if less than €63,500 after taking a retirement lump sum). These funds are set aside by investing in an Approved Minimum Retirement Fund (AMRF) or by the purchase of an annuity.

An AMRF owner has the option of using some, or all, of the funds in AMRF to purchase an annuity at any time prior to attaining the age of 75.

The purpose of the AMRF is to ensure that an individual, without the minimum guaranteed pension income for life, has a nest-egg to provide for the latter years of his or her retirement.

With effect from 2015, an AMRF owner may draw down up to 4% of the value of the fund assets on one occasion annually until he or she either meets the guaranteed pension income requirement or attains the age of 75, at which point, the AMRF automatically becomes an ARF and any remaining funds can be drawn down at the beneficial owner's discretion.

In general, drawdowns from AMRFs (and ARFs) are subject to income tax, PRSI (up to age 66) and USC.

The 4% annual draw down arrangement was introduced by Finance Act 2014 and replaced the facility that existed previously, whereby an AMRF owner could draw down the accrued income and gains of the AMRF (subject to tax) as and when they wished. This change was prompted by a concern to give all AMRF owners access to a more certain level of annual income from their AMRF, rather than the uncertainty that dependence on investment performance had given rise to heretofore. This is particularly important for those individuals whose AMRF constitutes a significant part of their retirement funds.

I am advised by the Revenue Commissioners that under the trivial pension rules, full commutation of a pension under an occupational pension scheme may take place if the aggregate benefits payable to an employee under the scheme (and any other scheme linked to the same employment) do not exceed the value of a pension of €330 per annum. This treatment is also

available to holders of small retirement annuity contracts (RACs) and Personal Retirement Savings Accounts (PRSAs).

I am further advised that, as an alternative to the above, where, after taking the retirement lump sum, the remaining fund available to an individual for the provision of pension benefits is less than €20,000, the Commissioners have no objection to the payment of a once-off pension. The amount of retirement benefits from all sources must be taken into account for the purposes of calculating the €20,000 limit, and this option applies equally to the holders of RACs and PRSAs.

In effect, this means that those with relatively small pension pots at retirement who do not satisfy the guaranteed pension income condition required for ARF access, are not required to invest the pension pot in an AMRF or purchase an annuity with it, but can instead draw it down in full, subject to appropriate tax.

### **Stability Programme Data**

45. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied regarding the stability of the economy with particular reference to possible negative external factors; if he has in mind any particular initiatives in the event of Brexit; and if he will make a statement on the matter. [10839/16]

**Minister for Finance (Deputy Michael Noonan):** The Stability Programme Update (SPU), published last month following its submission to the European Commission, sets out my Department's assessment of the economic outlook to 2021 together with a detailed assessment of risks. My Department expects the economy to grow by 4.9 per cent this year, by 3.9 per cent next year and by 3.25 per cent on average over the remainder of the forecast horizon out to 2021.

The SPU also notes that, while the outlook for the next 18 months is relatively benign, internationally the level of uncertainty is higher than at any stage since the height of the financial crisis

There is, in particular, heightened uncertainty regarding the near-term prospects for many Emerging Market Economies (EMEs), including China. EMEs have been an important growth engine in recent years, and while Ireland's direct trade exposure remains relatively small, the Irish economy would be exposed to a more generalised slowdown in the world economy.

A more disruptive international environment could generate significant headwinds for the Irish economy. This underlines the need to maintain prudent fiscal policies, keep expenditure under control, remain competitive and it is why I have consistently reiterated my commitment to Ireland's corporate tax regime.

On the upcoming UK referendum on EU membership, as has been clearly articulated, the UK's continued membership of the Union is 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 research 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. My Department, and other Government Departments, are continuing our assessment of all the issues involved in protecting Ireland's interests and we are continuing to explore the potential risks and to plan accordingly in the period up to

23 June 2016.

### **Pension Provisions**

46. **Deputy Bernard J. Durkan** asked the Minister for Finance if consideration will be given to lifting restrictions on retirement pension funds currently restricted unless the pensioner has access to a separate pension of €12,700 per annum; and if he will make a statement on the matter. [10840/16]

**Minister for Finance (Deputy Michael Noonan):** Before Finance Act 1999 people with defined contribution pension savings had no option but to buy a pension income (called an annuity) with their savings after taking the allowable tax-free retirement lump sum. Changes since then have given people more choices for what to do with their pension savings. This is called the flexible options at retirement regime. These choices include taking a cash payment, subject to income tax, investing in an approved retirement fund (ARF) or investing in an approved minimum retirement fund (AMRF).

Until he or she is 75, a person can only take the whole amount of their savings as cash or put it in an ARF if he or she has a guaranteed pension income of €12,700 or more. If these conditions are not met then he or she can buy an annuity or put a certain amount of the funds, called the “set aside” amount into an AMRF. The maximum “set-aside” is €63,500 or the remaining value of the pension funds, after taking the tax-free retirement lump sum, if less than €63,500.

The funds in an AMRF can be used at any time, in full or in part, to buy an annuity. This includes the option to buy an annuity which is large enough to give the owner a guaranteed income of more than €12,700. If the owner does this he or she will then have access to the rest of the funds, as their AMRF then converts into an ARF with discretionary access to the funds, subject to tax at their marginal rate.

The purpose of the AMRF is to ensure that a person without the minimum guaranteed pension income for life has a pension “safety net” to provide for the latter years of his or her retirement. However, every year to age 75, the owner of an AMRF can access 4% of the funds in the AMRF.

If an individual meets the requirements to be able to access the full amount of the funds in an AMRF and chooses to do so then it is taxable in the hands of the recipient as income for the tax year in which it is paid.

I do not currently have any plans to remove the requirements which apply before a person can have increased access to the funds in an AMRF or transfer them to an ARF. These provisions, along with other taxation measures, are however kept under review.

### **Economic Growth**

47. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he expects this economy to maintain positive performance over the next five years; if he anticipates any corrective measures arising from external factors; and if he will make a statement on the matter. [10841/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 47 and 53 together.

In general, I am greatly encouraged by recent data illustrating the positive performance of the Irish economy. Ireland's recovery is now firmly established and the Irish economy is growing at the fastest rate in Europe - with growth of 7.8 per cent recorded in 2015. In the Stability Programme Update or SPU, published at the end of April, my Department forecast that the economy would grow by 4.9 per cent in 2016, by 3.9 per cent in 2017, and by 3.25 per cent on average over the remainder of the forecast horizon out to 2021.

Crucially, domestic demand made a strong positive contribution to growth in 2015 with consumption increasing by 3.5 per cent in 2015 and investment up by 28 per cent. This is important as domestic sectors are both jobs-rich and tax-rich. The external sector is also showing continuing signs of growth, with exports increasing by 13.8 per cent in 2015. The competitiveness gains achieved since 2008 have been the result of productivity improvements and wage and price moderation. It is important that these gains are maintained through active policy management, to support continued growth through both foreign direct and indigenous investment.

The recovery is most clearly evident in the labour market where we have now seen thirteen successive quarters of employment growth. Employment grew by 2.6 per cent in 2015, equivalent to 50,000 new jobs. The monthly unemployment rate fell to 8.4 per cent in April, down from almost 10 per cent a year earlier. The unemployment rate is now at the lowest level since 2008.

The positive outlook for Ireland's economic prospects is shared by the 3 major credit ratings agencies. Following Moody's upgrade to an A rating, all 3 have now given an A-Grade to Ireland's sovereign debt.

Nevertheless, the SPU highlights that there are several sources of uncertainty at present. In particular, a more disruptive international environment could generate significant headwinds for the Irish economy.

This uncertainty highlights the importance of prudent management of the public finances and of competitiveness-oriented policies that would help the Irish economy to weather any global economic downturn that may emerge.

In summary, subject to a supportive external environment, I am confident that the positive economic performance will be maintained over the medium term. However, this is critically contingent upon implementing appropriate policies. That is what the Government intends to do.

### **Loan Books Purchasers**

48. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he can ensure compliance with full banking Irish and European regulations by the purchasers of distressed or other loan books from the banking sector; and if he will make a statement on the matter. [10842/16]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that the Consumer Protection (Regulation of Credit Servicing Firms) Act, 2015 was enacted on 8 July 2015. It was introduced to fill the consumer protection gap where loans were sold by the original lender to an unregulated firm. The 2015 Act introduced a regulatory regime for a new type of entity called a 'credit servicing firm'. Credit Servicing Firms are now subject to the provisions of Irish financial services law that apply to 'regulated financial service providers'. This ensures that relevant borrowers, whose loans are sold to third parties, maintain the same regulatory protections they had prior to the sale, including under the various statutory codes (such as the Consumer Protection Code, Code of Conduct on Mortgage Arrears, Code of Conduct for Busi-



ness Lending to Small and Medium Enterprises and the Minimum Competency Code) issued by the Central Bank of Ireland and the Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Medium-Sized Enterprises) Regulations 2015 which comes into operation on 1 July 2016.

Under the Act, purchasers of loan books must either be regulated by the Central Bank themselves or else the loans must be serviced by a credit servicing firm who is regulated by the Central Bank. In addition to compliance with Central Bank codes of conduct, credit servicing firms will have to demonstrate to the Central Bank that they have robust governance and adequate resources to ensure compliance, agreements with loan owners that enable the credit servicing firm to fully comply with its obligations under Irish financial services legislation and adequate and effective control of loan servicing in the State to enable Central Bank oversight.

### **Construction Sector Strategy**

49. **Deputy Bernard J. Durkan** asked the Minister for Finance the steps he will take to incentivise the construction sector in a way that benefits the consumer with particular reference to first time house builders or purchasers; and if he will make a statement on the matter. [10843/16]

**Minister for Finance (Deputy Michael Noonan):** The recovery in the economy and the increase in the number of people at work has significantly contributed to an increased level of demand for housing.

While there is evidence of a pick-up in housing supply, it is still far from the level necessary to meet demand. From my perspective, a number of measures have been implemented to help address the underlying problems, either directly by myself or by some of the agencies that come under the auspices of my Department. One example is the Ireland Strategic Investment Fund (ISIF) €500 million joint venture (Activate Capital) to make funding available to the house building sector. I also introduced an increased deduction for mortgage interest relief for landlords that commit to the provision of rental accommodation, for a minimum of three year, for tenants receiving social housing supports. NAMA has also committed to support the delivery of up to 20,000 residential units by the end of 2020.

However, more needs to be done given the housing supply shortage.

To restore the housing market to a sustainable equilibrium, this Government has set an ambitious target, in the Programme for Government, of ensuring that 25,000 additional new houses are built each year by 2020. To achieve this target the Government has committed to implement a number of policy actions designed to help address the outstanding bottlenecks in the housing and construction sector and restore supply to the optimal level.

As regards first time buyers, the Government is cognisant of the particular difficulties facing this group. The Programme for Government, therefore, contains a number of policy proposals designed to support first time buyers such as the proposal to work with the Central Bank, as part of its review of the mortgage lending rules, to develop a new “Help to Buy” scheme.

### **Small and Medium Enterprises Supports**

50. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he expects to encourage the banking sector to meet the requirements of small and medium sized in-

dustry, the retail or commercial sector; and if he will make a statement on the matter. [10844/16]

**55. Deputy Bernard J. Durkan** asked the Minister for Finance the degree to which his Department monitors the working capital requirements of the various manufacturing and services sectors on an ongoing basis with a view to identifying particular deficiencies; if a decision has been made to address specific areas arising therefrom; and if he will make a statement on the matter. [10849/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 50 and 55 together.

As the Deputy is aware, small and medium sized businesses play a central role in the sustainable recovery of the Irish economy. To facilitate this, Government policy is focused on ensuring that all viable SMEs from every sector have access to an appropriate supply of credit from a diverse range of bank and non-bank sources. Officials from my Department regularly meet representatives from the Small Firms Association, Irish Small and Medium Enterprises Association and Chambers Ireland to discuss issues around access to finance and these engagements help inform the development of policy on SME credit and lending.

Having completed a process of deleveraging, both AIB and Bank of Ireland are now concentrating on growing their balance sheets. In this context, both banks recognise the need to increase business lending, including lending to the SME sector. My Department collates and examines, on a monthly basis, granular data on the funding of the activities of SMEs from both AIB and Bank of Ireland, the wider banking sector and increasingly the non-bank funding sector. In addition, AIB and Bank of Ireland meet my officials, and those of the Credit Review Office, on a quarterly basis to keep them abreast of issues pertaining to the SME sector. This facilitates the Department and the Credit Review Office in monitoring progress against agreed annual SME lending plans and ensuring that new lending to SMEs continues to increase as a percentage of total sanctioned lending.

My Department has been involved in a range of initiatives to encourage access to credit for small and medium sized businesses. The SME State Bodies Group provides a forum for the development and implementation of policy measures to enhance SMEs' access to a stable and appropriate supply of finance.

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

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

- The Strategic Banking Corporation of Ireland has been established as a means of ensuring that SMEs are provided with sufficient finance for growth. The Strategic Banking Corporation of Ireland (SBCI) is an initiative designed to increase the availability of funding to SMEs at a lower cost and on more flexible terms than have recently been available on the Irish Market. The SBCI does not lend directly to SMEs. It uses a network of lending partners known as 'on lenders' to make its funds available to SMEs. More information on the SBCI can be found on [www.sbc.gov.ie](http://www.sbc.gov.ie).

- The Credit Guarantee Scheme encourages additional lending to small businesses by offering a partial Government guarantee to banks against losses on qualifying loans to eligible SMEs.

- The Microenterprise Loan Fund, administered by Microfinance Ireland, provides support

in the form of loans for up to €25,000, available to start-up, newly established, or growing micro enterprises employing less than 10 people, with viable business propositions. Microfinance Ireland works in partnership with the Local Enterprise Offices nationally to administer this fund ([www.microfinanceireland.ie](http://www.microfinanceireland.ie)).

- The Credit Review Office helps SME or Farm borrowers who have had an application for credit of up to €3 million declined or reduced by the main banks, and who feel that they have a viable business proposition. They also examine cases where borrowers feel that the terms and conditions of their existing loan, or a new loan offer, are unfairly onerous or have been unreasonably changed to their detriment. This is a strictly confidential process between the business, the Credit Review Office and the bank. The Credit Reviewer and his team have overturned more than 50% of the refusals that have been appealed to the Office. Further details are available at [www.creditreview.ie](http://www.creditreview.ie).

The Government remains committed to the SME sector, as reflected in the recently published Programme for a Partnership Government, and sees it as a key engine of ongoing economic growth. Consequently, my Department and the Credit Review Office, working with the other relevant Departments and Agencies, will continue to monitor the availability of both bank and non-bank credit on both a macro and sectoral basis in order to ensure that sufficient access to finance is available to facilitate participants in the SME sector to reach their full potential in terms of growth and employment generation. In this context, the Action Plan for Jobs 2016 includes a dedicated chapter and associated integrated set of actions to support the financing for growth in the SME sector.

In terms of monitoring the requirements for SMEs, the Department of Finance facilitates the biannual SME Credit Demand Survey. The most recent survey, covering the period April-September 2015, shows that 85% of SME credit applications, excluding pending applications, were approved. Working capital requirements were provided as the main reason for applying for bank finance with 48% of respondents stating that they required finance for working capital. When asked about sources of finance for working capital, internal funds/retained earnings were the main finance source of working capital with 63% of working capital coming from this source. Further results from the survey can be found at [www.finance.gov.ie](http://www.finance.gov.ie). Results from October 2015 to March 2016 are expected shortly.

*Question No. 51 answered with Question No. 38.*

### **Banking Sector**

52. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which he remains satisfied that the lending sector continues to facilitate borrowers who have mortgage or other arrears and that arrangements continue to be entered into to facilitate their needs in a way that is sustainable to the borrower and not only to the lender; and if he will make a statement on the matter. [10846/16]

**Minister for Finance (Deputy Michael Noonan):** This Government is very committed to dealing with mortgage arrears and providing support for borrowers that find themselves in that situation. This is evidenced by the range of commitments contained in the Programme for A Partnership Government which will provide renewed impetus for dealing with the issue particularly for those borrowers in long-term arrears.

The most recent Central Bank figures show that to date over 120,000 restructures have been put in place which reinforces the fact that engagement between borrowers and lenders works.

At end 2015, 86.4% of restructured PDH accounts were deemed to be meeting the terms of their arrangement. In addition the most recent figures published by my Department for end March 2016 show that PDH mortgage accounts in arrears are down 20% since March 2015.

As part of the Mortgage Arrears Resolution Process (MARP) framework the completion of affordability assessments is a key step. In this regard a lender must examine each case on its individual merits and it must base its assessment on the full circumstances of the borrower, including, inter alia, the borrower's current repayment capacity. In order to determine which options for alternative repayment arrangements are viable in each particular case, a lender must explore all of the options for alternative repayment arrangements that they offer. The Code also requires lenders to review an alternative repayment arrangement at appropriate intervals for the type and duration of the arrangement. The lender must also carry out a review of an alternative repayment arrangement at any time, if requested by the borrower.

The Code of Conduct on Mortgage Arrears (CCMA) is a key part of the Central Bank's mortgage arrears framework. It is designed to provide appropriate and effective consumer protection measures and to ensure that borrowers are treated in a fair and transparent manner. The CCMA sets out requirements for all mortgage lenders dealing with borrowers in arrears or pre-arrears. It provides a strong consumer protection framework to ensure that borrowers struggling to keep up mortgage repayments are treated in a fair and transparent way by their lender and that long term resolution is sought by lenders with each of their borrowers.

The CCMA also requires lenders to have an appeals process in place to enable a borrower appeal a decision by a lender, including where the borrower is not willing to enter into an alternative repayment arrangement or where the lender declines to offer an alternative repayment arrangement. The appeals procedure must inform the borrower of his/her right to refer the matter to the Financial Services Ombudsman. The CCMA also provides that, at the borrower's request and with the borrower's written consent, the lender must liaise with a third party to act on his/her behalf in relation to his/her arrears situation.

*Question No. 53 answered with Question No. 47.*

### **Fiscal Policy**

54. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which consideration has been given or might be given to the possible utilisation of personal savings, currently the subject of deposit interest retention tax, for strategic infrastructural national development purposes on which a better return could be made available to those with savings, given the current low interest rates and the need for funding to facilitate various infrastructural projects such as the housing building programme, either directly or by way of a Government bond; and if he will make a statement on the matter. [10848/16]

**Minister for Finance (Deputy Michael Noonan):** It is a matter of choice for savers as to how they choose to save their personal funds. At present, there are a wide variety of options, including commercial banks, credit unions, the post office, and other savings and investment products from which savers can select. The State cannot dictate how savings are utilised but the NTMA through State Savings Ireland has a range of savings products, including variable rate savings accounts and fixed rate savings bonds/certificates. These products are available through the Post Office network with further information available at [www.statesavings.ie](http://www.statesavings.ie).

The funds raised through these state savings are treated the same as other Government borrowing and are paid into the Central Fund from which they are used to fund Government ex-

penditure generally, including capital expenditure. Liabilities under the State Savings products offered by the National Treasury Management Agency (NTMA) are a direct, unconditional obligation of the Government. To link such investments to specific projects would have the consequence of reducing their security and their attractiveness to investors.

*Question No. 55 answered with Question No. 50.*

### **Credit Availability**

**56. Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which overdraft facilities continue to be restored to the business and farming sectors with particular reference to the need to ensure the availability of adequate resources to facilitate ongoing economic performance; and if he will make a statement on the matter. [10850/16]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that in my role as Minister for Finance I have no direct function in the relationship between the banks and their customers. I have no statutory function in relation to the banking decisions made by individual lending institutions at any particular time; these are taken by the board and management of the relevant institution. This includes decisions in relation to products as determined by the banks.

All viable businesses operating in Ireland should have the opportunity to access sufficient finance to meet their enterprise needs in a manner that supports growth and employment in the economy. As the Deputy will be aware, Chapter 7 (Finance for Growth) of this year's Action Plan for Jobs (APJ) sets out a range of commitments to ensure viable SME's can access appropriate finance at a reasonable cost from both bank and non-bank sources.

In line with Action 144 of the APJ, officials from my Department continue to collate and examine data from AIB and Bank of Ireland on a monthly basis, including data pertaining to overdraft facilities. Furthermore, my officials meet the banks on a quarterly basis to ensure an informed understanding of the wider SME bank lending environment which assists the development and implementation of policies aimed at ensuring SME access to finance and increased competition in the SME lending sector.

In relation to the restoration of overdraft facilities, both AIB and Bank of Ireland saw an increase in overdraft sanctions in 2015 compared to 2014. It is noted, however, that overdraft utilisations have declined and this is in line with findings from the Department of Finance SME Credit Demand Survey and an indicator of increasing reliance on retained profits to meet working capital needs. Further results from the survey can be found at [www.finance.gov.ie](http://www.finance.gov.ie).

### **Property Tax Administration**

**57. Deputy Josepha Madigan** asked the Minister for Finance when he will review and implement the recommendations of the Thornhill report and in particular recommendation 4; the time frame he envisages; and if he will make a statement on the matter. [10863/16]

**Minister for Finance (Deputy Michael Noonan):** In his report on his review of the Local Property Tax which was published on Budget Day 2015, Dr Thornhill makes a number of recommendations. His central recommendation is for a revised system whereby a minimum level of LPT revenues in each local authority area would be determined by Government, ideally having regard to the apportionment between local authority areas of the historic yield. This in turn



would allow for the estimation of LPT rates for each local authority area and the application of these by taxpayers and Revenue. Local authorities could adjust this rate upwards by a factor of up to 15%. This new system was recommended by Dr Thornhill with a possible interim deferral of the next valuation date until November 2018 or November 2019.

In my Budget 2016 statement, I announced that I would be proposing to Government that the revaluation date for the LPT be postponed from 2016 to 2019. This postponement means that home owners will not be faced with significant increases in their LPT in 2017 as a result of increased property values. The postponement also gave sufficient time for the other recommendations in Dr Thornhill's report to be considered fully by the next Government.

The Finance (Local Property Tax) (Amendment) Act 2015 gives effect to the postponement of the revaluation date of residential property for LPT purposes, and also to two of the recommendations in Dr Thornhill's report, involving LPT relief for properties affected by pyrite and relief for properties occupied by persons with disabilities (recommendations numbers 11 and 12 respectively).

My Department will be considering issues relating to the implementation of other recommendations in the Report in due course in line with the 2019 timeline. I also note that the Programme for a Partnership Government provides for the preparation of a report by mid-2017 for Government and for the Oireachtas, on potential measures to boost local government leadership and accountability.

### **Banking Sector Regulation**

58. **Deputy Clare Daly** asked the Minister for Finance the global standing of Irish law firms operating in the service sector of company formation and nominee directorships, which have featured in the Panama papers leak; if he or the Central Bank will create credible regulations on the use of shadow banking systems that rely upon trust vehicles and brass plate directors; and the value of such financial services exports. [10874/16]

**Minister for Finance (Deputy Michael Noonan):** Irish law firms have a role in advising companies establishing themselves in this country on how to comply with Irish company law and financial regulatory requirements. I am not however in a position to comment upon their global standing or otherwise.

The Panama papers contain a large volume of information about individuals, companies and firms around the world. My understanding is that references to firms operating in Ireland make up a very small percentage of the Papers. As is the case when any such information comes to their attention, it is a matter for the Revenue Commissioners to examine this information. You should be aware that discussions are ongoing between my officials and those in Revenue in relation to Revenue powers in the context of the next Finance Bill. In this regard, I have indicated to the Chairman of the Revenue Commissioners that I am committed to supporting any new legislative changes that he feels are needed to tackle international tax evasion.

In relation to the second part of your question, the Central Bank has advised that the work of the Financial Stability Board indicates that shadow banking embraces a wide range of activities and entities. Depending on the nature of these activities, they may already be in scope under a range of national and European financial services regulations which have been put in place to regulate such activities. The following regulations, for which the Central Bank is the competent authority, may apply to all or part of the activities undertaken: Prospectus Directive, Transparency Directive, European Market Infrastructure Regulation, Anti Money Laundering Direc-

tives, Alternative Investment Fund Manager Directive, ECB Reporting Regulations, Central Bank SPV Reporting Regulations, Consumer Protection (Regulation of Credit Servicing Firms) Act 2015. This list is not exhaustive and further regulatory measures to deal with shadow banking are regularly considered at national, EU and other international fora.

Finally, the Finance Dublin Yearbook 2016 states that the value of IFSC financial services exports in 2015 was €30,951m.

### **Departmental Functions**

59. **Deputy Joan Burton** asked the Minister for Finance the costings of proposals submitted to his Department by independent Teachtaí Dála and groups during the discussions on the formation of Government. [10917/16]

**Minister for Finance (Deputy Michael Noonan):** My Department facilitated the costings of certain proposals during the discussions with independent TDs and groups on the formation of Government. These costings, in the following table, were provided to the Department of an Taoiseach, which had overall responsibility for coordinating this exercise.

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
<p>A new provision whereby any landlord accepting rent supplement from tenants are given a USC exemption on the rental income.</p>	<p>Aggregate costing requires further information.</p>	<p>The benefit to a landlord from the proposal would equate to 3%, 5.5%, 8% or 11% of the rent supplement income, or a blend of these rates, where income crosses the relevant thresholds. To estimate of an overall likely cost, plausible projections would need to be generated for the potential uptake. In addition, to operate the proposal, Revenue would need landlords to provide a breakdown between rent received from residential and other types of property and between rent income arising from rent supplement and other sources of rental income. Such a level of detail is not currently required in tax returns to Revenue. It should also be noted that Finance Act 2015 increased mortgage interest relief to 100% for this cohort of landlord.</p>
<p>Abolishing USC on all new construction workers earning under €40,000 per annum.</p>	<p>Department of Finance estimates that this would cost €7.5m for every 5,000 workers earning €40,000. Actual cost would depend on uptake and salary levels.</p>	<p>As an illustrative example for an individual at certain incomes, the average cost in terms of USC foregone under this proposal is as follows:  Gross Income €20,000 (USC loss €393) - €2.0m per 5,000 workers  Gross Income €30,000 (USC loss €943) - €4.7m per 5,000 workers  Gross Income €40,000 (USC loss €1,493) - €7.5m per 5,000 workers</p> <p>It is important to note that the proposal would also impose a step effect of €1,493 where income exceeds €40,000. This would be a State aid that requires the approval of the European Commission. It should also be noted that a system treating groups of similar taxpayers differently for tax purposes would present administrative challenges for Revenue to police and may lead to distorted incentives. It is not possible to accurately cost this proposal as the potential number of new construction workers is not available.</p>

*Questions - Written Answers*

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Introducing an income tax exemption on income received from the alternative use of farmland for renewable projects, where such income is used for the purposes of re-investment in farm businesses	Aggregate costing requires further information	Additional information on the expected level of uptake and the total amount of income that would be exempted under this proposal would be required before Revenue could attempt to cost it. It is not clear why re-investment would not qualify as a business cost.
Exempting Income tax on income received from the alternative use of farmland for renewable projects, where such income is used for the purposes of re-investment in farm businesses.	As per immediately above	Please see immediately above
Introducing a tax credit of €12,000 p.a. if rented to a family on the housing list whereby the family going into occupation would be paying no rent but the Local Authority would pay €1,000 p.a. towards maintenance.	DoF estimates that the cost would be €13m per 1,000 units. Actual cost would depend on uptake.	A standard rated tax credit of €12,000 would shield €60,000 of income. Given the large numbers on housing lists, this could be of significant cost. However, the nature of the proposal is not fully clear. Further information concerning the number of landlords who might avail of such a scheme, the level of uptake by families and the types of income against which the credit could be used, would be required before Revenue could attempt to cost the proposal. The cost of the Local Authority payment of €1,000 per annum towards maintenance also depends on the uptake.
Introducing a Disability tax credit, similar to the Blind Persons tax credit.	€172m (illustrative Rev. Comm. estimate)	The latest data held by the Central Statistics Office (CSO) regarding statistics on disability are based on the Census 2011 indicates that 112,502 persons with disability were working. This figure includes 8,312 persons who are blind or have vision impairment. Consequently 104,190 persons could be eligible for the new credit (assuming that those eligible for Blind Persons Credit could not additionally avail of the proposed disability credit). If all were to fully avail of a credit of €1,650, the cost would be €172m. However, it should be noted, while the Census 2011 shows 8,312 persons who are blind or have vision impairment, only 18.5% or 1,540 availed of the Blind Persons Credit in 2013 and this may indicate that not all cases may avail of a similar disability credit.

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Introducing a new housing scheme for people at risk of homelessness whereby landlords with unoccupied properties would be exempted from property tax, exempted from any income tax liable from the tenancy up to €10,000 and given 100% mortgage interest relief	DoF illustrative estimate of €45m for LPT element only, if it concerned 10% of LPT liable properties.	Further information on the likely uptake would be required to provide a potential cost. However, for illustrative purposes regarding the LPT element only, if an assumption is made that 10% of LPT liable properties are vacant, with an average LPT payment of €241 applies, then the Department of Finance estimates that cost would be c.€45m per annum based on analysis of CSO vacancy rates. This also assumes that all vacant properties would be rented rather than owner-occupied. It should also be noted that the 100% mortgage interest deduction introduced in Finance Act 2015 could benefit such landlords.
Reducing employer levies for rural town centre employers.	A 50% reduction in Employers PRSI (excluding NTF levy) would save relevant employers just over 5% on salary costs. Aggregate costing requires further information.	The Department of Finance has made an assumption that this proposal refers to Employers PRSI, which is the responsibility of the Department of Social Protection. In order to fully cost the proposals it would be necessary to identify the numbers of 'Rural town centre employers' and their associated employees along with individual salary levels and the level of reduction envisaged.
Expanding the Employment and Investment Incentive Scheme to that investment in farm-scale renewable energy initiatives qualify.	Potentially already qualify/ Costing of changes would require further information.	At present, the Department of Finance notes that renewable energy production by farmers who meet the qualifying conditions of EII are eligible under the scheme. It should be noted that the relevant trade must be undertaken by a company that meets the qualifying conditions regarding age and connection to the grid. Should the proposal involve changing those conditions, additional information concerning the level of investments would be required before Revenue could attempt to cost the proposal.
Introducing a similar scheme to the 'Living City Initiative' to regenerate town centres throughout Ireland.	DoF estimates that, if all towns qualify, the potential cost could be greater than €100m. Aggregate Costing Requires further information.	The Living City Initiative was estimated to cost €20m in respect of 6 cities. Its expansion to towns throughout Ireland would be likely to cost significantly more. Additional information in relation to the potential investments in the regeneration of qualifying towns would be required before Revenue could attempt to cost the proposal.
Extending the SEAI accelerated capital allowances for investment in energy efficient equipment to sole traders.	DoF: Cost of circa. €1m.	The current scheme costs in the region of €350,000 per annum. Assuming that an equivalent number of sole traders were to avail of it, the additional cost could be approximately €1 million per annum. This would be a cashflow cost. Additional information on the level of investments made by sole traders in the relevant energy efficient equipment would be required before Revenue could attempt to cost the proposal.



*Questions - Written Answers*

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Extending the Rent a room relief to cover lodger agreements where the licensees are providing a room in their primary private residence for a tenant who is homeless, (as defined by the Housing Act 1988 Section 2) or a refugee. The licensees would be exempted from any income tax arising from the solidarity lodging scheme up to €14,000 per annum.	DoF Assumption: - less than €0.4 million	At present, there is no restriction barring the taking in of tenants who are homeless or refugees. It is assumed that this proposal would provide for a different cap on the rent-a-room relief for certain tenants. Increasing the cap on the rent-a-room relief from €10,000 to €12,000 for all applicants in Budget 2015 was estimated to cost €0.4m in a full year, so it could be expected that the cost would be less than that, if uptake were unchanged. Additional information concerning the potential number of landlords who might avail of such a scheme or what amount of income tax would become exempt under the proposal, along with an estimate of the potential uptake of this scheme by those defined under the Housing Act 1988 Section 2, would be required before Revenue could attempt to cost the proposal.
Develop a voluntary PRSI Scheme for the self-employed		There are differences in the PRSI treatment of the self-employed as compared to employees. The self-employed pay Class S PRSI which generates the same entitlement to the State Pension as an employee's Class A contributions, but does not provide access to certain other benefits such as Jobseekers Benefit or Illness Benefit. Both cohorts pay 4% PRSI in their own right, but in the case of employees a further employer's PRSI charge of 8.5% or 10.75% is also payable, resulting in a significantly higher contribution to the Social Insurance Fund in respect of an employee's earnings. Ways to further extend the PRSI system on a voluntary basis can be examined (but care will be needed to ensure that costs are manageable). Costing of options for such a scheme would need to be completed by the Department of Social Protection.
Equalise the tax treatment of the self-employed.	To increase the earned income credit from €550 to €1,650 to match the PAYE credit would cost €123 million. To abolish the 3% surcharge on self-assessed income in excess of €100,000 for the self-employed would cost €144 million. Or To extend the 3% surcharge to PAYE income in excess of €100,000 would yield €108 million.	Full equalisation of the tax treatment of the self-assessed and the employed would require a review of the expenses regime, as that available to the self-employed is more beneficial than that available to employees. In addition, the self-employed can also have significant timing advantages with regard to the payment of income tax liabilities, depending on the accounting year chosen.

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
A tax credit worth €2,000 for average income households to help them deal with childcare costs. Low income households to benefit up to €5,000.	Tentative costings, depending on take-up and eligibility considerations, indicate that such a tax credit could cost in the range of €290m. to €590m. per annum. The specific proposal, as outlined, would be likely to cost at the upper end of the range above.	The report of the Inter-Departmental Working Group on Future Investment in Childcare in Ireland was recently published, which considered future policy options for increasing the quality, accessibility and affordability of early years and school age (out of school) care and education services. The group did not recommend the introduction of a childcare tax credit. The benefit of such a credit would be unlikely to accrue to parents and would be more likely to be absorbed by childcare providers in the form of higher prices. Tentative costings, depending on take-up and eligibility considerations, indicate that such a tax credit could cost in the range of €290 million to €590 million per annum.
Approximate costing for a tax credit for people at work equivalent to the blind tax credit.	If intended to be a disability tax credit, then the potential costs estimated by the Revenue Commissioners is €172m. This estimate is based on census figures of those who declared themselves to be disabled and working	There could be difficulties in specifying and verifying the level of disability required to be eligible for such a tax credit. The credit, depending on how it was designed, could be available to high income earners, who may not necessarily need additional net income after taxation.
CAPITAL TAXES		
Reducing the tax on the sale of land with residential planning (shovel ready) from 33% to 20%.	€12m (Rev. Comm. estimate)	It is tentatively estimated that the cost of reducing the capital gains tax rate from 33% to 20% on all development land could be in the region of €12m. This is based on information in respect of disposal consideration associated with development land from 2013 tax returns. It is not possible to separately identify the element of the cost associated with “shovel ready” residential land.
Amending Capital Acquisitions Tax for farmers so that the 90% reduction currently applying to full time farmers applies to part time farmers who lease their land to whole time farmers for five years.	-	As agricultural relief is currently available to farmers who spend less than half their working time farming but who lease their inherited or gifted land to qualifying farmers (including those who qualify on the basis of spending at least half their working time farming), and in a range of other circumstances, further clarity is required on the problem the proposal is seeking to address. This could help in determining what effect the measure might have and whether it would be possible to estimate its cost. In this context, some indication of the numbers affected would be useful.

*Questions - Written Answers*

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Raising Inheritance tax threshold to €400,000 for farm holdings, where the person inheriting the property does not have a green cert or equivalent qualification.	-	Inheritors of farmland can qualify for CAT agricultural relief, which reduces the value of farm assets by 90% for CAT purposes, in a number of ways. They are not necessarily required to hold an agricultural qualification to obtain the relief. This relief is considerably more generous than a simple €400,000 tax-free threshold. Further clarity is required on the problem the proposal is seeking to address. This could help in determining what effect the measure might have and whether it would be possible to estimate its cost. In this context, some indication of the numbers affected would be useful.
Establishing a new Tax Incentivised Savings Scheme for purchasers of new first homes whereby the State contribute 25% of every euro in a special savings account for first time buyers	DoF: Minimum estimate of €75m per annum.	Large band of uncertainty around this estimate. Currently not possible to establish the potential pool of First Time Buyers that are saving. Question arises as to whether the portion of FTBs who are cash buyers should be included in the scheme. Estimated cost based on average deposit and current sales levels.
Replacing the current development levy contributions, payable under S48 of the Planning and Development Act 2000 as amended, with property tax.	DoF Estimate: Additional €5 in LPT per household to replace each €10m of development levies, e.g. €50m additional LPT equals €25 per household on average.	Development levies are payable in respect of residential development under both S.48 and S.49 of the 2000 Act. Approximately €78m was collected in 2012 under s.48 and S.49 (no split is immediately available between S.48 and S.49). However, the comparable figures for 2006 and 2007 are €670m and €630m. The Department of Finance estimates that each €10m of additional LPT will increase the cost per household by €5 on average. So, for example, €50m in foregone development levies would increase LPT by €25 per household and €200m would increase LPT by €100 per household. Detailed costings would require plausible projections on the likely level of development in the coming years.
Replacing Part V with a 1% levy on sales of all residential units, both new and second hand.	€130m (Rev. Comm. Estimate)	The introduction of a 1% levy on the sale of all residential units, both new and second hand, is estimated to yield approximately €130 million. This estimate does not take account of the revenue that would be foregone by removing the current levy in Part V of the Planning and Development Act 2000 (as amended).
BUSINESS TAX		
Doubling tax relief on rental expenditure for new business start-ups to encourage businesses to locate in villages and town centres	-	Revenue is unable to provide a cost for this proposal as there is no basis on which to estimate the extent to which new businesses might start up in these locations and the amount of associated rental costs. This looks like an operating aid, which is illegal under State aid rules.
INDIRECT TAXES		
Reducing the V.A.T. Rate on new builds to 0% for 3 years and then increasing it gradually.	-	VAT is governed by the EU VAT Directive, with which Irish VAT law must comply. As new builds were not subject to 0% VAT on 1 January 1991, the derogation available to goods and services at the 0% rate does not apply and Ireland cannot make new builds subject to a 0% VAT rate now.

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Implementing a temporary targeted reduction of the rate of VAT from 13.5% to 9% on new, affordable houses and apartments timed to generate the maximum impact on supply.	€205m (Rev. Comm. Estimate)	It is possible to apply the 9% VAT rate to the construction of new residential properties, but this would involve having separate VAT rates applying to construction services. It would be difficult to administer and could lead to underpayment of VAT. The cost to the Exchequer of the reduced rate of 9% VAT for new build residential construction is estimated by Revenue to be in the region of €205m in 2016. New residential completions are forecast to gradually increase to match the medium-term demand of 25,000 units by 2020. Therefore, the cost of providing a reduced rate of VAT for residential construction could be more than €400m by 2020. Furthermore, under EU VAT law, it is not possible to differentiate between “affordable new builds” and “new builds”.
Introducing a new Scrappage Scheme for Heavy Goods Vehicles, along the lines of previous schemes.	-	Previous scrappage schemes were based on relief from VRT. As VRT on heavy goods vehicles is only charged at a flat rate of €200, this would not appear to a major incentive. Please note that the VAT on HGVs is already deductible by businesses.
Introducing a tax on sugary sweetened drinks as a measure to address childhood obesity and use income to introduce measures to subsidise healthy food and school meals programme.	DoF estimate is a range of yields from €12m to €240m	The Department of Finance estimates the yield from a levy of between 1 cent and 20 cent in a price increase of a 330ml soda ranges from €12m to €243m. Refining this estimate would demand a range of policy decisions on the exact application of such a levy.
Retain mortgage interest relief beyond the current end date of December 2017.	Tentative estimates for costs are €166 million in 2018 and €148 million in 2019	Existing mortgage interest recipients are those who borrowed to purchase or renovate their home in the years 2004 to 2012. This includes those who bought at the peak of the market and those who bought at the bottom (circa early 2013). It is difficult to be definitive about a cost for extending mortgage interest relief for existing recipients as it will depend on the extent of mortgage redemptions, interest arrears and interest rates among other factors.
Abolish Irish Water and abolish water charges.		Based on initial cost and revenue estimates provided by the Department of the Environment, Community and Local Government (DECLG), and on the IW business plan, it is projected that the abolition of Irish Water could add about 0.1 to 0.2 percentage points of GDP to the headline General Government deficit each year over the 2016 – 2021 period. The abolition of water charges, one-off wind up costs, loss of potential efficiency gains and possible provision of group water subsidies would be partially offset through an assumed policy decision to cease the water conservation grant and metering programme. See detailed note of 7 April 2016 prepared by DECLG.
OTHER		

INCOME TAX	Full-Year cost	Comments – Revenue & DoF
Reform the role of SBCI by fully licencing it as a state enterprise bank similar to the former ICC.	Estimated costs of establishment €130m, annual operating cost €80m and capital requirement of €550m based on €5bn loan book.	The SBCI serves as an on lending financial institution, providing low cost whole-sale finance to both bank and non-bank on-lending partners in the SME market. Central to the business model is the ability to make credit providers' products more competitive, by lowering their funding cost. Turning the SBCI into a direct lender would necessitate a completely different business model with the need to build a distribution, credit assessment and back office capability and as a State guaranteed direct lender in competition with the banks would require clearance under EU State aid rules. In this manner rather than being a competitor to the existing institutions, the role of the SBCI can be more impactful by being an enabler of competition allowing it to concentrate funding as needed on a general, a product or sector specific basis. The release of long-term funds by promotional (or state-backed) financial institutions, through frontline (or traditional) finance providers, is a successful and effective model for funding SMEs throughout Europe.

### NAMA Staff Unauthorised Disclosures

60. **Deputy Marc MacSharry** asked the Minister for Finance when information on leaks or suspected leaks from the National Asset Management Agency were first brought to his attention; the steps he has taken in relation to same; and if he will make a statement on the matter. [10929/16]

**Minister for Finance (Deputy Michael Noonan):** Employees assigned by the NTMA to NAMA are bound by a number of statutory obligations in respect of the confidentiality of information to which they have access by virtue of their employment by NAMA. These include obligations imposed under Section 14(1) of the National Treasury Management Agency Act 1990 and under Section 202 of the NAMA Act 2009. Staff assigned to NAMA are also subject to the provisions of the Official Secrets Act 1963. Contravention of these statutory obligations constitutes criminal offences and, under Section 7 of the NAMA Act, a person who commits such offences may be liable to a substantial fine or term of imprisonment or both.

Under Section 19 of the Criminal Justice Act 2011, any party with evidence of criminal wrongdoing is legally obliged to bring such evidence to the attention of An Garda Síochána.

In September 2012, evidence emerged that confidential NAMA data may have been unlawfully disclosed by a former NAMA Officer. NAMA informed the Gardaí and the Data Protection Commissioner of their concerns and the matter was brought to my attention at the time. Last week, the former Officer was found guilty by the Dublin Circuit Criminal Court of the unlawful disclosure of confidential NAMA information. The case follows an extensive investigation of the matter by the Garda Bureau of Fraud Investigation (GBFI) since Autumn 2012.

In September 2012, NAMA launched a major review of data security and of data access within the Agency and of data transmission to external parties which had a business need to receive data from it. The review found that the security processes in place in NAMA (which were derived from those of the NTMA) were very robust, a number of additional measures were proposed and adopted in order to reduce further the scope for unauthorised transmission of data to external parties.



I am advised that NAMA employs a wide range of measures to prevent unauthorised disclosure of confidential data. These include practical measures such as the deployment of email monitoring technology to prevent email attachments from being forwarded to personal and non-corporate email accounts. IT controls also ensure that data cannot be saved from the NTMA network onto external storage devices, such as USB keys and compact discs. I am advised, however, that no organisation, short of installing system and process restrictions which would seriously compromise its ability to conduct its day to day business effectively, can absolutely protect itself against data theft. In the case of the unlawful disclosure of confidential NAMA information which was the subject of the recent prosecution in the Dublin Circuit Criminal Court, it was noted that despite NAMA's robust data security infrastructure the ex-employee, who was subject of the case, acted in a determined fashion to circumvent the security measures in place by distributing the information through his spouse who at that time was employed by a firm engaged in providing services to NAMA.

### **NAMA Staff Unauthorised Disclosures**

61. **Deputy Marc MacSharry** asked the Minister for Finance if, when and in what manner the National Asset Management Agency notified affected clients and debtors that confidential information in respect of their accounts had been leaked; and if he will make a statement on the matter. [10930/16]

62. **Deputy Marc MacSharry** asked the Minister for Finance why the National Asset Management Agency has not notified all affected clients and debtors that confidential information in respect of their accounts leaked in 2011 and 2012; if he has requested the agency to immediately inform clients and debtors; and if he will make a statement on the matter. [10931/16]

63. **Deputy Marc MacSharry** asked the Minister for Finance the number of clients and debtors of the National Asset Management Agency who are affected and were included on confidential lists leaked by a former official; and if he will make a statement on the matter. [10932/16]

69. **Deputy Marc MacSharry** asked the Minister for Finance if and when he or the National Asset Management Agency notified the Data Protection Commissioner of leaks from the agency; the result of such notifications; and if he will make a statement on the matter. [10938/16]

70. **Deputy Marc MacSharry** asked the Minister for Finance why, if it has not, the National Asset Management Agency has not notified all affected debtors and clients that confidential information in respect of their accounts was leaked; and if he will make a statement on the matter. [10939/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 61 to 63, inclusive, 69 and 70 together.

NAMA notified the Data Protection Commissioner in Autumn 2012. I am advised that, following consultation with the Office of the Data Protection Commissioner, NAMA has followed best practice as set out in the Data Protection Commissioner's Code of Practice in respect of security breaches.

In addition to its obligations under Data Protection, NAMA has at all times acted in accordance with the instructions of the Garda Bureau of Fraud Investigation.

Information on the number of debtors potentially affected is held by the Garda Bureau of Fraud Investigation which carried out the investigation which led to the prosecution of the for-

mer NAMA official.

### **NAMA Staff Unauthorised Disclosures**

64. **Deputy Marc MacSharry** asked the Minister for Finance the lapses in security at the National Asset Management Agency that allowed leaks to take place; and if he will make a statement on the matter. [10933/16]

65. **Deputy Marc MacSharry** asked the Minister for Finance the steps the National Asset Management Agency has taken and the measures it has put in place to ensure that other security lapses of a similar nature to the recent taking of information have not taken place; and if he will make a statement on the matter. [10934/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 64 and 65 together.

I am advised that, in September 2012, after reporting its concerns about alleged unauthorised data disclosure to An Garda Síochána, NAMA launched a major review conducted by Deloitte of data security and of data access within the Agency and of data transmission to external parties which had a business need to receive data from it. While the Deloitte review found that the security processes in place in NAMA (which were derived from those of the NTMA) were very robust, a number of additional measures were proposed and adopted in order to reduce further the scope for unauthorised transmission of data to external parties.

I am advised that NAMA employs a wide range of measures to prevent unauthorised disclosure of confidential data. These include practical measures such as the deployment of email monitoring technology to prevent email attachments from being forwarded to personal and non-corporate email accounts. IT controls also ensure that data cannot be saved from the NTMA network onto external storage devices, such as USB keys and compact discs. I am advised, however, that no organisation, short of installing system and process restrictions which would seriously compromise its ability to conduct its day to day business effectively, can absolutely protect itself against data theft. However, the standards employed by NAMA are to the highest professional available and implemented elsewhere.

### **NAMA Staff Unauthorised Disclosures**

66. **Deputy Marc MacSharry** asked the Minister for Finance if he has concerns that the leaked information from the National Asset Management Agency, including valuation information, ended up in the hands of funds or entities bidding to purchase assets from it; if the State suffered a loss as a result; and if he will make a statement on the matter. [10935/16]

67. **Deputy Marc MacSharry** asked the Minister for Finance if any of the recipients of the leaked information from the National Asset Management Agency or their employees or agents are connected to, employed by or comprise any of the eventual successful bidders for the properties that are the subject of the leaks; and if he will make a statement on the matter. [10936/16]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 66 and 67 together.

I am advised that NAMA has stated, and the Gardaí in turn advised the Courts, that NAMA does not consider that it suffered any loss arising from the unlawful disclosure of the confidential NAMA information which was the subject of the recent prosecution in the Dublin

Circuit Criminal Court. I am advised that it was not part of the DPP's case that NAMA's ability to conduct its business had been compromised by the disclosure.

I am advised that there is no evidence to suggest that there are connections between the recipients of the unlawful disclosures and bidders for assets that may have been offered for sale by NAMA debtors. In any event, I am advised that, as part of NAMA asset and loan sales, the information provided to potential bidders is much more comprehensive than the unlawfully disclosed 2009 information which was the subject of the recent Circuit Criminal Court case. Accordingly, I am advised that no advantage would accrue to the recipients of the unlawfully disclosed information in any competitive bidding process as it is market value as determined at the time of sale that is the basis for NAMA's assessment of any bids.

I am advised that NAMA's policy is that the sale of all loans and the sale of properties by debtors and receivers should be openly marketed wherever possible to ensure that the best price available in the market is achieved in all instances. NAMA enjoys a strong reputation in the market for the quality of information it provides as part of its property portfolio and loan sale processes and for the transparent and professional manner in which such transactions are executed. Both its property portfolio and loan sales processes are built on international best practice and NAMA uses experienced advisers to ensure that transactions are executed to the highest market standards and that bidders are treated equally by mapping out a clear and rigorous process to be followed in each sale.

Prior to the launch of a property portfolio or a loan sale, all relevant data, including loan agreements, security and title documentation, data tapes, lease information and tenancy schedules, is assembled in a data room by NAMA in conjunction with its legal and loan sale advisers. An initial high-level summary of the property or loan portfolio is then issued to potential purchasers so as to generate as much interest as possible.

Bidders are required to submit binding unconditional bids, proof of funding and marked-up contracts for sale. The final bids are assessed by NAMA with advice and recommendations from the portfolio sales agents or loan sales brokers, and a recommendation is made to the appropriate decision-making authority in NAMA. The successful and unsuccessful parties are advised of the outcome with the successful party also being notified of the timescale for completing the transaction.

### **NAMA Investigations**

68. **Deputy Marc MacSharry** asked the Minister for Finance if one or more employees or directors of the National Asset Management Agency have been investigated by it in respect of confidential leaks; the status and result of these investigations; and if he will make a statement on the matter. [10937/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised that, as is already in the public domain as a result of NAMA's own disclosure, NAMA has referred one further complaint to the Gardaí relating to a potential leak of confidential information. This case is in addition to the unlawful disclosure of 2009 information which was ruled upon last week in the Courts.

The additional case relates to a complaint, made to NAMA, of a possible unauthorised disclosure of a single document by an ex-Officer. This is currently being investigated by the Garda Bureau of Fraud Investigation and I cannot make any additional comment on the matter.

*Questions Nos. 69 and 70 answered with Question No. 61.*

### **NAMA Staff Unauthorised Disclosures**

71. **Deputy Marc MacSharry** asked the Minister for Finance if and when the National Asset Management Agency has made proposals to compensate the affected debtors and clients of recent leaks; and if he will make a statement on the matter. [10940/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA is not aware of any loss arising from the unlawful disclosure of confidential NAMA information which was the subject of the recent prosecution in the Dublin Circuit Criminal Court and that, accordingly, NAMA has not made or does not intend to make any proposals to compensate any party in respect of this matter.

### **NAMA Staff Unauthorised Disclosures**

72. **Deputy Marc MacSharry** asked the Minister for Finance if the National Asset Management Agency has come to a settlement with any of the affected debtors and clients where the leaking of information in respect of that debtor or client was a factor in the settlement; and if he will make a statement on the matter. [10941/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA has not come to a settlement with any party where the alleged leaking of information in respect of that debtor or client was a factor in the settlement.

### **NAMA Legal Cases**

73. **Deputy Marc MacSharry** asked the Minister for Finance if court proceedings have been initiated or threatened against the National Asset Management Agency in respect of recent leaks; and if he will make a statement on the matter. [10942/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised that NAMA is party to a range of court proceedings initiated by its debtors. Details of all proceedings that have been issued against NAMA or a NAMA group entity are available on the website [www.courts.ie](http://www.courts.ie). I am advised by NAMA that one set of proceedings have been initiated against it by a debtor in respect of the issue raised by the Deputy.

### **NAMA Staff Unauthorised Disclosures**

74. **Deputy Marc MacSharry** asked the Minister for Finance the steps the National Asset Management Agency has taken to protect the affected debtors and clients against identity theft and financial loss arising from recent leaks; and if he will make a statement on the matter. [10943/16]

**Minister for Finance (Deputy Michael Noonan):** NAMA has taken all appropriate steps since it became aware of the matter. I am advised that NAMA has referred this matter to the Garda Bureau of Fraud Investigation and has engaged with the Data Protection Commissioner on matters concerning personal data.

## National Internship Scheme Placements

75. **Deputy Dara Calleary** asked the Minister for Education and Skills if primary schools will avail of the JobBridge scheme for the purposes of filling ancillary positions; and if he will make a statement on the matter. [10720/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Job Bridge is a national internship scheme administered by the Department of Social Protection. The scheme was introduced to provide a pathway to appropriate employment, training and education opportunities for a specific cohort of jobseekers on the Live Register. Recognised Schools and Education and Training Boards may participate in the scheme if they wish under Department of Education and Skills Circular 46/2011, however, an internship must not cause an existing member of staff to be displaced from the school or be used to fill a current vacancy in the school. Interns are in addition to any staffing allocation a school/ETB has.

The JobBridge Scheme is administered and funded by the Department of Social Protection. The Department of Social Protection have informed me that in order to protect the JobBridge intern and to ensure the integrity of JobBridge, they have introduced a variety of control measures and criteria. These ensure that the internship does not displace an existing position; that it provides appropriate training and development experience; and that appropriate mentoring and support is provided to the intern. The Department of Social Protection monitors the scheme to ensure adherence to these conditions.

## Capitation Grants

76. **Deputy Kevin O’Keeffe** asked the Minister for Education and Skills if he will assist a school (details supplied) in resolving a serious and exceptional issue which has arisen; and if he will consider making an exceptional payment in this instance to the school. [10716/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is aware of the issues referred to by the Deputy. The Department has been in contact with the school Principal and has agreed to facilitate the school with the advance payment of the next tranche of capitation funding to enable it to address these issues. The school has been advised to contact the Department with regard to the schools funding requirements.

## Teaching Council of Ireland

77. **Deputy Charlie McConalogue** asked the Minister for Education and Skills further to Parliamentary Question Nos 205 of 17 June 2015 and 205 of 10 November 2015, if he has made a decision on the matter or when he expects to make a decision on it; and if he will make a statement on the matter. [10721/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Deputy is aware that the existing Gaeltacht entry scheme to the primary Bachelor of Education allows for the reservation of up to 10% of places in the colleges of education for Gaeltacht applicants. To qualify as a Gaeltacht applicant a person must be resident in an officially designated Gaeltacht area and it must be confirmed that the normal language of the home is Irish. The 20 year strategy for the Irish Language proposes that up to 20% of places in colleges of education would be retained for students educated through Irish in Gaeltacht schools and gaelscoileanna, with students in English medium schools also being eligible, subject to a high performance threshold in Irish in



the Leaving Certificate. The Teaching Council has submitted advice on entry requirements to programmes of initial teacher education including the Gaeltacht entry scheme to the Bachelor of Education. The advice is being considered and I expect to make a decision on the matter shortly.

### **Schools Amalgamation**

78. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of an application by two schools (details supplied) to amalgamate; and if he will make a statement on the matter. [10728/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy is aware, a project for the schools to which he refers is included in my Department's 6 Year Construction Programme that was announced in November last. The project will facilitate the proposed amalgamation of the two primary schools in Dingle.

My Department has been liaising with the schools and their Patron in relation to the amalgamation proposal and also in relation to the capital works required. My Department will continue to liaise with the schools' patron in the matter, and this can involve a meeting should this be required during the process.

### **Departmental Functions**

79. **Deputy Thomas Byrne** asked the Minister for Education and Skills the status of an internal dispute resolution application by the spouse of a person (details supplied). [10730/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Officials in my Department have commenced the process referred to by Deputy and a letter has issued to the person concerned acknowledging same. The determination on the case will issue within 3 months of the date of receipt of the application.

### **School Accommodation Provision**

80. **Deputy David Stanton** asked the Minister for Education and Skills his plans to provide the accommodation needs of a primary school (details supplied); and if he will make a statement on the matter. [10745/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is in receipt of an application for the provision of additional accommodation from the school referred to by the Deputy. The application is currently under consideration and my Department will be in direct contact with the school when a decision is made.

### **School Accommodation Provision**

81. **Deputy David Stanton** asked the Minister for Education and Skills the possibility of providing temporary accommodation to a primary school (details supplied); and if he will make a statement on the matter. [10746/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm that the

school referred to by the Deputy was approved capital funding in 2015 for the provision of significant additional permanent classroom accommodation to meet essential school accommodation needs. In that regard, my Department has not been contacted by the school concerned regarding the question of temporary accommodation.

### **School Accommodation Provision**

82. **Deputy David Stanton** asked the Minister for Education and Skills the status of the provision of permanent accommodation for a new secondary level school (details supplied) in County Cork; and if he will make a statement on the matter. [10747/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that a suitable permanent site for the school to which he refers has been identified and the acquisition process is underway. When this process is complete, the proposed project for the school concerned will progress into architectural planning.

### **School Accommodation Provision**

83. **Deputy David Stanton** asked the Minister for Education and Skills the status of the provision of permanent accommodation in Carrigtwohill in County Cork to amalgamate two existing primary schools (details supplied); and if he will make a statement on the matter. [10748/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that a suitable site has been identified and the acquisition process is underway for the purpose of providing permanent school accommodation in Carrigtwohill.

As the Deputy will be aware, however, a process is currently underway by the Patron in relation to the proposed amalgamation of the two schools concerned. The building project that it will be possible to progress into architectural planning will depend on the outcome of this process.

### **Schools Building Projects**

84. **Deputy Mick Barry** asked the Minister for Education and Skills when he will make a permanent school building available for Abacas in Kilbarrack, in Dublin 5; and if he will make a statement on the matter. [10770/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that the school in question is co-located in a permanent building with another school in Kilbarrack. This arrangement is possible due to declining enrolments in the other school.

I also wish to advise the Deputy that my Department provided funding to the school last November to re-configure its existing accommodation to facilitate the delivery of additional subjects.

Given the need to meet demographic growth, the delivery of new schools together with extension projects to meet future demand will be the main focus of the Department's budget for the coming years. My Department considers that the school's accommodation needs can be met in the current building for the foreseeable future.

### **School Transport**

85. **Deputy Mick Barry** asked the Minister for Education and Skills if he will provide a school bus system to pupils, particularly at emergency accommodation locations where there is no alternative public bus route, for example, at the Clayton Hotel on the R139, given disruption many homeless children face in their schooling; and if he will make a statement on the matter. [10771/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The purpose of my Department's School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school.

Under the terms of my Department's Scheme children are eligible for school transport where they reside not less than 3.2 or 4.8 kilometres from and are attending their nearest national school or post primary centre as determined by my Department/Bus Éireann, having regard to ethos and language.

A minimum number of 10 eligible children residing in a distinct locality, as determined by Bus Éireann, are required before consideration may be given to the establishment of a school transport service, provided this can be done within reasonable cost limits.

Families of eligible children, for whom no transport service is available, may be eligible for the remote area grant towards the cost of making private transport arrangements.

Children who are not eligible for school transport may avail of transport on a concessionary basis subject to a number of conditions which are detailed in the scheme.

The school transport eligibility of children in emergency accommodation is considered in conjunction with Bus Éireann which operates the school transport scheme on behalf of the Department.

### **Summer Works Scheme**

86. **Deputy Sean Sherlock** asked the Minister for Education and Skills if he will make further announcements under the summer works programme for schools at primary and secondary levels, beyond the category 1 and category 2 allocations he has already made. [10780/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that the Summer Works Scheme (SWS) will be applied on a multi-annual basis for the years 2016 and 2017. The Deputy will be aware that details of the 197 successful school applicants in Categories 1 and 2 under the SWS (2016-2017) were announced on 28th April last, details of which are also published on my Department's website, [www.education.ie](http://www.education.ie).

Under SWS (2016-2017), valid applications from schools that are not reached for funding reasons from within the funding made available in 2016 will qualify to be assessed for purposes of funding available in 2017, subject to the overall availability of funding. If this arises, the terms and conditions of the scheme as outlined in Circular Letter (0055/2015) which may be accessed on my Department's website, will continue to apply when allocating funding to such projects.

### **Schools Amalgamation**

87. **Deputy Sean Sherlock** asked the Minister for Education and Skills when the post primary school amalgamation in Doneraile in County Cork will proceed and when the new school will receive a roll number. [10781/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I understand that the Deputy is referring in this case to the formal proposal received by my Department to amalgamate the two primary schools in Doneraile, County Cork. In that regard, I wish to advise the Deputy that my Department will be in direct contact with the school authority in the matter shortly.

### **Summer Works Scheme Applications**

88. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of an application by a school (details supplied) for funding; and if he will make a statement on the matter. [10796/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Deputy will be aware that details of the successful applicants under the Summer Works Scheme (SWS) (2016-2017) were announced on 28th April last, details of which are published on my Department's website, [www.education.ie](http://www.education.ie). €30 million of the €80 million announced for the multi-annual Summer Works Scheme (2016-2017) is now being allocated for vital gas works and electrical upgrades in schools. 197 primary and post primary schools were included in the first round of successful applicants.

Under SWS 2016 and 2017, valid applications from schools that were not reached for funding reasons from within the funding made available in 2016 will qualify to be assessed for purposes of the funding available in 2017, subject to the overall availability of funding. If this arises, the terms and conditions of the scheme as outlined in Circular Letter (0055/2015) which may be accessed on my Department's website, will continue to apply when allocating funding to such projects. An application from the school referred to by the Deputy is available to be considered in this context.

### **Student Grant Scheme Appeals**

89. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills if an appeal by a person (details supplied) for a student grant will be awarded as all requesting documentation has been submitted showing that the family's income is within the meanstest to be eligible for the grant. [10799/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Officials in my Department have confirmed that the student referred to by the Deputy, has appealed the decision of the awarding authority to the statutory independent Student Grants Appeals Board.

The appeal was received by the Board on 28 April 2016 and will be heard within the 60 day timeframe provided for in the Student Support Act 2011. The Board will notify the student directly of the outcome of the appeal.

90. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills his plans to engage with the current review of the national drugs strategy. [10858/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is represented on the Steering Group that has been established by the Department of Health to develop a new National Drugs Strategy. As part of the development of the new strategy, the Department of Health has engaged an independent expert team to conduct a review of the implementation of the current strategy. Officials from my Department met with the expert team conducting the review in January 2016.

### **Teachers’ Remuneration**

91. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills if he will commit to a timeframe to end the pay inequality that teachers endure; when he hopes to establish the public service pay commission and potentially end the situation whereby appointed teachers after 2012 are receiving significantly less pay for equal work and given the healthier outlook of the economy if this will be a priority for him; and if he will make a statement on the matter. [10859/16]

95. **Deputy Dara Calleary** asked the Minister for Education and Skills his timeframe to end the pay inequality that teachers endure and to establish a public service pay commission; why he has not moved towards ending the policy of inequality imposed on teachers, some of whom have been discriminated against in the amount of €20,000 plus for up to five years; and if he will make a statement on the matter. [10867/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 91 and 95 together.

The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education. The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted. Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants. My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of:

- discussions to improve the position of teachers on fixed-term and part-time teaching
  - a robust review of in-school management structures
  - an increase in the quantum of the extra Croke Park hours which do not have to be worked on a “whole school” basis
- The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public ser-



vices and in recognition of the essential role played by public servants.

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

92. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the number of secondary school places currently available for children with autism in Dublin 15 for September 2016. [10860/16]

93. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the options and services available for children with autism who have been refused secondary school places in Dublin 15 for September 2016; and the accommodations his Department is making to ensure that they can access education in their locality. [10861/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take questions 92 and 93 together. I wish to advise the Deputy that the policy of my Department is that children with special educational needs, including children with autism, should be included where possible and appropriate in mainstream placements with additional supports provided. In circumstances where children with special educational needs require more specialised interventions, special school or special class places are also available.

The Deputy will be aware that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support.

Recent years have seen an increase in the number of SNAs from 10,575 posts in 2011 to 12,040 in June 2016. Almost 40% of all students with SNA provision are students with Autism. Over the same period the number of ASD special classes in mainstream primary and post primary schools has increased by 435, from 330 in 2011 to 765 in 2015. A further 168 ASD special classes are due to open in 2016.

The NCSE has advised that there are currently 2 autism specific classes at post primary level in the area referred to by the Deputy. Each special class for autism has a 6:1.5 pupil teacher ratio at post primary level as well as Special Needs Assistant support normally amounting to 2 SNAs for a class of 6 children.

The NCSE continues to monitor and review the requirement for special class places in particular areas and has capacity to establish such new special classes where necessary subject to the willingness of schools to open classes. Full details of all of the special classes that are currently provided is available at [www.ncse.ie](http://www.ncse.ie).

I have arranged for the Deputy's request for specific detail in relation to placement availability in the area referred to, to be forwarded to the NCSE for their attention and direct reply.

Children with autism may also be eligible for home tuition if a school placement is not available for them and/or where a determination is awaited in respect of an expulsion or refusal to enrol taken under section 29 of the Education Act, 1998. Details in relation to the Home Tuition schemes are available on my Department's website at [www.education.ie](http://www.education.ie).

*Questions - Written Answers*  
**Emergency Works Scheme**

94. **Deputy Michael Ring** asked the Minister for Education and Skills when a business (details supplied) will be paid moneys due for works carried out in 2013. [10862/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The school referred to by the Deputy was allocated a grant under my Department's Emergency Works Scheme in 2013.

To date the school authority have not submitted the required documentation to draw down the allocated funding. The Planning and Building Unit of my Department are currently liaising with the school authority in an effort to resolve this matter.

As soon as the required documentation is received the grant will be paid to the school authority who will then be in a position to pay the contractor concerned.

*Question No. 95 answered with Question No. 91.*

**School Services Staff**

96. **Deputy Charlie McConalogue** asked the Minister for Education and Skills to put a system in place to allow secretaries to become direct employees of his Department; and if he will make a statement on the matter. [10898/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Schemes were initiated in 1978 and 1979 for the employment of Clerical Officers and Caretakers in primary and secondary schools. While a small number of these staff remain in schools, the schemes are being phased out and have been superseded by a more extensive grant scheme. The majority of primary and voluntary secondary schools in the Free Education Scheme now receive capitation grant assistance to provide for secretarial (and/or caretaking) services. Within the capitation grant schemes, it is a matter for each individual school to decide how best to apply the grant funding to suit its particular needs and the Department does not stipulate how secretarial services are to be obtained. Where a school uses the grant funding to employ a secretary, such staff are employees of individual schools. My Department therefore does not have any role in determining the pay and conditions under which they are engaged. These are matters to be agreed between the staff concerned and the school authorities.

Notwithstanding the above, in 2015 my Department agreed to engage with the union side in relation to the pay of School Secretaries and Caretakers who are employed using grant funding and to enter an arbitration process if necessary. The Arbitrator recommended a cumulative pay increase of 10% between 2016 and 2019 for School Secretaries and Caretakers comprehended by the terms of the arbitration process and that a minimum hourly pay rate of €13 for such staff be phased in over the period 2016 to 2019. The Arbitrator's recommendations were accepted by both sides. My Department issued Circulars to schools which gave effect to the measures which applied from 1 January 2016 (i.e. an increase of 2.5% in the hourly pay rate and the introduction of a minimum hourly rate of €10.25) and revised grant rates.

**Pupil-Teacher Ratio**

97. **Deputy Carol Nolan** asked the Minister for Education and Skills his plans to reduce pupil-teacher ratios at primary level, and the funds he will allocate to this. [10912/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Programme for Government has a commitment to reduce class sizes at primary level. Budget 2016 provides for a one point adjustment to the staffing allocation to primary schools, which will be implemented for the 2016/17 school year. This will see the primary staffing schedule operate on the basis of a general average of 1 classroom teacher for every 27 pupils. Lower thresholds apply for DEIS Band 1 schools, ranging from 20:1 to 24:1 depending on the type of school. The pupil teacher ratio in the current school year is 1 classroom teacher for every 28 pupils. Staffing arrangements for the 2016/17 school year are available in Circular 0007/2016, which is published on the Department website. In the next Budget I will consider the best approach to further meeting commitments in the Programme for Government.

### State Examinations

98. **Deputy Carol Nolan** asked the Minister for Education and Skills his views on the recent court decision on the reasonable accommodations arrangements for leaving certificate examination candidates who have special assessment needs in examinations due to a temporary, permanent or long-term disability. [10913/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The State Examinations Commission (SEC) has statutory responsibility for operational matters relating to the certificate examinations.

The Board of the SEC is currently undertaking a review of the operation of the RACE Scheme. As part of this review the SEC is considering the recent High Court Judicial Review findings referred to by the Deputy. Following the review the SEC will develop proposals and plans for any changes to the RACE Scheme it considers necessary.

Currently the SEC operates a Scheme of Reasonable Accommodations at the Leaving and Junior Certificate examinations for candidates with special needs in the examinations. The Scheme applies to candidates who have a physical or medical disability, including visual and hearing impairments, or a specific learning difficulty. All applications for reasonable accommodations are considered within a published Framework of Principles established by an Expert Advisory Group.

Reasonable accommodations are not intended to compensate for a possible lack of achievement arising from a disability or to compensate for difficulties arising from a candidate's general intellectual functioning. Reasonable accommodations are intended to;

(a) to remove, as far as possible, the impact of the disability on the candidate's performance and thus enable the candidate to demonstrate his or her level of attainment and

(b) to ensure that, whilst giving candidates every opportunity to demonstrate their level of attainment, the special arrangements will not give the candidate an unfair advantage over other candidates in the same examination.

The range of accommodations includes, inter alia, provision of modified, brailled and enlarged papers for visually impaired students; access to readers, scribes, word-processor, tape or voice recorder for student with physical conditions or dyslexia or other types of SLD; exemptions from components of the examinations such as the oral or aural or the waiver from spelling and grammar in language subjects. Some students may apply for and be granted more than one type of accommodation. In cases where a school/parent or student is dissatisfied with any aspect of the SEC's decision, they have access to an Independent Appeals Committee. All members of the Appeals Committee are drawn from outside the SEC. The remit of the Appeals

Committee covers appeals against all elements of a decision taken by the SEC. Appeals must be lodged in writing and all appeals are considered in light of the Framework of Principles established by the Expert Advisory Group.

### **School Transport Review**

99. **Deputy Carol Nolan** asked the Minister for Education and Skills the purpose of the review of the concessionary charges and rules element of the school transport scheme as outlined in the programme for Government, including if this review will result in a further restriction on the availability and financial affordability of school transport, particularly for vulnerable families. [10914/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The purpose of my Department's School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school.

Under the terms of my Department's Scheme children are eligible for school transport where they reside not less than 3.2 or 4.8 kilometres from and are attending their nearest national school or post primary centre as determined by my Department/Bus Éireann, having regard to ethos and language.

Children who are eligible for school transport and who hold valid Medical Cards (GMS Scheme) are exempt from paying the annual charge.

A review of the School Transport Scheme as outlined in the Programme for Government will examine the Scheme as it currently operates.

My Department is currently considering how best to progress this review.

### **Capitation Grants**

100. **Deputy Carol Nolan** asked the Minister for Education and Skills the additional funding he will provide to increase primary and secondary capitation rates for the school year starting in September 2016. [10915/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I am aware of the impact budgetary decisions taken in our economic crisis have had on capitation and related grants to our primary and second level schools.

I do recognise the need to improve capitation funding for primary and secondary schools having regard to the reductions that were necessary over the recent years.

In 2015 the first increase in education spending was secured in recent years and a further increase in education spending was achieved in 2016.

I am determined to continue pressing the case for increased investment, including grant funding in education.

In relation to capitation levels for future years the Deputy should note that the recently published Programme for a Partnership Government provides for additional capitation funding linked to the availability of afterschool care options, where demand exists and the setting out of capitation rates to schools on a rolling 3-year basis.

## Speech and Language Therapy Provision

101. **Deputy Carol Nolan** asked the Minister for Education and Skills the funding he will specifically allocate to the new model of in-school speech and language therapy; the number of Health Service Executive therapists he will redirect to this model; the number of additional posts he will recruit to specifically service this model; the timeframe for establishing the model; and if he will make a statement on the matter. [10916/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Programme for a Partnership Government states that a new model of In-School Speech and Language Therapy will be established. It commits to investing an extra €500million in education by 2021 through measures including childcare subventions, HSE Speech and Language Therapists, to bring the number up to 1,102 (a 25% increase).

As committed to in the Programme for a Partnership Government, I plan to examine the adequacy of the present policies and provision, and their scope for improvement, particularly in relation to speech and language difficulties and early intervention.

As Speech and Language Therapists are currently employed by the Health Service Executive (HSE), officials at my Department will now engage with colleagues in the Department of Health and the HSE to develop a plan for the implementation of this commitment. The implementation plan will identify the actions to be taken and the specific timeframe for the delivery of this commitment.

In the interim my Department continues to provide an extensive range of supports for pupils with Specific Speech and Language Disorder (SSLD).

This includes provision for the establishment of special classes for pupils with SSLD in primary schools. Applications to establish such classes are considered by the school's assigned Special Educational Needs Organiser (SENO) and those meeting the criteria for establishment are approved by the National Council for Special Education (NCSE). The criteria for enrolment in a Special Class for pupils with SSLD is set out in my Department's Circular 0038/2007.

Pupils who are not enrolled in a special class for SSLD and who meet the criteria for Specific Speech and Language Disorder, as outlined in my Department's Circular, may qualify for additional teaching support where he/she is enrolled in mainstream school.

Pupils with mild speech and language difficulties may qualify for supplementary teaching support from within the school's general allocation of learning support/teaching support. It is a matter for individual schools to use their professional judgement to identify pupils who will receive this support and to use the resources available to the school to intervene at the appropriate level with such pupils.

## School Funding

102. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of an application for funding by a school (details supplied); and if he will make a statement on the matter. [10946/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I can confirm that my Department is in receipt of an application for the provision of a PE hall for the school in question. I wish to advise the Deputy that due to the competing demands on my Department's capital budget imposed by the need to prioritise available funding towards the provision of essential



school classroom accommodation, it is not possible at this point to provide an indicative time-frame for the provision of funding for the facility in question.

In that regard, however, my Department devolved funding in excess of €985,000 to the school concerned in 2015 for the provision of five additional general classrooms, one ASD post primary class unit and conversion works to meet the schools immediate accommodation needs.

### **Event Licensing Regulations**

103. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if a permit is required from her Department or from An Garda Síochána for an event (details supplied). [10793/16]

111. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if a permit is required from his Department or from the relevant local authority for an event (details supplied) [10792/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 103 and 111 together.

My Department does not issue licences for the type of event referred to in the Questions. The organisers should contact the local authority concerned in relation to any necessary temporary road closures, the local Superintendent of An Garda Síochána, the local office of the Health Service Executive and any other organisations that these bodies advise should be contacted in order to ensure that the proposed event is run in compliance with all relevant statutory requirements.

### **Leader Programmes Applications**

104. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government the status of an application by a group (details supplied) for Leader funding; and if he will make a statement on the matter. [10870/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The selection of applications and the provision of funding under the LEADER Programme 2014-2020 will be a matter solely for the local action group selected to implement the local development strategy in its area. My Department has no role in this regard.

I can confirm, however, that an inquiry for funding under the new programme has been received from the organisation referred to in the Question. The application will be progressed, as appropriate, by the relevant local action group when the new programme commences.

In this regard, my Department is currently concluding the selection of LEADER local development strategies. I expect to issue the first contracts to local action groups this week as discussions on contract and implementation arrangements are concluded, with a phased commencement of the programme anticipated across all areas between now and July.

### **Electoral Commission Establishment**

105. **Deputy Joan Burton** asked the Minister for the Environment, Community and Local



Government the progress in establishing the electoral commission and when he will publish the relevant legislation. [10920/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** In 2015, on the basis of a consultation paper prepared by my Department, and at the invitation of the then Minister, the Joint Oireachtas Committee on Environment, Culture and the Gaeltacht undertook a public consultation process on the establishment of an electoral commission. The Committee published a report on the consultation in January 2016. This report contains a series of recommendations regarding the establishment of an electoral commission, including functions which should be assigned to it; independence, membership and accountability mechanisms; and the establishment process. The report will inform the implementation of the commitment in A Programme for a Partnership Government on establishing an electoral commission.

### **Rights of Way Provision**

106. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if he will provide details of the directive sent to local authorities in respect of the inclusion of public rights of way in development plans; and if he will make a statement on the matter. [10719/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Section 7 of the Planning and Development (Amendment) Act 2010 requires the inclusion of a mandatory objective in an area's development plan for "*the preservation of public rights of way which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, which public rights of way shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan*".

In October 2012, my Department issued Circular Letter PL09/2012 to planning authorities reminding them of their statutory obligation under planning legislation in this regard.

In August 2015, my Department issued a further Circular Letter PL 5/2015 to planning authorities which provided clarification between the status of permissive trails as distinct from public rights of ways.

Public rights of way are deemed accessible at all times by members of the public. Members of the public, such as recreational users, entering onto these designated routes do so by right and not by permission. Many of these rights of way are indicated by local authorities in their development plans. Many other walking routes exist on a permissive access basis, for example "*The National Waymarked Way Network*". These routes are permissive in nature and, as distinct from public rights of way, consent can be withdrawn anytime by the landowner.

Circular Letter PL 5/2015 further advised planning authorities on the degree to which the existence of such permissive trails, given their status, should be taken on board in arriving at decisions on planning applications and appeals.

### **Water Services Funding**

107. **Deputy Thomas Byrne** asked the Minister for the Environment, Community and Local Government the criteria local authorities must adhere to when assessing applications for a

grant to provide a well for a new domestic water supply. [10729/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Funding is available under my Department's Rural Water Programme towards the provision or necessary improvement of an individual water supply in a house. Local authorities were informed of the introduction of the grant scheme and the criteria to be met by way of Circular Letter L8/97 of April 1997. The terms and conditions of the scheme are set out in an Explanatory Memorandum which is available from the local authorities and on my Department's website at the following link; <http://www.environ.ie/water/water-services/rural-water-programme/grant-provision-or-neccessary-improvment-individual-water>.

### **National Planning Framework**

108. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government when he will publish and finalise the new national planning framework; if it will redesign, reconfigure or redesignate the industrial gateways and hubs as outlined in the National Spatial Strategy 2002; and if the National Spatial Strategy 2002 has any statutory or non-statutory role as a strategic spatial planning framework or if he is considers it redundant. [10737/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The current National Spatial Strategy, NSS, was published in 2002 and was Ireland's first national strategic spatial planning framework setting an overarching planning framework. The Strategy remains in force and as a result of the Planning and Development (Amendment) Act 2010, its statutory role and influence has been strengthened by new requirements for local authority and regional plans to align with the NSS. Bearing in mind the interval of time that has elapsed, changed circumstances and new challenges that have emerged in the planning arena, the previous Government approved the preparation of a successor to the NSS - the National Planning Framework - and in December 2015 published a roadmap for its preparation, which is available on my Department's website at the following link; [http://www.environ.ie/sites/default/files/publications/files/towards\\_a\\_national\\_planning\\_framework\\_december\\_2015.pdf](http://www.environ.ie/sites/default/files/publications/files/towards_a_national_planning_framework_december_2015.pdf).

The commitment to preparing the National Planning Framework was reaffirmed in A Programme for a Partnership Government, published earlier this month.

I intend that the National Planning Framework will be a high-level nationally focused document, developed to ensure the optimal development of the country as a whole while maximising Ireland's economic recovery and on-going growth at national, regional and local level, thus further contributing to sustainable national recovery through an inclusive and participative approach with all relevant national, regional and local interests.

Furthermore, the National Planning Framework will act as the strategic planning context for relevant Government policies and investment in housing, water services, transport, communications, energy, health and education infrastructure, development, by the three new regional assemblies, of their new regional spatial and economic strategies, and the functions of planning authorities and An Bord Pleanála.

In line with the Programme for Government commitment, it is anticipated that the National Planning Framework will be finalised by the first quarter of 2017, taking account of all relevant inputs and statutory requirements and it would be inappropriate at this early stage to comment on the likely content of the framework until sufficient preparatory and consultative work is undertaken.

## **Waste Management**

109. **Deputy Mick Barry** asked the Minister for the Environment, Community and Local Government to consider a waiver system for those with illnesses that give rise to above average household waste, for example incontinence, given the introduction of compulsory pay-by-weight refuse collection; and if he will make a statement on the matter. [10773/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I refer to the reply to Question No. 367 on yesterday's Order Paper which sets out the position in this matter.

## **Credit Unions**

110. **Deputy Thomas Pringle** asked the Minister for the Environment, Community and Local Government if he will engage with the social housing funding proposal of the Irish League of Credit Unions as part of the solution to the housing shortage crisis; and if he will make a statement on the matter. [10777/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The agreed Programme for a Partnership Government recognises the potential role that credit unions can play in housing finance and supports the efforts of the Registrar of Credit Unions at the Central Bank to gradually lift current lending restrictions as appropriate, including for housing. The Programme further provides that we will investigate with all stakeholders how credit unions can support the delivery of social housing. The Irish League of Credit Unions (ILCU) has set 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 met with the ILCU on a number of occasions 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 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.

*Question No. 111 answered with Question No. 103.*

### **Local Authority Funding**

**112. Deputy James Lawless** asked the Minister for the Environment, Community and Local Government the funding available to Kildare County Council for the social housing fund to enable them to build and-or buy houses; the extent to which this funding has been drawn down by Kildare County Council; when the first units are expected to become available; and if he will make a statement on the matter. [10804/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Targets in respect of social housing delivery via a combination of building, buying and leasing schemes were set for each local authority out to 2017 and are available on my Department's website, along with the associated provisional funding allocations, at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41016,en.htm>.

Almost €87 million has been allocated to Kildare County Council for the delivery of 1,283 social housing units. It is a matter in the first instance for the Council to identify projects, across all approaches, to deliver social housing as soon as possible. I am keen that all local authorities, including Kildare 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, including construction and acquisition projects.

Following the notification of targets to Kildare County Council and other local authorities in April 2015, approvals for a substantial number of new social housing projects were announced in May 2015, July 2015 and 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 for Kildare, 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>.

A full report on actions delivered under the Strategy in 2015 can be found in the Social Housing Output in 2015 report. The report, which was published on 26 January 2016, in collaboration with the Housing Agency, is available on my Department's website at the following link:-

[http://www.environ.ie/sites/default/files/publications/files/social\\_housing\\_output\\_in\\_2015\\_0.pdf](http://www.environ.ie/sites/default/files/publications/files/social_housing_output_in_2015_0.pdf).

Additional data on the breakdown of output, across all social housing delivery programmes, by local authority in 2015, is available on my Department's website at the following link:-

[http://www.environ.ie/sites/default/files/attachments/1a2-sh-2015-brkdn\\_1.xlsx](http://www.environ.ie/sites/default/files/attachments/1a2-sh-2015-brkdn_1.xlsx).

In 2015, my Department provided over €12.1 million to Kildare County Council for the delivery of new social housing units under both the construction and acquisition programmes and the figure to date in 2016 is almost €4.6 million. In addition to the funding provided by my Department, Kildare County Council also contributes significant levels of funding from their own resources for the delivery of these units.

In addition, under the Social Housing Strategy the delivery of new social housing units through a public private partnership (PPP) model is being pursued. The PPP programme will have an investment of €300 million to deliver 1,500 social housing units and it is being rolled-out in three bundles. The first bundle of PPP sites, to provide over 500 new housing units, was announced in October 2015 and covers six sites, one of which is to deliver some 75 units at Craddockstown, Naas, County Kildare.

### **Fire Stations Provision**

113. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government his proposals to approve funding for the provision of a new fire station in Ballybay in County Monaghan; and if he will make a statement on the matter. [10871/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** The provision of fire services in local authority areas, including the establishment and maintenance of fire brigades, the assessment of fire cover needs and the provision of premises, is a statutory function of the individual fire authorities under the provisions of the Fire Services Act 1981. My Department supports the fire authorities through setting general policy, providing a central training programme, issuing guidance on operational and other related matters and providing capital funding for priority infrastructural projects.

My Department recently announced a five-year Fire Services Capital Programme with an allocation of €40 million, based on the current annual €8 million allocation, to be used for the purchase of fire appliances and specialist equipment, building or upgrading of prioritised Fire Stations, an upgrade of the Communications and Mobilisation system and improvements to Training Centres. Under this programme, the list of priority projects to be progressed will be kept under review on an annual basis.

A new fire station is proposed for Castleblayney in the current five-year programme. A fire station project in Ballybay is not included in the programme. I can assure the Deputy that my Department will have regard to Monaghan County Council's priorities and national priorities for funding in further considering any proposal.

### **Social Welfare Benefits Waiting Times**

114. **Deputy Thomas P. Broughan** asked the Minister for Social Protection the waiting time for processing social protection claims and the number of claims pending by scheme, in tabular form; and if he will make a statement on the matter. [10724/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The information requested (where available) by the deputy is detailed in the tabular statement.

**Social Welfare claims by average waiting times and number of claims pending 30 April 2016**



Scheme	Average Waiting time (weeks)	Claims Pending
Jobseeker's Benefit	1	2,053
Jobseeker's Allowance	2	6,662
One-Parent Family Payment	6	1,119
State Pension Contributory (Dom)	7	4,396
Widow's, Widower's or Surviving Civil Partner's Contributory Pension	3	343
Widowed Parent Grant	1	15
Living Alone/Island Allowances	N/a	468
State Pension Non-Contributory	14	2,239
Household Benefits	3	2,652
Free Travel	2	33
Domiciliary Care Allowance	13	1,876
Supplementary Welfare Allowance	1	3,499
Child Benefit (Domestic & FRA)	3	1,081
Child Benefit (EU Regulation)	39	1,746
Treatment Benefit	N/a	15,544
Maternity Benefit	N/a	4,144
Family Income Supplement (New)	3	2,456
Family Income Supplement (Renew)	N/a	1,252
Carer's Allowance	21	6,361
Disability Allowance	10	5,455
Invalidity Pension	12	2,048
Illness Benefit	1	3,000
Occupational Injury Benefit	N/a	186

### Rent Supplement Scheme

115. **Deputy Mick Barry** asked the Minister for Social Protection the penalties in place for landlords who refuse to accept rent supplement or the housing assistance payment as a form of payment. [10772/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Rent supplement plays a vital role in housing families and individuals, with the scheme supporting approximately 56,800 people for which the Government has provided approximately €267 million for 2016. Over 20,100 rent supplement tenancies were awarded during 2015 and over 4,500 during the first four months of 2016 showing that landlords are accommodating significant numbers of persons under the scheme.

Recent amendments in Equality legislation, as provided for under the Equality (Miscellaneous Provisions) Act 2015, serve to further protect tenants' rights. This provision, as enacted from 1 January 2016, prohibits discrimination in the letting of residential property to people who are in receipt of a rent supplement or any other social welfare payment, or a Housing Assistance Payment (HAP). Department officials had engaged with the owners of the larger property websites in advance of this legislation and progress had already been made in this area regarding advertising of properties.

Persons who feel they have been discriminated against by a landlord or their agent may wish to contact the Irish Human Rights and Equality Commission or make a complaint to the



Workplace Relations Commission.

Policy responsibility for equality legislation, and its implementation, is a matter for my colleague, the Minister for Justice and Equality.

I hope this clarifies the matter for the Deputy.

### **Gratuity Payments**

116. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the procedure a person (details supplied) must follow to obtain a marriage gratuity; and if he will make a statement on the matter. [10775/16]

**Minister for Social Protection (Deputy Leo Varadkar):** This is a matter for my colleague the Minister of Public Expenditure and Reform.

### **Invalidity Pension Applications**

117. **Deputy Bernard J. Durkan** asked the Minister for Social Protection to review the decision to decline an invalidity pension to a person (details supplied); and if he will make a statement on the matter. [10791/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Invalidity pension (IP) is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the pay related social insurance (PRSI) contribution conditions.

To qualify for IP a claimant must, inter-alia, have at least 260 (5 years) paid PRSI contributions since entering social insurance and 48 contributions paid or credited in the last complete contribution year before the date of their claim. Only PRSI classes A, E or H contributions are reckonable for IP purposes.

The department received a claim for IP for the person concerned on the 04 September 2015. The person concerned was refused IP on the grounds that the contribution conditions for the scheme were not satisfied. She was notified on the 29 September 2015 of this decision, the reasons for it and of her right of review and appeal. The person concerned requested a review of this decision and following a review of all the information available it was decided that there was no change to the original decision. The person concerned was notified on 17 February 2016 of the outcome of the review and of her right to appeal the decision to the independent Social Welfare Appeals Office (SWAO) within 21 days.

The person in question appealed the decision to the independent SWAO. An appeals officer (AO), having taken all available information into account, upheld the department's decision and disallowed the appeal. The person in question was notified of the decision of the AO on the 03 May 2016. The decision of an AO is final and conclusive in the absence of additional relevant evidence not available at the time of the appeal. If the person in question considers that the department's record of her contribution history is incomplete and has further evidence in this regard, she should submit this to the department for consideration.

Persons who have an insufficient employment/PRSI record to qualify for a social insurance benefit/pension may apply for the appropriate means-tested social assistance scheme. Disability Allowance (DA) is a weekly allowance paid to people with a specified disability who are aged over 16 and under 66. The disability must be expected to last for at least one year and the

allowance is subject to a medical assessment, a means test and a habitual residency test.

The department received a claim for DA for the person concerned on the 19 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.

I hope this clarifies the matter for the Deputy.

### **Carer's Allowance Payments**

118. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the correct level of carer's allowance payable in the case of a person (details supplied); and if he will make a statement on the matter. [10822/16]

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

The person concerned is currently in receipt CA at the weekly rate of €263.60 which is the maximum rate of carer's allowance for a person caring for one person who has two qualified children.

The person concerned was in receipt of one-parent family payment (OFP) up to 2 July 2014 which stopped when her youngest child reached the OFP age threshold.

### **Social Welfare Overpayments**

119. **Deputy Michael Ring** asked the Minister for Social Protection how an alleged debt has arisen for a person (details supplied). [10851/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The total debt of €495.10 contains three components. Jobseekers Allowance payments of €174.20 were overpaid to the person concerned from 11 November 2011 to 06 December 2011 as a result of a delay in administering a change in circumstances. A Jobseekers Allowance payment of €53.30 was overpaid from 09 January 2012 to 10 January 2012 due to the spouse of the person concerned commencing work and being paid beyond entitlement. Rent Allowance payments totalling €267.60 were overpaid from 25 March 2013 to 20 April 2013 as the Department was not notified on time that the means of the person concerned had changed due to their spouse's employment. A number of repayments have been made by the person concerned and the outstanding debt balance is €167.50.

### **Social Welfare Offices**

120. **Deputy Brendan Smith** asked the Minister for Social Protection the proposals he has to establish an Intreo centre in County Monaghan; if so, if he will consider Ballybay town for such a facility as it is centrally situated in County Monaghan; and if he will make a statement on the matter. [10857/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Income support and welfare benefits to customers of the Department of Social Protection in the North Monaghan and Monaghan Town area are provided by Monaghan Branch Office. The Branch Office has been located in

Rooskey, County Monaghan for many years. The Department also provides Activation and Community Welfare services from the Plantation Building in Monaghan Town. Social Welfare Inspectors are also based there.

The Department continues to strive to provide a high standard of services to all customers in North Monaghan and Monaghan Town, in particular to help them back into employment. This is in line with services throughout Ireland. The Department regularly reviews the provision of services nationally and ensures they are in line with customer requirements.

In relation to Ballybay, a decision was taken to move some staff from Ballybay to Monaghan Town to provide additional public, customer facing facilities to serve the people of Monaghan. From this week Teach O'Cleircin is the new location for the Public Services Card Centre and is an improved service for the Department's customers in Monaghan.

### **Social Welfare Schemes**

121. **Deputy Josepha Madigan** asked the Minister for Social Protection when he will review the disability benefit scheme. [10864/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Illness benefit is an income support payment for people of working age who are unable to work due to illness and who satisfy certain social insurance conditions. The payment has its origins in the disability benefit scheme. The scheme is intended to provide income replacement for insured persons during short spells of incapacity or illness. Other payments, such as invalidity pension or disability allowance, are available to people who are unable to work long-term because of a disability or a medical condition. The illness benefit budget for 2016 is €595.9m.

The Department keeps all of its scheme under review and, where necessary, it updates the schemes to achieve the best outcomes for recipients. While recent changes to the payment include the introduction of a maximum time limit for new claimants and an increase in the number of waiting days for entitlement to illness benefit, there are currently no immediate plans to modify the conditions of the scheme.

### **Carer's Allowance Applications**

122. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [10873/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that the department received an application for carer's allowance (CA) from the person concerned on 27 April 2016. Unfortunately, there are some delay in processing new applications at this point. Additional resources have been provided to the CA section in order to improve the waiting times for new applications and they are working hard to make this happen.

Frequently, delays are outside the control of the Department and are caused by the customer failing to fully complete the claim form or failing to attach the supporting documentation that is requested on the application form.

This application will be processed as quickly as possible and the person concerned will be notified directly of the outcome.

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.

I hope this clarifies the matter for the Deputy.

*Question No. 123 withdrawn.*

### **Rent Supplement Scheme Appeals**

124. **Deputy Richard Boyd Barrett** asked the Minister for Social Protection to examine an appeal by a person (details supplied) under the rent allowance scheme. [10883/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was referred to an Appeals Officer on 11 May 2016, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

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

I hope this clarifies the matter for the Deputy.

### **European Court of Justice Rulings**

125. **Deputy Michael McGrath** asked the Minister for Social Protection if the decision of the European Court of Justice in April 2013 has a wider implication beyond the case of the former Waterford Crystal workers; if the application of the finding relates to other pension schemes; to provide a list of such schemes; the period over which such schemes may be affected by the ruling; the details of the State's response; and if he will make a statement on the matter. [10891/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The rulings of the European Court of Justice (ECJ) on the Insolvency Directive (2008/94) was in response to a reference by the High Court seeking clarification of the interpretation of European law emanating from EU Directive 2008/94EC on the protection of employees in the event of the insolvency of their employer.

The ECJ ruling has implications for any defined benefit pension scheme where, on the date of the wind up, both the scheme and the employer are insolvent (double insolvency) and where the date of wind-up was after the date of the ECJ ruling in the UK Robins case of 25th January 2007.

The Social Welfare and Pensions (No.2) Act 2013 amended the Pensions Act 1990 to address double insolvencies occurring after the 25th December 2013. No application has been made in respect of any scheme under these provisions.

The Social Welfare and Pensions (No.2) Act 2014 amended the Pensions Act 1990 to address double insolvencies which arose between 25 January 2007 and 25th December 2013. The Department is currently implementing the mediated agreement in respect of the Waterford Crystal Pension Schemes for Factory Workers and Staff Employees under these provisions.

The Department is also engaging with the representatives of a small number of other such schemes, but no formal application has yet been made in respect of these engagements.

The Social Welfare and Pensions Act 2009 provided for the establishment by the Minister for Finance of a Pensions Insolvency Payments scheme (PIPS) to provide for the payment of pensions, in the event of the wind up of a pension scheme where both the employer and the scheme are insolvent, at less cost than through traditional annuities, thereby making more scheme assets available for the pensions of those yet to retire.

Application for pension payments under this scheme would give an indication of the number of double insolvencies arising in the period since the ECJ ruling in the Robins case and prior to the 2013 legislation. The following table lists the schemes which have applied to the Pensions Authority for certification as an eligible scheme for payment under PIPs.

Any of these schemes which considers that the State has a liability for a shortfall in the funding in the scheme will need to establish the extent of any liability arising.

Name of Scheme	Number of Pensioners
2012	
Waterford Crystal Factory Scheme	450
Waterford Crystal Staff Scheme	160
2013	
Glencullen Motors	18
McConnell Group Limited and Associated Companies Superannuation Fund	12
McConnell Group Limited and Associated Executive Companies Superannuation Fund	3
Protim Abrasives - FAC 1990 Pension Scheme	16
2014	
Brooks Group	50
Curragh Tintawn Carpets	40
McCormick MacNaughton	5
2015	
Waterford Wedgwood Supplementary Benefits Scheme	21

### Illness Benefit Reform

126. **Deputy Michael McGrath** asked the Minister for Social Protection to review the waiting period of six days under the illness benefit scheme whereby it is not paid for the first six days of sick leave; and if he will make a statement on the matter. [10896/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The substantial deficit in the Social Insurance Fund (SIF) in recent years has been tackled through structural changes in PRSI rates such as the abolition of ceilings and allowances, as well as changes to contribution conditions and duration of payments.

The increase in the number of “waiting days” from 3 to 6 was a relatively modest adjustment, required to ensure that the SIF is protected for current and future generations.

Despite the projected surplus in the SIF in 2016, the financing of the SIF in the medium and long-term remains problematical. As highlighted in the last actuarial review of the SIF, pub-

lished in 2012, financing State pension entitlements, which are largely driven by demographic pressures, will, in particular, pose a major challenge over the medium to long-term.

In this context there are no current plans to change the number of “waiting days” for illness benefit. It should be noted that the means tested Supplementary Welfare Allowance is available in cases where a person is experiencing financial difficulties.

I hope this clarifies the matter for the Deputy.

### **Social Welfare Eligibility**

127. **Deputy Michael McGrath** asked the Minister for Social Protection to review the terms and eligibility of the partial capacity benefit scheme and, in particular, to facilitate persons who wish to work some hours for therapeutic purposes when they are capable of it; and if he will make a statement on the matter. [10899/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Government recognises the importance of increasing participation in employment for persons with a disability and provides a wide range of income and employment-related supports.

The partial capacity benefit scheme (PCB), introduced in 2012, provides an opportunity for people, who are in receipt of invalidity pension or who have been in receipt of illness benefit for a minimum of six months, to take up employment and continue to receive an ongoing portion of their weekly social welfare payment, including any increase being paid in respect of a qualified adult or qualified children.

PCB replaced the previous exemption arrangements where people on illness benefit or invalidity pension, if they wished to continue to receive their social welfare payment, would have to seek permission from the Department to work part-time for rehabilitative or therapeutic purposes.

### **Carer's Allowance Applications**

128. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of an application by a person (details supplied) under the carer's allowance scheme; and if he will make a statement on the matter. [10922/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who has decided to convene an oral hearing in this case.

Every effort will be made to hear the case as quickly as possible and the appellant will be informed when arrangements for the oral hearing have been made.

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.

I hope this clarifies the matter for the Deputy.



## Human Rights

129. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade to immediately intervene in the case a person (details supplied) who has now been imprisoned for over 1,000 days in Egypt with no conviction, no fair trial, no adequate access to a lawyer and who has been moved without the family's knowledge. [10753/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** I can assure the Deputy that I fully share her concerns about this case. The Government and my Department are continuing to pursue every constructive avenue to secure the release of this citizen and we will continue to bring all of our influence to bear on his behalf through all appropriate channels.

All of the sustained and focused actions that have been taken by the Taoiseach, myself and other Ministers, and by my Department and our Embassy in Cairo, are in pursuit of the Government's clear strategy in this case, which is focused on two key objectives. First, to see this citizen released by the Egyptian authorities so that he can return to his family and his studies in Ireland as soon as possible, and, second, to provide every possible consular support for his welfare while he remains in detention.

The Egyptian Government is fully aware of the priority the Irish Government attaches to the welfare and interests of our citizen. There has been sustained engagement at all levels with the Egyptian authorities. I have been in regular contact with my Egyptian counterpart, Minister Shoukry, and the Taoiseach has twice met with President el-Sisi, making clear the Irish Government's concerns and objectives in this case.

In addition to this dialogue with the Egyptian authorities, the Government has also been engaging on an ongoing basis with European and international partners and with the European Union.

Irish Government representatives have worked with this citizen's legal team in Egypt and supported petitions to the court when asked to do so, including providing formal Government support for an application under Decree 140 and an application for release on bail. Representatives of the Embassy have attended each of the court hearings to date and will be present at the next scheduled hearing on 29 June. Officials of the Department of Foreign Affairs and Trade in Dublin also remain in regular contact with his family and Irish-based lawyers.

Significant resources continue to be deployed by the Department of Foreign Affairs and Trade, both in Cairo and in Dublin, in the provision of comprehensive consular assistance to both the detained citizen and his family. The Department has arranged numerous consular visits to this individual in prison since his arrest, the most recent undertaken by Ambassador Damien Cole on 17 April.

Another visit will be arranged in the coming weeks. Such visits provide significant practical benefit for the citizen. These visits also allow regular contact with the prison authorities who are aware of the Irish Government's strong and sustained interest in this Irish citizen's welfare.

Given that the trial is ongoing, the Government must remain measured and responsible in its public comment. This is entirely consistent with our approach in other consular cases, with our clear objectives in this case and with what we firmly believe to offer the best prospect for a positive outcome for this young man.

## Diplomatic Representation Expenditure

130. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the running cost of each Irish embassy in 2015. [10824/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The Department is responsible for two Votes – Vote 28 (Foreign Affairs and Trade) and Vote 27 (International Cooperation).

The work of our Embassies around the world continues to be important in Ireland's economic recovery and the restoration of our international reputation. Our Embassies' work in support of Ireland's interests includes:

- Promoting Ireland as a source of high-quality exports, a destination for investment, research, study and tourism to targeted audiences and contacts.
- Supporting trade missions and other trade-focussed high-level visits, record numbers of which have taken place in the last five years.
- Directly assisting Irish companies with advice, introductions and working to resolve regulatory or market access issues, in partnership with Enterprise Ireland.
- Providing frontline consular and passport services to Irish citizens overseas.
- Influencing and negotiating for Ireland on issues that could impact our interests and priorities.

The cost of each Embassy includes staff costs, office costs, building rental and/or maintenance and other overheads.

Details of running costs of each Irish Embassy is provided in the following table. These figures are provisional and are subject to audit by the Comptroller and Auditor General.

Country	Amount
ABU DHABI	1,065,297
ABUJA	1,033,737
ADDIS ABABA	1,276,807
ANKARA	778,864
ATHENS	826,762
BANGKOK	879,184
BEIJING	1,396,086
BERLIN	1,714,816
BERNE	923,235
BRASILIA	747,241
BRATISLAVA	376,418
BRUSSELS	898,976
BUCHAREST	669,135
BUDAPEST	550,779
BUENOS AIRES	783,883
CAIRO	865,156
CANBERRA	1,120,883
COPENHAGEN	844,062

Country	Amount
DAR ES SALAAM	1,156,543
FREETOWN	710,332
HANOI	1,343,291
HELSINKI	810,998
HOLY SEE	286,955
HONG KONG	1,439,612
JAKARTA	1,235,833
KAMPALA	1,354,131
KUALA LUMPUR	478,023
LILONGWE	913,868
LISBON	616,833
LJUBLJANA	598,735
LONDON	6,349,458
LUSAKA	737,790
LUXEMBOURG	427,138
MADRID	1,475,246
MAPUTO	1,915,782
MEXICO	980,515
MOSCOW	965,164
NAIROBI	1,017,581
NEW DELHI	1,362,661
NICOSIA	393,509
OSLO	906,783
OTTAWA	1,106,421
PARIS	3,039,245
PRAGUE	759,401
PRETORIA	1,457,738
RIGA	298,665
RIYADH	777,685
ROME	1,425,647
SEOUL	818,009
SINGAPORE	1,001,099
SOFIA	550,743
STOCKHOLM	813,007
TALLINN	535,888
TEL AVIV	883,352
THE HAGUE	1,138,040
TOKYO	1,783,833
VALLETTA	451,907
VIENNA	1,261,405
VILNIUS	411,120
WARSAW	1,103,264
WASHINGTON DC	2,247,713
ZAGREB	456,506

## Diplomatic Representation

131. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the number of Irish embassies that are based in properties that his Department owns; and the current value of each of these properties. [10825/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The information requested by the Deputy is provided in the following table. However, I would caution that the valuation figures provided are subject to the price volatility of the current global property market. The Embassies listed have been acquired in capitals where the Government considers that the State should be represented and where there is clear advantage to owning, rather than renting, accommodation. These premises provide platforms for the promotion of Ireland's trade and economic interests and cultural heritage, while also serving as showcases for Irish arts, crafts and products.

This does not include Multi-lateral missions or Consulates.

Embassy	€
Australia	4,071,432
Denmark	932,628
Ethiopia	2,365,886
France	45,000,000
Italy	18,455,260
Mozambique	2,815,000
Netherlands	6,153,522
Saudi Arabia	3,065,959
Tanzania	1,404,959
USA	2,794,160
Zambia	476,605

## Diplomatic Representation

132. **Deputy Seán Crowe** asked the Minister for Foreign Affairs and Trade the number of Irish embassies that are based in properties that his Department rents; and how much each of these properties cost to rent in 2013, 2014 and 2015. [10826/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** The information requested by the Deputy is listed in the following table. Figures relate to rental payments from 2013 - 2015. My Department proactively manages our lease portfolio and engages actively with our Missions on an ongoing basis to ensure value for money and that, where possible, savings are made. This does not include Multi-lateral Missions or Consulates.

LOCATION	2013	2014	2015
ABUJA	(See i below)	(See i below)	€105,111
ABU DHABI	€110,833	€118,330	€128,388
ANKARA	€99,481	€83,977	€83,977
ATHENS	€104,354	€106,800	€106,800
BEIJING	€362,519	€404,765	€489,765
BERLIN	€257,661	€253,899	€252,590

LOCATION	2013	2014	2015
BERNE	€60,980	€61,700	€70,734
BRASILIA	€81,592	€79,384	€69,749
BRATISLAVA	€102,493	€103,758	€104,151
BRUSSELS	€147,451	€148,784	€143,177
BRUSSELS (REPRESENTATION TO EU)	€764,205	€1,024,730	€1,024,986
BUCHAREST	€165,128	€140,582	€152,245
BUDAPEST	€135,136	€164,217	€164,752
BUENOS AIRES	€105,686	€98,600	€116,006
CAIRO	€44,154	€88,308	€66,231
FREETOWN	€32,924	€33,161	€40,000
HANOI	€155,109	€163,416	€207,516
HELSINKI	€111,184	€113,594	€115,811
Holy See	0	0	€27,168
JAKARTA	0	€17,121	€133,570
KAMPALA	€163,017	€279,316	€212,578
KUALA LUMPUR	€72,666	€59,364	€73,453
LILONGWE	€38,152	€79,712	€63,283
LISBON	€88,747	€90,460	€90,821
LJUBLJANA	€109,991	€111,640	€111,640
LONDON	€706,846	€692,375	€678,072
LUXEMBOURG	€45,687	€45,871	€45,976
MADRID	€253,471	€225,589	€207,242
MEXICO	€123,110	€123,333	€147,687
MOSCOW	€298,354	€275,848	€194,018
NAIROBI		€29,709	€126,375
NEW DELHI	€242,779	€229,767	€269,184
NICOSIA	€53,772	€42,000	€42,000
OSLO	€225,892	€175,950	€165,996
OTTAWA	€114,046	€96,678	€110,775
PRAGUE	€146,537	€164,917	€153,066
PRETORIA	€89,585	€54,810	€108,289
RAMALLAH REPRESENTATIVE OFFICE	€47,026	€45,393	€55,721
RIGA	€36,551	€34,655	€34,134
SEOUL	€132,142	€137,528	€154,256
SINGAPORE	€200,835	€200,114	€154,631
SOFIA	€103,478	€104,478	€99,944
STOCKHOLM	€244,374	€229,732	€199,320
TALLINN	€98,537	€98,537	€91,240
TEL AVIV	€107,777	€109,047	€107,205
TOKYO	€245,214	€126,931 (see ii below)	€273,017
VALLETTA	€92,019	€95,709	€81,775
VIENNA	€118,999	€121,778	€123,017
VILNIUS	€67,467	€53,382	€67,455

LOCATION	2013	2014	2015
WARSAW	€197,038	€206,890	€195,584
ZAGREB	0	0	€43,503

(i) Abuja - Rent was paid in 2012 to cover 3 years from July 2012 to June 2015.

(ii) Tokyo— this represents 3 months' rent as 9 months was paid in advance in 2013.

### Flood Relief Schemes Status

133. **Deputy David Stanton** asked the Minister for Public Expenditure and Reform his progress in drawing up plans to alleviate flooding in Midleton, County Cork; and if he will make a statement on the matter. [10744/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I am advised by the Commissioners of Public Works that a flood relief scheme for Midleton, Co Cork is being progressed by Cork County Council which will act as the Contracting Authority for the works. The Council is currently preparing tender documents for the procurement of consultants to design the scheme and to take it through the planning process and onto, subject to a viable scheme emerging, construction. The OPW has made an allowance for the cost of the project in its multi-annual financial profiles.

### Flood Prevention Measures

134. **Deputy Willie O'Dea** asked the Minister for Public Expenditure and Reform if Limerick City and County Council has applied for funding under the minor works scheme to carry out urgent repairs in an area (details supplied); if he is aware of the considerable flooding damage already caused in this area, and that the residents whose property has been damaged are contemplating legal action due to the losses; and if he will make a statement on the matter. [10894/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I am advised by the Commissioners of Public Works that Limerick City and County Council has written to the Office of Public Works (OPW) seeking approval and funding to proceed with the appointment of consultants to design and procure works to upgrade flood defences in the area in question.

The flood risk in Limerick city and environs, including the area in question, is being examined and assessed under the Shannon Catchment Flood Risk Assessment and Management (CFRAM) project which is one of the six CFRAM projects assessing flood risk nationally. The draft Flood Risk Management Plan, to be completed under the Shannon CFRAM study will consider all the viable options to address flood risk in Limerick city and, along with the other CFRAM Plans and recommended measures therein, will allow the OPW, in consultation with the Local Authorities, to identify the priority flood relief measures on a national basis to be taken forward.

### Public Sector Staff Remuneration

135. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform his time frame to end pay inequality for teachers, given that these measures have been in place for five years. [10739/16]



136. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the time frame for a review of pay inequality for teachers, given the proposed establishment of a public service pay commission. [10740/16]

137. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the reason for the continued inequality in teachers' pay and for the delay in reviewing pay for teachers; and if he will make a statement on the matter. [10741/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I propose to take Questions Nos. 135 to 137, inclusive, together.

The issue of addressing the difference in incremental salary scales between those public servants, including Teachers, who entered public service employment since 2011 and those who entered before that date was addressed with the relevant union interests under the provisions of the Haddington Road Agreement (HRA). Any further consideration of remuneration for any group of public servants, including issues relating to more recently recruited public servants, will fall to be examined within the provisions of the Public Service Stability Agreement 2013 -2018 (Lansdowne Road Agreement). It will also of course have to comply with the terms of the Financial Emergency in the Public Interest Acts 2009 - 2013 (FEMPI), as well as its affordability being underpinned through delivering enhanced work place practices and productivity.

### Public Sector Staff Data

138. **Deputy Richard Boyd Barrett** asked the Minister for Public Expenditure and Reform for a breakdown of salaries across the public service, including the number of employees affected by financial emergency measures in the public interest who are earning up to €22,000, from €22,001 to €30,000, €30,001 to €40,000, €40,001 to €50,000, €50,001 to €60,000, €60,001 to €70,000, €70,001 to €100,000, €100,000 to €120,000 and €120,000 to €500,000. [10882/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The nearest data currently available within the Department to that sought by the Deputy is the estimated breakdown of public servant numbers on a whole time equivalent basis (based on a whole time equivalent figure of 294,500) by salary range within the public service at end September 2015 and is set out in table.

The Deputy will be aware that in June 2011 the Government introduced a general pay ceiling of €200,000 for future appointments to higher positions across the public service and a general pay ceiling of €250,000 for future appointments to CEO posts within Commercial State Companies.

Salary Range €	Total Numbers (WTE)
0-25,000	18,100
25,000-30,000	20,100
30,000-40,000	77,700
40,000-50,000	72,800
50,000-60,000	47,700
60,000-70,000	29,300
70,000-80,000	16,300
80,000-90,000	5,400
90,000-100,000	2,300

Salary Range €	Total Numbers (WTE)
100,000-125,000	1,600
125,000-150,000	1,400
150,000 +	1,800
Total	294,500
*Rounded to nearest 100	

### Public Sector Pensions

139. **Deputy Eugene Murphy** asked the Minister for Public Expenditure and Reform if retired Vocational Education Committee and Education and Training Board staff will have their full pension restored (details supplied). [10945/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I refer the Deputy to my previous reply to Parliamentary Question No. 599 (9525/16) on 17 May 2016.

### EU Directives

140. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if a person (details supplied) is permitted to remove gravel that was deposited on lands after recent flooding of a nearby river; and if she will make a statement on the matter. [10886/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** Ireland, like all EU Member States, is bound by the requirements of the EU Habitats Directive. This Directive aims to ensure the protection of habitats and species which have been selected for conservation within special areas of conservation. In order to protect the ecology of such sites, certain activities within special areas of conservation may only be undertaken with my prior consent, as Minister for Arts, Heritage and the Gaeltacht, or the consent of another appropriate public authority.

I arranged for an official from my Department to make contact with the landowner concerned and established that the land in question is not within a special area of conservation. Therefore the matter of my consent does not arise. It could however, require the consent of another authority and my official has discussed this aspect with the landowner.

### Natural Heritage Areas

141. **Deputy Jackie Cahill** asked the Minister for Arts, Heritage and the Gaeltacht her views on the importance of protecting our heritage; and if she will make a statement on the matter. [10924/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** One of the continuing key priorities for my Department is the conservation and management Ireland's unique heritage for the benefit of present and future generations, as a support to economic renewal and sustainable employment and in compliance with legal obligations.

I fully recognise the significant contribution that Ireland's built and natural heritage make to national health, wellbeing, enjoyment and sustainable economic growth. I will continue to work to ensure that Ireland has a suite of heritage policies and legislation in place to meet modern requirements, in compliance with EU and international heritage obligations, and to achieve

their effective implementation within available resources.

### **Licence Applications**

142. **Deputy John Brady** asked the Minister for Arts, Heritage and the Gaeltacht the status of the issuing of a wildlife licence for a person (details supplied); and if she will make a statement on the matter. [10944/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** My Department has received licence applications from the individual in question to possess birds of prey and to engage in falconry. The appropriate licences will issue to the applicant shortly.

### **Mental Health Services**

143. **Deputy Thomas Pringle** asked the Minister for Health his response to the successful piloted BeLonG To, the Health Service Executive's safe and supportive school initiative, which recently launched its successful findings of the programme; and if he will make a statement on the matter. [10742/16]

**Minister for Health (Deputy Simon Harris):** The LGBT Safe and Supportive Schools Project model, jointly implemented by BeLonG To and HSE, was successfully piloted in two schools in Donegal during the 2013/2014 year and as a result of this, the model has now been launched nationally.

LGBT individuals are one of the priority groups identified in *Connecting for Life*, Ireland's national strategy to reduce suicide, as being at increased risk of suicidal behaviour. Initiatives such as this reinforce our national mental health policy *A Vision for Change*'s focus on building and fostering positive mental health, and are illustrative of our continued commitment to improving the nation's mental health.

### **Hospital Appointments Status**

144. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a child (details supplied); and if he will make a statement on the matter. [10718/16]

**Minister for Health (Deputy Simon Harris):** 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.

### **Home Care Packages Expenditure**

145. **Deputy Thomas P. Broughan** asked the Minister for Health the cost of providing 1,000 extra home care packages; and if he will make a statement on the matter. [10726/16]

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

### **Hospital Waiting Lists**

146. **Deputy Thomas P. Broughan** asked the Minister for Health the number of persons on the waiting list to see a consultant ophthalmic surgeon at Beaumont Hospital, in Dublin 9; the average waiting time; the steps he is taking to reduce the waiting time; and if he will make a statement on the matter. [10727/16]

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

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

### **Health Services Staff**

147. **Deputy Thomas Pringle** asked the Minister for Health if he will ensure that the 36 posts sanctioned nationally to support the implementation of the type 2 diabetes cycle of care initiative as set out in the Health Service Executive 2016 service plan will be filled; to ensure the community-based senior dietician role allocated to County Donegal is filled; if he is aware that without this post being filled, general practitioners delivering the cycle of care initiative in County Donegal cannot refer high risk patients to a more specialised service such as dietetics that could help improve diabetes management in patients; and if he will make a statement on the matter. [10731/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to service matters, I have arranged for the question to be 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.

### **Hospital Waiting Lists**

148. **Deputy Charlie McConalogue** asked the Minister for Health why children with sclerosis are waiting up to two years to have surgery; and if he will make a statement on the matter.

[10734/16]

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

### Hospitals Building Programme

149. **Deputy Charlie McConalogue** asked the Minister for Health the reason the new theatre that is specifically being provided for in Crumlin Hospital in Dublin 12 to assist the treatment of scoliosis is not opened given that the former Tánaiste and Minister for Social Protection gave an assurance in Dáil Éireann on 21 January 2016 that its construction was due to be completed in April 2016; and if he will make a statement on the matter. [10735/16]

**Minister for Health (Deputy Simon Harris):** Our Lady's Children's Hospital, Crumlin is the largest provider of scoliosis surgery for children and young people. Funding was allocated in 2015 for additional consultant posts including two consultant orthopaedic surgeons, anaesthetist and support staff at Crumlin. Capital funding was also allocated for a new theatre on site to expand theatre capacity further. Construction is now complete and the building is currently being commissioned, with handover expected in the coming weeks.

### Home Care Packages Data

150. **Deputy Billy Kelleher** asked the Minister for Health the number of applications received, granted and in place under the home care scheme to date, by local health area office, in tabular form. [10749/16]

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

### Hospital Waiting Lists

151. **Deputy Robert Troy** asked the Minister for Health to expedite surgery for a person (details supplied). [10750/16]

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

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

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

### **Mental Health Services**

152. **Deputy Mick Barry** asked the Minister for Health to make special arrangements to permit persons committed to mental health institutions not to be prohibited from leaving the building to smoke. [10774/16]

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

### **Disability Services Provision**

153. **Deputy Thomas Pringle** asked the Minister for Health his plans to address disability services in rural areas and the effects cuts to personal assistance services have had on those living in very isolated areas as is the case for persons in County Donegal; and if he will make a statement on the matter. [10778/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

The Government currently provides funding of €1.56 billion to the Disability Services Programme. 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 and includes provision of the following specialist disability services:

Disability Services Programme €1.56 billion 2016	Quantum of Services
Residential services	9,000 people
Day services	Over 22,000 people
Respite residential support	190,000 overnights
Personal Assistant services	1.3 million hours
Home Support services	2.6 million hours
Move from institutions to homes in the community	165 people

The HSE is committed to protecting front-line services for people with disabilities, with targeted improvement in priority areas:

- 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 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*.

Disability service provision is moving towards a community-based and inclusive model of person-centred day and residential supports, as recommended in the *Value for Money and Policy Review of Disability Services in Ireland*, and is being implemented through the *Transforming Lives* programme. This transformation programme means that person-centred and individually chosen community based supports are progressively becoming the norm, and is a distinct move away from the group-based, often segregated approach of the past. This new approach will be underpinned by a more effective method of assessing need, allocating resources and monitoring resource use.

A key element of *Transforming Lives* is the implementation of national policy on supporting people who live in congregated settings, defined as residential settings where ten or more people with disabilities live together, to move to the community. This policy is described in the HSE's report on *Time to Move on from Congregated Settings – A Strategy for Community Inclusion*, and is underpinned by the *National Housing Strategy for People with a Disability 2011 – 2016*, published jointly by the Department of Health (DoH) and the then, Department of Environment, Community and Local Government (DECLG).

The HSE's Social Care Directorate has prioritized the accelerated implementation of the de-congregation policy in 2016. The HSE's 2016 National Service Plan has set a target of 165 people to move from institutions into suitable accommodation this year. This is being supported by €20 million in capital funding from the Department of Health in respect of acquiring and renovating properties to support the de-congregation process. In addition, the Department of Housing, Planning and Local Government will provide €10 million under the Capital Assistance Scheme to provide suitable accommodation for people transitioning from institutions in 2016. The HSE estimate that a further 100 people could benefit from this initiative. €1 million in ring-fenced leasing funding is also being made available by the Department of Housing, Planning and Local Government in 2016 to support people moving from institutions into suitable social housing in the community.

In total, this represents a significant investment and commitment by Government to ensure that citizens with disabilities are given the opportunity to live as ordinary a life as possible, in suitable accommodation in the community, in line with their own choices and preferences.

I have referred the Deputy's question to the HSE to provide a reply detailing the provision of Disability Services in Co. Donegal. 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.

### **Accident and Emergency Departments Waiting Times**

154. **Deputy Sean Sherlock** asked the Minister for Health how he intends to reduce waiting times in emergency departments in hospitals from 32% to less than 7% by 2021 in line with the programme for Government. [10782/16]

**Minister for Health (Deputy Simon Harris):** ED attendances have been significantly

higher this year. The HSE has reported an average increase of 6.4% compared with the same period last year.

My predecessor convened the ED Taskforce in December 2014 to provide focus and momentum in dealing with the challenges presented by ED overcrowding. In April 2015, the HSE published the Taskforce action plan and significant progress has been made to date on implementing the plan. The ED Taskforce Implementation Group continues to meet on a regular basis to oversee progress in this regard and I look forward to meeting with this group shortly.

I am very conscious of the impact that long wait times in Emergency Departments can have on patients and their families. Pressures on EDs have been rising, as the population is both growing and ageing, while investment was constrained during the recession. However, the 2015 and 2016 Budgets have seen increases in the Health Budget, investments in capital expansion and the implementation of measures designed to tackle overcrowding in EDs.

In June 2015, €18m of additional funding was made available to the HSE under the Winter Additional Capacity Initiative to facilitate the opening of new hospital beds and the reopening of previously closed beds. A total of 364 new or re-opened beds have been made available to date, which has enabled ED attendance figures similar to last year's, despite a sustained increase in attendances.

New EDs are already open at the Mater Hospital in Dublin and in Wexford General Hospital. The Programme for Government has committed to progress new ED facilities for University Hospital Galway and Beaumont Hospital, Dublin.

A review of bed capacity in our health service, coupled with the review of the hours of service of Medical Assessment Units are key commitments in the Programme for a Partnership Government intended to alleviate ED overcrowding.

Increases in the health budget, measures to increase bed capacity for ED patients, along with new ED facilities and maximising the potential of units and services to treat patients outside of the hospital setting, will all contribute to reducing the time patients have to spend waiting in our EDs.

### **Ministerial Dialogue**

155. **Deputy Sean Sherlock** asked the Minister for Health how he will consult with all Members of Dáil Éireann in determining a ten-year plan for health. [10783/16]

**Minister for Health (Deputy Simon Harris):** The Programme for Government provides that an Oireachtas All-Party committee will be requested to develop a single long term vision plan for healthcare over a 10 year period. I am hopeful that a motion to establish such a committee can come before the house in the near future, and I look forward to debate and discussion in that context.

### **Nursing Homes Support Scheme Appeals**

156. **Deputy Bernard J. Durkan** asked the Minister for Health the status of an appeal and a review of a decision to decline support to a person (details supplied) under the fair deal scheme; and if he will make a statement on the matter. [10788/16]

**Minister for Health (Deputy Simon Harris):** 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.

### **Care Services Provision**

157. **Deputy Robert Troy** asked the Minister for Health the status of an application for full-time care for a person (details supplied). [10797/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** 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.

### **Disability Support Services Funding**

158. **Deputy James Lawless** asked the Minister for Health if he will review the case of a person (details supplied) in relation to longer term residential care funding. [10801/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose, and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

As the Deputy's question relates to an individual case, 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.

### **Health Services Charges**

159. **Deputy Declan Breathnach** asked the Minister for Health if general practitioners can charge for a blood test from a patient who is a holder of a medical card; to expedite the reimbursement of the blood test receipts submitted from a person (details supplied); and if he will make a statement on the matter. [10805/16]

**Minister for Health (Deputy Simon Harris):** Persons covered by the General Medical Services (GMS) Scheme should not be charged for routine phlebotomy services provided by their GP, or the Practice Nurse on behalf of the GP, which are required to either assist in the diagnosis of illness or the treatment of a condition.

Consultation fees charged by GPs outside the terms of the GMS contract are a matter of private contract between the clinicians and the patients. While I have no role in relation to such fees, I would expect clinicians to have regard to the overall economic situation in setting their fees.

The Department of Health and the HSE are cognisant of the need for a new contract with GPs that will help modernise our health service and develop a strengthened primary care sector

and negotiations are underway with the Irish Medical Organisation in this regard. The development of appropriate contractual arrangements in relation to the management of chronic conditions and issues such as phlebotomy services are amongst the significant issues to be considered during the contractual talks.

In relation to the reimbursement of receipts for the individual concerned, as this is a service matter, I have asked the HSE to respond directly to the Deputy on this issue. 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.

### **Primary Care Centres Provision**

160. **Deputy Andrew Doyle** asked the Minister for Health the plans of the Health Service Executive for the provision of a primary health centre in Greystones, in County Wicklow; the timescale for when this will be delivered; if it will be provided within the next five years; and if he will make a statement on the matter. [10807/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has responsibility for the provision and operation of Primary Care Centres. Therefore, I have asked the HSE to respond directly to the Deputy on this issue. If you have not received a reply from the HSE within 15 working days, please contact my Private Office and they will follow up the matter with them.

### **Health Services Staff**

161. **Deputy Andrew Doyle** asked the Minister for Health if he can confirm the sanctioning of two positions to support the implementation of the type 2 diabetes cycle of care initiative for a senior dietician and a senior podiatrist under the 2016 Health Service Executive service plan have been advertised and filled for County Wicklow; and if he will make a statement on the matter. [10808/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to service matters, I have arranged for the question to be 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.

### **Health Services Staff**

162. **Deputy Andrew Doyle** asked the Minister for Health if there is a panel for positions of podiatrist and senior dietician for County Wicklow; if so, the number of persons on this panel; and if he will make a statement on the matter. [10809/16]

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

### **Speech and Language Therapy**

163. **Deputy Andrew Doyle** asked the Minister for Health if the north of Wicklow networks

1 and 2 have a full-time senior speech therapist to service adults with acquired communication and Ehlers-Danlos Syndrome difficulties in network 1 and 2; and if he will make a statement on the matter. [10810/16]

164. **Deputy Andrew Doyle** asked the Minister for Health if he will confirm the current waiting list for adults to see the senior speech therapist in Wicklow south; and if he will make a statement on the matter. [10811/16]

165. **Deputy Andrew Doyle** asked the Minister for Health the number of active clients the senior speech therapist in County Wicklow currently has, who services adults with acquired communications and Ehlers-Danlos Syndrome difficulties; and if he will make a statement on the matter. [10812/16]

166. **Deputy Andrew Doyle** asked the Minister for Health his plans to recruit a senior speech therapist for adults for network 1 and 2 in County Wicklow; and if he will make a statement on the matter. [10813/16]

167. **Deputy Andrew Doyle** asked the Minister for Health if there is currently approval for eight full-time senior speech and language therapists and four staff grade speech and language therapists in County Wicklow; the number of speech and language therapists and staff grade therapists currently employed in County Wicklow; if there is a plan to reach the full approved quota; and if he will make a statement on the matter. [10814/16]

168. **Deputy Andrew Doyle** asked the Minister for Health if there is a panel for speech and language therapists in County Wicklow; the number of persons on this panel; the length of time they have been on this panel; and if he will make a statement on the matter. [10815/16]

169. **Deputy Andrew Doyle** asked the Minister for Health the number of children who applied for the speech and language class in a school (details supplied) in 2016; and if he will make a statement on the matter. [10816/16]

171. **Deputy Andrew Doyle** asked the Minister for Health if the Health Service Executive has plans to open further speech and language units in County Wicklow in the foreseeable future to meet the demand for additional speech and language therapy units in the county; and if he will make a statement on the matter. [10818/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 163 to 169, inclusive and No. 171 together.

As these are service issues, these questions have 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 the Executive.

### **Speech and Language Therapy Provision**

170. **Deputy Andrew Doyle** asked the Minister for Health the number of places available for speech and language classes in September 2016; and if he will make a statement on the matter. [10817/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, this question 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.

*Question No. 171 answered with Question No. 163.*

### **Early Childhood Care and Education**

172. **Deputy Andrew Doyle** asked the Minister for Health if an early intervention project for preschools in designated areas of disadvantage will be funded and set up in County Wicklow; and if he will make a statement on the matter. [10819/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Early Children care and Education (ECCE) Programme, is the responsibility of the Minister for Children and Youth Affairs. The Department of Children and Youth Affairs has brought forward a new model of supports to facilitate the full participation of children with a disability in the ECCE Programme. The new model will provide supports including enhanced continuing professional development for early years practitioners; grants for equipment, appliances and minor alterations; and access to therapeutic intervention. Funding of €15m has been provided to phase these supports in during 2016. Full year costs for these supports are estimated to be €33m from 2017 onwards. This model of supports was launched on 18th November last by the Minister for Children and Youth Affairs with the full support of both Department of Health and the Department of Education and Skills.

The Government is committed to providing services and supports for people and disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

It should be noted that while the Health Services executive has no statutory obligation to provide assistant supports for children with special needs wishing to avail of the ECCE scheme, it has, to date, worked at local level and in partnership with the relevant disability services to address individual needs as they arise. This has been done for example, by funding special pre-schools that cater specifically for children with disabilities. In some limited and specific cases at local level, disability services have in the past also facilitated children with a disability to attend mainstream pre-schools by providing additional supports where possible and where resources are available. The provision of such additional supports should not be confused with Special Needs Assistants, who are funded by the Department of Education and Skills to support children with special educational needs in primary and post primary school settings.

Within this context, I have asked the HSE to respond directly to the Deputy in relation to the issue he raised. 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.

### **Speech and Language Therapy**

173. **Deputy Dara Calleary** asked the Minister for Health the speech and language services available in County Mayo; the breakdown of that service per clinic area within County Mayo; the waiting times for initial assessment; the waiting times from initial assessment to commencement of treatment; why maternity leave is not being covered in a clinic (details supplied); why a planned training course for parents has not taken place; the steps that he will take to ensure



a proper service is made available; and if he will make a statement on the matter. [10823/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, this question 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.

### **Speech and Language Therapy Provision**

174. **Deputy David Stanton** asked the Minister for Health if an assessment for speech and language will be made available for a child (details supplied); and if he will make a statement on the matter. [10827/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, this question 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.

### **Health Services Staff Recruitment**

175. **Deputy Brendan Smith** asked the Minister for Health if he will ensure that there will be no further delay in having a health specialist position filled (details supplied) in the Cavan and Monaghan area; and if he will make a statement on the matter. [10852/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to a service matter, I have arranged for the question to be 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.

### **Medicinal Products Reimbursement**

176. **Deputy Billy Kelleher** asked the Minister for Health the number of persons who participated on the trial Fampyra scheme for multiple sclerosis who are no longer having their costs covered on the grounds of not showing a sufficient improvement; and if he will make a statement on the matter. [10853/16]

**Minister for Health (Deputy Simon Harris):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicinal products under the community drug schemes in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013, therefore, the matter has been referred to the HSE for attention and direct reply to you.

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.

### **Medicinal Products**

177. **Deputy Billy Kelleher** asked the Minister for Health if a person (details supplied) will continue on the Fampyra subsidised programme due to the high cost involved, with the drug unaffordable for patients; and if he will make a statement on the matter. [10854/16]

**Minister for Health (Deputy Simon Harris):** As the particular issue raised relates to an individual case, I have arranged for the question to be referred to the HSE for direct reply to you. 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.

### **Ambulance Service**

178. **Deputy Pearse Doherty** asked the Minister for Health when he will publish the national capacity review of the Ambulance Service; and if he will make a statement on the matter. [10865/16]

**Minister for Health (Deputy Simon Harris):** The HSE has now published the Capacity Review. While the overall funding requirement remains to be quantified, it is clear that a very significant programme of investment in our ambulance services is required. In that context, a phased investment in a multi annual programme involving manpower, vehicles and technology is required. The Deputy may wish to note that the Programme for Government commits to additional annual investment in terms of ambulance personnel and vehicles.

### **Ambulance Service Data**

179. **Deputy Pearse Doherty** asked the Minister for Health the volume and category of calls received by the Ambulance Service in respect of each division in County Donegal in each of the years since 2010, including Letterkenny, Carndonagh, Killybegs, Dungloe, the Finn Valley, Ballyshannon, and Donegal town, in tabular form; and if he will make a statement on the matter. [10866/16]

180. **Deputy Pearse Doherty** asked the Minister for Health further to Parliamentary Question No. 357 of 22 March 2016, if he is aware that the information provided is ambiguous and somewhat deceptive; if he will provide the accurate schedule of the times of when ambulances are on duty in respect of each of the base stations serving all divisions in County Donegal including, Letterkenny, Carndonagh, Killybegs, Dungloe, the Finn Valley, Ballyshannon, and Donegal town; and if he will make a statement on the matter. [10868/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 179 and 180 together.

With regard to the detailed 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.

### **Primary Care Centres Provision**

181. **Deputy Dara Calleary** asked the Minister for Health to reinstate plans to develop a primary care centre (details supplied); and if he will make a statement on the matter. [10869/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has responsibility for the provision and operation of Primary Care Centres. Therefore, I have asked the HSE to respond directly to the Deputy on this issue. 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.

### **Family Income Supplement**

182. **Deputy Charlie McConalogue** asked the Minister for Health if he will regard family income supplement as income in the meanstest assessment for medical cards; and if he will make a statement on the matter. [10876/16]

**Minister for Health (Deputy Simon Harris):** 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.

### **HIQA Remit**

183. **Deputy Brendan Griffin** asked the Minister for Health his advice on correspondence (details supplied); and if he will make a statement on the matter. [10877/16]

**Minister for Health (Deputy Simon Harris):** The Health Information and Quality Authority (HIQA) is an independent statutory authority established to drive high quality and safe care for people using health and social care services in Ireland. HIQA's role is to develop standards and inspect and review health and social care services; however its remit does not extend to the regulation of residential centres for elderly members of religious orders.

Under Section 2 of the Health (Nursing Homes) Act 1990 premises in which the majority of the persons being maintained are members of a religious order or priests of any religion are offered an exemption to registration.

The agency referred to in the Deputy's question is a voluntary body and has no regulatory function.

### **Home Care Packages Data**

184. **Deputy Timmy Dooley** asked the Minister for Health if he has approved home care packages in County Clare since 1 May 2016; the number of applications he received; the number he approved in the past six weeks; and if he will make a statement on the matter. [10888/16]

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

### **Health Services**

185. **Deputy Patrick O'Donovan** asked the Minister for Health to revert to this Deputy on a matter (details supplied); and if he will make a statement on the matter. [10890/16]

**Minister for Health (Deputy Simon Harris):** As the particular issue raised relates to an individual case, I have arranged for the question to be referred to the HSE for direct reply to

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

### **Health Services Staff**

186. **Deputy Michael McGrath** asked the Minister for Health the status of the provision of a dedicated nurse to support patients with Parkinson's disease; and if he will make a statement on the matter. [10900/16]

**Minister for Health (Deputy Simon Harris):** 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.

### **Health Services**

187. **Deputy Mary Lou McDonald** asked the Minister for Health why he and the Health Service Executive did not send a representative to the International Ehlers Danlos Syndrome Symposium in New York in the United States of America especially given that 25 British delegates attended. [10906/16]

188. **Deputy Mary Lou McDonald** asked the Minister for Health if he and the Health Service Executive intend to send a medical representative to the Baltimore, Maryland Conference in the United States of America in July 2016 where the findings of the Ehlers Danlos Syndrome Symposium will be formally delivered. [10907/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 187 and 188 together.

As the Deputy's questions relate to service matters, I have arranged for the questions to be 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.

### **Treatment Abroad Scheme**

189. **Deputy Mary Lou McDonald** asked the Minister for Health why the Health Service Executive, via the TAS, advises applicants who suffer from Ehlers Danlos Syndrome that they are not eligible for cover to travel abroad for treatment on the basis that treatment is available in Ireland, given that the Executive has stated that following its patient consultation process in 2014 it compiled a submission which was part of the 2016 Estimates process but was not selected for funding, thus acknowledging the need for a specialised consultant-led team for patients suffering from this Syndrome, yet in contrast applications via the European Directive are refused to patients on the basis that the referring consultant must be of the same speciality and there is no specialist in this country; and if he will make a statement on the matter. [10908/16]

**Minister for Health (Deputy Simon Harris):** The HSE has been asked to examine this matter and to reply to the Deputy as soon as possible. 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.

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.

### **Long-Term Illness Scheme Eligibility**

190. **Deputy Mary Lou McDonald** asked the Minister for Health his plans to update the eligible illnesses under the long term illness scheme, including adding Ehlers Danlos Syndrome. [10909/16]

**Minister for Health (Deputy Simon Harris):** The Long Term Illness (LTI) Scheme was established under Section 59(3) of the Health Act, 1970 (as amended). Regulations were made in 1971, 1973 and 1975 specifying the conditions covered by the LTI Scheme, which are as follows: acute leukaemia; mental handicap; cerebral palsy; mental illness (in a person under 16); cystic fibrosis; multiple sclerosis; diabetes insipidus; muscular dystrophies; diabetes mellitus; parkinsonism; epilepsy; phenylketonuria; haemophilia; spina bifida; hydrocephalus; and conditions arising from the use of Thalidomide. There are no plans to extend the list of conditions covered by the LTI Scheme.

Under the Drug Payment Scheme, no individual or family pays more than €144 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

Under the provisions of the Health Acts, medical cards are provided to persons who are, in the opinion of the HSE, unable without undue hardship to arrange GP services for themselves and their dependants. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family.

### **Nursing Homes Support Scheme Eligibility**

191. **Deputy Jim Daly** asked the Minister for Health the options available to a person who is not covered by the guidelines of the nursing home support scheme and who has appealed a decision made by the Health Service Executive; and if he will make a statement on the matter. [10911/16]

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

### **Health Services Staff**

192. **Deputy Jackie Cahill** asked the Minister for Health the status of the appointment of a community-based senior dietician for Clonmel in County Tipperary which formed part of 36 posts which were sanctioned nationally to support the implementation of the type 2 diabetes care initiative which commenced in October 2015 and which appointment was to form part of the 2016 Health Service Executive service plan; and if he will make a statement on the matter.

[10923/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to service matters, I have arranged for the question to be 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.

### **Mental Health Services Provision**

193. **Deputy John McGuinness** asked the Minister for Health to provide the appropriate level of mental health care to a person (details supplied); and his views on the details of the case. [10926/16]

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

### **Health Services**

194. **Deputy John McGuinness** asked the Minister for Health if the Health Service Executive will pay the money due to a person (details supplied); and if he will expedite the matter. [10927/16]

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

### **Forestry Grants**

195. **Deputy James Lawless** asked the Minister for Agriculture, Food and the Marine to review the situation that the Irish Farmers Association Irish Hardy Nurserystock Association was not eligible to apply for grants awarded to forestry and hedgerow associations funded by his Department for associations which grow ash trees; to review this policy; and if he will make a statement on the matter. [10732/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Over the last number of years the Department has operated a Reconstitution Scheme to restore forests established under its afforestation schemes back to their original form following significant damage by natural causes. The Scheme has been used to assist forestry owners who have been affected by Ash dieback disease. The objective of the Scheme is to eradicate/contain ash dieback in forests by supporting the removal and destruction of trees and leaf litter and to reconstitute the forest by replanting with alternative species. The Scheme provides funding in respect of costs necessarily incurred in clearing the site and reconstituting the forest, subject to the maximum limits laid down.

Due to financial pressures and Departmental budgetary constraints, grant aid was confined to individual forestry owners. Accordingly forestry or hedgerow associations have not been funded.

The Scheme is therefore targeted at the forestry sector and there are currently no plans to



either broaden the scope of the Scheme or to introduce any other Scheme for individuals or nurseries that have been affected by outbreaks of plant diseases including ash dieback.

My Department continues to provide funding for the development of the horticultural industry including commercial nurseries through the Horticultural Grant scheme.

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

196. **Deputy Michael Ring** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) will receive payment for year 5 under the agri-environment options scheme 2. [10733/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract on 1 November 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 take place. As all AEOS 1 participants will be receiving their final payments under the scheme, re-checks on payments made for all scheme years must be completed before final payment can be processed. Officials are working through these files and payment will be made as soon as possible.

### **Single Payment Scheme Appeals**

197. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an appeal by a person (details supplied); and if he will make a statement on the matter. [10736/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Under the Single Payment Scheme, land afforested since 2009 was eligible subject to certain conditions, including that the applicant had to retain 10% of the eligible hectares declared in 2008 in an agricultural activity subject to a minimum of 3 hectares. The person named did not meet the 10% condition in 2013. Accordingly, he did not receive payment under the Single Payment Scheme in 2013 and thus did not qualify for an allocation right into the new Basic Payment Scheme. An application for a Review of Entitlements was submitted on the 8 th March 2016 in which the person named requested to appeal his exclusion from an allocation of entitlements under the Basic Payment Scheme on grounds of Force Majeure.

Under EU Regulation ‘force majeure’ is defined as:

- (a) The death of the beneficiary;
- (b) Long-term professional incapacity of beneficiary;
- (c) A severe natural disaster gravely affecting the holding.

The Review application submitted by the person named was examined on force majeure grounds but as the circumstances pertaining to his case do not comply with the EU definition of force majeure the application was deemed to be unsuccessful. The person named has been notified of this decision in writing and provided with a right of appeal.

### **GLAS Payments**

198. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when he will issue payment to a person (details supplied) under the green low-carbon agri-environment scheme; the reason for the delay; and if he will make a statement on the matter. [10768/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application under Tranche 1 of GLAS was received in my Department on the 21 May 2015 and the person named was approved into the GLAS 1 with effect from 1 October 2015. There are a number of applications, including that of the person named, remaining 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 at the same time the 2015 GLAS balancing payment is due to issue.

### **TAMS Applications**

199. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine if a person (details supplied) will be granted a targeted agricultural modernisation scheme grant; and if he will make a statement on the matter. [10800/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The applicant in question has applied in Tranche one for animal housing and a mass concrete tank under the Animal Welfare, Safety and Nutrient Storage Scheme of TAMS II. The applicant has passed the administrative checks and it is expected that approval will issue in a matter of weeks.

### **Farm Improvement Scheme Applications**

200. **Deputy Niamh Smyth** asked the Minister for Agriculture, Food and the Marine the reason for the delay in farm improvement applications approvals; if he is aware that applications to the scheme from November 2015 still have not been approved; given the lengthy delays in grant processing, if he is satisfied that the grant is fulfilling its purpose of enabling recipients to build new slatted sheds-accommodation for animals prior to the winter; and if he will make a statement on the matter. [10828/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Administrative checks on applications received for Tranche 1 of the TAMS II Scheme have been completed and it is expected that any outstanding approvals or part-approvals will issue over the next few weeks. I am aware that applicants are very anxious to proceed with their investments and this matter is receiving the appropriate attention within my Department.

### **GLAS Applications**

201. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of an application by a person (details supplied) for a grant; and if he will make a statement on the matter. [10872/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The GLAS

Traditional Farm Building Scheme provides grant-aid for the conservation of traditional farm buildings on GLAS farms. The scheme is jointly funded by the Department of Agriculture, Food and the Marine and the European Union and is administered by the Heritage Council on behalf of my Department. Grants awarded will not exceed 75% of the cost of the works with a maximum grant of €25,000 and a minimum grant of €4,000 being made.

I am delighted to say that over 500 applications have been received for the Scheme under the first tranche and I can confirm that an application was received from the person named. The Heritage Council is currently validating and evaluating all applications and they will notify all applicants of the outcome in due course.

### **GLAS Appeals**

202. **Deputy Tom Neville** asked the Minister for Agriculture, Food and the Marine the status of an appeal by persons (details supplied) under tranche 2 of the green low-carbon agri-environment scheme; to contact the persons in this regard; and if he will make a statement on the matter. [10884/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** An application for Tranche 2 of the GLAS Scheme was received in this case on the dedicated GLAS online system on the 13 December 2015. The unprecedented level of applications to the Scheme has meant that for GLAS 2, priority is being given to what are called Tier 1 and Tier 2 candidates, i.e. those who either manage key environmental assets like endangered birds, protected habitats or high-quality water courses, or who have committed to undertake particularly valuable environmental actions like growing feed-crops for wild birds, adopting low-impact tillage techniques or using low-emission slurry spreading methods.

The application for the persons named was ranked as a Tier 3 application and it was therefore not selected into the scheme. A letter issued to the persons named notifying them of this decision and giving the option of appeal to GLAS section. This decision was unsuccessfully appealed to GLAS Section and the persons named have been informed in writing of the outcome and of their right to appeal this further to the Agriculture Appeals Office (AAO), Kilminchy Court, Portlaoise. The AAO has advised that to date there is no record of an appeal having been made to that Office.

A third tranche of GLAS (GLAS 3) will open later this year and the persons named and any applicant who was unsuccessful in the second tranche will have the opportunity now to re-examine their proposed farm-plan, in consultation with their advisor, and see how it might be improved to increase their chance of selection under GLAS 3 and to submit a new application for GLAS 3 when the scheme is opened.

An official from my Department will contact the persons named.

### **Dairy Sector**

203. **Deputy Kevin O’Keeffe** asked the Minister for Agriculture, Food and the Marine to facilitate participants in the three-year milk superlevy repayment scheme to avail of the State-aid provided to individual farmers up to a maximum of £15,000 that is to use this money to pay the super levy bill which State-aid option was agreed by the European Union Agricultural Council for member states, in recognition of the unsustainable pressure on the incomes of farmers in the dairy, pig and fruit sectors. [10887/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** In response to the ongoing market difficulties in the dairy, pigmeat, and fruit and vegetables sectors, the Council of Agriculture Ministers agreed a further package of measures in March 2016. Among these was the making available of more flexible state aid support. It will now be possible for farmers (SMEs) to access temporary finance up to a maximum amount of €15,000 per farm per year in circumstances where they either:

(i) make a commitment to freeze or reduce production compared to a given reference period, or

(ii) use the funds to bridge a liquidity gap.

Aid as provisionally envisaged would be granted in the form of direct grants, loans or guarantees in the case of freezing/reducing production, and in the form of loans or guarantees in the case of liquidity assistance (remunerated in the form of an interest payment). The latter could also be provided in grant form if accompanied by a commitment to freeze or reduce production. Interaction and discussion with the Commission is ongoing in respect of finalising the details of such provisions.

The Department is continuing to monitor market developments very closely, and will continue to work with the Commission and with other Member States in developing appropriate responses.

Member States now have a suite of measures that have been made available since September 2015, and will respond in accordance with their domestic circumstances. To date Ireland has used the targeted aid package of €27.4m (€13.7m EU and €13.7m national funding) to support producers in the dairy and pigmeat sectors, and has pushed for appropriate changes in the operation of market support measures such as aids to private storage.

There are no plans to avail of the option to provide national funding to freeze or reduce milk supply compared to a given reference period. On the question of liquidity, the Department is at present commissioning an ex ante appraisal to examine the merits of including a provision for financial instruments in its Rural Development Programme, and is continuing to engage with banks and with the Strategic Banking Corporation of Ireland on the provision of flexible finance to farmers.

As the Deputy may be aware, the a facility to phase the final superlevy payment over three years was introduced by the EU Commission last year at Ireland's request. Farmers availing of the facility must pay at least one third of the bill in each of the first two years (2015 and 2016) with the balance to be paid in 2017. The Department implemented the scheme nationally and 3,741 farmers (out of a total of 6,109 farmers who incurred the levy) deferred repayments of €35.6m in superlevy liability, (out of a total national levy liability of €71.2m).

The mechanism required the Exchequer to pay the superlevy liability to the EU in full in 2015, and to recover the levy from farmers over the three years from 2015 to 2017. A wide process of consultation in the design of the scheme was undertaken with farm organisations and co-ops and it was agreed that once the initial farmer instalment was paid in 2015, the optimum repayment model for the balancing payments would involve ten equal instalments from the months of May-September in 2016 and 2017.

These amounts will be deducted by co-ops from a farmer's monthly milk cheques to coincide with the peak milk supply months of April to August. The co-ops will then forward the money each month to the Department. This approach was also agreed as part of the sanction given by the Minister for Public Expenditure Reform.

As part of the discussions in the run-up to the March Council of Agriculture Ministers, Ireland proposed a further deferral of the payment to 2017 and 2018, to ease the financial burden on liable farmers in 2016. However the European Commission advised that the legal basis for the Regulations under-pinning the scheme are no longer in existence and therefore further amendments were not possible. While Ireland suggested a possible alternative legal approach, it was clear that the proposal enjoyed very little support from other Member States and was therefore unlikely to succeed.

On that basis the focus turned to other measures in the package which can be of assistance to Irish dairy farmers to help them through current difficulties, including the doubling of intervention fixed price buying-in thresholds. I did however raise the matter with Commissioner Phil Hogan, in our recent bilateral meeting, as well as at yesterday's Council of Ministers meeting and encouraged him to reflect again on whether a legal basis could be found to facilitate a further deferral in superlevy repayments for farmers.

### **Agriculture Scheme Payments**

204. **Deputy Seán Canney** asked the Minister for Agriculture, Food and the Marine when compensation will be paid to a person (details supplied) under the bovine viral diarrhoea eradication scheme; and if he will make a statement on the matter. [10892/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I can confirm that my Department has received an application from the herd owner to which the deputy refers. These applications are currently being processed, and any payments due will be issued in due course.

### **Basic Payment Scheme Applications**

205. **Deputy Michael D'Arcy** asked the Minister for Agriculture, Food and the Marine if he will accept a late application from a person (details supplied) seeking the transfer of land and entitlements by lease in order to satisfy the criteria of the 2015 private contract clause; and if he will make a statement on the matter. [10895/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** A decision has been made to accept the late 2015 Basic Payment Scheme application in this instance. An official from my Department will be in direct contact with the person named to discuss the resolution of this case.

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

206. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when he will issue payment to a person (details supplied) under the Agri-Environment Options Scheme; the reason for the delay; and if he will make a statement on the matter. [10902/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract on 1 November 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 take place. As all AEOS 1 participants will be receiving their final payments under the scheme, re-checks on payments made for all scheme years must be



completed before final payment can be processed. Officials are working through these files and payment will be made as soon as possible.

### **TAMS Applications**

207. **Deputy Tony McLoughlin** asked the Minister for Agriculture, Food and the Marine when he will issue a decision on an application by a person (details supplied) under the targeted agricultural modernisation scheme and payment under the top-up for young farmers scheme and the national reserve scheme which were approved a number of weeks ago; and if he will make a statement on the matter. [10905/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The applicant in question applied in the second tranche of the Young Farmer Capital Investment Scheme of TAMS II for lights, a tank and animal housing. The application has passed the initial administrative checks. All applications that are received in a given tranche have to be examined and are then ranked and selected before approvals take place. The person named submitted a Private Contract Clause application to my Department seeking the transfer of allocation rights with land as transferee. An Official from my Department has been in direct contact with the person named regarding this application and agreement has now been reached with regard to the approach required to finalise the application.

The person named has also submitted applications under the National Reserve and the Young Farmers' Scheme to my Department. Now that agreement has been reached with regard to the Private Contract Clause application, the National Reserve and Young Farmer Scheme applications can be finalised with a view to payment as soon as possible.

### **Sheep Technology Adoption Programme Payments**

208. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when he will issue payment to a person (details supplied) under the 2015 sheep technology adoption programme; the reason for the delay; and if he will make a statement on the matter. [10910/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named was a participant in the 2015 Sheep Technology Adoption Programme. As part of his commitment under that scheme he undertook to carry out a faecal egg count reduction test. Appendix III to the Terms and Conditions of the scheme sets out the instructions for this test including those for re-sampling post treatment. While the laboratory has received the initial sample there is no record of receipt of a second sample. As the requirement to re-sample has not been met the person named is in breach of the Terms and Conditions of the Programme and accordingly does not qualify for payment in 2015. The person named has received payment in respect of 2013 and 2014.

### **Forestry Management**

209. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the status of shooting rights in an area of forestry (details supplied); and if he will make a statement on the matter. [10921/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Coillte Teoranta was established as a private commercial company under the Forestry Act, 1988 and



day-to-day operational matters, such as the management of the estate, are the responsibility of the company. Coillte has, however, advised that Baurearagh, Cummeenboy and Reanabob ul forests are on Coillte land and that the hunting licences on these properties expired in February 2016. I am also advised that the primary tender competition to award the new licences closed in April and the evaluation process is currently being finalised. Details of Coillte's procedures for hunting licences can be found at: <http://www.coillteoutdoors.ie/index.php?id=198>.

### **Superlevy Fine**

210. **Deputy Jackie Cahill** asked the Minister for Agriculture, Food and the Marine to lobby the European Union Commissioner, Mr Phil Hogan to suspend the collection of the balance of the superlevy for two years due to the dire income situation of dairy farmers; and if he will make a statement on the matter. [10925/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** As the Deputy may be aware, the a facility to phase the final superlevy payment over three years was introduced by the EU Commission last year at Ireland's request. Farmers availing of the facility must pay at least one third of the bill in each of the first two years (2015 and 2016) with the balance to be paid in 2017.

The Department implemented the scheme nationally and 3,741 farmers (out of a total of 6,109 farmers who incurred the levy) deferred repayments of €35.6m in superlevy liability, (out of a total national levy liability of €71.2m).

The mechanism required the Exchequer to pay the superlevy liability to the EU in full in 2015, and to recover the levy from farmers over the three years from 2015 to 2017. A wide process of consultation in the design of the scheme was undertaken with farm organisations and co-ops and it was agreed that once the initial farmer instalment was paid in 2015, the optimum repayment model for the balancing payments would involve ten equal instalments from the months of May-September in 2016 and 2017.

These amounts will be deducted by co-ops from a farmer's monthly milk cheques to coincide with the peak milk supply months of April to August. The co-ops will then forward the money each month to the Department. This approach was also agreed as part of the sanction given by the Minister for Public Expenditure Reform.

As part of the discussions in the run-up to the March Council of Agriculture Ministers, Ireland proposed a further deferral of the payment to 2017 and 2018, to ease the financial burden on liable farmers in 2016. However the European Commission advised that the legal basis for the Regulations under-pinning the scheme are no longer in existence and therefore further amendments were not possible. While Ireland suggested a possible alternative legal approach, it was clear that the proposal enjoyed very little support from other Member States and was therefore unlikely to succeed.

On that basis the focus turned to other measures in the package which can be of assistance to Irish dairy farmers to help them through current difficulties, including the doubling of intervention fixed price buying-in thresholds. I did however raise the matter with Commissioner Phil Hogan in our recent bilateral meeting, as well as at yesterday's Council of Minister's meeting, and encouraged the Commission to reflect again on whether a legal basis could be found to facilitate a further deferral in superlevy repayments for farmers.

## Television Licences Data

211. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources how he spent the revenue raised from the television licence in 2015, in tabular form; and if he will make a statement on the matter. [10725/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** TV licence revenues are distributed in accordance with Section 123 of the Broadcasting Act 2009, principally to both RTÉ and TG4 in order to facilitate the pursuit of their public service objectives, which are also set out in the 2009 Act. An Post pays the Department all TV licence revenues collected from sales. The Department of Social Protection pays an agreed sum in respect of 'free' TV licences issued by that Department; this sum is currently set at €52 million per annum.

From these gross receipts, the Department pays An Post commission in respect of the TV licence activities An Post undertakes in its role as the Minister's collection agent. In addition, 7% of the total revenue net of An Post's commission is paid to the Broadcasting Authority of Ireland for the operation of the Broadcasting Funding Scheme, which provides funding in support of high quality programmes on Irish culture, heritage and experience, and programmes to improve adult literacy. Revenue from this fund can be applied for by independent producers and broadcasters for specific projects of a public service nature. TG4 also receives an amount of the TV licence revenues and this is currently set at €9.245m per annum. All remaining revenues are paid to RTÉ.

The table shows the position for 2015.

	2015 - €M
Total receipts	214
An Post	11.6
Broadcasting Fund	14.6
Tg4	9.25
RTÉ	178.5

## Broadband Service Provision

212. **Deputy Thomas Pringle** asked the Minister for Communications, Energy and Natural Resources how he will prioritise the roll-out of broadband to rural areas and prevent further delays in the national broadband plan; and if he will make a statement on the matter. [10779/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The National Broadband Plan (NBP) aims to deliver high speed services to every city, town, village and individual premises in Ireland. The Programme for a Partnership Government commits to the delivery of the NBP as a matter of priority.

It is expected that 70% of all premises in Ireland will receive high speed services from the commercial telecommunications market. The remaining 30% (over 750,000 premises) are the focus of a major State procurement, which formally commenced in December 2015 with the publication of the Pre-Qualification Questionnaire ( 'PQQ') and Project Information Memorandum.

Five responses have been received from prospective bidders to this stage of the competitive procurement process by the deadline of 31 March 2016. The five responses are being assessed

in line with the criteria set down by the Department with a view to shortlisted qualified bidders proceeding to the next stage of procurement.

The second stage in the procurement process will be a formal invitation to Participate in Dialogue (ITPD) to shortlisted bidders. I expect that my Department will move to this stage in the next month. The third stage of the procurement process involves the issue of final tender documentation which follows the dialogue process. Following the submission of final tenders by bidders, a winning bidder(s) will be selected for the contract which will comprise one or two lots as set out in the Intervention Strategy document. The Department will then enter into formal contract negotiations with the winning bidder(s). It is expected that a contract will be awarded by June 2017.

Engagement with industry stakeholders as part of the pre-procurement and consultations has indicated that the rollout in the State Intervention area could be achieved within 3-5 years of the contract award.

Rollout will commence once the contract is in place. Based on industry consultations, it is expected that 85% of all premises in Ireland will have access to high speed broadband within 2 years after rollout commences, with 100% being connected within 5 years or sooner.

As part of the competitive process, the Department will engage with winning bidder(s) on the best rollout strategy, in order to target areas of particularly poor service, business needs and / or high demand. This will need to be balanced with the most efficient network rollout plan. A prioritisation programme will be put in place in this regard, in consultation with the Minister for Regional Development, Rural Affairs, Arts and the Gaeltacht.

I am in discussion at present with Minister Heather Humphreys on the detailed arrangements to give effect to commitments in the Programme for a Partnership Government regarding her Department's role in relation to the rollout phase of the National Broadband Plan. It is envisaged that the role will include leading on the establishment of county or regional broadband taskforces and working with local authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland, once a contract(s) has been awarded.

### **Airport Development Projects**

213. **Deputy Eamon Ryan** asked the Minister for Communications, Energy and Natural Resources the evidence that proposals for the development of an additional runway at Dublin Airport, in County Dublin have had regard to section 15 of the Climate Action and Low Carbon Development Act 2015. [10787/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The development of Dublin Airport is a matter for the DAA under the remit of my colleague the Minister for Transport, Tourism and Sport.

### **Broadband Service Provision**

214. **Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources the proposals there are to improve broadband telecommunications service in an area (details supplied) in County Monaghan; if he is aware that households and many small enterprises have concerns regarding the totally inadequate service that exists at present; if the neces-

sary investment programme will be undertaken without further delay to bring this broadband service up to a proper standard; and if he will make a statement on the matter. [10794/16]

**215. Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources the proposals there are to improve broadband telecommunications service in an area (details supplied) in County Monaghan; if he is aware that households and many small enterprises have concerns regarding the totally inadequate service that exists at present; if the necessary investment programme will be undertaken without further delay to bring this broadband service up to a proper standard; and if he will make a statement on the matter. [10795/16]

**217. Deputy Brendan Smith** asked the Minister for Communications, Energy and Natural Resources the proposals there are to improve broadband telecommunications service in an area (details supplied) in County Monaghan; if he is aware that households and many small enterprises have concerns regarding the totally inadequate service that exists at present; if the necessary investment programme will be undertaken without further delay to bring this broadband service up to a proper standard; and if he will make a statement on the matter. [10855/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** I propose to take Questions Nos. 214, 215 and 217 together.

The National Broadband Plan (NBP) aims to deliver high speed services to every city, town, village and individual premises in Ireland. The Programme for a Partnership Government commits to the delivery of the NBP as a matter of priority.

It is expected that 70% of all premises in Ireland will receive high speed services from the commercial telecommunications market. The remaining 30% (over 750,000 premises) are the focus of a major State procurement, which formally commenced in December 2015 with the publication of the Pre-Qualification Questionnaire (‘PQQ’) and Project Information Memorandum.

The High Speed Broadband Map 2020, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie) shows the extent of the State Intervention area. The areas marked BLUE represent those areas where commercial telecommunications providers are either currently delivering or have plans to deliver high speed broadband services. The areas marked AMBER represent the target areas for the State Intervention and includes the townlands of Drumhawan and Corcaghan County Monaghan. Based on information provided by commercial operators 91% of the townland of Doohamlet will be covered by commercial operators while the remaining 9% will be part of the State Intervention. Members of the public can view whether their premises in Monaghan are in the BLUE or AMBER area by accessing the High Speed Broadband Map and entering their Eircode.

In terms of the procurement process, five responses have been received from prospective bidders to this stage of the competitive procurement process by the deadline of 31 March 2016. The five responses are being assessed in line with the criteria set down by the Department with a view to shortlisted qualified bidders proceeding to the next stage of procurement.

The second stage in the procurement process will be a formal invitation to Participate in Dialogue (ITPD) to shortlisted bidders. I expect that my Department will move to this stage in the next month.

The third stage of the procurement process involves the issue of final tender documentation which follows the dialogue process. Following the submission of final tenders by bidders, a winning bidder(s) will be selected for the contract(s). The tender process includes two land areas, with a broadly equal number of premises in each. Bidders can bid for both areas separately,

as well as providing a single bid for the entire area. Once winning bidder(s) have been selected, the Department will enter into formal contract negotiations with the winning bidder(s). It is expected that a contract will be awarded by June 2017.

Rollout will commence once the contract is in place. Based on industry consultations, it is expected that 85% of all premises in Ireland will have access to high speed broadband within 2 years after rollout commences, with 100% being connected within 5 years or sooner.

As part of the competitive process, the Department will engage with winning bidder(s) on the best rollout strategy, in order to target areas of particularly poor service, business needs and / or high demand. This will need to be balanced with the most efficient network rollout plan.

I am in discussion at present with Minister Heather Humphreys on the detailed arrangements to give effect to commitments in the Programme for a Partnership Government regarding her Department's role in relation to the rollout phase of the National Broadband Plan. It is envisaged that the role will include leading on the establishment of county or regional broadband taskforces and working with local authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland, once a contract(s) has been awarded.

### **Broadband Service Speeds**

216. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources if and when high-speed broadband will become accessible from the Donadea area in County Kildare; and if he will make a statement on the matter. [10798/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The National Broadband Plan (NBP) aims to deliver high speed services to every city, town, village and individual premises in Ireland. The Programme for a Partnership Government commits to the delivery of the NBP as a matter of priority.

It is expected that 70% of all premises in Ireland will receive high speed services from the commercial telecommunications market. The remaining 30% (over 750,000 premises) are the focus of a major State procurement, which formally commenced in December 2015 with the publication of the Pre-Qualification Questionnaire ( 'PQQ' ) and Project Information Memorandum.

The High Speed Broadband Map 2020, which is available at [www.broadband.gov.ie](http://www.broadband.gov.ie) shows the extent of the State Intervention area. The areas marked BLUE represent those areas where commercial telecommunications providers are either currently delivering or have plans to deliver high speed broadband services. The areas marked AMBER represent the target areas for the State Intervention. Members of the public can view whether their premises in County Kildare are in the BLUE or AMBER area by accessing the High Speed Broadband Map and entering their Eircode.

Based on information provided by commercial operators 75% of the townland of Donadea, Co Kildare will be covered by the commercial sector (BLUE area) while the remaining 25% (AMBER area) will be part of the State intervention. High speed services that are rolled out in BLUE areas are done so on a commercial basis by commercial operators and I would advise individuals to regularly check with operators as to when these services will be available.

In terms of the procurement process, five responses have been received from prospective bidders to this stage of the competitive procurement process by the deadline of 31 March 2016.



The five responses are being assessed in line with the criteria set down by the Department with a view to shortlisted qualified bidders proceeding to the next stage of procurement.

The second stage in the procurement process will be a formal invitation to Participate in Dialogue (ITPD) to shortlisted bidders. I expect that my Department will move to this stage in the next month.

The third stage of the procurement process involves the issue of final tender documentation which follows the dialogue process. Following the submission of final tenders by bidders, a winning bidder(s) will be selected for the contract(s). The tender process includes two land areas, with a broadly equal number of premises in each. Bidders can bid for both areas separately, as well as providing a single bid for the entire area. Once winning bidder(s) have been selected, the Department will enter into formal contract negotiations with the winning bidder(s). It is expected that a contract will be awarded by June 2017.

Engagement with industry stakeholders as part of the pre-procurement and consultations has indicated that the rollout in the State Intervention area could be achieved within 3-5 years of the contract award. Rollout will commence once the contract is in place. Based on industry consultations, it is expected that 85% of all premises in Ireland will have access to high speed broadband within 2 years after rollout commences, with 100% being connected within 5 years or sooner.

As part of the competitive process, the Department will engage with winning bidder(s) on the best rollout strategy, in order to target areas of particularly poor service, business needs and / or high demand. This will need to be balanced with the most efficient network rollout plan.

I am in discussion at present with Minister Heather Humphreys on the detailed arrangements to give effect to commitments in the Programme for a Partnership Government regarding her Department's role in relation to the rollout phase of the National Broadband Plan. It is envisaged that the role will include leading on the establishment of county or regional broadband taskforces and working with local authorities, Local Enterprise Offices, LEADER Groups and other relevant agencies to help accelerate the broadband network build in rural Ireland, once a contract(s) has been awarded.

*Question No. 217 answered with Question No. 214.*

### **Emergency Accommodation Provision**

218. **Deputy Eoin Ó Broin** asked the Minister for Communications, Energy and Natural Resources if and when he contacted the Department of housing, planning and local government digital hub, the Dublin Regional Homeless Executive or Dublin City Council regarding the imminent closure of the Brú Aimsir hostel in County Dublin; and if he supports removing the 100 emergency beds currently in the hostel from the Dublin emergency accommodation system or if he believes these beds should remain operational until such time as an alternative location for them is provided. [10880/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** The Programme for a Partnership Government has committed to addressing the housing shortage and homelessness, and is committed to publishing, within the first 100 days, a new Action Plan for Housing which will contain a specific section on preventing homelessness.

The hostel referred to in the Question is located in a warehouse property owned by the Digital Hub Development Agency (DHDA) which operates under the aegis of my Department.



In line with section 7(2) of the Digital Hub Development Agency Act 2003, the Board of the DHDA sought the consent of my predecessor to grant a lease to Dublin City Council (DCC) to use the vacant warehouse as a temporary cold weather emergency facility for a 6 month period to the end of March 2016, and his consent was so granted. Subsequently, my predecessor, on foot of two further requests from the Board, granted his consent to the DHDA to extend, by one month each, the term of the lease with DCC.

The term of the lease is a matter for DCC to raise with the DHDA in the first instance. I understand that DCC and DHDA are in discussions about the possibility of further extending the term of the lease, and I will consider any related request for Ministerial consent as a matter of priority.

### **Airport Development Projects**

219. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport if he supports a feasibility study on the development of a second airport for the Dublin region. [10785/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The strategic importance of aviation access infrastructure is acknowledged in the National Aviation Policy, published by my predecessor last August. The Policy also recognises the need for a strong Irish airport network in order to grow Ireland's share of global passenger traffic over the next decade and to support the economic and social activities of the State. Specifically in relation to the Dublin region, the Policy acknowledges the opportunity to develop Dublin Airport as a secondary hub. This will entail utilising the airport assets as efficiently as possible, including optimising existing capacity at the airport. It also envisages the provision of additional infrastructure to exploit emerging opportunities to expand air service connections for business, tourism, cultural and educational purposes, thereby delivering economic benefits at national level. In this regard, the development of a second runway at Dublin Airport is one of the goals outlined in the Policy. In April this year, daa announced that it was commencing the second runway project which should be completed by 2020. This new runway along with the two existing terminals will provide capacity for the predicted growth in the coming years.

The National Aviation Policy also takes account of the need to plan for the long term future, and outlines the Department's intention to commission a high level strategic capacity review in 2018 as well as mandating the State airports to carry out reviews of capacity constraints and infrastructure needs at five yearly intervals commencing in 2018. Given the accelerated growth in passenger numbers and future projections, these reviews may need to be undertaken earlier than was envisaged. The need for any additional infrastructure, whether they be additional terminals or airports, would be addressed as part of these reviews.

### **Dublin Bus**

220. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if Dublin Bus will initiate a recruitment process for bus drivers in the near future; and if he will make a statement on the matter. [10722/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The issue raised is a human resources matter for Dublin Bus and I have forwarded the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a response within ten working days.

## **Airport Development Projects**

221. **Deputy Eamon Ryan** asked the Minister for Transport, Tourism and Sport if he will consider to conduct an independent and thorough cost-benefit analysis of the proposal to develop an additional runway at Dublin Airport recognising the potential cost to the Exchequer. [10786/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The daa has statutory responsibility for the management, operation and development of Dublin Airport with no recourse to Exchequer funding. In line with this responsibility, it is a matter for daa to ensure that the necessary infrastructure is in place to facilitate the development of the airport and that there is sufficient capacity to meet existing and future demand. Since the 1970s, land use planning in the environs of Dublin Airport has provided for the construction of a second parallel runway. In 2007, the daa was granted planning permission for that runway on its landbank. However, due to the downturn in the economy, the project was not progressed. Given the significant increase in passenger numbers at Dublin Airport in recent years and projected traffic growth in future years, I welcome the fact that daa has now decided to move forward with this project which is in line with the National Aviation Policy published last August. I understand that the requirement for a new runway is recognised by the airlines in general.

DAA expect to invest in the region of €320 million in North Runway Project, a multi-faceted project to include associated aprons and taxiways, drainage network and changes to the road network system. Analysis undertaken on behalf of daa estimates that the project will support over 500 initial construction jobs and could support a further 31,000 jobs over the next two decades contributing €2.2 billion to GDP.

As a fully commercial, wholly owned State company, daa finances all major capital projects, including the runway, from debt and retained earnings. In addition, the Commission for Aviation Regulation has established a funding mechanism, linked to the charges paid by airlines, for recoupment towards the cost of construction of the runway.

## **National Transport Authority**

222. **Deputy Jack Chambers** asked the Minister for Transport, Tourism and Sport to ensure the National Transport Authority refunds a person (details supplied) who was unfairly charged an amount following the cancellation of an small public service vehicle licensing appointment; and if he will make a statement on the matter. [10893/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The regulation of the small public service vehicle industry, including vehicle licensing, is a matter for the National Transport Authority (NTA) under the provisions of the Taxi Regulation Act 2013. I have referred your question to the NTA for direct reply to you. Please advise my private office if you do not receive a response within 10 working days.

## **Industrial Disputes**

223. **Deputy Imelda Munster** asked the Minister for Transport, Tourism and Sport the interventions he plans to make in the industrial dispute between Transdev and Luas workers; if he is aware this company is operating a State contract; and if he will make a statement on the matter. [10901/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** I am of course aware that Transdev operates Luas services on the basis of a contract awarded by the National Transport Authority and Transport Infrastructure Ireland; however, the Deputy should be aware that as Minister, I have no function in relation to either the employment of Transdev staff or their terms and conditions of employment. They are employees of Transdev, which is a private company. The current dispute is between employees, as represented by SIPTU, and their employer, Transdev. It is up to those two parties to reach a resolution with each other.

I firmly believe that any intervention by me, or indeed others without a legal function or role in this dispute, is not helpful. The State has industrial relations institutions which are ready to assist the relevant parties in reaching a mutually acceptable agreement.

I am clear however that whatever resolution is arrived at between Transdev and its employees must be delivered within the overall contractual framework Transdev has with the State. There cannot be, and there will not be, any change to that contract which runs until November 2019. I will not be opening the chequebook on behalf of the taxpayer in this matter.

My focus is to protect the interests of the travelling public, and to encourage the parties to work to resolve their differences. Any agreement must deliver sustainable wage rates that don't involve higher fares for the travelling public.

### **Industrial Disputes**

224. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation if she has considered availing of section 38 of the 1990 Industrial relations Act to enable her invoke the services of the Labour Court or the services of other persons in order to resolve the industrial dispute (details supplied) as an issue of huge public interest; and if she will make a statement on the matter. [10829/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** This dispute between employees of Transdev, represented by SIPTU, and their employer has been both difficult and protracted. It has resulted in significant disruption and losses on all sides. As the Deputy will be aware significant efforts were made by the Workplace Relations Commission to assist the parties come to a resolution and protracted and intensive negotiations resulted in a set of proposals that were ultimately rejected.

The Labour Court is closely monitoring this dispute and is available to provide assistance to the parties at a time when it considers it appropriate to do so. For this reason I do not consider it would be appropriate or necessary to consider exercising powers under section 38 of the Industrial Relations Act, 1990.